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Date: 8<sup>th</sup> July 2021

Dear Sir/Madam,

**Council 14<sup>th</sup> July 2021**

I refer Item 14 on the Agenda for the Council Meeting scheduled for Wednesday, 14<sup>th</sup> July 2021, and attach a copy of the report 'Independent Persons' which is an additional recommendation from Audit and Standards Committee.

Yours faithfully,



BRENT DAVIS

Executive Director (Operations)

To: Members of the Council

## **NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to:** Audit & Standards Committee

**Date:** 22 June 2021

**From:** Director – Democracy, Planning & Public Protection

**Subject:** Appointment of Independent Persons

### **1. Purpose of Report**

- 1.1 To confirm the arrangements for the appointment of Independent Persons as required by Section 28 of the Localism Act 2011 for a four year term of office.

### **2. Recommendation**

- 2.1 That the arrangements for the appointment of Independent Persons for a four year term of office be approved.

### **3. Background**

- 3.1 Part 1, Chapter 7 of the Localism Act 2011 came into effect on 1 July 2011 (the Act). Section 28 of the Act requires the Council to appoint at least one Independent Person whose views will be sought when making decisions about allegations that Councillors have breached the Code of Conduct.
- 3.2 The Act requires that any Independent Person must not be, or have been within the past 5 years, a member, co-opted member or officer of the Council or any of the Parish or Town Councils in the Councils' area; nor should they be a relative or close friend of a member, co-opted member or officer in the Councils' area. Following a joint appointment process in 2012, involving public advertisement and interviews this Council confirmed the appointment of a pool of 10 Independent Persons in July 2013.
- 3.3 The role of the Independent Person was widened under the Local Authorities (Standing Orders) England (Amendment) Regulations 2015 which came into force on 11 May 2015 and changed the localised disciplinary process. A panel of at least 2 Independent Persons has to be convened to make recommendations to Council in connection with statutory Chief Officers.
- 3.4 The panel was last refreshed in 2017 and the current 4 year term is due to expire. As before, arrangements are in hand, with the County Council; Solihull Metropolitan District Council and Rugby Borough Council to refresh the pool. Warwickshire County Council has agreed to take the lead in connection with this and will be managing the advert and recruitment process.

### 3.5 Financial Implications

There are no direct costs incurred in the appointment and training / development of Independent Persons because they do not receive an allowance and training will be delivered jointly by the Monitoring Officers of the participating authorities. Independent Persons are, however, entitled to receive up to £30.83 per half day to cover expenses for attending Subcommittee meetings of the Audit & Standards Committee. This sum was recommended by the Independent Remuneration Panel in 2017.

PHILIP RICHARDSON

**ADDENDUM: Appointment of Independent Persons**

In connection with the appointment of Independent Persons, due to a delay in completing the selection exercise, the named individuals shown in the left hand column of the table below be re-appointed for a second term. The named individuals in the right hand column, having completed their second term be thanked for their service to the Council.

To be reappointed	To Retire (after 2 <sup>nd</sup> term)
Garth Murphy	David Stone
Maureen O’Sullivan	Howard Darling
Mumtaz Goolam	

Additional Recommendation:

IT BE RECOMMENDED TO COUNCIL THAT:

Garth Murphy; Maureen O’Sullivan & Mumtaz Goolam be reappointed as Independent Persons for a second term of 4 years, until July 2025.