

Standards Committee

21 June 2024

Agenda item number 5

Appointment of Independent Persons

Report by Senior Governance Officer

Purpose

The Standards Committee has responsibility for the recruitment of the Authority's Independent Persons, required under [Section 28\(7\)](#) of the Localism Act 2011. The term of office for the current Independent Persons expires on 26 July 2024 and new appointments are required.

Recommendation

To recommend that the Broads Authority appoints Charles Monteith as the Authority's Independent Person wef 26 July 2024.

1. Introduction

- 1.1. As Members will be aware, the Committee met on [7 March 2024](#) to approve the recruitment paperwork; note the timescale for recruitment and appoint a panel of 3 Members for the interview panel for the appointment of an Independent Person(s).
- 1.2. However, as reported to the Broads Authority on [10 May 2024](#), the recruitment failed to attract any applicants. Therefore, as suggested, contact was made with two neighbouring local authorities to establish if their Independent Person would be interested in also taking on the role of Independent Person for the Broads Authority. It is common practice for Independent Persons to act for more than one authority.

2. Update

- 2.1. North Norfolk District Council confirmed that both of its Independent Persons had expressed interest and so contact was made and copies of their CV were requested. To date, one has been received and this has been circulated to Members and the Deputy Monitoring Officer in advance of this meeting. If the remaining CV is received prior to the meeting, this will also be circulated to Members and the DMO.

3. Action required

- 3.1. Members are asked to consider the candidate's(s'), knowledge and experience and assess this against the requirements for the Authority's Independent Person.

- 3.2. If detailed discussion of the candidate's(s') CVs is required, the Committee should follow the Authority's adopted procedures for excluding the Press and public, under Section 100A of the Local Government Act 1972 on the grounds that it involves the disclosure of exempt information as defined by Paragraph 1 of Schedule 12A to the Act 1972 (information relating to any individual) as amended by The Local Government (Access to Information) (Variation) Order 2006 and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.
- 3.3. The usual appointment period is for four years.

4. Financial implications

- 4.1. It is proposed to increase the allowance to £25/hour plus travel and subsistence, to match that paid by North Norfolk District Council.

5. Risk implications

- 5.1. The Authority has a legal duty to appoint an Independent Person and would be unable to carry out its statutory duties relating to the Code of Conduct without appointing at least one IP. Any subject member who is subject to a Code of Conduct complaint or investigation has a statutory right to consult with the IP. If that is not possible because there is no IP, the Authority is at risk of challenge.

6. Conclusion

- 6.1. Members are asked to recommend the appointment of Charles Monteith as the Authority's Independent Person.
- 6.2. Subject to receipt of the other candidate's CV and this demonstrating suitable knowledge and experience, Members may also be asked to recommend their appointment.
- 6.3. If Members do not agree to either or both appointments, then reasons should be provided.
- 6.4. The Broads Authority will be asked to approve the appointments at its meeting on 26 July 2024.

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Background papers: None