

<b>Subject:</b>	<b>REVIEW OF OUTSIDE BODY APPOINTMENTS</b>
<b>Meeting and Date:</b>	<b>Cabinet – 7 October 2019</b>
<b>Report of:</b>	<b>Louise May, Head of Governance</b>
<b>Portfolio Holder:</b>	<b>Councillor Keith Morris, Leader of the Council</b>
<b>Decision Type:</b>	<b>Non-Key</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Purpose of the report:</b>	At its meeting held on 3 June 2019, Cabinet requested that a review be undertaken of the Council's appointments to outside bodies following a reduction in Member numbers from 45 to 32.
<b>Recommendation:</b>	To review the outside bodies detailed at Appendix 1 and, taking into account the comments made by the bodies, determine which, if any, appointments should be withdrawn or, where applicable, the number of appointees reduced.

## 1. Summary

- 1.1 Following a reduction in Member numbers from 45 to 32 in May 2019, Cabinet requested that a review be carried out of the appointments made by Cabinet to 28 outside bodies. The purpose of the review was to establish whether the Council's appointees were still required and, in the case of those organisations with more than one representative, whether a reduction in the number of appointees could be considered. Following discussions with the Leader of the Council, it was agreed that the review would not include bodies of a nationally or regionally strategic nature (as listed at paragraph 2.7).

## 2. Introduction and Background

- 2.1 A reduction in the number of elected Members (from 45 down to 32) came into effect at the local elections on 2 May 2019 as a result of a Local Government Boundary Commission review which re-drew ward boundaries across the district. This reduction in Member numbers has led to difficulties in filling the 35+ appointments made annually (in most cases) by Cabinet to a range of outside bodies, around half of which fulfil a community role. Cabinet therefore requested a review of these appointments at its meeting held on 3 June 2019 in order to clarify the role of our appointees and to establish whether they are appointments that are still of relevance and beneficial to both parties (Cabinet decision CAB 12 (b)).
- 2.2 Some of the appointments fulfilling a community role, particularly those made to local charities, are historic and the rationale or purpose behind them is now rather obscure. With this in mind, the outside bodies were contacted and asked to clarify the role of our Members (or other persons), what benefits they brought to the organisation and the implications (if any) of our appointees being reduced or withdrawn altogether. The organisations' comments have been summarised at Appendix 1 to this report, and a recommendation made for each body.
- 2.3 It should be noted that members of the public, rather than Members, are appointed to some bodies (i.e. Dover Bronze Age Boat Trust, Mary Hougham Almshouses, Municipal Charities of Dover and the Sandwich Port and Haven Commission).

- 2.4 It is recommended that, with effect from May 2020, the nomination of Dr Andrew Richardson to the Dover Bronze Age Boat Trust be withdrawn, and the number of appointees to Mary Hougham Almshouses be reduced from three to one. Whilst Dr Richardson's longstanding service to the Bronze Age Boat Trust is fully recognised, he is the sole appointee and no longer an elected Member. Rather than using the Council's nomination to appoint an elected Member in future (who would not have the experience and professional expertise of Dr Richardson), the recommendation is to stop making a nomination to the Trust once Dr Richardson's appointment expires next May. This is on the basis that Dr Richardson can continue as a trustee/director by being co-opted by the other trustees (or by the Trust making other arrangements, such as amending its constitution). In the case of Mary Hougham Almshouses, it is understood that Adrian Friend, a longstanding trustee, can be co-opted on to the charity so that he can continue to serve as a trustee after May 2020.
- 2.5 It is also recommended that the number of appointments to the Dover, Deal and District Citizens' Advice Bureau (CAB) be reduced from two to one as it is considered that one Member appointee is sufficient to provide the link and input that the CAB seeks.
- 2.6 If it is agreed that changes should be made, Cabinet has the option of replacing some Member appointees with Officers. Generally, this will only be appropriate where the Council is a member of the body itself and the appointee is on the body to represent the Council as part of his/her employment. It should be borne in mind that, depending on the terms and conditions upon which individuals are employed, it may be necessary to seek a variation to their contracts of employment. The terms and conditions upon which Officers are employed are not an executive function and, as such, are not matters for the Cabinet. Any Officer appointments would therefore be subject to the Chief Executive (as Head of Paid Service) being able to secure any necessary variations to Officers' contracts of employment.
- 2.7 For clarity, the following outside bodies have not been included in this review due to their strategic nature or, in the case of the Sandwich Port and Haven Commission, because legislation requires the Council to appoint persons to them. The table below indicates whether the Council is an official partner/member of the organisation and, where applicable, whether it gives funding to the body.

<p>Action with Communities in Rural Kent</p> <p><i>(DDC is a member of ACRK and gives funding of £3,500 p.a.)</i></p>	<p>Kent Downs AONB Joint Advisory Committee</p> <p><i>(DDC is a member of the JAC)</i></p>
<p>Deal &amp; Sandwich Coastal Community Team</p> <p><i>(DDC is the 'accountable' body for administering government grant funding)</i></p>	<p>Local Government Association – General Assembly</p> <p><i>(Strategic)</i></p>
<p>Dover Coastal Community Team</p> <p><i>(DDC is the 'accountable' body for administering government grant funding)</i></p>	<p>PATROL (formerly National Parking Adjudication Service)</p> <p><i>(DDC is a member authority)</i></p>

<i>grant funding)</i>	
East Kent Spatial Development Co  <i>(DDC is a member of the company)</i>	Police and Crime Panel for Kent  <i>(Strategic)</i>
Industrial Communities Alliance  <i>(Strategic)</i>	River Stour (Kent) Internal Drainage Board  <i>(DDC is a Board Member)</i>
Kent Forum  <i>(Strategic)</i>	Sandwich Port & Haven Commission  <i>(Legislation – The Sandwich Port &amp; Haven Commissioners (Constitution) Revision Order 1976)</i>
Local Enterprise Partnership Board & Executive  <i>(Strategic)</i>	Sandwich & Pegwell Bay National Nature Reserve Steering Group  <i>(DDC is a ‘declaring authority’)</i>
South East England Councils  <i>(Strategic)</i>	Tourism South East  <i>(Strategic)</i>

### 3. Identification of Options

- 3.1 Option 1 - To approve the removal of DDC’s Member (or other persons) appointees (or a reduction, where appropriate) from the outside bodies identified in Appendix 1, as recommended.
- 3.2 Option 2 – Cabinet to determine changes, as it sees fit, to the number of Members (or other persons) appointed to the outside bodies detailed in Appendix 1.
- 3.3 Option 3 – To maintain the status quo.

### 4. Evaluation of Options

- 4.1 Option 1 would alleviate the difficulties encountered by Cabinet in appointing Members (and other persons) to outside bodies fulfilling a community role. This option is recommended.
- 4.2 Option 2 would potentially achieve the same outcome as Option 1, depending on how many withdrawals or reductions Cabinet decides to make.
- 4.3 Option 3 would not alleviate the problem in finding Members to serve on outside bodies and is not therefore recommended.

## **5. Resource Implications**

- 5.1 Member appointees are entitled to claim the appropriate levels of travel and subsistence allowance for performing outside body duties. However, many do not do so and the savings that would be achieved through a reduction in Member appointments would be negligible. That said, there may be offsetting costs due to appointed Officers claiming travel expenses. Members (and other persons) serving as charity trustees are not permitted to claim expenses from the Council so a reduction in charity appointments would not realise any savings for the Council.

## **6. Corporate Implications**

- 6.1 Comment from the Section 151 Officer: Accountancy has been consulted and has no further comments to make.
- 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 equality implications, however, in discharging their duties, 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 1 – Outside Bodies' Responses and Recommendations

## **8. Background Papers**

Democratic Services' Outside Bodies files

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