
Subject: APPOINTMENT OF MEMBERS TO OUTSIDE BODIES 2023/24

Meeting and Date: Cabinet – 5 June 2023

Report of: Louise May, Strategic Director (Corporate and Regulatory)

Portfolio Holder: Councillor Kevin Mills, Leader of the Council

Decision Type: Non-Key

Classification: Unrestricted

Purpose of the report: For Cabinet to determine the appointments to outside bodies for 2023/24.

- Recommendation:**
1. That Cabinet determines the appointments to outside bodies detailed at Appendix A (subject to paragraph 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 a range of outside bodies. The appointments to be made by Cabinet for 2023/24 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 2022/23	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

Municipal Charities of Dover

- 2.3 The two appointments to Municipal Charities of Dover are to replace Mrs Pauline Beresford (whose appointment expires in June) and Mrs Sue Nicholas who stood down as a trustee last year. The charity's constitution requires that trustees should reside within the charity's 'area of benefit' which is defined as the old Borough of Dover plus the parishes of Alkham, Capel-le-Ferne, Langdon, Hougham Without, River, Shepherdsweil-with-Coldred, Temple Ewell and Whitfield.

Dover Fastrack Board

- 2.4 It is recommended that the Portfolio Holder for Transport, Licensing and Regulatory Services is appointed as the Council's representative on the Board. The role of the Fastrack Advisory Board is to support the planning, delivery and operation of the Dover Fastrack Service.

Kent Resource Partnership Members' Board

- 2.5 The Board comprises the Cabinet members responsible for waste and recycling from each local authority in Kent. The Board's priority is the ongoing delivery of the Kent Joint Municipal Waste Management Strategy, and it meets three times a year.

Saint Edmund of Abingdon Memorial Trust

- 2.6 The purpose of the Trust is to manage and maintain St Edmund's Chapel, Priory Road, Dover as an ecumenical centre for Christian worship. The Trust meets once per annum in Dover, Abingdon or London. In accordance with the Trust's rules, the term of appointment is for 5 years.

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. Climate Change Implications

6.1 None.

7. Corporate Implications

7.1 Comment from the Section 151 Officer: The S151 Officer has been consulted and has no further comments (MD).

7.2 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.

7.2 Comment from the Equalities Officer: 'This report regarding the appointment of members to outside bodies 2023/24 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>'.

8. Appendices

Appendix A – Schedule of Member Appointments for 2023/24

9. Background Papers

Democratic Services' Outside Bodies Files

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

Appendix A

Outside Bodies

Schedule of Member Appointments for 2023/24

Organisation Name	Expiry Date	Number to Appoint	Term	Current Appointee(s) (2022/23)	Proposed Appointee(s) 2023/24
Action with Communities in Rural Kent	June 2024	2	1 Year	D Beaney M Rose	
Aylesham & District Workshop Trust	June 2024	1	1 Year	P Walker	
Deal Fairtrade Steering Group	June 2024	1	1 Year	T Bartlett	
Dover, Deal & District Citizens Advice Bureau	June 2024	1	1 Year	D Hawkes	
Dover Fairtrade Steering Group	June 2024	1	1 Year	D Hannent	
Dover Fastrack Advisory Board	N/A	1	N/A	M Bates	
East Kent Spatial Development Co.	June 2024	1	1 Year	T Bartlett	
Industrial Communities Alliance	June 2024	1	1 Year	S Manion	
JAC Kent Downs AONB Partnership	June 2024	1	1 Year	N Kenton	
Kent County Playing Fields Association	June 2024	1	1 Year	T Bond	
Kent Forum	June 2024	1 + Officer	1 Year	T Bartlett	
Kent Resource Partnership Members' Board	June 2024	1	1 Year	N Kenton	
Local Enterprise Partnership Board & Executive	June 2024	1	1 Year	T Bartlett	
Local Government Association – General Assembly	June 2024	1	1 Year	T Bartlett	
Local Government Association Coastal Special Interest Group	June 2024	1	1 Year	N Kenton	
Manston Skills and Education Board	June 2024	1	1 Year	D Murphy	

Municipal Charities of Dover	June 2027	2	4 Years	Mrs P Beresford Mrs S Nicholas	
PATROL (formerly National Parking Adjudication Service)	N/A	1	N/A	N Collor	
Police & Crime Panel for Kent	June 2024	1	1 Year	O Richardson	
River Dour Partnership	June 2024	1	1 Year	N Collor	
River Stour (Kent) Internal Drainage Board	June 2024	2	1 Year	M Conolly P Jull	
Saint Edmund of Abingdon Memorial Trust	June 2028	1	5 Years	N Collor	
Sandwich & Pegwell Bay National Nature Reserve Management Committee	June 2024	1	1 Year	S Chandler	
South East England Councils (SEEC)	June 2024	1	1 Year	T Bartlett (sub: O Richardson)	
Tourism South East	June 2024	1	1 Year	T Bartlett	