

**Item 11            Appointment of Independent Persons pursuant to  
                         Section 28 of the Localism Act 2011**

Report of the Head of Legal & Democratic Services (Portfolio: Corporate)

**Recommended:**

**That Michael Cronin, Mrs Vera Hughes and Mrs Denise Pike be appointed as Independent Persons pursuant to Section 28 of the Localism Act 2011 until 4 July 2016.**

**SUMMARY:**

- The Selection Panel set up by the Cabinet met and interviewed applicants for the positions of Independent Person and have selected three persons to be appointed.

**1            Introduction**

- 1.1 The Localism Act 2011(the Act) has changed the ethical framework that applies to local authorities. The new provisions come into force on 1<sup>st</sup> July and include the requirement for the Council to appoint Independent Persons who can be consulted by both the Member against whom an allegation of failure to comply with the code of conduct has been made and by the Monitoring Officer and/or the member body considering the complaint.
- 1.2 Independent Persons can only be appointed by Council after the recruitment process required by the Act has been followed.

**2            Background**

- 2.1 The Act requires councils to appoint at least one Independent Person.
- 2.2 At its meeting on 14 March 2012, the Cabinet resolved that the process for appointing the Independent Person should commence and also set up a selection panel to interview applicants and make a recommendation to Council.
- 2.3 The position of the Independent Person was advertised as required by the Act and there were seven applications, one of which was subsequently withdrawn. The selection panel interviewed the remaining six applicants and considered that Mr Michael Cronin, Mrs Vera Hughes and Mrs Denise Pike were the most suitable for the position.

2.4 It was decided to recommend the appointment of three Independent Persons to allow for unavailability and conflict of interest.

**3 Consultations/Communications**

3.1 There were none as the process for appointment is a statutory process.

**4 Options**

4.1 The Council has no option but to appoint at least one Independent Person and the selection panel is recommending three for the reason given in paragraph 2.4 above.

**5 Option Appraisal and Risk Analysis**

5.1 If the Council does not appoint at least one Independent Person it will not be able to implement the new ethical framework as required by the Act.

**6 Resource Implications**

6.1 There are none as the Independent Person will only be paid subsistence and travel expenses.

**7 Legal Implications**

7.1 These have been dealt with above.

**8 Conclusion**

The selection panel considers that Mr Michael Cronin, Mrs Vera Hughes and Mrs Denise Pike are the most suitable candidates for the position and recommends their appointment.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	None		
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