

**Report to:** Full Council

**Date:** 15 July 2019

**Title:** Standards – Appointment of Independent Persons

**Report of:** Monitoring Officer

**Ward(s):** All

**Purpose of report:** To seek Council’s approval for the appointment of two Independent Persons.

**Officer recommendations:** (1) That Council approve the appointment of Neal Robinson and Graham Branton as Independent Persons for Lewes District Council and Eastbourne Borough Council for a term of four years, commencing on 1 August 2019, subject to re-confirmation at Annual Council in 2020, 2021 and 2022; and  
(2) That Council record its thanks to Vic Kempner for his service as outgoing Independent Person.

**Reasons for recommendations:** To meet the Council’s statutory duty to appoint at least one Independent Person to advise on councillor code of conduct matters.

**Contact Officer(s):** Name: Oliver Dixon  
Post title: Deputy Monitoring Officer  
E-mail: [oliver.dixon@lewes-eastbourne.gov.uk](mailto:oliver.dixon@lewes-eastbourne.gov.uk)  
Telephone number: 01323 415881

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## **1 Introduction**

- 1.1 The Localism Act 2011 requires district and borough councils to appoint at least one Independent Person to advise on the determination of allegations that a member has failed to comply with their code of conduct.
- 1.2 Independent Persons play an important role in promoting and maintaining high standards of conduct by elected members of the Council and of the town and parish councils in the Lewes district.
- 1.3 On 26 November 2018, full Council resolved that the Independent Persons then in post should serve both Lewes District and Eastbourne Borough Councils (‘the Councils’) until July 2019. Full Council also approved a recruitment exercise to appoint two Independent Persons covering both council areas from 1 August 2019 for a four year term.

## **2 Appointment Process**

- 2.1 The Councils advertised the posts in June 2019 and received over 30

expressions of interest and 23 applications. Following a shortlisting exercise, a selection panel consisting of the Deputy Chair of Audit and Governance Committee (EBC), the Chair of Audit & Standards Committee (LDC), the Monitoring Officer of EBC and the Deputy Monitoring Officer conducted interviews.

- 2.2 The Councils may not appoint any person who has been a member or co-opted member or officer of the Councils or a town or parish in the Lewes district within the last five years; nor a relative or close friend of any such member or officer.

### **3 Proposal**

- 3.1 Following assessment, the selection panel recommends that Neal Robinson and Graham Branton be appointed as Independent Persons for both council areas for a four term commencing on 1 August 2019.

- 3.2 As a check on the continuing suitability of the Independent Persons, it is recommended that their appointment is subject to re-confirmation at Annual Council in years two, three and four of their term of office.

- 3.3 In accordance with full Council's resolution of 26 November 2018, the Independent Persons will be appointed on aligned job descriptions and remuneration packages.

### **4 Outgoing Independent Persons**

- 4.1 It is recommended that the Council places on record its thanks to the outgoing Independent Person, Vic Kempner, for the valuable advice he has provided to the Monitoring Officer and to the Councils' Standards Panels. His term of office end on 31 July 2019.

### **5 Financial appraisal**

- 5.1 Once appointed, each Independent Person receives an annual allowance of £1,000, plus £25 per hour for duties performed. In addition, the Councils will fund relevant external training to help ensure the post holders perform their role as effectively as possible.

### **6 Legal implications**

- 6.1 The Independent Person appointment process detailed in this report meets the relevant statutory requirements (section 28 of the Localism Act 2011).

- 6.2 Appointments must be approved by a majority of the members of the local authority concerned.

*Lawyer consulted 04.07.2019*

*Legal ref: 007708-JOINT-OD*

### **7 Appendices/ Background Papers**

- 7.1 None