

**Audit, Governance and Standards Committee – Parish Council Representation**

<b>Final Decision-Maker</b>	Council
<b>Lead Head of Service/Lead Director</b>	Angela Woodhouse, Head of Policy, Communications and Governance
<b>Lead Officer and Report Author</b>	Debbie Snook, Democratic Services Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

The Council has recently agreed changes to the Constitution to regularise the situation regarding Parish Council representation on the Audit, Governance and Standards Committee.

The Audit, Governance and Standards Committee now comprises nine Councillors plus two non-voting Parish Councillors appointed by the Council for a three year term of office.

The Hearing Panel, which is required to determine all complaints referred to it by the Monitoring Officer where a Member of a Council in the Borough is alleged to have breached their respective Councillors' Code of Conduct under the provisions of the Localism Act 2011, now consists of three Councillors (plus one non-voting Parish Councillor when a Parish Councillor is the subject of the complaint) drawn from the Audit, Governance and Standards Committee.

Councillor Peter Coulling of Teston Parish Council continues to serve as a non-voting Parish Council representative on the Audit, Governance and Standards Committee and the Hearing Panel, as required, until the Annual Meeting of the Council in 2019. There is, therefore, a vacancy.

**This report makes the following recommendation to Council:**

That the Council appoint a Parish Councillor to serve as a non-voting Parish Council representative on the Audit, Governance and Standards Committee and the Hearing Panel, as required, for a three year term of office.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Council	12 December 2018

# **Audit, Governance and Standards Committee – Parish Council Representation**

## **1. INTRODUCTION AND BACKGROUND**

- 1.1 The Council has recently agreed changes to the Constitution to regularise the situation regarding Parish Council representation on the Audit, Governance and Standards Committee.
- 1.2 The Audit, Governance and Standards Committee now comprises nine Councillors plus two non-voting Parish Councillors appointed by the Council for a three year term of office.
- 1.3 The Hearing Panel, which is required to determine all complaints referred to it by the Monitoring Officer where a Member of a Council in the Borough is alleged to have breached their respective Councillors' Code of Conduct under the provisions of the Localism Act 2011, now consists of three Councillors (plus one non-voting Parish Councillor when a Parish Councillor is the subject of the complaint) drawn from the Audit, Governance and Standards Committee.
- 1.4 Parish Council representatives are appointed by the Council upon the nomination of the Maidstone Area Committee of the Kent Association of Local Councils (KALC) and any other Parish Councils in the Borough that are not members of KALC.
- 1.5 Councillor Peter Coulling of Teston Parish Council continues to serve as a non-voting Parish Council representative on the Audit, Governance and Standards Committee and the Hearing Panel, as required, until the Annual Meeting of the Council in 2019. There is, therefore, a vacancy.
- 1.6 The Maidstone Area Committee of KALC has been asked to nominate another Parish Councillor to serve as a non-voting Parish Council representative on the Audit, Governance and Standards Committee and the Hearing Panel as required.
- 1.7 Since Tovil Parish Council is not a member of KALC, the Parish Council has also been asked if it wishes to nominate one of its Members to serve as a non-voting Parish Council representative on the Committee and the Hearing Panel as required.
- 1.8 The Maidstone Area Committee of KALC has nominated Councillor Peter Titchener of Ulcombe Parish Council to fill the vacancy.
- 1.9 Tovil Parish Council has nominated Councillor Abigail Hogg to fill the position.
- 1.10 As two nominations have been received, it will be necessary to take a vote on the appointment.

## **2. AVAILABLE OPTIONS**

- 2.1 To do nothing, but this will not address the vacancy which has arisen for a non-voting Parish Council representative on the Audit, Governance and Standards Committee and the Hearing Panel as required.
  - 2.2 To consider the nominations which have been received and appoint a Parish Councillor to serve as a non-voting Parish Council representative on the Audit, Governance and Standards Committee and the Hearing Panel, as required, for a three year term of office.
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## **3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 3.1 It is recommended that the Council consider the nominations which have been received and appoint a Parish Councillor to serve as a non-voting Parish Council representative on the Audit, Governance and Standards Committee and the Hearing Panel, as required, for a three year term of office.
  - 3.2 In amending the Constitution to regularise the situation regarding Parish Council representation on the Audit, Governance and Standards Committee, Members felt that Parish Council representatives can make a worthwhile contribution to the debate and that the inclusion of Parish Council representatives provides valuable Parish perspective and knowledge.
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## **4. RISK**

- 4.1 Accepting the recommendation will give effect to recently agreed changes to the Constitution regarding Parish Council representation on the Audit, Governance and Standards Committee and mitigate the risks associated with non-compliance with the Constitution. To have two Parish Council representatives in place will mitigate the risk of a Parish Council representative not being available to serve on the Hearing Panel when a Parish Councillor is the subject of a complaint.
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## **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 The Maidstone Area Committee of KALC has been invited to nominate a Parish Councillor to serve as a non-voting Parish Council representative on the Audit, Governance and Standards Committee and the Hearing Panel as required. Since Tovil Parish Council is not a member of KALC, the invitation has been extended to the Parish Council as well.
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## 6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 If the recommendation is agreed, then the membership of the Audit, Governance and Standards Committee will be amended accordingly and publicised on the Council's website.

## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	We do not expect the recommendation will by itself materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims through improved governance arrangements.	Debbie Snook, Democratic Services Officer
<b>Risk Management</b>	See paragraph 4.1 above.	Debbie Snook, Democratic Services Officer
<b>Financial</b>	The appointment of a second non-voting Parish Council representative to serve on the Audit, Governance and Standards Committee and the Hearing Panel as required can be met from already approved budgetary headings and so no new funding is required. The inclusion of Parish Council representatives in the membership of the Audit, Governance and Standards Committee provides some independent input to the work of the Committee.	Section 151 Officer & Finance Team
<b>Staffing</b>	There are no staffing implications.	Debbie Snook, Democratic Services Officer
<b>Legal</b>	Agreeing the recommendation will give effect to the provisions of the Constitution relating to the Audit, Governance and Standards Committee.	Legal Team

<b>Privacy and Data Protection</b>	There are no implications for privacy and data protection.	Legal Team
<b>Equalities</b>	The recommendation does not propose a change in service therefore will not require an equalities impact assessment.	Equalities and Corporate Policy Manager
<b>Public Health</b>	We recognise that the recommendation will not negatively impact on population health or that of individuals.	Debbie Snook, Democratic Services Officer
<b>Crime and Disorder</b>	No impact.	Debbie Snook, Democratic Services Officer
<b>Procurement</b>	No impact.	Debbie Snook, Democratic Services Officer

## **8. REPORT APPENDICES**

None

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## **9. BACKGROUND PAPERS**

None