

STAPLEHURST PARISH COUNCIL

NON-COUNCILLOR MEMBERS POLICY & PROCEDURES

1. Introduction

1. Section 102(3) of the Local Government Act 1972 provides that a local council can appoint persons who are not its members to committees and sub-committees (including joint committees and sub-committees), other than a committee for regulating and controlling the finance of the local authority or of their area.

2 NON-COUNCILLOR MEMBERS DISQUALIFICATION

2. Section 102(3) of the 1972 Act provides that persons can be appointed as non- councillor members of a committee unless they have been disqualified pursuant to Section 104 of the 1972 Act. Section 104 confirms that such persons are disqualified if they would be disqualified from being elected or being a member of a local authority pursuant to Part V of the 1972 Act. Section 80 of Part V of the 1972 Act sets out the circumstances in which persons are disqualified from being a member of a council. In summary, non-councillors may not sit on a committee if they:
 - a) hold any paid office or employment (other than the office of chair, vice chair or deputy chair) to which they have been appointed by the council or any committee or sub-committee on which the council is represented; or
 - b) are the subject of a bankruptcy restriction order or interim bankruptcy order; or
 - c) have within the five years before the day of appointment, or since their appointment, been convicted in the UK, Channel Islands or Isle of Man of any offence and have had passed on them sentence of imprisonment of at least three months (whether suspended or not) without the option of a fine; or
 - d) have been found guilty of corrupt or illegal practices or were responsible for incurring unlawful expenditure and the court orders their disqualification.

3 NON-COUNCILLOR MEMBER APPOINTMENTS

- 3.1 The Council may appoint (or ratify) persons who are not members of the Council on the following Standing Committee(s):
 - a) Planning Committee

3.2 The Council may appoint (or ratify) persons who are not members of the Council on the following Advisory Committee(s)/ Working Group(s):

- a) Communications Group;
- b) Scenic
- c) Greener Staplehurst Group
- d) Employment, Finance and Strategy Group
- e) Road Safety Group
- f) 3G Multi-Sport pitch Working group
- g) Jubilee Field Working Group
- h) Neighbourhood Plan Review Group.

4. NON-COUNCILLOR VOTING RIGHTS

4.1 Non-councillor members of the Standing Committee(s) (set out in 3.1) do not have voting rights.

4.2 Non-councillor members of the Advisory Committee(s)/Working Group(s) (set out in 3.2) do have voting rights, except where voting on a matter includes a financial element(s).

5. CODE OF CONDUCT

5.1` Non-councillor members are subject to the Council's Code of Conduct.

6. POLICIES & PROCEDURES

6.1 Non-councillor members are subject to the Council's policies and procedures, particularly the Council's Standing Orders and the Council's Financial Regulations

7. NON-COUNCILLOR MEMBERS CHAIRING/LEADING A COMMITTEE(S), ADVISORY COMMITTEE(S) OR GROUP(S)

7.1 Non-councillor members may not be appointed as a Chairman or Lead for a Committee(s) (set out in 3.1).

7.2 Non-councillor members may be appointed as a Chairman or Lead for an

Advisory Committee(s) or Working Group(s) (set out in 3.2).

7.3 Non-councillor members may be removed as a Chairman or Lead for an Advisory Committee(s) or Working Group(s) (set out in 3.2), by resolution of the Council in accordance with KALC guidelines.

8. Adoption

This policy supersedes any former policy and was adopted by Staplehurst Parish Council

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