

# ***Report to the Council***

**Report of:** Standards Committee

**Date:** 6 November 2012

**Chairman:** Councillor Mrs P Smith

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## **1. NEW STANDARDS ARRANGEMENTS – PARISH/TOWN COUNCIL DELEGATION ARRANGEMENTS**

### **Recommending:**

**That the Monitoring Officer's designation as Proper Officer under Chapter 7 of the Localism Act 2011 be extended to cover action in respect of any Parish/Town Council affiliated from time to time to the District Council's Standards Committee**

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### **Introduction**

1. The provisions of the Localism Act 2011 make it optional for District and Parish/Town Councils to have a Standards Committee. Following an approach to all 24 Parish/Town Councils in the District to establish their intentions we have been advised of the current position.
2. Six Parish Councils have stated that they wish to join our Committee – Chigwell, Epping Upland (subject to review after one year), Matching, Roydon, Sheering, Willingale. Our Constitution enables representatives from those Councils to attend our meetings in a non-voting capacity (ie. as observers) and we are seeking three nominations from those Councils.
3. Eleven Parish/Town Councils have decided to affiliate to a Joint Standards Committee for Parish and Town Councils established by the Epping Forest Association of Local Councils. Two Parish Councils have advised that they do not wish to affiliate to any Standards Committee and at the time of our meeting replies were awaited from five councils.

### **The Monitoring Officer**

4. The Monitoring Officer is granted powers under Chapter 7 of the Localism Act 2011 to establish and maintain registers of interests of members and co-opted members of the District Council and all Parish and Town Councils in the District.
5. In addition, the Council at its meeting on 18 June 2012 designated the Monitoring Officer as the Proper Officer of the Council to receive and determine or refer to the Standards Committee for determination, applications for dispensation relieving members of the District Council from the restrictions regarding disclosable pecuniary interests.
6. We are proposing an extension of the Monitoring Officer's delegated authority to

cover those Parish and Town Councils affiliated to the District Council's Standards Committee. It could be held that the legislation already provides for this but we consider it is desirable that the matter be recorded formally for the avoidance of doubt and to overcome the possibility of challenge in the future. Our recommendation is drafted in general terms to reflect the fact that the number of affiliated councils may change in the future.

7. The Monitoring Officer is continuing to have discussions with representatives of the Joint Standards Committee for Parish and Town Councils about their arrangements and if necessary we will report to a future meeting on the need for any delegated powers in relation to the Councils affiliated to that Committee.
8. We recommend as set out at the commencement of this report.