

**Report to:** Full Council

**Date:** 24 July 2023

**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 Paul Cummins as Independent Persons for Eastbourne Borough Council and Lewes District Council for a term of four years, commencing on 1 August 2023, subject to re-confirmation at the Annual Council meetings throughout their term of office.
- (2) That Council record its thanks to Graham Branton 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: Simon Russell  
Post title: Head of Democratic Services (and Monitoring Officer)  
E-mail: [simon.russell@lewes-eastbourne.gov.uk](mailto:simon.russell@lewes-eastbourne.gov.uk)  
Telephone number: 01323 415021

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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 Eastbourne Borough and Lewes District Councils (‘the Councils’). This also includes any member of a town or parish council within the Lewes district.
- 1.3 Since 2018, the Councils have operated with two Independent Persons and this has provided the Monitoring Officer with greater resilience when considering code of conduct matters and is also reflective of best practice.

## **2 Appointment Process**

- 2.1 The Councils advertised the posts in June 2023 and received over 17 expressions of interest and 9 applications. Following a shortlisting exercise and in accordance with the Council's constitution, a selection panel consisting of the Chair of Audit and Governance Committee (EBC), the Chair of Audit & Governance Committee (LDC) and the 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 to Full Council that Neal Robinson and Paul Cummins be appointed as Independent Persons for both council areas for a four-year term commencing on 1 August 2023.
- 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 meetings during their term of office.

## **4 Outgoing Independent Persons**

- 4.1 It is recommended that the Council places on record its thanks to the outgoing Independent Person, Graham Branton, for the valuable advice he has provided to the Monitoring Officer and to the Councils' Standards Panels. His term of office ends on 31 July 2023.

## **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).

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

*Lawyer consulted 11.07.23*

*Legal ref: 007708-JOINT-OD*

## **7 Appendices**

- 7.1 None

## **8 Background Papers**

- 8.1 None