

Allerdale Borough Council

Council – 18 May 2022

Appointment of Representatives to serve on Outside Bodies and Joint Committees for 2022-23

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|-------------------------------|---|
| Portfolio holder | Councillor M Fitzgerald Portfolio Holder for Policy, Governance and People Resources |
| Report from | Sharon Sewell, Chief Officer Place & Governance |
| Wards affected | All wards |
| Is this a key decision | No |

1.0 The reason for the decision

- 1.1 To appoint Council representatives to serve on Outside Bodies and Joint Committees which are not a function of the Executive for the forthcoming year.

2.0 Recommendations

- 2.1 Nominations are sought for representatives to serve on the Outside Bodies and Joint Committees set out in Table 1 and Table 2 of the report;
- 2.2 To note the annual feedback provided by member representatives in Appendix B (To Follow).

3.0 Introduction

- 3.1 The Council appoints annually to a wide range of diverse outside bodies. The Council considers member representation on outside bodies when the role relates to a Non-Executive function carried out by the local authority and the Executive consider representation on outside bodies where the role relates to an Executive function of the local authority. Outside Bodies which are Executive functions will be considered by the Executive at their meeting in June 2022.
- 3.2 Some appointments to outside bodies are made because of a statutory requirement to appoint one or more members to them.

- 3.3 Most appointments to outside bodies are discretionary taking into consideration how representation on them adds value.
- 3.4 Appointment of members to outside bodies provides support to the organisation concerned and enables members to fulfil their community leadership roles.
- 3.5 Members appointed to outside bodies are able to work with and alongside local community groups, helping to empower them in terms of addressing local issues and delivering sustainable solutions.
- 3.6 Appointments made to outside bodies should be sensitive to the need to represent as far as possible the diverse nature of the local community.

4.0 Appointment to Outside Bodies and Members Roles and Responsibilities

- 4.1 Outside bodies can gain a number of benefits from having a Council representative on them which include:
 - 4.1.1 To provide knowledge, skills and expertise which may not otherwise be available;
 - 4.1.2 To provide local accountability or democratic legitimacy through the appointment of an elected representative;
 - 4.1.3 To ensure that good relationships can be maintained with the body;
 - 4.1.4 To deliver a partnership project that requires the input of other organisations or community groups;
 - 4.1.5 To protect the Council's investments or assets i.e. if the Council has provided grant funding or provides funding for service delivery;
 - 4.1.6 To lever in external funding which would not be available to the Council on its own.
- 4.2 There are a number of types of outside bodies which members may become involved as a representative appointed by the Council, including a national or regional body, charitable trust, company limited by guarantee and individual and provident societies (mainly housing associations).
- 4.3 The structure of each type of organisation and the management and the rules which govern the organisation vary.
- 4.4 Regardless of how the appointment is made, the law lays down many requirements with which members must comply. These may include duties to the Council as well as duties to the outside body and its members.
- 4.5 An appointment to an outside body does not necessarily mean that a member will be representing the Council's interests on that outside body. Indeed there are a number of cases, for example, if the member is a trustee or a company director, where they must always act in the interests of the outside body and not in the Council's interests.

- 4.6 This can lead to conflicts of interests between the role as a councillor and the representative role on the outside body. Accordingly, members appointed to outside bodies by the Council need clear guidance on the above, which is set out in the attached document at Appendix A entitled 'The Roles and Responsibilities of Members and Officers appointed to Outside Bodies' as a detailed guidance to assist members in understanding their roles and responsibilities.

5.0 Delivery Arrangements

- 5.1 Nominations are sought for representatives to serve on the Outside Bodies set out in Table 1 below

Table 1

| Name of Outside Body | Number of representatives | Length of appointment |
|---|----------------------------------|------------------------------|
| Cumbria County Council Pensions Forum | 1 | 1 year |
| Cumbria Health Scrutiny Committee | 1 + 2 subs | 1 year |
| Local Enterprise Partnership (LEP) Scrutiny Board | 1 | 1 year |
| Maryport Harbour Authority | 1 | 1 year |
| Workington Harbour Management Committee | 3 | 1 year |

- 5.2 Nominations are sought for representatives to serve on the Joint Committees set out in Table 2 below

Table 2

| Name of Joint Committee | Number of representatives | Length of appointment |
|---|----------------------------------|------------------------------|
| Cumbria Police & Crime Panel Joint Committee | 1 | 1 year |
| Solway Coast AONB Joint Advisory Committee | 2 | 1 year |
| West Cumbria Cyclepath Network Steering Group | 1 | 1 year |

6.0 Review of membership feedback

- 6.1 Each member representative appointed to an outside body or joint committee by both Council and the Executive have been requested to provide feedback on their time on the 'body' for Council to review.

This feedback is being collated and will be published in a supplement paper 'To Follow' this report in time for the meeting on 18 May.

6.0 Implications and Impact

6.1 Contribution to Council Strategy Priorities, Outputs and Outcomes

Representation on Outside Bodies and Joint Committees allows the Council's priorities to become known to groups within the community.

6.2 Finance/Resource implications

Those members formally appointed to external organisations as the Council's representative are able to claim expenses in accordance with the Members' Allowance Scheme. These costs can be met from existing resources.

6.3 Legal and governance implications

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.

6.4 Risk analysis

A scored and mitigated risk log

| Risk | Consequence | Controls required | Mitigated score |
|---|---|--|------------------------|
| Member representative appointments not made to all of the outside bodies/joint committees | This could hinder the Council in furthering its interest and priorities and not develop the external facing role of the members | Regular appointments made by Council in line with the outside bodies terms of reference/constitution | 1 |

6.5 Increasing satisfaction and service

Appointments to outside bodies enhance the member's representative and community leadership role. Councillor representation also enables positive influence on the effectiveness of an organisation for the benefit of the wider community.

6.6 Equality impacts

The Equality duty has been considered

6.7 Health and Safety impacts

None directly from this report

6.8 Health, wellbeing and community safety impacts

None directly from this report

6.9 Environmental/sustainability impacts

None directly from this report

6.10 Other significant implications

None

Appendices attached to this report

| Appendix number | Title of appendix |
|------------------------|---|
| A | The Roles and Responsibilities of Members and Officers appointed to Outside Bodies |
| B | Annual Review feedback from member representatives (To Follow) |

Background documents available

| Name of background document | Where it is available |
|------------------------------------|------------------------------|
| N/A | |

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