

COUNCIL

**Independent Persons Appointed under the Localism
Act 2011
26th May 2015**

Report of the Monitoring Officer

PURPOSE OF REPORT

To enable the Council to designate a “lead” and “reserve” Independent Person for the forthcoming municipal year.

This report is public

RECOMMENDATIONS

- (1) That Council confirm Mr Tony James as its “lead” independent person, and Mr David Jordison as “reserve” independent person for the purposes of section 28(7) of the Localism Act 2011 for the next municipal year.**
- (2) That the Monitoring Officer be authorised to commence a recruitment process for the appointment by Council of an additional independent person.**

1.0 Introduction

- 1.1 The Localism Act 2011 requires the Council’s arrangements for dealing with complaints of breach of the Code of Conduct to include provision for the appointment by the Council of at least one Independent Person, who must be appointed through a process of public advertisement, application and appointment by a positive vote of a majority of all members of the Council (not just of those present and voting).
- 1.2 The Independent Person must be consulted before the Council makes a finding as to whether a member has failed to comply with the Code of Conduct, or decides on action to be taken in respect of that member. The Independent Person may be consulted by the Council in respect of a standards complaint at any other stage, and may be consulted by a member or co-opted member of the Council or of a parish council against whom a complaint has been made.
- 1.3 Transitional arrangements when the Localism Act 2011 was implemented enabled the Council to appoint as its Independent Persons, three persons who had been independent members of the Standards Committee under the previous standards regime. Of these, two have continued in the role – Mr Tony James, the former independent vice-chairman of the Standards

Committee is the “lead” independent person, and Mr David Jordison, a former independent member of the Committee is the “reserve” independent person. Both therefore have a wealth of experience in standards matters.

2.0 Proposal Details

- 2.1 Both Mr James and Mr Jordison have indicated that they are willing to continue in the role for the time being, and Council is therefore requested to continue their appointment for the forthcoming municipal year.
- 2.2 However, it is recognised that, given the long service of Mr James and Mr Jordison, it would be good practice to recruit an additional independent person at this stage, in order to ensure continuity for the future. Council is therefore asked to authorise the Monitoring Officer to commence a recruitment process. Members of the Standards Committee would be involved in shortlisting and interviewing, and Council would then be asked to consider any recommendation for appointment

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)
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None directly arising from this report.

LEGAL IMPLICATIONS

None directly arising from this report.

FINANCIAL IMPLICATIONS

There are no financial implications. No allowance is payable to the independent persons, but travel and any other expenses are reimbursed. These, and the costs of recruitment, can be met from existing budgets.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The report has been prepared by the Monitoring Officer in her capacity as adviser to the Standards Committee.

BACKGROUND PAPERS

None

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