

MAIDSTONE BOROUGH COUNCIL

COUNCIL

19 SEPTEMBER 2012

**REPORT OF THE MEETING OF THE GENERAL PURPOSES GROUP HELD
ON 3 SEPTEMBER 2012**

APPOINTMENT OF INDEPENDENT PERSON AND RESERVE

The General Purposes Group, at its meeting held on 3 September 2012, considered the joint report of the Head of Democratic Services and the Head of Legal Services concerning the appointment of an Independent Person (and a reserve) to assist in dealing with complaints of Member misconduct. It was noted that:-

- Under the provisions of the Localism Act 2011, the Council is required to appoint an Independent Person who must be consulted before any decision is taken on an investigated complaint of misconduct by a Borough or Parish Councillor. The Independent Person may be consulted on other standards issues and by a Member who is the subject of a complaint.
- The position was advertised on the Council's website with a closing date of 17 August. Two applications were received in response to the advertisement.
- Anyone who has been a Co-opted Member of the Standards Committee within the past 5 years may only be appointed until 30 June 2013. Otherwise there is no restriction on the length of appointment.
- The meeting had been convened to enable the Group to consider the applications received, interview the candidates and make a recommendation to the Council as to the appointment of an Independent Person (and a reserve Independent Person who may advise in the absence of the Independent Person). A majority of the Council must agree the recommendation of the Group in order for the appointment to be made.
- An allowance of £700 a year will be paid to the Independent Person and £300 a year to the reserve together with reasonable travel and subsistence expenses. The cost of these payments can be met from within existing budgets, and the payments will be reviewed in the light of experience.

Having considered the information contained in the application forms and references, and interviewed the candidates, it is:-

RECOMMENDED: That Mrs Dorothy Phillips be appointed as the Independent Person until 30 June 2013.

Note: Mrs Phillips was appointed as an Independent Member of the old Standards Committee in May 2008 and served as Chairman of the Committee from June 2010 until it ceased to exist on 30 June 2012. As a former Co-opted Member of the Standards Committee, Mrs Phillips may only be appointed as the Independent Person for the transitional period until 30 June 2013.

The unsuccessful candidate does not wish to be considered for appointment as the reserve Independent Person.