

Report to:	COUNCIL
Relevant Officer:	Mark Towers, Director of Governance and Partnerships
Relevant Cabinet Member:	Councillor Lynn Williams, Leader of the Council
Date of Meeting:	10 February 2021

STANDARDS INDEPENDENT PERSONS AND INDEPENDENT REMUNERATION PANEL MEMBER

1.0 Purpose of the report:

- 1.1 To consider a recommended appointment to the vacant position of independent person for standards related matters, an extension of the term of office for the independent persons and a recommended appointment to the vacancy on the Independent Remuneration Panel.

2.0 Recommendation(s):

- 2.1 Pursuant to Section 28 (7) of the Localism Act 2011:

- (i) To appoint Mr Peter Clements to the role of Independent Person for a period of three years until 29 February 2024.
- (ii) To extend the appointment of Mr Brian Horrocks and Mrs Helen Broughton as Independent Persons until 29 February 2024.

- 2.2 To appoint Mr Nigel Kilgallon to the Independent Remuneration Panel.

3.0 Reasons for recommendation(s):

- 3.1 To fill the vacancies on the various positions recently advertised, in accordance with the decision of Council on 20 July 2020.

- 3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.3 Is the recommendation in accordance with the Council's approved budget? Yes

- 3.4 Other alternative options to be considered:

To not fill the vacancies, or appoint different individuals. However, a competitive recruitment has taken place for both positions.

4.0 Council Priority:

- 4.1 The proposals help the Council achieve both its priorities: ‘The economy: Maximising growth and opportunity across Blackpool’ and ‘Creating stronger communities and increasing resilience’.

5.0 Background Information

- 5.1 Members will be aware that one of the Council’s Independent Persons – Mr Tony Mozley – sadly died in May 2020. The role of Independent Person is required in law as part of the standards process in dealing with allegations of member misconduct. The current criteria requires that the applicant should have no formal political party affiliation, not be an employee of or an elected member of Blackpool or Fylde Councils (as it is a position jointly held with Fylde Borough Council) and not be currently a close friend/relative of an elected member of Blackpool or Fylde Council. Mr Mozley also occupied a position on the Council’s Independent Remuneration Panel and approval to fill both vacancies was given by Council in July 2020.
- 5.2 As the Independent Person’s position is jointly appointed with Fylde Borough Council, the recruitment process was undertaken across both authorities. Recruitment commenced in the autumn and interviews were held on Friday 15 January 2021 with a panel that comprised the Standards Committee Chairs and Monitoring Officers from both authorities, with an informal discussion beforehand from one of the serving Independent Persons to explain about the role.
- 5.3 Following the interview process, the Panel has recommended that Peter Clements is appointed as an Independent Person for a three-year period, to commence on 1 March 2021. Mr Clements brings a wealth of experience as a trained ACAS mediator. This same recommendation is going to the Fylde Borough Council meeting on 15 February 2021.
- 5.4 With Mr Clements’ appointment, this brings the number of Independent Persons back to the previous compliment of three. The term of office for the current two independent persons, Mr Horrocks and Mrs Broughton, was due to expire in September 2020. Members are reminded that the Committee on Standards in Public Life had produced a report on ethical standards in local government which included a number of recommendations to Government which if enacted would see significant changes in the standards regime. One of the recommendations was to amend The Localism Act 2011 to require that Independent Persons are appointed for a fixed term of two years, renewable once. As the Government had not yet responded to those recommendations, in July 2020 Council agreed to extend the appointment of the Independent Persons until 30 September 2021, to allow for some clarity regarding the future arrangements for the standards framework.

- 5.5 However, with the continued focus of the government on the coronavirus pandemic, it is unlikely that the government will be able to respond to the recommendations from the Committee in Standards in Public Life in the foreseeable future. It therefore seems timely to recommend also that Mr Horrocks and Mrs Broughton are appointed for another three-year term of office, to commence on 1 March 2021, to run alongside the appointment of Mr Clements. Any subsequent change of legislation limiting appointment periods could then be responded to at the time in line with prevailing national guidance. Again this recommendation is due to go to the Fylde Borough Council meeting on 15 February 2021.
- 5.6 The vacancy for the Independent Remuneration Panel vacancy was advertised recently and interviews held in January this year by a panel comprising the Independent Remuneration Panel Chair, the Director of Governance and Partnerships and Head of Democratic Governance. As a result of the interviews, the Council is invited to appoint Nigel Kilgallon as a member of the Independent Remuneration Panel, this appointment also to commence on 1 March 2021. Mr Kilgallon is a qualified solicitor, Board Member and is a Justice of the Peace. The Panel felt that his experience will complement the current Panel makeup and his appointment is commended to Council.
- 5.7 Does the information submitted include any exempt information? No

List of Appendices:

None.

6.0 Legal considerations:

- 6.1 Section 28 (7) of the Localism Act 2011 states the requirement to appoint at least one Independent Person for standards matters. The Local Authorities (Members' Allowances) (England) Regulations 2003 set out the requirements for appointment to the Independent Remuneration Panel.

7.0 Human Resources considerations:

- 7.1 There are no human resource considerations.

8.0 Equalities considerations:

- 8.1 There are no equalities considerations to this report.

9.0 Financial considerations:

- 9.1 Members of the Independent Remuneration Panel are entitled to claim reasonable

expenses for attending Panel meetings. The Members Allowances Scheme provides for special responsibility allowance for Independent Persons.

10.0 Risk management considerations:

10.1 There are no significant risk management considerations other than not having sufficient members to serve on the Independent Remuneration Panel or as part of the standards process.

11.0 Sustainability, climate change and environmental considerations:

11.1 There are no sustainability, climate change or environmental considerations relating to the proposals in this report.

12.0 Internal/ External Consultation undertaken:

12.1 Consultation has taken place with the Group Leaders.

13.0 Background papers:

13.1 None