PURPOSE OF REPORT:

1. To inform the Constitutional and Nominations Committee of the proposal to increase the size of the Standards Committee and of the expiration of the terms of office of the two current independent members.

2. To make recommendations regarding the process for appointing independent members.

3. To note the provision of the Local Government and Public Involvement in Health Act 2007 requiring standards committees to be chaired by an independent member and to recommend the appointment of John Andrew Snadden as chair of the Standards Committee.

RECOMMENDATIONS:

1. To note the proposals to increase the size of the Standards Committee.

2. To appoint a panel comprising the Lord Mayor, two elected members (Councillors Burns and Whitmore) and the City Solicitor or her nominee to consider applications for the posts of independent member of the Standards Committee.

3. To authorise the Monitoring Officer to make appropriate arrangements for the appointment of independent members of the Standards Committee.

4. To recommend the appointment of John Andrew Snadden, independent member of the Standards Committee, as interim chair of the Standards Committee.

FINANCIAL CONSEQUENCES FOR REVENUE BUDGET:

Annual allowance for a 3rd independent member of the Standards Committee, currently £815 per annum.

FINANCIAL CONSEQUENCES FOR CAPITAL BUDGET:

None
WARDS AFFECTED:

All

IMPLICATIONS FOR:

<table>
<thead>
<tr>
<th>Antipoverty</th>
<th>Equal Opportunities</th>
<th>Environment</th>
<th>Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

CONTACT OFFICERS:

Susan Orrell, City Solicitor x 3087 s.orrell@manchester.gov.uk
Rodney Lund Assistant City Solicitor x 4019 r.lund@manchester.gov.uk
Michelle Chard, Head of Democratic Services x 4098 m.chard@manchester.gov.uk
Karen Chadwick, Solicitor x 3539 k.chadwick@manchester.gov.uk

BACKGROUND DOCUMENTS:

Local Government Act 2000
Local Authorities (Standards Committee) Regulations 2001
Local Government and Public Involvement in Health Act 2007

Background:

1. The Local Government and Public Involvement in Health Act 2007 (“the Act”) amends the Local Government Act 2000 to impose a locally managed framework for compliance with the code of conduct for local authority members with local standards committees making initial assessments of misconduct allegations. The Standards Committee will also become responsible for determining applications for the exemption from political restriction by holders of politically restricted posts.

2. As a result of these new responsibilities, the Council is being requested to increase the size of the Standards Committee so that it comprises at least 7 elected members (currently 5) and at least 3 independent members (currently 2).

3. It should be noted that the terms of office of the Standards Committee’s current two independent members, Elizabeth Carmichael and John Andrew Snadden, will expire on 14 and 16 May 2008 respectively.

Arrangements for the appointment of independent members

4. In accordance with the Regulations arrangements have been made for an advert to be placed in the Manchester Metro and the Manchester Evening News, inviting members of the public to apply for appointment to the office of independent member of the Standards Committee.
5. The Regulations require all applications for the office of independent member of the Standards Committee to be considered by an appointment panel set up for that purpose. The size, composition and rules under which the panel should operate is left to local authorities to determine. The appointment panel will make recommendations to the Council for the appointment of independent members.

6. At a meeting of the Standards Committee on 17 November 2003, it was agreed that appointment of the independent members would be based on the following principles:

(a) the appointment to be offered on the basis of two and three year terms so that in future the retirement of independent members will be staggered;

(b) in future, independent members to serve for a maximum of two terms, or six years, whichever is the lesser.

7. It is recommended that the Constitutional and Nominations Committee:

(a) appoint a panel comprising the Lord Mayor, two elected members (Councillors Burns and Whitmore) and the City Solicitor or her nominee to consider the applications received in response to the advertisement concerning the recruitment of independent members to the Standards Committee and make recommendations to Council on the proposed appointments; and

(b) authorise the City Solicitor to make appropriate arrangements for the appointment of independent members of the Standards Committee.

Appointment of an independent member as Chair of the Standards Committee

8. The Standards Committee is currently chaired by the Lord Mayor, except when considering complaints about member misconduct; breach of member protocols or guidance; reports from a case tribunal or matters referred by an ethical standards officer to the Council’s monitoring officer. As reported elsewhere on this agenda, the Local Government and Public Involvement in Health Act 2007 amends section 53(4) of the Local Government Act 2000 to require all standards committees to be chaired by an independent member rather than an elected member as from 1 April 2008.

9. As noted above, the terms of office of the Standards Committee’s two independent members expire in May 2008. Following the recruitment process, the panel will make recommendations regarding the appointment of independent members to the Council at its meeting on 14 May 2008.

10. Given the requirement for an independent member to be appointed as chair of the Standards Committee from 1 April 2008 until the new appointments are made by the Council on 14 May 2008, the Constitution and Nominations
Committee is asked to recommend that the Council appoint John Andrew Snadden, independent member of the Standards Committee, as interim chair of the Standards Committee from 1 April until 14 May 2008.