
Subject:	APPOINTMENT OF MEMBER REPRESENTATIVES TO OUTSIDE BODIES 2017/18
Meeting and Date:	Cabinet – 8 May 2017
Report of:	David Randall, Director of Governance
Portfolio Holder:	Councillor Paul Watkins, Leader of the Council
Decision Type:	Non-Key
Classification:	Unrestricted

Purpose of the report: For Cabinet to determine the appointments to outside bodies for 2017/18.

- Recommendation:**
1. That Cabinet determines the appointments to outside bodies detailed at Appendix A (subject to 2. below).
 2. That Cabinet determines whether to continue to appoint representatives to those bodies detailed at paragraph 2.2 which do not provide insurance cover for Members against public and personal liability.
 3. That Cabinet requests the Leader of the Council to nominate an alternative Member to substitute at meetings on an ad hoc basis when the appointed Member is not available (and where the constitution of the body allows this).
 4. That Cabinet approves the appointment of the Chief Executive to the Kent Forum.
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1. Summary

- 1.1 The Cabinet is responsible for appointing Members at the start of each Council year to serve on outside bodies. The appointments to be made by Cabinet for 2017/18 are shown at Appendix A.
- 1.2 Cabinet's attention is drawn to the fact that three of the outside bodies to which appointments are due to be made do not currently have insurance cover in place to indemnify our Members against public and personal liability.
- 1.3 There is one nomination to be made to the Mary Hougham Almshouses charity. Councillor A Friend is the current appointee to the charity which has advised that he may be re-appointed if Cabinet so wishes. If not, the person appointed should ideally have an interest in, and feel that they can bring expertise to, the work of the charity. (The other trustees appointed by the Council are currently Councillor B Gardner and Mr Albert Taylorson.)
- 1.4 There is also one nomination to be made to the Municipal Charities of Dover. The current appointee is (former Councillor) Mick Smith, and the charity will not be in a position to indicate whether it wishes him to be re-appointed until July. The nominated person must reside within the 'area of benefit' covered by the charity - this being the old borough of Dover plus the parishes of Alkham, Capel-le-Ferne, Hougham Without, Langdon, River, Shepherdswell with Coldred, Temple Ewell and

Whitfield. (The other trustees appointed by the Council are currently Councillor P Beresford, Mrs S Nicholas, Mr A Shirley and Mr R Walkden.)

2. Introduction and Background

- 2.1 Members who serve on outside bodies solely to represent the Council's views, or for observational purposes, are covered by the Council's insurance policies. However, Zurich Municipal, the Council's insurance provider for personal and public liability, has confirmed that it will not insure Members who are expected to make decisions on behalf of the body to which they have been appointed. There are three bodies that require Members to make decisions on their behalf but which do not currently have the appropriate insurance cover in place, as detailed in the table at 2.2.
- 2.2 It is unlikely that these bodies would be willing and/or able to arrange insurance cover for our Members. That said, most, if not all, of the decisions being taken by Members will be relatively innocuous, and the risk is therefore likely to be low. Nevertheless, it is possible that a member of the public could initiate legal proceedings against an outside body in relation to a decision in which one of our Members (or representative) has been involved. Members serving on these bodies have been (or will be) warned of the implications and advised not to participate in a decision if they have concerns.

Outside Body	Member Appointed 2016/17	Strategic or Community Classification
Industrial Communities Alliance	Councillor S Manion	Strategic
Sandwich & Pegwell Bay Management Committee	Councillor M Holloway	Community
Southern & South East England Tourist Board	Councillor K Morris	Strategic

3. Identification of Options

- 3.1 Option One – To appoint representatives to all the bodies outlined in Appendix A of the report (including those without appropriate insurance cover).
- 3.2 Option Two – To appoint representatives to only some of the bodies outlined in Appendix A of the report (possibly to include withdrawing representation from all or some of those bodies without appropriate insurance cover).

4. Evaluation of Options

- 4.1 The benefits of having Members on those bodies without insurance outweigh any risks, which are considered to be low. Furthermore, appointments to external organisations classified as strategic help to promote linkages between the Council and other organisations for the purpose of furthering the Council's objectives. The community appointments made by Cabinet are considered to be part of the community role of Members, but also support various targets within the Corporate Plan relating to issues such as health, leisure and communities. For these reasons, Option One is the recommended option.

5. **Resource Implications**

- 5.1 Members appointed will be entitled to claim the appropriate levels of travel and subsistence allowance in relation to performing these duties. This expenditure will be funded from existing Member budgets. Members serving as charity trustees are not permitted to claim expenses from the Council since there is a legal principle that charity trustees should not benefit from their participation in the affairs of the charity. Members in this position are expected to claim expenses from the charity concerned.

6. **Corporate Implications**

- 6.1 Comment from the Section 151 Officer: Finance has been consulted and has nothing further to add (VB).
- 6.2 Comment from the Solicitor to the Council: 'The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.'
- 6.3 Comment from the Equalities Officer: 'This report does not specifically highlight any equalities implications, however, in discharging their responsibilities, Members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 (<http://www.legislation.gov.uk/ukpga/2010/15>)'.
- 6.4 Other Officers (as appropriate): None.

7. **Appendices**

Appendix A – Schedule of Member Appointments for 2017/18

8. **Background Papers**

Democratic Services' Outside Bodies Appointments Files

Contact Officer: Kate Batty-Smith (ext. 2303)

Appendix A

Outside Bodies

Schedule of Member Appointments for 2017/18

Organisation Name	Expiry Date	Number to Appoint	Term	Current Appointee(s) (2016/17)	New Appointee(s) 2017/18
Action With Rural Communities In Kent	May 2018	2	1 Year	M Ovenden F Scales	
Age Concern Deal (Liaison Committee)	May 2018	1	1 Year	P Heath	
Aylesham & District Workshop Trust	May 2018	1	1 Year	L Keen	G Cowan nominated
Canterbury and Coastal Health and Wellbeing Board	May 2018	1	1 Year	S Chandler	
Deal Fairtrade Steering Group	May 2018	1	1 Year	P Hawkins	P Hawkins nominated
Dover Bronze Age Boat Trust	May 2018	1	1 Year	A Richardson	
Dover, Deal & District Citizens Advice Bureau	May 2018	2	1 Year	P Beresford R Frost	
Dover District Volunteering Centre	May 2018	1	1 Year	K Morris	
Dover Fairtrade Steering Group	May 2018	1	1 Year	D Hannent	
East Kent Housing Board	May 2018	1	1 Year	S Chandler	
East Kent Housing Dover Area Tenants' Board	May 2018	2	1 Year	P Beresford M Rose	
East Kent Spatial Development Co.	May 2018	1	1 Year	P Watkins	
Industrial Communities Alliance	May 2018	1	1 Year	S Manion	
JAC Kent Downs AONB Partnership	May 2018	1	1 Year	N Kenton	

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Kent County Playing Fields Association	May 2018	1	1 Year	P Beresford	
Kent Forum	May 2018	1 + Officer	1 Year	P Watkins	
Local Enterprise Partnership Board & Executive	May 2018	1	1 Year	P Watkins	
Local Government Association – General Assembly	May 2018	1	1 Year	P Watkins	
Mary Hougham Almshouses	May 2021	1	4 Years	A Friend	
Municipal Charities of Dover	May 2021	1	4 Years	Mr J M Smith	
Police & Crime Panel for Kent	May 2018	1	1 Year	K Morris	
River Dour Partnership	May 2018	1	1 Year	N Collor	
River Stour (Kent) Internal Drainage Board	May 2018	2	1 Year	M Conolly M Ovenden	
Sandwich & Pegwell Bay National Nature Reserve Management Committee	May 2018	1	1 Year	M Ovenden	
South East England Councils (SEEC)	May 2018	1	1 Year	P Watkins (sub: M Conolly)	
South Kent Coast Health & Wellbeing Board	May 2018	2	1 Year	P Watkins P Beresford	
Southern And South East England Tourist Board	May 2018	1	1 Year	K Morris	
Stagecoach Bus Users' Group	May 2018	1	1 Year	Mrs S Nicholas	