

Report of the Assistant Director Corporate Services (City Solicitor) to the meeting of Standards Committee to be held on 28 October 2009.

H

Subject:

Engaging with Parish Councils

Summary statement:

Standards Committee is invited to consider how it engages with Parish Councils to undertake its constitutional role.

Suzan Hemingway
Assistant Director Corporate Services (City
Solicitor)

Portfolio:

Report Contact: Suzan Hemingway
Phone: (01274) 433696
E-mail: suzan.hemingway@bradford.gov.uk

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Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



1. Summary

- 1.1 Standards Committee is invited to consider how it engages with Parish Councils to undertake its constitutional role.

2. Background

- 2.1 Article 11 of the Council's Constitution sets out the Terms of Reference for the Standards Committee. Specifically Article 11.7 sets out the Committees roles and functions and Article 11.8 states that the roles and functions set out in 11.7.1-11.7.7 shall apply to Parish Councils wholly or mainly in the Councils area and members of those Parish Councils.

- 2.2 Articles 11.7.1 – 11.7.7 are as follows:

- 11.7.1 Promoting and maintaining high standards of conduct by members of Council, voting co-opted members of Committees and Panels, independent members of the Standards Committee and church and parent governor representatives.
- 11.7.2 Assisting members of Council, voting co-opted members of Committees and Panels, independent members of the Standards Committee and parent governor representatives to observe the Members' Code of Conduct.
- 11.7.3 Advising the Council on the adoption or revision of the Members' Code of Conduct.
- 11.7.4 Monitoring the operation of the Members' Code of Conduct.
- 11.7.5 Advising, training or arranging to train members of Council, voting co-opted members of Committees and Panels, independent members of the Standards Committee and church and parent governor representatives on matters relating to the Members' Code of Conduct.
- 11.7.6 Granting dispensations to members of Council, voting co-opted members of Committees and Panels, independent members of the Standards Committee and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct.
- 11.7.7 Dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter which is referred by an Ethical Standards Officer to the Monitoring Officer.

- 2.3 It is therefore an important part of the Standards Committee role to ensure that it engages successfully with the Parish Councils in the district.

2.4 Bradford District has the following Parish Councils:

Addingham
Baildon
Burley
Clayton
Cullingworth
Denholme
Harden
Haworth, Cross Roads & Stanbury
Ilkley
Keighley Town Council
Menston
Oxenhope
Sandy Lane
Silsden
Steeton With Eastburn
Wilsden
Wrose

In addition there is a newly formed Parish Council, Trident Parish Council which will also come under the remit of the Standards Committee.

2.5 On 20 December 2007 Standards Committee resolved:

That the Assistant Director Corporate Services (City Solicitor) be requested to contact the Parish Council Liaison Group to request that a formal relationship between the Liaison Group and this Committee be established.

2.6 This resolution was implemented and the Parish Council Liaison Group kindly agreed to allow the Parish Council Representatives on the Standards Committee to attend the Liaison Group Meetings and make a verbal report to each meeting on the work of the Standards Committee. This is a useful contact which is helpful in terms of a regular point of communication.

2.7 However the Liaison Group only meets quarterly and it has a wide remit to include discussions on a range of issues relating to the Parish Councils' relationship with the District Council. It is not therefore possible to devote a great deal of the Liaison Group time to discussing the Standards Committee and Code of Conduct issues.

2.8 At this time there is no formal liaison with the Parish Clerks and the Council on a regular and consistent basis. The Parish Council Clerks regularly seek advice from the Monitoring Officer on a range of issues but there is no forum for having a more generic discussion with the Clerk about issues arising out of the Code of Conduct and compliance therewith.

2.9 Standards Committee Members are requested to consider how it can better communicate and support the Parish Councils and their Clerks in terms of Standards Committee role as set out in Article 11. In particular the Parish Council representatives on the Standards Committees views are requested

as they may be able to assist in determining what is likely to be the most appropriate way forward in improving our links with the Parish Councils.

3. Financial and resource appraisal

3.1 There may be some minor resource implications from engaging more widely with Parish Councils but these ought to be contained within existing budgets.

4. Legal appraisal

4.1 There are no specific legal implications of this report but it is important that the Standards Committee has good communication is undertaken with the Parish Councils to ensure they have access to the legal support and advice they require to undertake their important community role.

5. Other Implications

5.1 There are no Equal Rights, Sustainability, Community Safety, Human Rights Act, Trade Union Implications arising from this report.

6. Not for Publication documents

6.1 None.

7. Recommendations

7.1 That the Standards Committee consider the relationship with the Parish Councils and agree actions to improve how we engage with Parish Councils on a more proactive and consistent basis.

Reason for Recommendation

To ensure that the Standards Committee is properly undertaking its role in relation to Parish Councils as set out in the Councils Constitution.

8. Appendices

None.