

Report to: **Special Council**
Date: **5 November 2015**
Title: **APPOINTMENTS TO COUNCIL BODIES AND INDEPENDENT PERSONS**
Portfolio Area: **All**
Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:
(e.g. referral on of recommendation or implementation of substantive decision) **Immediately following this meeting.**

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Recommendations:

That the Council RESOLVES, with immediate effect, that:

- 1. Cllr J P Green be appointed to serve on the Overview and Scrutiny Panel for the remainder of the 2015/16 Municipal Year; and**
- 2. Messrs George Barnicott and Mike Fowkes be appointed as the Council’s Independent Persons for the period until the Annual Council meeting in May 2019.**

1. Executive summary

• **Council Bodies**

Members will be aware that Cllr J P Green, a Green Party Group Member, was elected to serve on the Council on 8 October 2015. As a consequence, it is necessary to revisit the political balance of the Council.

- **Independent Persons**

It is also now considered to be timely for the Council to consider extending the appointment of its Independent Persons for the period until the Annual Council meeting in May 2019.

2. Background

- **Council Bodies**

The election of Cllr Green has not had any wider implications on the political balance of the Council.

Members will recall the governance arrangements of the Council whereby each of the 31 Council Members will serve on one of either the Executive, Development Management Committee or the Overview and Scrutiny Panel.

Following consultation with the Opposition Group Leader, it is recommended that Cllr Green be appointed to fill the current vacancy on the Overview and Scrutiny Panel.

- **Independent Persons**

The Localism Act requires that the Council 'appoints Independent Persons to fulfil an advisory and consultative role in relation to the standards process.'

Following the abolition of the previous standards regime and the introduction of the Localism Act in July 2012, three Independent Persons were appointed in November 2012 (after a formal recruitment process). The Council now needs to consider the appointment of the Independent Persons for a further period of time.

In September 2014, Mrs Sandra Bell tendered her resignation for personal reasons, leaving the Council with two Independent Persons (Mr George Barnicott and Mr Mike Fowkes). Both Independent Persons have been informally consulted and have confirmed that they are happy to continue in their current roles.

The workload between the two Independent Persons is currently manageable, but we will keep this under review. The current Independent Persons are experienced in the role and provide invaluable support to the Monitoring Officer in providing timely responses and an independent view during the consultation process.

The Independent Persons currently receive a fixed allowance of £500 per annum (together with reimbursement of travel expenses). A review of these allowances will be included in the wider Members' Allowances review which will take place in the upcoming months.

It is recommended that the Council appoints Messrs George Barnicott and Mike Fowkes as the Council's Independent Persons for the period until the Annual Council meeting in May 2019. This does not commit the Independent Persons to remaining in the role for that period, as they may resign should they so wish, nor does this commitment prevent the Council from reviewing the situation in the future.

3. Options available and consideration of risk

- **Council Bodies**

There was an opportunity for a more wide scale review of Council Bodies' appointments to take place, but the Leader of the Opposition Group has been consulted and is of the view that this is not necessary at this time.

Without confirming this appointment, the Council would be in breach of its own Constitutional requirement whereby every Member of Council serves on one of either the Executive, Development Management Committee or Overview and Scrutiny Panel.

- **Independent Persons**

As an alternative option, the Council could decide to start afresh and appoint a new set of Independent Persons. However, this would result in the Council having a period of time (in line with the recruitment and selection process) during which it had no Independent Persons to consult with. As a consequence, the whole process would grind to a halt until replacements were appointed (and subsequently trained to the necessary level) by the Council.

4. Implications

Legal/Governance		The Council Constitution currently requires all Members to serve on either the Executive, Development Management Committee and Overview and Scrutiny Panel. The Localism Act requires Council's to appointed 'Independent Persons' to fulfil an advisory role in the standards process.
Financial		There are no additional financial implications directly related to this report
Risk		There is a constitutional and legislative risk to the Council if the recommendations are not agreed by the Council.
Comprehensive Impact Assessment Implications		
Equality and Diversity		There are no equality and diversity implications directly related to this report.

Safeguarding		There are no safeguarding implications directly related to this report.
Community Safety, Crime and Disorder		There are no community safety or crime and disorder implications directly related to this report.
Health, Safety and Wellbeing		There are no health, safety and wellbeing implications directly related to this report.
Other implications		N/A

Supporting Information

Appendices:

None

Background Papers:

Council Constitution

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed	No
SLT Rep briefed	Yes
Relevant Exec Director sign off (draft)	Yes
Data protection issues considered	Yes
If exempt information, public (part 1) report also drafted. (Executive/Scrutiny)	N/A