

## BABERGH DISTRICT COUNCIL

<b>From: Head of Corporate Organisation</b>	<b>Report Number: R31</b>
<b>To: Babergh District Council</b>	<b>Date of meeting: 28 July 2015</b>

### APPOINTMENT TO OUTSIDE BODIES FOR 2015/2016

#### 1. Purpose of Report

- 1.1 To consider appointments to statutory and non-statutory Outside Bodies for 2015/2016 as outlined in Appendix A (to follow). These are in addition to the appointments agreed at the Annual Meeting in May.
- 1.2 To agree that an annual review of appointments takes place, as set out in paragraphs 8.13 and 8.14.

#### 2. Recommendations

- 2.1 That Councillors be appointed to the Outside Bodies detailed in Appendix A.
- 2.2 That an annual review of appointments takes place.

#### 3. Financial Implications

- 3.1 Councillors appointed to Outside Bodies are able to claim expenses in accordance with the Council's Members Allowance Scheme.

#### 4. Risk Management

- 4.1 This report is most closely linked with the Council's Corporate/Significant Business Risk No. 1 (Political and Managerial Leadership). Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Members not appointed and therefore not able to represent the Council's strategic priorities on Outside Bodies	Low	Marginal	Discussions already held with Group Leaders, Portfolio Holders and Management Board

#### 5. Consultations

- 5.1 Consultations have been undertaken with the Council Leader and Portfolio Holders.

#### 6. Equality Analysis

- 6.1 Not relevant to this report.

## **7. Shared Service / Partnership Implications**

- 7.1 To support synergy between the two Councils opportunities for joint appointments have been explored.

## **8. Key Information**

- 8.1 The Council appoints annually to a wide range of diverse Outside Bodies. The Constitutions of several of the Outside Bodies decree that the Councillor appointed to them must come from a Member of the Ruling Group on the Council, whilst others require representation from particular Wards or are political appointments. Most appointments to Outside Bodies are discretionary taking into consideration how representation on them adds value in terms of contributing towards the Council's priorities and strategic objectives.
- 8.2 Appointments to Outside Bodies may be made under the general power in Section 2 of the Local Government Act 2000 - to do anything which is likely to promote the economic, social or environmental wellbeing of the area, unless specifically prohibited.
- 8.3 There is an obligation imposed upon the Council to appoint to a number of the Outside Bodies either because it is a statutory requirement or a requirement of the Outside Body's Constitution.
- 8.4 The process of Council approving appointments to Outside Bodies where the role relates to a Non-Executive function of the Council is consistent with the Articles within the Constitution.
- 8.5 Appointments may also be made in accordance with specific powers or statutory duties to participate in Outside Bodies.
- 8.6 Appointment of Councillors to Outside Bodies provides support to the organisation concerned, enables Councillors to fulfil their community leadership roles and assess how the organisation fits with the Council's strategic priorities and enables appropriate monitoring of performance / budgets in line with best practice.
- 8.7 Appointments should only be made where the work of the Outside Body is relevant to the Council's strategic priorities and it either operates on a District basis rather than a Local/Parish basis or is related to the Council's role in the wider context, for example as a Member of the Local Government Association or a Regional grouping.
- 8.8 Some bodies which have previously been nominated to by the Council have been assessed as no longer meeting the criteria summarised above and detailed in the 'Criteria for Councillor representation' in the attached Guide to Councillor representation on outside bodies and partnerships (Appendix B).
- 8.9 Appointments should only be made where they meet the criteria listed in paragraph 8.13.
- 8.10 Councillors appointed to Outside Bodies are able to work with and alongside local community groups, helping to empower them to in terms of addressing local issues and delivering sustainable solutions.

- 8.11 Appointments made to Outside Bodies should be sensitive to the need to represent as far as possible the diverse nature of the local community.
- 8.12 A Guide on Councillor Representation on Outside Bodies and Partnerships will be given to each Councillor who is a representative of the Council on an Outside Body or Partnership and their nominated substitutes.

### **Review process**

- 8.13 A regular review of the list of Outside Bodies will help to ensure relevance and appropriateness of membership by applying basic criteria such as the following:-
- The appointment is necessary to fulfil one of the Council's statutory functions.
  - The appointment is necessary to protect the Council's investment and assets
  - There was not a significant cost and resource implication for the Council when measured against any accrued benefit.
  - The balance or risk of any detrimental impact on the Council if it were not represented.
  - The appointment raises the profile of the Council at a national or regional level.
  - The appointment furthers the Council's strategic priorities as outlined in the Council's Joint Strategic Plan for 2014 – 2019.
  - The Council works in partnership with a number of the Outside Bodies in a variety of ways, some more directly than others because of the existence of service level agreements or by holding corporate positions on organisations because of legal agreements.
- 8.14 Review forms based on the above criteria will be sent to all Councillor representatives in February of each year with the results contributing to an annual review of all appointments at the May meeting.

## **9. Appendices**

Title	Location
(a) Representation on Outside Bodies for 2015/2016	To follow
(b) Guide on Councillor Representation on Outside Bodies and Partnerships	Attached

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## Paper R31 - Appendix A

### BABERGH DISTRICT COUNCIL

### APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES/PARTNERSHIPS

<b>NAME OF BODY</b> <b>Frequency, time and venue</b> <b>of meetings</b>	<b>NUMBER OF</b> <b>REPRESENTATIVES</b> <b>TO BE APPOINTED</b>	<b>NAME OF MEMBER NOMINATED</b>
ASSOCIATION FOR SUFFOLK MUSEUMS  3 x per annum weekday a.m. at Suffolk museums	1	John Nunn
BABERGH DOMESTIC VIOLENCE AND ABUSE FORUM (COMPASSION)  6 x per annum at Sudbury/BDC Council offices	1	Margaret Maybury
COUNTY DOMESTIC VIOLENCE FORUM  4 x per annum a.m. at various locations.	1	TBC
DEDHAM VALE AONB AND STOUR VALLEY JOINT ADVISORY COMMITTEE (JAC)  3 x per annum a.m./p.m. at Sudbury/Great Cornard	2	David Holland
EAST OF ENGLAND ASSEMBLY OF LEADERS 4 per annum a.m./pm at local authority venues across the east of England	1 (Leader)	Jennie Jenkins (already appointed at May meeting)

<b>NAME OF BODY</b> <b>Frequency, time and venue of meetings</b>	<b>NUMBER OF REPRESENTATIVES TO BE APPOINTED</b>	<b>NAME OF MEMBER NOMINATED</b>
GAINSBOROUGH'S HOUSE SOCIETY  Gainsborough's House	1	Nick Ridley
GREATER IPSWICH CITY BOARD DEAL	1 (+ 1 substitute member, from MS)	Simon Barrett
HAVEN GATEWAY PARTNERSHIP  5 x per annum daytime various/locations	1 (+ substitute member)	John Hinton
IPSWICH AND DISTRICT CITIZENS ADVICE BUREAU  5 – 4 (evening) board meetings, 1 AGM – daytime p.m. at 19 Tower Street.	1	<u><i>tbcc – Sue Carpendale to advise</i></u>
IPSWICH POLICY AREA BOARD  4 x per annum p.m. Ipswich	1 (+ 1 substitute member)	Simon Barrett
LOCAL GOVERNMENT ASSOCIATION –  ASSEMBLY Annual meeting  LOCAL GOVERNMENT ASSOCIATION –  RURAL COMMISSION (LGARC)  2 x per annum daytime Harrogate/London	1 Leader   4 Same member as SPARSE	Jennie Jenkins (already appointed at May meeting)

<b>NAME OF BODY</b> <b>Frequency, time and venue of meetings</b>	<b>NUMBER OF REPRESENTATIVES TO BE APPOINTED</b>	<b>NAME OF MEMBER NOMINATED</b>
<p style="text-align: center;">SPARSE</p> <p>3 x per annum daytime LGA London and at Rural Conference Venues, 11.30 a.m. – 3 p.m.</p>	<p style="text-align: center;">1</p>	<p style="text-align: center;">Richard Kemp</p>
<p>RAG (Responsible Authorities Group) Western Area Overarches the Western Area Crime and Disorder Reduction Partnership.</p> <p>4 x per annum a.m. at Mid Suffolk, Babergh, Forest Heath and St Eds on a rotational basis</p>	<p style="text-align: center;">2</p> <p style="text-align: center;">Voting rights</p>	<p style="text-align: center;">Jan Osborne and Sue Burgoyne</p>
<p style="text-align: center;">RAISING THE BAR SPONSORING GROUP</p> <p>4 x per annum late p.m. , various locations</p>	<p style="text-align: center;">1 (+1 substitute)</p>	<p style="text-align: center;">Sue Carpendale</p>
<p style="text-align: center;">SOUTH SUFFOLK LEISURE TRUST BOARD</p> <p>7 x per annum late p.m Babergh Offices</p>	<p style="text-align: center;">2</p>	<p style="text-align: center;">Simon Barrett and Tina Campbell</p>
<p style="text-align: center;">SUDBURY AND DISTRICT CITIZENS ADVICE BUREAU</p> <p>5 x per annum p.m. at Belle Vue Sudbury</p>	<p style="text-align: center;">1</p>	<p style="text-align: center;">Adrian Osborne</p>
<p style="text-align: center;">SUFFOLK COAST AND HEATHS AONB JOINT ADVISORY COMMITTEE (JAC) and PARTNERSHIP</p> <p>4 per annum a.m. various locations in the AONB</p>	<p style="text-align: center;">2</p> <p>1 – JAC and Partnership 1 – JAC only</p> <p style="text-align: center;"><b>NO</b></p>	<p style="text-align: center;">David Rose Derek Davies (sub and JAC only)</p>

<b>NAME OF BODY</b> <b>Frequency, time and venue of meetings</b>	<b>NUMBER OF REPRESENTATIVES TO BE APPOINTED</b>	<b>NAME OF MEMBER NOMINATED</b>
SUFFOLK FLOOD RISK SCRUTINY SUB-COMMITTEE  2 x per annum, various locations.	1 (+ 1 substitute member)	Frank Lawrenson
SUFFOLK HEALTH AND WELLBEING BOARD  6 x per annum – Thursdays at Ipswich or Bury St Edmunds – formal meeting a.m. followed by optional informal session p.m.	1 (+ 1 substitute member)  full voting rights	Nick Ridley as the joint member representative for 2015/2016 with Diana Kearsley as substitute
SUFFOLK HEALTH SCRUTINY COMMITTEE	1 (+ 1 substitute member)	Jan Osborne
SUFFOLK JOINT EMERGENCY PLANNING POLICY PANEL  2 x per annum, Endeavour House.	1 (+1 substitute Member)	John Hinton - sub Sue Carpendale
SUFFOLK POLICE AND CRIME PANEL	1	David Rose
SUFFOLK RAIL POLICY GROUP 3 x per annum p.m. at SCC and District Council Offices	1	Alistair McCraw
SUFFOLK SPORT PARTNERSHIP FORUM  2 x per annum daytime various Suffolk locations	1	Derek Davies
SUFFOLK WASTE PARTNERSHIP (SWP)  4 x per annum a.m. at MSDC Offices	1	Clive Arthey

<b>NAME OF BODY</b> <b>Frequency, time and venue of meetings</b>	<b>NUMBER OF REPRESENTATIVES TO BE APPOINTED</b>	<b>NAME OF MEMBER NOMINATED</b>
THE QUAY THEATRE AT SUDBURY LIMITED – Management Board  6 x per annum evening Quay Theatre	1	Bryn Hurren
JOINT WASTE MANAGEMENT BOARD	1 (+ substitute Member)	Clive Arthey





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## GUIDE ON COUNCILLOR REPRESENTATION ON OUTSIDE BODIES AND PARTNERSHIPS

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JUNE 2015

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## Introduction

The Council is approached by outside organisations, such as charities, partnerships and other community groups, to appoint District Councillors onto their committees or boards. From the Council's perspective, such involvement should provide a means by which the Council can work in partnership with the community to help meet the Council's **Strategic Plan Vision, Priorities and Outcomes**, as set out in on the page which can be viewed on the Council's website at the following address:

<http://www.babergh.gov.uk/assets/Uploads-BDC/BDC-strat-priorities-2013-14-v1.1.pdf> .

This Guide has been produced to provide Councillors with information on the various organisations to which the Council appoints representatives and to help ensure that the Council is able to contribute effectively to the work of the organisation and that representation adds value in terms of contributing towards the Council's strategic objectives and priorities.

## Criteria for Councillor Representation

The Council has adopted criteria for use when making appointments to outside organisations, including partnerships. The criteria seek to ensure that the Council only makes appointments to such bodies where Councillor involvement will make a significant contribution to the work of the Council. It is agreed that Council representation on an outside body should not be determined by the fact that the Council contributes financially to that body. Instead, it is resolved that appointments should only be made where the following criteria are satisfied:

- The appointment is necessary to fulfil one of the Council's statutory functions.
- The appointment is necessary to protect the Council's investment and assets
- There was not a significant cost and resource implication for the Council when measured against any accrued benefit.
- The balance or risk of any detrimental impact on the Council were it not represented.
- The appointment raises the profile of the Council at a national or regional level
- The appointment furthers the Council's priorities which are outlined in the Council's Joint Strategic Plan for 2014 – 2019.
- The Council works in partnership with a number of the Outside Bodies in a variety of ways, some more directly than others because of the existence of service level agreements or by holding corporate positions on organisations because of legal agreements.

It is also agreed that a Councillor wishing to serve on a purely local body should not be appointed by virtue of his/her District Council Office, but by virtue of the local connection and therefore either through a local body such as a Town/ Parish Council, or some other local route.

In relation to representation on bodies in receipt of funding from the District Council, as part of its criteria for Councillor representation, the Council also resolves that:

- Such bodies should be aware that there can be no expectation that representation is on the basis that the representative will automatically support future requests for funding.
- Representatives have a role in ensuring that any grant is used prudently, although this may not be totally within the control of an individual Member.
- The District Council does not as a default have representation on all the bodies which it grant aids.

### **Training**

Councillors who have particular experience or skills that may be relevant to the work of an outside organisation may wish to seek appointment to that body. Appendix 1, Column 3 gives an indication of the role together with the skills and knowledge which would be useful for the representative Councillor to hold. In any event, all Councillors who are appointed by the Council to serve on such bodies are encouraged to attend training arranged by the outside organisation concerned.

### **Attendance**

Before accepting an appointment, Councillors should satisfy themselves that they would be able to attend most if not all relevant meetings of the outside organisation together with any other commitments, such as attendance at related events arising from that appointment. Councillors' attention is drawn to Appendix 2, Column 1 which sets out the frequency, time and venue of meetings.

It is accepted that there may be occasions where a Councillor is unable to attend. In these instances, to ensure that the Council continues to be represented at the relevant meeting, a Councillor's substitute (if one is appointed) may attend a meeting in his/her absence. However, it should be noted that due to the personal and statutory duties of trustees and directors, use of substitutes will rarely, if at all, be compatible with appointments as trustees or directors.

### **Reports to Councillors, Council and Committees**

In order to ensure that the Council is kept advised of the work of the various outside organisations, the Council's representatives are expected to provide a report on the work of the relevant organisation, at least once a year to all Councillors or, where the work has implications for the Council's policies or budgets, to the Council or one of its Committees.

The time at which the report is made is largely up to the Councillor concerned, although clearly it should be at a time when there is pertinent information to report. This may be at the end of each year of the appointment, although where the body has an AGM, it is suggested that an annual report should be produced shortly after an organisation's AGM.

In view of the significance of certain partnerships' work to the Council as a whole, Councillors appointed to such bodies are expected to provide reports to Members through the relevant Committee.

Councillors' reports may take various forms. For example, where a report to Council or Committee is not needed, the report may be published on the Council's intranet (BEN) or a hard copy may be circulated to all Members of the Council in the weekly distribution, or made available in the Members' Room. In addition, or, as an alternative to written reports, oral presentations may be made to Council or Committee meetings or to Members' Seminars. In all cases, it is recommended that the report should provide a resume of the recent and significant work of the body and identify its plans for the coming year, rather than simply provide the minutes of a meeting.

If a Councillor considers that his/her report needs to be submitted to Council or Committee, he/she should notify the Committee Services staff as soon as possible so that arrangements can be made. In order to ensure that relevant report deadlines may be met, requests to submit a report to a Council or Committee meeting should be made to the Committee Services Section at least three weeks before the meeting.

### **Standards of Conduct and Personal Liability**

When acting in their representative role, Councillors are required to comply with the Council's Code of Conduct. If the outside body has a Code of Conduct of its own which conflicts with the Council's Code, precedence must be given to complying with the outside body's Code. It should be noted that in cases where the representative is appointed as a trustee or director, the Councillor would have specific statutory duties to the trust or company.

The extent of the personal liability of Councillors who are appointed onto trusts and companies will to some extent vary from case to case. Councillors are advised to review the relevant constitution or trust deed of the body concerned. Advice may be obtained from the Monitoring Officer if a Councillor is concerned about the extent of his/her personal responsibilities.