

REPORT TO COUNCIL

REPORT OF: Head of Legal and Democratic Services

REPORT NO: LDS096

DATE: 11 July 2013

TITLE:	Independent Person	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Statutory requirement	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter – Portfolio Holder for Governance and Communication	
CONTACT OFFICER:	Lucy Youles – Head of Legal and Democratic Services e-mail: l.youles@southkesteven.gov.uk Tel: 01476 4016105	
INITIAL IMPACT ANALYSIS: Equality and Diversity	Carried out and Referred to in paragraph (7) below Not applicable	Full impact assessment Required:
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Localism Act 2011 http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted Members Code of Conduct http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=7226&p=0	

1. RECOMMENDATIONS

- 1.1 It is recommended that the Council appoint the Venerable Tim Barker as the Independent Person required in accordance with s28(7) of the Localism Act 2011 for the period from the 12th July 2013 to the 11th July 2015.

2. PURPOSE OF THE REPORT

- 2.1 The purpose of the report is to inform members of the requirements of the Localism Act 2011 relating to the appointment of an Independent Person and ensure the appropriate appointment is made.

3. DETAILS OF REPORT

- 3.1 The Members of this Council and Town and Parish Councils work to an agreed code of conduct relating to standards and may become the subject of complaints that they have not met the standards envisaged by the Code. The appointment of an Independent Person is required to assist arrangements put in place by the Council to assess those complaints and give advice following any investigation into a complaint. The Independent person may be consulted on any other standards issues. Applicants cannot be, or be related to or a close friend of, current or former Councillors or Officers of South Kesteven District Council or any associated Town and Parish Councils.
- 3.2 In July 2012, the Council authorised the appointment of Fred Mann as the Independent Person for the period from 12th July 2012 to the 11th July 2013 to assist the Council in the promotion of high standards of conduct amongst its Members and Town and Parish Councillors. Tim Barker was appointed as the deputy Independent Person.
- 3.3 Members will recall that Mr. Mann had previously served as the independent vice chairman of the standards committee. As such, his appointment as the Independent Person could only be permitted for the term of one year. An advert has been placed on the Council's website requesting applications for the appointment of a new Independent Person and deputy. At the time of writing this report, one application has been received from Tim Barker. Information in support of the application is attached to this report as an Appendix.

4. OTHER OPTIONS CONSIDERED

The Council is required to make an appointment. No other options have been considered.

5. RESOURCE IMPLICATIONS

Reasonable travel expenses will be paid for essential travel related to the post.

6. RISK AND MITIGATION

Risk has been considered as part of this report. No high risks were identified.

7. ISSUES ARISING FROM IMPACT ANALYSIS

7.1 None

8. CRIME AND DISORDER IMPLICATIONS

8.1 None

9. COMMENTS OF FINANCIAL SERVICES

9.1 It is appropriate that reasonable travel expenses are met.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 The proposed appointment meets the requirements of the Localism Act.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 None

12. APPENDIX:

12.1 Information in support of the application