

## **Urgent Non-Executive Decisions made by the Chief Executive**

### **Purpose**

- 1.1 This report asks the Council to note the urgent non-executive decisions taken by the Chief Executive, following consultation with the political group leaders, since the last meeting of Council.

### **Recommendation**

- 2.1 To note the decision of the Chief Executive, following consultation with the political group leaders, to appoint Councillor Marshall to the Standards Committee for the remainder of the 2018/19 municipal year.

### **Reason**

- 3.1 The Council Constitution requires that such matters are reported to Council.

### **Supporting information**

- 4.1 Council agreed changes to the process for considering complaints about councillors at its meeting of 23 June 2018.

As part of this decision, Council agreed to remove the necessity for political balance on the Standards Committee and that the committee should henceforth have a composition of one member per political group, and that one place was reserved for ungrouped members.

- 4.2 Following Councillor Marshall's resignation from the Conservative Group in October 2018, he has sat as an independent member and is therefore entitled to a position on the Standards Committee. There are no other independent councillors who would be entitled to contest the position.
- 4.3 Councillor Marshall indicated that he wished to take up the vacancy in December 2018. In order to ensure the appointment was made prior to the meeting of Standards Committee held on 12 February 2019, the Chief Executive used their delegated authority to take urgent non-executive decisions on behalf of Council.

- 4.4 Councillor Marshall was appointed to the Standards Committee on 11 February 2019.

### **Public/stakeholder engagement**

- 5.1 The four political group leaders were consulted on 8 February 2018. No objections to the appointment were received.

### **Other options**

- 6.1 To delay the appointment until the next meeting of Council. This option was discounted as it would have prevented Councillor Marshall from being represented at the meeting of the Standards Committee held on 12 February 2019.

### **Financial and value for money issues**

- 7.1 None.

### **Legal implications**

- 8.1 To not allow an ungrouped member to take up a position on the Standards Committee would be in contravention of the process for considering complaints about councillors, agreed by Council in June 2018.

### **Other significant implications**

- 9.1 None.

**This report has been approved by the following people:**

<b>Role</b>	<b>Name</b>	<b>Date of sign-off</b>
<b>Legal</b>		
<b>Finance</b>		
<b>Service Director(s)</b>	Emily Feenan, Acting Director of Legal, Procurement and Democratic Services and Monitoring Officer	19/02/2019
<b>Report sponsor</b>	Don McLure, Strategic Director of Corporate Resources	19/02/2019
<b>Other(s)</b>		

  

<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 - Council minute 22/18 – Process for considering complaints about councillors (23 June 2018)

**Minute Extract  
Council**

**23 June 2018**

**22/18      Process for Considering Complaints About  
Councillors**

A report of the Interim Strategic Director of Corporate Resources detailed proposals to change the way complaints about councillors were handled. This followed a review by officers and consideration by the Standards Committee. An independent member of the Standards Committee, Mr Philip Sunderland, addressed Council.

The recommendations in the report were moved by Councillor Shanker, and seconded. The matter was put to the vote and carried. In accordance with the requirements relating to political proportionality within the Local Government and Housing Act 1989, the recommendation detailed as resolution number 4, below, was carried without any members voting against.

**Resolved:**

- 1. To approve the adoption of a new Councillor Complaints Procedure, as attached at Appendix 2 and as detailed in the report;**
- 2. To approve the adoption of a new Complaints Form, as attached as Appendix 3 of the report;**
- 3. To request that all political groups will establish or review their own Group Complaints Procedures to ensure they are able to deal with complaints that fall outside of the new Procedure detailed in Appendix 2;**
- 4. To disapply the necessity for political balance on the Standards Committee as a permitted 'exception', and that the Standards Committee shall henceforward have a composition of one member per political group on the council and one place reserved for ungrouped members (there are presently none);**
- 5. To approve a variation of Council Procedure Rule CP101 such that appointed members of the Standards Committee are permitted to send group colleagues to attend as substitute members on their behalf;**
- 6. To appoint Mr Peter Purnell and Mr Philip Sunderland as independent persons to the Standards Committee and to establish an Independent Person Advisory Panel;**
- 7. To note that it is proposed that the new arrangements will be reviewed by the Standards Committee in the latter stages of the 2018/9 municipal year.**