

	
STANDARDS COMMITTEE	26 June 2012
Report of the Monitoring Officer	

Joint Committee

1. Summary

- 1.1 This report asks the Committee to recommend terms of reference for the new, non-statutory Joint Standards Committee to the member Councils.

2. Background

- 2.1 Statutory Standards Committees are abolished by the Localism Act. This Committee felt that it was important that there should continue to be a Standards Committee and it should continue to have voting Parish Councillors as Members. That was also the majority view of those Parish Councils who responded to consultation undertaken through the Yorkshire Local Council's Association.
- 2.2 The only way to ensure that Parish Members could have voting rights was for a Joint Committee to be established with Parish Councils. This Committee recommended and the City Council accepted that there should be a joint Committee established with three Parish Councils with membership nominated by the Parishes themselves. The Parish Councils have nominated Parish Councillors Don Crawford of New Earswick Parish Council, Glyn Simpson of Copmanthorpe Parish Council and Dennis Martin of Dunnington Parish Council.
- 2.3 Terms of reference are required for the new Joint Committee which all four Councils will need to approve. Draft terms of reference are annexed to this report and Members are asked to recommend them for approval to the Councils.
- 2.4 One particular difficulty with the Joint Committee arrangements (and which was considered by Standards Committee before making its recommendation) is that the Joint Committee is established between

the Councils and not between individuals. This means that while the Local Council's Association has signified its approval to the particular nominations which have been made, it is for the respective Parish Councils to confirm their nominations and they would be free to make alternative nominations in the future. In order to partially address this issue paragraph 4.2 of the draft terms of reference requires any casual vacancy to be reported to the Local Council's Association. This would allow the Parish Councils collectively to discuss whether the Joint Committee still reflects their interests and may prompt further discussions with the City Council. However, the Parish Council would be required to make an alternative nomination so as to allow the Joint Committee to continue to operate effectively.

- 2.5 The terms of reference allow the Joint Committee to take on the responsibility for granting dispensations. Given that this would otherwise be a function for full Council it would be appropriate for the Committee to recommend to the City Council that this power be delegated to the Joint Committee and that the Monitoring Officer be appointed as Proper Officer under section 33 of the Localism Act for the purpose of receiving applications for dispensation. The Committee has previously indicated its support for some further delegation of the function of granting dispensations and it would be appropriate for the Joint Committee to consider this at a future meeting
- 2.6 Parish Councils may well wish to retain this power themselves but they would have the option to delegate it if they so wish.

3. Recommendations

- 3.1 That the Councils be recommended to confirm their agreement to the establishment to the Joint Committee with the terms of reference annexed.
- 3.2 That the City Council delegate powers to deal with dispensations to the Joint Committee
- 3.3 That the City Council appoint the Monitoring Officer as Proper Officer for the purpose of receiving applications for dispensation
- 3.4 The Joint Committee be recommended to consider a further report on the issue of dispensations at a future meeting.

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	Report Approved	√	Date 20/6/12

Background papers

None

Annex

Terms of Reference