
Subject: APPOINTMENT OF MEMBERS TO OUTSIDE BODIES 2024/25

Meeting and Date: Cabinet – 13 May 2024

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 2024/25.

- 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).
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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 2024/25 are shown at Appendix A.
- 1.2 Cabinet's attention is drawn to the fact that two 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 two 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 2023/24	Strategic or Community Classification
Industrial Communities Alliance	Councillor E Biggs	Strategic
Sandwich & Pegwell Bay Steering Group	Councillor M Moorhouse	Community

Municipal Charities of Dover

- 2.3 The terms of office of Councillor Edward Biggs, Mr Roger Walkden and Mrs Ann Jenner will expire in September 2024. Cabinet has the option of re-appointing or replacing these trustees now or, if preferred, waiting until September to make a decision. Nominative trustees do not have to be elected Members but the charity's constitution requires that they 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, Shepherdswell-with-Coldred, Temple Ewell and Whitfield.
- 2.4 For clarity, Councillor Biggs has served as a trustee since September 2020, Mr Walkden since June 2004 and Mrs Jenner since September 2018. There are five Dover District Council-nominated trustees in total and the other two are Councillors Sue Hill and Lynne Wright who were appointed in June 2023.
- 2.5 For clarity, it is worth noting that Councillor Gordon Cowan is an ex-officio trustee by virtue of his position as Chairman of the Council.

Removal of Outside Body Appointments

- 2.6 Since last year, five outside bodies have been removed from the annual list of appointments. These are set out below, along with the reason for their removal.

Outside Body	Reasons for Removal
Action with Communities in Rural Kent	Now defunct
Kent County Playing Fields Association	Local authorities no longer represented
Kent Forum	Disbanded some time ago
Local Enterprise Partnership & Executive	Now disbanded (due to withdrawal of government funding with effect from April 2024)
Tourism South-East	Officers attend meetings and report back to Portfolio Holder so no Member appointment necessary

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 Aside from Members travelling to some meetings by car, there are no climate change implications.
- 6.2 The Climate Change Officer has commented that he fully supports the ongoing Member appointment to the Sandwich & Pegwell Bay NNR Steering Group as the benefits from our continued input for protecting the environment of the Dover coastline outweigh the limited risk.

7. Corporate Implications

- 7.1 Comment from the Section 151 Officer: Accountancy has been consulted on the report and has no further comments to add.
- 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'.
- 7.3 Comment from the Equalities Officer: This report, seeking to appoint representatives to all the bodies outlined in Appendix A, does not specifically highlight any equality implications. 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 2024/25

Background Papers

Democratic Services' Outside Bodies Files

Contact Officer: Kate Batty-Smith, Democratic Services Officer (01304 872303)

Appendix A

Outside Bodies

Schedule of Member Appointments for 2024/25

Organisation Name	Expiry Date	Number to Appoint	Term	Current Appointee(s) (2023/24)	Proposed Appointee(s) 2024/25
Aylesham & District Workshop Trust	May 2025	1	1 Year	M Mamjan	
Deal Fairtrade Steering Group	May 2025	1	1 Year	J Loffman	
Dover, Deal & District Citizens' Advice Bureau	May 2025	1	1 Year	H Williams	
Dover Fairtrade Steering Group	May 2025	1	1 Year	P Brivio	
East Kent Spatial Development Co.	May 2025	1	1 Year	K Mills	
Industrial Communities Alliance	May 2025	1	1 Year	E Biggs	
JAC Kent Downs AONB Partnership	May 2025	1	1 Year	P Brivio	
Kent & Medway Economic Partnership Board	May 2025	1	1 Year	K Mills	
Kent & Medway Police & Crime Panel	May 2025	1	1 Year	C Zosseder	
Kent Resource Partnership Members' Board	May 2025	1	1 Year	E Biggs	
Local Government Association – General Assembly	May 2025	1	1 Year	K Mills	
Local Government Association Coastal Special Interest Group	May 2025	1	1 Year	E Biggs	
Manston Skills and Employment Board	May 2025	1	1 Year	S Beer	
Municipal Charities of Dover	September 2028	3	4 Years	Cllr E Biggs Mr R Walkden Mrs A Jenner	
River Dour Partnership	May 2025	1	1 Year	P Brivio	
River Stour (Kent) Internal Drainage Board	May 2025	2	1 Year	M Moorhouse S Blair	

Sandwich & Pegwell Bay National Nature Reserve Steering Group	May 2025	1	1 Year	M Moorhouse	
South-East England Councils (SEEC)	May 2025	1	1 Year	K Mills (sub: J Pout)	