

MAIDSTONE BOROUGH COUNCIL

COUNCIL

12 DECEMBER 2012

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Report prepared by Debbie Snook

1. STANDARDS REGIME

- 1.1 Under the provisions of the Localism Act 2011, the Council is required to appoint an Independent Person who must be consulted before any decision is taken on an investigated complaint of misconduct by a Borough or Parish Councillor. The Independent Person may be consulted on other standards issues and by a Member who is the subject of a complaint.
- 1.2 At the meeting of the Council held on 19 September 2012, Mrs Dorothy Phillips was appointed as the Independent Person for a transitional period until 30 June 2013. At that time it was not possible to appoint a reserve Independent Person to advise in the absence of the Independent Person. Since then, Mr Don Wright, who served as an Independent Member and Chairman of the old Standards Committee, has been appointed as the Independent Person for Tunbridge Wells Borough Council. The General Purposes Group interviewed Mr Wright at the same time as Mrs Phillips and invited him to consider being the reserve Independent Person. At that time he did not wish to take this up, but he is now willing to be Maidstone's reserve Independent Person under reciprocal arrangements with Tunbridge Wells Borough Council so that he may be consulted in the event of Mrs Phillips being unable to act. However, since Mr Wright has in the recent past been an Independent Member of the Standards Committee, his term of office is limited to June 2013. At that time the Council must appoint a new Independent Person (and reserve).
- 1.3 The new non-statutory Standards Committee comprises three Members from each political group of the Council (a political group being two or more Members who have asked to be treated as a political group) nominated, as usual, by the Group Leaders and appointed by the full Council.
- 1.4 It has been agreed that there is advantage to be gained from having a Parish Councillor representative on the Sub-Committees when they

hold hearings into allegations of misconduct by Parish Councillors and, in this connection, the Council, at its meeting held on 20 June 2012, appointed Councillors Paul Butcher and Eileen Riden to serve as non-voting Parish Councillor representatives on the new Standards Committee for an initial period until November 2012.

- 1.5 The terms of office of Councillors Butcher and Mrs Riden have now expired and the Maidstone Area Committee of the Kent Association of Local Councils has nominated them for re-appointment for a further term of 3½ years until the Annual Meeting of the Council in 2016.

1.6 RECOMMENDED:

- 1.6.1 That Mr Don Wright be appointed as Maidstone's reserve Independent Person until June 2013 to be consulted in the event of Mrs Phillips being unable to act.**

- 1.6.2 That Councillors Paul Butcher and Eileen Riden be re-appointed to serve as non-voting Parish Councillor representatives on the new Standards Committee for a further term of 3½ years until the Annual Meeting of the Council in 2016.**

Background Documents

None