

North Tyneside Council

Report to Standards Committee

Date: 19 June 2014

ITEM

Title: Extension of
Appointment of
Independent Persons

Portfolio(s): Elected Mayor

Cabinet Member(s): Mrs N Redfearn

Report from Service Area: Chief Executive's Office

Report Authors: Vivienne Geary, Head of Legal, Governance and Commercial Services (Tel: 643 5339)

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Wards affected: All

1.1 Purpose:

The Localism Act 2011 ("the Act") places a statutory duty on the Authority to promote and maintain high standards of conduct by its elected and co-opted members. The Act also requires the Authority introduce local arrangements to handle any misconduct complaints including the appointment of Independent Persons

1.2 Recommendation(s):

It is recommended that the Committee:

1. notes the contents of this report; and
2. recommends to Council to extend the appointments of Ms Stella Gardner and Mr George Clark as Independent Persons, pursuant to the requirements of the Localism Act 2011, for a further period of 2 years to July 2016.

1.3 Information:

1.5.1 Appointment of Independent Persons

The Localism Act 2011 requires the Authority to appoint at least one Independent Person. The Independent Person's views are required to be sought and taken into account before the Authority's Standards Committee makes a decision on any allegation which has been investigated that a Member or Co-opted Member has failed to comply with the requirements of the Code of Conduct for Members and Co-opted Members, and at other times when considered appropriate. An Independent Person's views may also be sought by a Member who is the subject of a misconduct complaint.

The Council at its meeting on 1 July 2012 agreed to the appointment of two Independent Persons, in order to deal with situations where one Independent Person is ill, indisposed, away on holiday, or indeed has a conflict of interest in a matter on which they have to be consulted.

Mr George Clark was appointed at the July 2012 Council meeting as one of the Independent Persons. A second appointment at that meeting was not possible and Council authorised the Monitoring Officer to undertake a further recruitment process.

Mrs Stella Gardner was appointed at the September 2012 Council Meeting.

Mr Clark and Mrs Gardner were appointment for a period of 2 years with an option to extend the appointment for a further 2 years. This allowed for a balance between acquired proficiency and a possible perceived diminution of independence.

Mr Clark and Mrs Gardner have both indicated a willingness to continue in the role of Independent Person for a further period of 2 years.

The allowance to be paid to the Independent Persons has been determined by Council. The allowance is contained within existing budgets.

The Committee are requested to recommend to Council to extend the appointments of Mr George Clark and Ms Stella Gardner as Independent Persons, pursuant to the requirements of the Localism Act 2011, for a further period of 2 years to July 2016.

1.8 Appendices:

None.

1.9 Contact officers:

The names, titles and contact numbers of the key officer who has contributed to the report and other relevant officers should be set out here in the following format:

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1.10 Background information:

The following background papers/information has been used in the compilation of this report and are available at the office of the author:

The Localism Act 2011