

Council

Standards Committee – Appointment of Independent Person

22 July 2013

Report of Head of Law and Governance

PURPOSE OF REPORT

To enable Council to appoint a statutory Independent Person pursuant to Section 28 (7) of the Localism Act 2011 following the expiry of the term of office of Dr Sadie Reynolds.

This report is public.

Recommendations

Council is recommended:

- (1) To appoint Graham Matthews as statutory Independent Person pursuant to Section 28 (7) of the Localism Act 2011 with a term of office expiring on the date of the Annual Meeting in May 2017.
- (2) Thank Dr Sadie Reynolds for her hard work as an Independent Person since 15 October 2012 and previously as an Independent member of the Standards Committee for the period 2004 - 2012.

Details

- 1.1 On 16 May 2012 Council resolved that two statutory Independent Persons should be appointed pursuant to Section 28 (7) of the Localism Act 2011. On 15 October 2012 Dr Sadie Reynolds and Thomas Edwards were duly appointed as statutory Independent Persons with their terms of office expiring on 30 June 2013 and the date of the Annual Meeting in May 2016 respectively.
- 1.2 As a consequence of the expiry of Dr Sadie Reynolds' term of office, to ensure the Council continues to have two Independent Persons the vacancy has been advertised.
- 1.3 The Head of Law and Governance and the Vice-Chairman of the Standards Committee have reviewed the application received and are in agreement to the proposed appointment. Mr Matthews is already an Independent Person for South Northamptonshire Council and is a former Independent member of the Standards Board for East Northamptonshire Council.

Conclusion

- 1.4 The Head of Law and Governance and the Vice-Chairman of the Standards Committee (in the absence of the Chairman) have reviewed the application received and recommend the appointment of Mr Matthews as one of the Independent Persons pursuant to Section 28 (7) of the Localism Act 2011.

Key Issues for Consideration/Reasons for Decision and Options

- 2.1 The following options have been identified. The approach in the recommendation is believed to be the best way forward.

Option One To accept the recommendation.

Option Two To appoint a different Independent Person to that recommended. This is not recommended as the proposed appointment has the support of the Standards Committee Vice-Chairman and consideration of alternative appointments would require a deferral of this matter to a future Council meeting, and the inability of the Head of Law and Governance to continue to effectively operate the Standards arrangements in the meantime.

Option Three Not to appoint a second independent Persons. This is not recommended because the Council has previously agreed to appoint two Independent Persons and having two independent persons significantly mitigates the risk of a conflict of interest arising as well as lack of adequate cover should one Independent Person be unavailable.

Consultations

Vice-Chairman, Standards Committee

Implications

Financial: The Independent Persons will be entitled to receive an allowance payment of £708 per year. This reflects the allowance payments that were received by the former Independent External Members of the Standards Committee. There is accordingly budgetary provision for these payments.

Comments checked by Karen Curtin, Head of Finance and Procurement,
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Legal: The legal implications are dealt with in the report.

Comments checked by Kevin Lane, Head of Law and Governance,
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Risk Management:

The Council is legally obliged to appoint at least one independent person. By appointing two independent persons the risk of a conflict of interest arising is significantly mitigated.

Comments checked by Kevin Lane, Head of Law and Governance,
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Document Information

Appendix No	Title
None	
Background Papers	
None	
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