

Recommendation to Council on 13 September 2012	From: General Purposes Committee on 2 August 2012	Item 9 (a)
Localism Act 2011 – Appointment of Independent Persons		
1.	Council is asked to approve the following recommendations:-	
	<p>1 that, in accordance with section 28 of the Localism Act 2011, the Council be recommended to approve the appointment of the following to be independent persons:</p> <p>Maureen Briggs Christopher Ensor Vasco Fernandes Christopher Fogden John Jones Michael Collins Jones Martin Leppert Timothy Mainwaring John Mackay Alexandra di Stefano;</p> <p>2 that, subject to transitional provisions contained in the Localism Act 2011 (Commencement No. 6 and Transitional Savings and Transitory Provisions) Order 2012, the persons listed in recommendation 1 above be appointed for a period of four years;</p> <p>3 that the Monitoring Officer, in consultation with the Chairman or Vice-Chairman of the General Purposes Committee, be authorised to agree the detailed terms and conditions on which the appointments are made with Bedford, Luton and Milton Keynes Councils and the fire authorities for Bedfordshire and Buckinghamshire and, once they have been approved by the Council, to make the appointments on that basis;</p> <p>4 that all independent persons have appropriate training before being approached to take part in any proceedings relating to Code of Conduct complaints.</p>	

	Background	
2.	<p>At its meeting on 2 August 2012 the Committee considered a report by the Head of Legal and Democratic Services regarding the appointment of a joint panel of independent persons in collaboration with Bedford Borough, Luton Borough and Milton Keynes Councils and the fire authorities for Buckinghamshire and Bedfordshire. Members were aware that it was a requirement under the Localism Act 2011 to appoint such persons for the purposes of consultation in connection with the investigation and determination of complaints relating to the Code of Conduct.</p>	
3.	<p>The meeting noted that, following the placing of advertisements in the local press and on the respective Councils' websites, 21 applications to be an independent person had been received. Following shortlisting 13 applicants had been interviewed from which 10 had been recommended for appointment.</p>	
4.	<p>The Head of Legal and Democratic Services drew Members' attention to the transitional provisions implemented by the government which would have the effect of allowing a former independent Member of Central Bedfordshire Council's Standards Committee to act as an independent person for the Council until 30 June 2013 only. He also commented on the need to agree the detailed terms and conditions for the independent persons and provide necessary training.</p>	
5.	<p>With regard to the provision of training for the independent persons the Head of Legal and Democratic Services stated that there would, in the meantime, be a need to process the Code of Conduct complaints that had already been received. As such it would be necessary to make use of those independent persons who had already gained training and experience as independent Members under the previous Standards regime until all appointees had received training on the new regulations.</p>	
Appendices	None	