

STANDARDS COMMITTEE

Date of Meeting	Monday, 2 March 2020
Report Subject	Sub-committee of the Standards Committee
Report Author	Chief Officer, Governance

EXECUTIVE SUMMARY

The Committee met in January to consider a single request for dispensation. Rather than convene the full membership of the Committee, it met with a bare quorum. The Committee may wish to establish a sub-committee to hear dispensations requests in future when there is no other convenient meeting of the full Committee.

It is possible for a sub-committee to exercise all the functions of the whole Committee or only some of them. So it is also worth considering whether such a sub-committee should exercise other functions on behalf of the whole Committee as well.

If the Committee wishes to set up a sub-committee that will be able to conduct business in relation to Town and Community Councils, then it will need to consult with the Town and Community Councils beforehand, on issues such as membership and the functions to be exercised by it.

RECOMMENDATIONS

1	That the Committee decides whether it wishes to appoint a sub-committee and if so what functions it should be able to exercise.
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REPORT DETAILS

1.00	EXPLAINING THE SUB-COMMITTEE
1.01	<p>Shortly after a decision to cancel the January meeting of the Committee, a request was received for a dispensation. Rather than convene a full Committee for one item of business, the Committee met with a bare quorum of members. This raised the question of what to do should the situation recur or where there was a request for an urgent dispensation. It is possible to set up a sub-committee of the Standards Committee and this report explores the issues in doing so.</p>
1.02	<p>The legislation on sub-committees (s.54A Local Government Act 2000 and subsidiary legislation) permits the creation of sub-committees. It requires:</p> <ul style="list-style-type: none">i. Committee to determine the number of members on the sub-committee and the length of their terms of office;ii. the sub-committee to include independent members;iii. that meetings of the sub-committee must be chaired by an Independent Member; andiv. that at least half the members at the meeting must be Independent Members. <p>This appears is quite rigid and would appear to prohibit a flexible membership for the sub-committee where members are drawn from the full Committee based on their availability for a meeting.</p>
1.03	<p>In addition, where the sub-committee will exercise functions in relation to Town and Community Councils, then:</p> <ul style="list-style-type: none">i. the Town and Community member must be a member of the sub-committee; andii. there must be prior consultation with the Town and Community Councils.
1.04	<p>Requests for dispensation are often received from Town/Community Councillors or dual hatted members. The Town and Community Councillor would therefore need to be a member. If the sub-committee were also to include a County Councillor, then there would need to be at least 2 Independent Members on the sub-committee, and if either failed to attend the meeting would be inquorate. The sub-committee would thus consist of at least 4 members.</p>
1.05	<p>The alternative would be for the Committee to do as it did in January and meet in the expectation that it would have the bare minimum quorum. The statutory quorum is at least 3 members of whom at least half are Independent Members. As with sub-committees if any Town and Community Council business is to be transacted then the Town and Community member must be present.</p>

2.00	RESOURCE IMPLICATIONS
2.01	The financial cost of convening meetings consists of officer time, the attendance of Independent Members, travel allowance (if claimed) for Councillors plus minimal printing costs etc. Given the rules on membership the sub-committee would cost £198 or £297 per meeting rather than £495 per meeting for the whole Committee. Clearly this level of difference is minimal given the anticipated number of meetings.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation would need to take place with Town and Community Councils prior to establishing a sub-committee that is to be capable of exercising functions in respect of them.

4.00	RISK MANAGEMENT
4.01	There are minimal risks associated with the issues in this report.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None Contact Officer: Gareth Owens, Chief Officer, Governance Telephone: 01352 702344 E-mail: Gareth.Legal@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None