

Committee: Full Council

Date:

Title: Appointment of an Independent Person

Tuesday, 18 July
2023

Report Author: Richard Auty, Monitoring Officer

Author: RAuty@uttlesford.gov.uk

Summary

1. This report recommends that the council appoints a person to the position of Independent Person under s28(7) of the Localism Act 2011 to act at a Standards Hearing,

Recommendations

2. That the council appoints Gillian Holmes to the position of Independent Person under s28(7) of the Localism Act 2011 to act in the matter of a complaint at a Standards Hearing.

Financial Implications

3. None arising from this report.

Background Papers

4. None

Impact

- 5.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	The council is required under section 28 of the Localism Act 2011 to appoint sufficient Independent Persons to assist the Council in promoting and maintaining high standards of conduct by district councillors and co-opted members of the Council, and by Town/Parish Councillors of Town/Parish

	Councils within the District
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. The Council is required under section 28 of the Localism Act 2011 to appoint sufficient Independent Persons to assist the Council in promoting and maintaining high standards of conduct by district councillors and co-opted members of the Council, and by Town/Parish Councillors of Town/Parish Councils within the District.
7. The Council currently has three Independent Persons; however, in one particular complaint none are available to act in the Hearing stage due to previous involvement in the matter.
8. The Monitoring Officer proposes to appoint an Independent Person from another authority to act in accordance with section 28(7) of the Localism Act 2011, in respect of one particular complaint.
9. Details of this person can be found in Appendix A.
10. The Council is currently advertising for additional Independent Persons, in part to prevent this happening again.

Risk Analysis

11.

Risk	Likelihood	Impact	Mitigating actions
The council does not appoint an Independent Person	1: members are expected to observe their statutory duty	3: The council are unable to determine complaints in accordance with their procedures. The council risks reputational damage if this function is not performed	Appoint a suitable Independent Person

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.