

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

*PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted N/A

SERVICE DIRECTORATE: LEGAL & COMMUNITY

1. DECISION TAKEN

To extend the Independent Person Mr Nicholas Moss OBE (IP) and Reserve Independent Persons, Peter Chapman and John Richardson (ResIPs) terms up to the Council agreed 4 year period (subject to the conditions detailed below).

2. DECISION TAKER

Jeanette Thompson, Monitoring Officer (Service Director: Legal & Community), in consultation with the Chair and Vice Chair of Standards Committee.

3. DATE DECISION TAKEN:

7 September 2022

3. REASONS FOR RECOMMENDATIONS

3.1. To ensure the Council has IPs, and this enables the Council to meet the legal requirements under the Localism Act 2011, in relation to Councillor Complaints and for the Employment Panel requirements (as per section 12 of the Constitution).

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 To recruit new IPs, although this was not considered to be necessary or desirable at this stage.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1. As per the Council decision of 24 September 2020, the Council appointed the IP and ResIPs for a 4 year appointment period (subject to a review after 2 years, with delegation to the Monitoring Officer in consultation with the Chair/ Vice Chair of Standards Committee to extend for a further two years), providing the appointees continued to meet the legal and special conditions. The consultation initially took place on 26 July with the Chair and subsequently in correspondence with the Vice Chair. It was decided that if the IP and ResIPs were content and able to continue, that the terms would be extended up to the 4 years (expiring on 23 September 2024), with recruitment to commence after the May 2024 elections.

6. FORWARD PLAN

6.1 This decision does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

7.1. On 24 September 2020 the Council resolved as follows:

RESOLVED:

(1) *That John Richardson be appointed as Reserve Independent Person;*

2) *That the continuing appointment of Nicholas Moss as Independent Person and Peter Chapman Reserve Independent Person be confirmed;*

Appointments under (1) and (2) be on the basis of a fixed term of up to 4 years (two-years, with delegation to the Monitoring Officer in consultation with the Chair/ Vice Chair of Standards Committee to extend for a further two years

The meeting page, report and decision can be found by clicking [HERE](#)

8. RELEVANT CONSIDERATIONS

8.1 The IP and ResIPs were contacted following the consultation with the Chair and Vice Chair. All have confirmed that they were willing to continue and met the criteria at this stage. The criteria/ conditions to continue being:

i) is not a Councillor, co-opted Councillor or officer of NHDC or a Parish, Town or Community Councillor within the North Hertfordshire District Council area;

ii) is not related to, or a close friend of (i) above;

iii) has not been a Councillor or co-opted Councillor or officer of NHDC or a Parish, Town or Community Councillor within the North Hertfordshire District Council area at any time during the last 5 years;

iv) [whilst not a Councillor] sign an undertaking to comply with and continue to comply with the requirements of the NHDC Code of Conduct for Councillors;

v) [whilst not a Councillor] annually disclose interests akin to those that should be disclosed by District Councillors to the Monitoring Officer;

vi) discloses whether they are a party to any outstanding complaint or grievance against the Council.

9. LEGAL IMPLICATIONS

9.1 Section 28(6) of the Localism Act 2011 requires the Council to have in place arrangements under which decisions on allegations against Councillors can be made and section 28(7) that a Council appoint one or more Independent Persons. There is no specific reference/ or distinction of levels of IP/ ResIP.

10. FINANCIAL IMPLICATIONS

10.1 There are no significant financial implications arising from this decision. The Council pays an honorarium/allowance, which although not a Members allowance was reviewed by the Independent Remuneration Panel and agreed by Council for 2021-2022 at £2500 for the IP and £600 per ResIP, per annum. This is likely to be subject to a review this year for 2023. These costs have been met from within the existing Councillors Allowances budget.

11. RISK IMPLICATIONS

11.1. Ensuring the Council has relevant appointees to fulfil the roles is a necessary governance requirement.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are no equalities implications for this report.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and “go local” requirements do not apply to this decision.

14. HUMAN RESOURCE IMPLICATIONS

14.1 There are no direct implications from this report.

15. ENVIRONMENTAL IMPLICATIONS

15.1 None.

16. APPENDICES

16.1 None.

17. CONTACT OFFICERS

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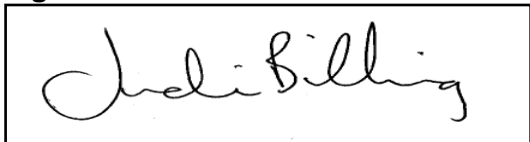
18. BACKGROUND PAPERS

None.

NOTIFICATION DATE

9.9.22

Signature of Chair of Standards Committee consulted (Cllr Judi Billing)



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Signature of the Vice Chair of Standards Committee consulted (Cllr Ruth Brown)



Signature of Decision Taker ...

Date7.9.22

Please Note: Call-in does not apply to NON-EXECUTIVE DECISIONS – THIS IS A NON-EXECUTIVE DECISION