

<b>Cabinet</b>	<b>Ref No: CAB01(19/20)</b>
	<b>Key Decision: No</b>
<b>Appointment to an Outside Bodies</b>	<b>Part I</b>
<b>Report by Director of Law and Assurance</b>	<b>Electoral Divisions: All</b>

### **Summary**

Outside bodies are external organisations, including formal or informal partnerships to which the County Council is a party, which have requested that the County Council appoints an Elected Member or a representative to them or to which the Council expects to make appointments.

A vacancy has arisen on the Environment Agency: Southern Regional Flood and Coastal Committee, which is an outside bodies that the Cabinet is responsible for making Member appointments to. The Cabinet will therefore be asked to appoint a Member to fill the vacancy.

In addition, Cabinet is asked to add Transport for the South East as an Outside Body for the Cabinet Member for Highways and Infrastructure.

### **West Sussex Plan: Policy Impact and Context**

This proposal relates to the appointment of an Elected Member to the Southern Regional Flood and Coastal Committee and Transport for the South East.

The Southern Regional Flood and Coastal Committee was established by the Environment Agency under the Flood and Water Management Act 2010 to ensure coherent plans are in place to identify, communicate and manage flood and coastal erosion risks and encourage investment in flood and coastal erosion risk management across the Southern area.

Transport for South East (TfSE) will have powers and responsibilities that are required to support the work of its constituent authorities and partners. Each constituent authority will appoint one of their elected members as a member of the Partnership Board. Sixteen upper tier authorities in the South East have been working together since 2016 to develop a proposal for a sub-national transport body (STB).

The aims and objectives of these Outside Body align with the Strong, Safe, Sustainable Place priority within the West Sussex Plan

### **Financial Impact**

None.

### **Recommendations**

That Cabinet appoints Mr David Edwards to the Southern Regional Flood and Coastal Committee until the end of the Council term (May 2021) and adds Transport for the South East as an Outside Body for the Cabinet Member for Highways and Infrastructure to appoint to.

## **PROPOSAL**

### **1. Background and Context**

- 1.1 Outside bodies are external organisations and partnerships which have requested that the County Council appoints an Elected Member or a representative to them. Participation in outside bodies:
- Contributes to the County Council's strategic functions, priorities or community leadership roles.
  - Supports partnership and joint working.
  - Enables Members to gain and share knowledge and expertise.
- 1.2 The criteria for appointments to outside bodies as set out in the Constitution are:
- That the interests of the County Council can be assisted by the making of the appointment or renewal of the appointment.
  - That the Member is able to devote the time needed to meet the expectations of the external body and the Council.
  - That, where the external body has a geographical limit to its functions, whether the Member's Division falls within or close to that area should be taken into consideration.
  - That the Member has the knowledge, skills or interest in the work of the organisation that may be required.
  - That the Member is prepared to provide such information on his or her participation in the work of the outside body as may be required.
- 1.3 All Members are eligible to be appointed as representatives of the County Council on outside bodies. Members appointed to outside bodies must respond to all reasonable requests for information about the work of the outside body and their participation in it.

### **2. Proposal Details**

- 2.1 The Cabinet is responsible for making Member appointments to outside bodies which precept on the County Council. Following the election in May 2017 the Cabinet made appointments to those outside bodies (Decision references [CAB01 \(17/18\)](#) and [CAB03 \(17/18\)](#)).
- 2.2 A vacancy has arisen on the Southern Regional Flood and Coastal Committee. The Committee was established established by the Environment Agency under the Flood and Water Management Act 2010 to ensure coherent plans are in place to identify, communicate and manage flood and coastal erosion risks and encourage investment in flood and coastal erosion risk management across the Southern region. The Committee is a precepting body, which includes requesting West Sussex County Council. It is proposed that Cabinet appoints Mr David Edwards to the Southern Regional Flood and Coastal Committee for the remainder of the County Council term (to May 2021).
- 2.3 The establishment of a sub-national transport body (STB) would facilitate the development and implementation of transport strategies for the area; and

the objective of economic growth in the area would be furthered by the development and implementation of such strategies. Sixteen upper tier authorities in the South East have been working together since 2016 to develop a proposal for a (STB). The existing Shadow Partnership Board also includes arrangements for involving the five Local Enterprise Partnerships; two National Park Authorities; 44 Boroughs and Districts in East Sussex, Hampshire, Kent, Surrey and West Sussex; and the transport industry voice in its governance.

- 2.4 Once it obtains statutory status, Transport for South East (TfSE) will have powers and responsibilities that are required to support the work of its constituent authorities and partners. Each constituent authority will appoint one of their elected members as a member of the Partnership Board. It is proposed that Cabinet agree to add this organisation as an outside body and for it to be an appointment by the Cabinet Member for Highways and Infrastructure.

## **FACTORS TAKEN INTO ACCOUNT**

### **3. Consultation**

- 3.1 The Cabinet reviewed the list of outside bodies in June 2017 to ensure that the County Council continues to appoint to bodies that are relevant to the County Council and which are consistent with its priorities.

### **4. Financial (Revenue and Capital) and Resource Implications**

- 4.1 There are no financial or resource implications.

### **5. Legal Implications**

- 5.1 There are no legal implications.

### **6. Risk Assessment Implications and Mitigations**

- 6.1. Members must consider the implications and responsibilities of being involved with outside bodies as they must:
- Continue to comply with the County Council's Code of Conduct when they are acting as a representative of the Council.
  - Comply with the code of conduct of the outside body they are appointed to if one exists.
  - Declare a personal interest in any business of the County Council where it relates to a body they are appointed to by the County Council.
- 6.2 All Members are recommended to make sure that when they take up their appointment with the outside body they have access to the key documents regulating the organisation such as its constitution or terms of reference to ensure they are aware of what the body can and cannot do, and receive a briefing on the body or their role within it if necessary.

6.3 There is a risk that appointments will not be made to all of the outside bodies which could hinder the County Council in furthering its interests and priorities, and not develop the external facing role of Members.

**7. Other Options Considered** (and Reasons for not proposing)

7.1 The Cabinet may choose not to appoint to an outside body but should consider whether there are any implications arising for the County Council by not making an appointment.

**8. Equality and Human Rights Assessment**

8.1 This assessment is not required as the decision concerns appointments to outside bodies.

**9. Social Value and Sustainability Assessment**

9.1 Not applicable.

**10. Crime and Disorder Reduction Assessment**

10.1 None.

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**Appendix A** - List of Members appointed by the Cabinet

**Background papers**

None

## Appendix A

### List of individuals appointed to Littlehampton Harbour Board and Southern Regional Flood and Coastal Committee by the Cabinet

<b>Outside Body</b>	<b>No of Appointments</b>	<b>Member Appointment</b>
Southern Regional Flood and Coastal Committee	2	Mr P Montyn Mr D Edwards*

\* Denotes proposed appointment