

# Arun District Council

<b>REPORT TO:</b>	<b>Full Council – 19 July 2023</b>
<b>SUBJECT:</b>	<b>Extension of Appointment of Independent Person</b>
<b>LEAD OFFICER:</b>	<b>Daniel Bainbridge, Group Head of Law &amp; Governance</b>
<b>LEAD MEMBER:</b>	<b>Councillor David Huntley, Chair of Standards Committee</b>
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:</b>	
The Council must have in place three Independent Persons in order to support the functions of the Standards Committee and to ensure good governance within the authority.	
<b>DIRECTORATE POLICY CONTEXT:</b>	
The Group Head of Law & Governance is responsible for maintenance of the Constitution and advising the Standards Committee and Full Council in relation to matters concerning the Constitution and Members' Code of Conduct.	
<b>FINANCIAL SUMMARY:</b>	
The Independent Persons' allowances are set out within the Members' Allowances Scheme and no changes are proposed as a result of this report.	

## 1. PURPOSE OF REPORT

- 1.1 This report seeks Full Council's approval of the extension of the appointment of one of the Council's Independent Persons under the Localism Act 2011.

## 2. RECOMMENDATIONS

It is recommended that the Council agrees to extend the appointment of John Thompson as an Independent Person up to and including 14 July 2024.

## 3. EXECUTIVE SUMMARY

- 3.1 Independent Persons are appointed for a maximum of four years, and the Council must have three Independent Persons in position at any time. John Thompson was appointed as an Independent Person in July 2019, with his term ending on 18 July 2023. Sandra Prail and John Cooke were appointed as Independent Persons in July 2020, with their terms ending on 14 July 2024.
- 3.2 It is necessary to extend Mr Thompson's appointment now in order for the Council to then undertake a full recruitment process for all three Independent Persons during 2023/24 for the next four-year terms.

## **4. DETAIL**

4.1 Independent Persons are appointed for a maximum of four years, and the Council must have three Independent Persons in position at any time. John Thompson was appointed as an Independent Person in July 2019, with his term ending on 18 July 2023. Sandra Prail and John Cooke were appointed as Independent Persons in July 2020, with their terms ending on 14 July 2024.

4.2 The functions of the Independent Person set out in the Council's constitution are:

a) They will have a consultative role when the Standards Committee or Assessment Panel makes decisions on complaints made against councillors.

b) They will be invited to meetings of the Standards Committee and may remain in meetings for all items to be considered unless they have a conflict of interest. Where they do, the Chair and Vice-Chair will have authority to decide if they may take part in the debate or request that they leave the meeting.

c) They will not be entitled to vote at or chair meetings.

4.3 Following confirmation from Mr Thompson in discussion with the Monitoring Officer that he would be happy to continue in the role until 14 July 2024, this report is being presented direct to Full Council in consultation with the Chair of Standards Committee, Councillor David Huntley. Ordinarily a report would be presented to the Standards Committee with a recommendation being made to Full Council by the Committee, but with the last meeting of the Committee having been in February 2023 and the next meeting post-dating Full Council this report is exceptionally being brought directly to Full Council.

4.4 Extension will enable the Standards Committee and Monitoring Officer to undertake the next scheduled recruitment process during 2023/24 with a view to fresh appointments being confirmed by Full Council at its meeting on 15 May 2024.

4.5 The Group Head of Law & Governance will in due course bring forward a report to the Standards Committee later in 2023 to commence that recruitment process.

## **5. CONSULTATION**

5.1 Consultation has taken place with the Independent Persons and the Chair of the Standards Committee.

## **6. OPTIONS / ALTERNATIVES CONSIDERED**

6.1 In accordance with the Standards Committee's Responsibility for Functions, the Council must have in place three Independent Persons to undertake the role of Independent Persons set out within Part 3 of the Constitution.

**7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER**

7.1 There are no financial implications associated with this report. The Members' Allowances Scheme prescribes the allowances for Independent Persons and no changes are proposed, and any changes would fall within the remit of the Independent Remuneration Panel and any future report it might present to Full Council.

**8. RISK ASSESSMENT CONSIDERATIONS**

8.1 None associated with this report.

**9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER**

9.1 The legal position is set out within the body of the report, with the statutory requirement under the Localism Act 2011 for the Council to appoint at least one Independent Person and the Constitution requiring three appointments.

**10. HUMAN RESOURCES IMPACT**

10.1 None associated with this report.

**11. HEALTH & SAFETY IMPACT**

11.1 None associated with this report.

**12. PROPERTY & ESTATES IMPACT**

12.1 None associated with this report.

**13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE**

13.1 None associated with this report.

**14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE**

14.1 None associated with this report.

**15. CRIME AND DISORDER REDUCTION IMPACT**

15.1 None associated with this report.

**16. HUMAN RIGHTS IMPACT**

16.1 None associated with this report.

**17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS**

17.1 None associated with this report.

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**CONTACT OFFICER:**

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**BACKGROUND DOCUMENTS:** None.