
Subject: APPOINTMENT OF MEMBERS TO OUTSIDE BODIES 2022/23

Meeting and Date: Cabinet – 6 June 2022

Report of: Louise May, Head of Governance and HR

Portfolio Holder: Councillor Trevor Bartlett, Leader of the Council

Decision Type: Non-Key

Classification: Unrestricted

Purpose of the report: For Cabinet to determine the appointments to outside bodies for 2022/23.

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.

1. Summary

1.1 The Cabinet is responsible for appointing Members at the start of each Council year to serve on a range of outside bodies. The appointments to be made by Cabinet for 2022/23 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.

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	Current Appointee 2021/22	Strategic or Community Classification
Industrial Communities Alliance	Councillor S Manion	Strategic
Sandwich & Pegwell Bay Management Committee	Councillor S Chandler	Community
Tourism South East	Councillor T J Bartlett	Strategic

Identification of Options

- 2.3 Option One – To appoint representatives to all the bodies outlined in Appendix A of the report (including those without appropriate insurance cover).
- 2.4 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).

3. Evaluation of Options

- 3.1 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.

4. Resource Implications

- 4.1 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.

5. Climate Change Implications

- 5.1 The Principal Climate Change and Sustainability Officer has commented: ‘The appointment of Members to outside bodies does not in itself present any climate change or environmental implications. However, Members’ involvement in these outside bodies and future decisions taken by these bodies could well have climate change and environmental impacts. Members’ involvement in these bodies could be

seen as a way of Dover District Council 'influencing positive change' in areas that it has no control over, hence supporting the district to become carbon neutral by 2050.

6. **Corporate Implications**

6.1 Comment from the Section 151 Officer: Accountancy has been consulted and has no further comment to make. (AT)

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been involved 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/section/149>

7. **Appendices**

Appendix A – Schedule of Member Appointments for 2022/23

8. **Background Papers**

Democratic Services' Outside Bodies Appointments Files

Contact Officer: Kate Batty-Smith, Democratic Services Officer (ext. 42303)

Appendix A

Outside Bodies

Schedule of Member Appointments for 2022/23

Organisation Name	Expiry Date	Number to Appoint	Term	Current Appointee(s) (2021/22)	Proposed Appointee(s) 2022/23
Action with Communities in Rural Kent	May 2023	2	1 Year	D Beaney M Rose	D Beaney M Rose
Aylesham & District Workshop Trust	May 2023	1	1 Year	P Walker	P Walker
Deal Fairtrade Steering Group	May 2023	1	1 Year	T Bartlett	T Bartlett
Deal & Sandwich Coastal Community Team	May 2023	2	1 Year	S Chandler S Beer	S Chandler <i>Labour Nomination</i>
Dover Coastal Community Team	May 2023	2	1 Year	N Collor R Walkden	N Collor R Walkden
Dover, Deal & District Citizens Advice Bureau	May 2023	1	1 Year	D Hawkes	D Hawkes
Dover Fairtrade Steering Group	May 2023	1	1 Year	D Hannent	D Hannent
East Kent Spatial Development Co.	May 2023	1	1 Year	T Bartlett	T Bartlett
Industrial Communities Alliance	May 2023	1	1 Year	S Manion	S Manion
JAC Kent Downs AONB Partnership	May 2023	1	1 Year	N Kenton	N Kenton
Kent County Playing Fields Association	May 2023	1	1 Year	T Bond	T Bond
Kent Forum	May 2023	1 + Officer	1 Year	T Bartlett	T Bartlett
Local Enterprise Partnership Board & Executive	May 2023	1	1 Year	T Bartlett	T Bartlett
Local Government Association – General Assembly	May 2023	1	1 Year	T Bartlett	T Bartlett
Local Government Association Coastal Special Interest Group	May 2023	1	1 Year	N Kenton	N Kenton

Manston Skills and Education Board	May 2023	1	1 Year	D Murphy	D Murphy
Police & Crime Panel for Kent	May 2023	1	1 Year	O Richardson	O Richardson
River Dour Partnership	May 2023	1	1 Year	N Collor	N Collor
River Stour (Kent) Internal Drainage Board	May 2023	2	1 Year	M Conolly P Jull	M Conolly P Jull
Sandwich & Pegwell Bay National Nature Reserve Management Committee	May 2023	1	1 Year	S Chandler	S Chandler
South East England Councils (SEEC)	May 2023	1	1 Year	T Bartlett (sub: Richardson) O	T Bartlett (sub: Richardson) O
Tourism South East	May 2023	1	1 Year	T Bartlett	T Bartlett