

**AGENDA ITEM**

**REPORT TO COUNCIL**

**20 September 2023**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

**EXTENSION OF TERM OF OFFICE OF INDEPENDENT PERSONS**

**SUMMARY**

This report provides Council with the recommendations from the Monitoring Officer to extend the terms of office of the existing Independent Persons.

**RECOMMENDATIONS**

It is recommended that:-

1. The terms of office of Dr Stuart Green and Lyn Ryan as Independent Persons be extended to 10<sup>th</sup> May 2027

**DETAIL**

1. On the 29<sup>th</sup> January 2020 Council agreed to appoint Dr Stuart Green and Lyn Ryan as the Council's new Independent Persons.
2. The Localism Act 2011 (the 2011 Act) requires the Council to appoint at least one Independent Person for the purposes of its arrangements for dealing with allegations of misconduct by local authority Members.
3. In addition, the standing orders relating to disciplinary action against protected statutory officers (the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) require Councils to establish Panels which had at least two Independent Persons (appointed pursuant to the Localism Act 2011) as Members. If an Authority did not have two Independent Persons of its own, it would have to look to other Authorities for its Independent Person Panel members.

Taking all of this into account it is recommended that the appointment of Dr Stuart Green and Lyn Ryan as Independent Persons be extended to 10<sup>th</sup> May 2027 (reflecting the terms of office of elected members).

## **COMMUNITY IMPACT IMPLICATIONS**

4. Effective corporate and ethical governance is critical to an authority's performance. Probity and high standards are an inherent part of ethical and hence corporate governance. The Act envisages that local authorities have a duty to promote and maintain high standards of conduct.

## **CORPORATE PARENTING IMPLICATIONS**

5. None

## **FINANCIAL IMPLICATIONS**

12. Council has agreed that Independent Persons should receive a co-optees allowance of £650 pa, and that they should be entitled to travel and subsistence at member rates. The costs are being met from existing budgets

## **LEGAL IMPLICATIONS**

13. The appointment of at least one Independent Person satisfies the requirements of the 2011 Act.

## **RISK ASSESSMENT**

14. A re-assessment of risk regarding standards of conduct was undertaken as part of the review of the Council's standards arrangements. However, based on experience since the arrangements were introduced in July 2012 and taking into account the measures in place regarding promoting and maintaining high standards of conduct (which of course includes the appointment of at least one Independent Person), the risk continues to be low.

## **WARDS AFFECTED AND CONSULTATION WITH WARD/COUNCILLORS**

15. Developments relating to the standards regime, including proposals for appointing Independent Persons have previously been reported to and discussed with Cabinet and with Officers and Members of the Council, as well as being reported to and discussed at full Council meetings.

## **BACKGROUND PAPERS**

16. None

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