

MAIDSTONE BOROUGH COUNCIL

GENERAL PURPOSES GROUP

MINUTES OF THE MEETING HELD ON 3 SEPTEMBER 2012

Present: **Councillor Mrs Hinder (Chairman) and
Councillors Black, Chittenden, Mrs Gibson, McKay and
D Mortimer**

22. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillor Mrs Stockell.

23. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Mrs Gibson was substituting for Councillor Mrs Stockell who had provided a reference for one of the applicants.

24. **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members.

25. **DISCLOSURES BY MEMBERS AND OFFICERS**

The Chairman stated that she had served on the old Standards Committee with both of the people who had applied to be the Independent Person as they were former Co-opted Members of the Committee, but she had not already made up her mind as to who should be recommended for appointment as the Independent Person.

Councillor Mrs Gibson stated that she had served as a Substitute Member on the old Standards Committee and knew both of the applicants, but she had not already made up her mind as to who should be recommended for appointment as the Independent Person.

26. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

27. **EXEMPT ITEMS**

RESOLVED: That the items on Part II of the agenda be taken in private as proposed.

28. **MINUTES OF THE MEETING HELD ON 13 AUGUST 2012**

RESOLVED: That the Minutes of the meeting held on 13 August 2012 be approved as a correct record and signed.

29. APPOINTMENT OF INDEPENDENT PERSON AND RESERVE

The Group 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 was required to appoint an Independent Person who had to be consulted before any decision was taken on an investigated complaint of misconduct by a Borough or Parish Councillor. The Independent Person could be consulted on other standards issues and by a Member who was 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 had been a Co-opted Member of the Standards Committee within the past 5 years could only be appointed until 30 June 2013. Otherwise there was 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). The recommendation of the Group had to be agreed by a majority of the Council in order for the appointment to be made.
- An allowance of £700 a year would 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 could be met from within existing budgets, and the payments would be reviewed in the light of experience.

The Group, wishing to consider the information contained in the exempt Appendix to the joint report of the Head of Democratic Services and the Head of Legal Services (the application forms and references) and a further reference which had been received, interview the candidates and formulate a recommendation to the Council in private:-

RESOLVED: That the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information for the reason specified having applied the Public Interest Test:-

Head of Schedule 12A
and Brief Description

Exempt Appendix to the Joint Report of the Head of Democratic Services and the Head of Legal Services 1 - Individual

Interviews for the Appointment of Independent Person and Reserve 1 - Individual

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

RESOLVED:

1. To RECOMMEND to the COUNCIL: That Mrs Dorothy Phillips be appointed as the Independent Person until 30 June 2013.
2. That the unsuccessful candidate be invited to be the reserve Independent Person.

30. **DURATION OF MEETING**

2.30 p.m. to 4.15 p.m.