

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	COUNCIL	15 FEBRUARY 2021	8
<b>APPOINTMENT OF INDEPENDENT PERSONS</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

To consider the appointment of Mr Peter Clements the role of Independent Person to fill the current vacancy and the reappointment of Mr Horrocks and Mrs Broughton for a further three-year term.

### RECOMMENDATION

1. To recommend to Council that Mr Peter Clements be appointed to the role of Independent Person;
2. To agree to appoint Mr Peter Clements, Mr Brian Horrocks and Mrs Helen Broughton as statutory Independent Persons pursuant to Section 28 (7) of the Localism Act 2011, for a period of 3 years until 31 March 2024; and
3. To confirm the continuation of the sharing arrangement with Blackpool Council for the use of the Independent Persons.

### SUMMARY OF PREVIOUS DECISIONS

Audit and Standards Committee 24 September 2020 – to authorise the Monitoring Officer to undertake a recruitment process for the position of Independent Person

Council 20 July 2020 - to extend the term of office for Independent Person to September 2021

Council 15 July 2019 – to extend the term of office for the Independent Persons to September 2020

Council 11 April 2016 – Appointment of Independent Persons from 30 June 2016 to September 2019

Council 14 December 2015 - Council agreed the extension of the term of office for the Independent Person until June 2016 or until the satisfactory conclusion of the recruitment process to appoint new Independent Persons.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

## **REPORT**

### **Appointment of a New Independent Person**

1. Members will be aware that one of the Council's Independent Persons – Mr Tony Mozley – sadly died in May 2020. The role is required in law as part of the standards process in dealing with allegations of member misconduct.
2. The current criteria requires that the applicant should have no formal political party affiliation, not be an employee of or an elected member of Fylde or Blackpool Councils (as it is a position jointly held with Blackpool Council) and not be currently a close friend/relative of an elected member of Fylde or Blackpool Council.
3. As these positions are jointly appointed with Blackpool Council, the recruitment process was undertaken jointly with Blackpool Council.
4. The recruitment process commenced in the autumn and interviews were held on Friday 15 January 2021. The interview panel comprised of Councillor John Singleton, Chairman of Audit and Standards Committee; Tracy Manning, Monitoring Officer; Councillor Kathryn Benson, Deputy Chairman of Blackpool's Standards Committee, Blackpool Council and Mark Towers, Monitoring Officer, Blackpool Council.
5. Mrs Broughton, one of the Council's Independent Persons also assisted with the interviews by greeting the candidates beforehand, explaining about the role first-hand and answering any of the candidate's questions.
6. As a result of the interviews, the Council is invited to appoint Peter Clements as an Independent Person for a three-year period, this appointment to commence on 1 March 2021. His appointment is commended to Council by the interview panel. Mr Clements brings a wealth of experience as a trained ACAS mediator.

### **Appointment of the Independent Persons for a three-year term**

7. With Mr Clements appointment, this brings the number of Independent Persons back to the previous compliment of three.
8. The term of office for the current two independent persons, Mr Horrocks and Mrs Broughton, was due to expire in September 2020. Members are reminded that the Committee on Standards in Public Life had produced a report on ethical standards in local government. The report recommended a number of recommendations to Government which if enacted would see significant changes in the standards regime and one of these was in relation to a suggested proposal to amend the Localism Act 2011 to require that Independent Persons are appointed for a fixed term of two years, renewable once. As the Government had not yet responded to those recommendations, in July 2020 Council agreed to extend the appointment of the Independent Persons until 30 September 2021, to allow for some clarity regarding the future arrangements for the standards framework.
9. However, with the continued focus of the government on the coronavirus pandemic, it is unlikely that the government will be able to respond to the recommendations from the Committee in Standards in Public Life in the foreseeable future. It therefore seems timely to recommend also that Mr Horrocks and Mrs Broughton also be appointed for another three-year term of office, replacing their previous term of office, to conclude on 31 March 2024, to run along-side the appointment of Mr Clements. Any subsequent change of legislation limiting appointment periods could then be responded to at the time in line with prevailing national guidance.

IMPLICATIONS	
Finance	There are no financial implications arising from this report.
Legal	None arising from this report
Community Safety	None arising from this report
Human Rights and Equalities	None arising from this report
Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

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