

**COUNCIL
23 JULY 2003**

**APPOINTMENT OF INDEPENDENT MEMBERS OF THE STANDARDS
COMMITTEE
(Director of Corporate Services – Legal)**

1 INTRODUCTION

- 1.1 The Local Government Act 2000 requires the Council to have a Standards Committee. At least one Member of the Committee must be a person who is not a Member or an officer of the Council. The Council's Standards Committee currently comprises two independent persons and this report proposes that they should be re-appointed as Members of the Committee.

2 RECOMMENDATION

- 2.1 That David Briggs and the Reverend David Osborne continue in their appointment as members of the Standards Committee**

3 ADVICE FROM STATUTORY AND OTHER OFFICERS

Section 151 Officer

- 3.1 There are no additional financial implications arising from this report.

Borough Solicitor

- 3.2 There are no specific legal implications arising from this report.

Access Implications

- 3.3 There are no access implications.

4 SUPPORTING INFORMATION

- 4.1 The Council appointed a Standards Committee in advance of the enactment of the Local Government Act 2000. When the Committee was established the Council determined that its membership should comprise two Members from each of the political groups plus two independent persons.

- 4.2 Following the coming into force of the Local Government Act 2000 the Relevant Authorities (Standards Committee) Regulations 2001 were issued. The regulations contained provisions (inter alia) relating to the appointment of independent Members. Those provisions stipulate that a person may not be appointed as an independent Member of the Standards Committee unless the appointment is:-

- approved by a majority of the Members of the Council
 - advertised in a local newspaper
 - of a person who has submitted an application to the Council
 - of a person who has not within the period of five years immediately preceding the date of appointment been a Member or officer of the Council
 - of a person who is not a relative or close friend of a Member of the Council
- 4.3 The process for appointment of the two current independent Members (which process preceded the legislation) did not comply with the regulations in that the vacancies were not advertised in a local newspaper and applications were not submitted. However, transitional provisions contained in the regulations permitted the existing independent persons to continue to serve as Members of the Standards Committee until 28th August 2003 without the Council having to follow the process of appointment outlined above.
- 4.4 In compliance with the regulations the Borough Solicitor placed a notice in the Bracknell News inviting applications from persons interested in serving as independent Members of the Standards Committee. The only applications received were those from David Briggs (the current Chairman of the Committee) and the Reverend David Osborne (currently Chairman of the Parish Council Standards Sub Committee). Both have served on the Standards Committee with distinction and diligence. Accordingly, it is proposed that they should be re-appointed.

Background Papers

The Relevant Authorities (Standards Committee) Regulations 2001.

Contact for Further Information

Alex Jack – 01344 355679

alex.jack@bracknell-forest.gov.uk

Doc.Ref

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