

CARLISLE CITY COUNCIL

Report to:- **Standards Committee and City Council**

Date of Meeting:- **11 July 2006 and 18 July 2006**

Agenda Item No:-

Public	Operational	Delegated No
--------	-------------	--------------

Accompanying Comments and Statements	Required	Included
Environmental Impact Statement:	No	No
Corporate Management Team Comments:	No	No
Financial Comments:	No	No
Legal Comments:	Yes	Yes
Personnel Comments:	No	No
Impact on Customers:	No	No

Title:- **APPOINTMENT OF INDEPENDENT MEMBER**

Report of:- **Director of Legal and Democratic Services**

Report reference:- **LDS.40/06**

Summary:-

The composition of the City Council's Standards Committee is five City Councillors, two Independent Members and one Parish Council representative. Dr P Tiplady and Mr A Fraser are the current serving Independent Members. Dr P Tiplady's period of Office is due to expire on 18th September 2006.

Members will be aware that, under current regulations, at least one Independent Member needs to be present for a meeting of the Standards Committee to be quorate. I arranged for an advert to be placed in the Cumberland News on the 19 May 2006 seeking expressions of interests from individuals wishing to serve as an Independent Member as required under current regulations and I also circulated a copy of that advert to all Members of the City Council for their information.

I have now received an application from Dr Tiplady indicating that he is willing to continue for a further term of Office and a copy of his letter of application is attached as an appendix to this report.

LDS.40.06 - Standards Committee & City Council 14 06 06.docNote: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:
None

The regulations on Independent Members (The Relevant Authorities) (Standards Committee) Regulations 2001 state that the person appointed must not have been a Member or Officer of the Authority for at least five years preceding the date of appointment, nor be a relative or close friend of a Member or Officer of the Authority. Some guidance produced by the Standards Board for England on the criteria which Members may wish to have regard to in selecting an Independent Member is also attached for information.

The appointment has to be approved by a majority of the Council and it is suggested that it would be appropriate for any appointment to be for a term of three years.

Recommendation:-

Members of the Standards Committee are requested to consider the application received and agree a recommendation on the appointment of an Independent Member for consideration by Council for (it is suggested) a term of three years as from the date of appointment.

Contact Officer: Ian Dixon

Ext: 7033

14 June 2006

Dr Peter Tiplady
Meadow Croft
Wetheral
Carlisle
CA4 8JG

LEGAL & DEMOCRATIC SERVICES	
FILE	
- 6 JUN 2006 152	
PASSED TO	
ANSWERED	
MAIL LOG	

Tel 01228 561611

peter tiplady@ncha.demon.co.uk

May 31, 2006

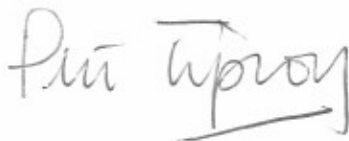
Mr J M Egan LLB
Director of Legal and Democratic Services
Civic Centre
Carlisle
CA3 8QG

Dear Mr Egan,

Re City Council's Standards Committee

Further to your letter of 16th May, I am writing to conform that I am willing to serve on the committee for a further term of three years.

Yours Sincerely



Peter Tiplady

Peter Tiplady
Meadow Croft
Wetheral
Carlisle
CA4 8 JG
T01228 5461611

petertiplady@ncha.demon.co.uk

LEGAL & DEMOCRATIC SERVICES	
FILE	
- 5 JUN 2006 <i>TD</i>	
PASSED TO	
ANSWERED	
MAIL LOG	<i>J</i>

June 2, 2006

Mr J M Egan
Director of Legal and Legal Services
Civic Centre
Carlisle
CA3 8QG

Dear Mr Egan

Re City Council's Standards Committee

Further to your letter of 16th May, I write to confirm that I would like to be considered for an additional term of office.

My Referees are

Mr Robin MacLeod
The Shielling
Capon Tree Rd
Brampton
CA8 1QL

Mr William Reid
Medical Director
Cumberland Infirmary
Newtown Rd
Carlisle
CA2 7HY

Yours Sincerely



Peter Tiplady

Choosing an independent representative

You must choose the independent representative in a fair and open way.

A person can be an independent representative only if:

- he or she has not been a member or employee of your council within the five years before the date of appointment;
- he or she is not a relative or close friend of a member or employee of your council;
- he or she filled in an application for the position;
- he or she has been approved by the majority of members; and
- the position has been advertised in at least one newspaper distributed in your council's area.¹⁴

(Note: the rules above do not apply to standards committees which were set up before 28 August 2001 and can be treated as the council's standards committee for the purpose of Part III of the Local Government Act 2000. However, the rules will apply to such committees from 28 August 2003.)

If you are finding it difficult to appoint an independent representative, you should review the criteria of the advertisement and make sure they are realistic. For example, you could check that you are not asking the member to put in an unrealistic amount of time.

The qualities you look for in an independent representative will depend on the area your council serves, but you may want to see that the representative:

- is familiar with ethical dilemmas;
- has experience with committee work;
- has questioning skills;
- is assertive; and
- is independent of any political party and local government.

You could try advertising for an independent representative in a number of places (for example, places of adult learning, libraries or places of worship). You could approach someone your council considers appropriate for the position and tell him or her about the advertisement. Remember that all the selection criteria for the position will still apply, so even if you approach someone directly, they must still make a formal application.

¹⁴ Regulation 4 of the Relevant Authorities (Standards Committee) Regulations 2001.

At present, independent representatives are only entitled to allowances to cover travel and subsistence expenses and financial loss. However, the Government considered advice on a new allowances system last year. We are pressing them to allow independent representatives to claim a 'special responsibility' allowance.

CARLISLE CITY COUNCIL

STANDARDS COMMITTEE

The City Council has established a Standards Committee to advise it on the standards of conduct of City and local Parish Councillors within the context of the Codes of Conduct adopted by those respective Councils. The Committee is made up of 5 Members of the City Council, 1 representative of the Parish Councils and 2 Independent Members.

The appointment period in respect of one of the Independent Member places is shortly due to expire and whilst it is open to the Council to reappoint the current Independent Member applications are also invited from any persons who may wish to serve as a co-opted Independent Member of the Committee. Whilst no particular qualifications are required, current serving Local Authority Members or Officers (whether on County, District or Parish Councils) and persons who have within the previous 5 years been such Member or Officer are not eligible to apply, nor are persons who are relatives or close friends of a Member or Officer of Carlisle City Council.

No salary is payable, but the Council will reimburse any loss of earnings, together with reasonable allowance in respect of attendance at meetings, which will normally be held in the Civic Centre, Carlisle.

There is no prescribed form of application. Applicants are kindly requested to send expressions of interest, preferably indicating what applicants feel they will be able to contribute to the work of the Standards Committee, in writing to **J M Egan, Director of Legal and Democratic Services, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG**, to be received no later than 5 June 2006, together with the name and address of two persons who can be contacted for a reference.

J M Egan
Director of Legal and Democratic Services
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

19 May 2006