



## **North Devon Council**

Report Date: Thursday, 18 May 2023

Topic: Appointment of Independent Person

Report by: Senior Solicitor and Monitoring Officer

### **1. INTRODUCTION**

1.1. Under s.28(7) of the Localism Act 2011 the Council is required to appoint an Independent Person to assist the Council in promoting and maintaining high standards of conduct amongst the elected members of the District Council and all Parish and Town Councils in the District Council's area.

1.2. Mr R Jeanes currently holds the position of Independent Person and this report recommends that the appointment continues for the current Council term.

### **2. RECOMMENDATIONS**

2.1. To continue the appoint of Mr Rob Jeanes as Independent Person with effect from 18<sup>th</sup> May 2023 for a four year term

### **3. REASONS FOR RECOMMENDATIONS**

3.1. To ensure that this statutory role is filled.

### **4. REPORT**

4.1. Under Section 28 of the Localism Act 2011, local authorities (other than parish and town councils) must have in place 'arrangements' under which allegations that an elected or co-opted councillor of the authority or of a town or parish council within the principal authority's (in this case the District Council's) area has failed to comply with the authority's Code of Conduct can be considered and decisions made on such allegations.

4.2. It is for the District Council to decide the details of those arrangements, but it must appoint at least one Independent Person whose views are to be taken into account before making a decision on a complaint that the District Council has decided to investigate.

4.3. Mr Rob Jeanes has acted as Independent person during the previous two Council terms and has been particularly effective. He has supported the aims of the Council to improve standards but has also been willing to challenge views put forward in respect of complaints. He is highly experienced and responds to queries from the Monitoring Officer efficiently and with helpful information for consideration. It is therefore recommended that his appointment continue for a further four year term.

### **5. RESOURCE IMPLICATIONS**

5.1. There are none arising from this report.



## 6. EQUALITIES ASSESSMENT

6.1. Not applicable as the proposal is to continue an existing appointment.

## 7. ENVIRONMENTAL ASSESSMENT

7.1. There are no environmental implications arising from this report.

## 8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: Not applicable

8.1.2. Improving customer focus: This is a statutory role, however the appointment of an effective Independent Person improves the ability of the Monitoring Officer and/or Governance Committee to handle Code of Conduct complaints efficiently.

8.1.3. Regeneration or economic development: Not applicable

## 9. CONSTITUTIONAL CONTEXT

9.1. Article 4.5.18

## 10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

## 12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Simon Fuller, Senior Solicitor and Monitoring Officer