

To the Chair and Members of the COUNCIL

COUNCIL APPOINTMENTS TO OUTSIDE BODIES 2015/16

EXECUTIVE SUMMARY

1. The purpose of this report is to determine the appointment of representatives to the schedule of Outside Bodies which are deemed Council appointments for the 2015/16 Municipal Year.

RECOMMENDATIONS

2. The Council is asked to:-
 - (i) Determine the appointments to Outside Bodies as set out in Appendix A to the report; and
 - (ii) Agree that should any vacancies remain on the schedule of appointments to outside bodies, the relevant Group Leader be requested to contact the Monitoring Officer following the meeting, to confirm details of the appointment(s); these will be reported to the next available Council meeting.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. In addition to being appointed to Committees and Panels within the Council, Members are also appointed to external bodies such as charitable bodies, local partnerships and other organisations. This can be either as representatives of the Council, as trustees or directors in their own right. The Council also has representatives on bodies such as the South Yorkshire Fire and Rescue Authority, South Yorkshire Pensions Authority and the Police and Crime Panel.

BACKGROUND

4. Appendix A to this report details the outside bodies where appointments are required to be made at this meeting. This includes those outside bodies where appointments have previously been made and run beyond the 2015/16 period but also require some appointments to be made for 2015/16.
5. Work is on-going to ensure all details held on file in respect of the outside body and the capacity in which the appointee will serve, are correct and accurate as this information can change regularly. Incorporated within Appendix A are details of each outside body, term of office, capacity in which the appointee(s) will serve and any other relevant details. This is based on information provided

by each of the outside bodies. The term of office for outside bodies runs from the date of appointment (this is usually Annual Council) until the appointment is reviewed at the next Annual Council meeting. Where it is not possible to review appointments at Annual Council, current appointments will roll forward until such time as they can be reviewed; this is to ensure that the Council retains representation on these bodies. Where vacancies arise in-year or cannot be made at Annual Council e.g. an appointee is no longer eligible to represent the Council or resigns, the Council will look to fill these positions as soon as is reasonably practical.

6. Further to this annual review, the following bodies have either been added or deleted from the appointments to be made by Council for the reasons described below:-

- i. **Drainage Boards**

It was agreed at the Full Council meeting held on 15th January 2015 to delegate the appointment of representatives to sit on the Danvm Drainage Commissioners Board, the Doncaster East Drainage Board and Black Drain Internal Drainage Board to the Elected Mayor in future. These bodies have, therefore, been removed from the schedule of Council appointments and will be incorporated in the Executive appointments to outside bodies to be determined by the Mayor in the near future.

- ii. **Doncaster Citizens Advice Bureau (CAB)**

The Doncaster CAB ceased to exist with effect from 1st May 2015, therefore appointments to this body are no longer required.

- iii. **Joint Health Overview and Scrutiny Committee**

The Joint Health Overview and Scrutiny Committee, which comprises the Yorkshire and Humber Councils, has been added to the schedule of Council appointments to outside bodies. Appointments to this body in the past have been made by the Overview and Scrutiny Management Committee but as appointments to other joint committees are made by Full Council, for the sake of consistency, it would seem sensible to include this body with all other appointments to outside bodies made by Council.

7. In order to ensure expediency and timely representation on outside bodies, it is recommended that should Council be unable to make appointments to any of the outside bodies, the appropriate Group Leader contact the Monitoring Officer following the meeting to provide details of any individual(s) to be appointed. This will help prevent prolonged delays in filling any outstanding vacancies.

South Yorkshire Joint Authorities

8. Appointments to the Joint Authorities are made annually and are subject to the rules of "political proportionality" provided by the Local Government and Housing Act 1989.

9. Based on proportional entitlement to Political Groups at Doncaster Council, the three seats to be allocated to Political Groups on each Joint Authority will be 2 seats to the Labour Group and 1 seat to the Conservative Group.

OPTIONS CONSIDERED

10. Council has a duty to consider arrangements it wishes to put in place for the appointment of individuals to Outside Bodies during 2015/16. No other options are considered relevant or appropriate.

IMPACT ON THE COUNCIL'S KEY PRIORITIES

11. This report has no direct impact on the Council's Key Priorities. Indirectly, clear responsibility and effective Constitutional provisions for making appointments to Outside Bodies, contributes towards the Council's priority 'We will provide strong leadership and governance, working in partnership', thus demonstrating effective governance arrangements and an improved public perception.

RISKS & ASSUMPTIONS

12. Appointees to outside bodies will need to act strategically and ensure issues of significance are effectively reported back to the Authority where appropriate.

LEGAL IMPLICATIONS

13. Members of the Council are appointed in different capacities. The bodies range from incorporated bodies to Associations, Schemes and Statutory Bodies. The nature of the organisation and its constitution and nature of the appointment will affect any personal liabilities of the Members.
14. Members may be appointed to a body to represent the Council either with voting rights or as observers. The nature of appointment will be specified in the Articles/Constitution of the organisation. In some cases, Members may be appointed as Directors or Trustees in which case they are obliged to act in the interests of the charity or company and are personally liable in the event of any breach of their duties. Where Members are appointed to Outside Bodies as Directors or Trustees or where they are expected to carry out a management function for the Outside Body, they should seek legal advice as to their duties and responsibilities and any personal liability which may accrue.
15. The rules of political proportionality are set out in Sections 15 and 16 of the Local Government and Housing Act, 1989 (as amended). The SYFRA and the SYPA are Joint Authorities to which the duties under Sections 15 and 16 apply for so long as the Council appoints 3 or more seats on the Joint Authorities. In simplistic terms, the political group that holds the majority of seats on the Council has the majority of seats on a committee appointed to by Council.
16. The Local Government (Committees and Political Groups) Regulations 1990, provides the mechanism by to implement this requirement.

FINANCIAL IMPLICATIONS

17. There are no financial implications associated with this report in agreeing the nominations to Outside Bodies for the 2015/16 Municipal Year. Representatives appointed to the Joint Authorities receive an allowance for undertaking their duties which is paid by the relevant Joint Authority. The Council's representatives on the Police and Crime Panel also receive an allowance for undertaking their role in holding the Police and Crime Commissioner to account. This allowance is funded by the Home Office. Costs associated with any of the appointments are not met directly from the Council.

CONSULTATION

18. Consultation has taken place with Group Leaders in respect of the appointment of Members onto Outside Bodies, prior to this meeting taking place.

BACKGROUND PAPERS

Report to Council – 13th June 2014 – Council Appointments to Outside Bodies – 2014/15.

Report to Council – 31st July 2014 – Nomination of Representatives to Sheffield City Region Combined Authority's Overview and Scrutiny Committee.

Report to Council – 25th September 2014 – Nomination of Representative to Sheffield City Region Combined Authority's Audit Committee.

Report to Council – 15th January 2015 – Appointments to Outside Bodies: Doncaster Drainage Commissioners Board, Doncaster East Internal Drainage Board and Black Drain Internal Drainage Board.

REPORT AUTHOR AND CONTRIBUTORS

Jonathan Goodrum
Senior Governance Officer
Tel: (01302) 736709

Email: jonathan.goodrum@doncaster.co.uk

Andrew Sercombe
Governance & Member Services Manager
Tel: (01302) 734354

Email: Andrew.sercombe@doncaster.co.uk

Simon Wiles
Director of Finance and Corporate Services