

Report to Cabinet

December 2021

Review and Appointments to Outside Bodies previously appointed by County Local Committees (CLCs)

Report by Director of Law and Assurance

Electoral division(s): All

Summary

Outside bodies are external organisations, including 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. Following the recent decision to remove the County Local Committee's and replace these with informal County Local Forums, the Cabinet is asked to review the appointments to Outside Bodies previously made by CLCs, consider whether those appointments are still fit for purpose and to decide, if any are retained, who makes those appointments.

Recommendations

That Cabinet approves:

1. Appointments are no longer made by the County Council to the Outside Bodies listed in Appendix A and that they be deleted from the County Council's Outside Bodies list.
2. Appointments are made by individual Cabinet Members with the respective portfolio responsibility and that they appoint the relevant local councillors to the remaining roles, as set out in Appendix B.
3. To fill the vacancy on the Chichester Harbour Conservancy.

Proposal

1 Background and context

1.1 The Council maintains a list of outside bodies 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 Councillor 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 Councillor's Division falls within or close to that area should be taken into consideration.
- That the Councillor has the knowledge, skills or interest in the work of the organisation that may be required.
- That the Councillor 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 Councillors are eligible to be appointed as representatives of the County Council on outside bodies. Political proportionality does not apply to the arrangements for making appointments to outside bodies. The decision maker can consider whether a person who is not an elected member may be more suited to act as the appointee of the County Council in any particular case. Councillors 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 A review of the outside bodies to which the County Council appoints took place at the beginning of the new Council term, with a number being removed from the list. Most appointments to outside bodies previously made by CLCs were deferred, unless already removed as part of that review, pending the decision by Governance Committee in September 2021 to replace CLCs with a trial of local community engagement forums, spanning 7 district and borough areas across the County, for one year.
- 2.2 Following this decision, local members in the Adur, Worthing, Crawley and Chichester areas were approached to seek their views on the value of these outside bodies and any other feedback regarding appointing to them. Broadly, the responses indicated that local members felt these outside bodies were valuable to retain, and some nominations were suggested for appointments.
- 2.3 The Cabinet subsequently reviewed this feedback and considered whether or not they retain and appoint to some or all of these outside bodies, given the removal of the CLCs from the constitution and the associated decision-making arrangements, and whether or not these outside bodies remain fit for purpose following these changes. As a result of this review, two of these outside bodies, as listed in Appendix A, are recommended for removal from the County Council's list, for reasons set out in that table.
- 2.4 Given that the County Local Forums will have alternating Chairmen and cover 7 District and Borough areas, Cabinet considered whether appointments are made by the relevant Cabinet Member based on the portfolio, rather than by the Chairman of the former CLCs, and the organisations proximity to that CLC. The conclusions from their deliberations are set out in Appendix B, and Cabinet is asked to confirm the appointments as set out in Appendix B.

- 2.5 In respect of any appointment where the Cabinet Member is not yet in a position to make a final appointment these will be deferred and reviewed by the relevant Cabinet Member at the appropriate time.

3 Other options considered (and reasons for not proposing)

- 3.1 The Cabinet may choose not to appoint to these outside bodies, or remove them entirely, but should consider whether there are any implications arising for the County Council by not making those appointments.

4 Consultation, engagement and advice

- 4.1 All outside bodies to which the County Council has made appointments during the previous Council term have been contacted for information and terms of reference. A number of responses and representations were made.
- 4.2 The Cabinet has been consulted on the review of outside bodies to ensure that the County Council continues to appoint to bodies that assist the County Council and are consistent with its priorities.
- 4.3 Councillors in or near the local areas of the organisations, as set out in Appendix A, were contacted for their views and comments on the value of these outside bodies.

5 Finance

- 5.1 There are no financial or resource implications.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Conflicting interests	All councillors appointed to an outside body must declare a personal interest in any business of the county council where it relates to a body to which they are appointed to by the county council.
Ineffectiveness in the role	Appointees should obtain key documents regulating the organisation - constitution or terms of reference - to ensure they are aware of what the body does and receive a briefing on it and their role within it

- 6.1 There is a risk in not making such appointments as this could hinder the County Council in furthering its interests and priorities, and not develop the wider community role of Members.

7 Policy alignment and compliance

- 7.1 The equality duty is not applicable as this report deals with appointments to outside bodies. There are no social value, crime and disorder or human rights implications.

Tony Kershaw
Director of Law and Assurance

Contact Officer: Natalie Jones-Punch, Democratic Services Officer, 033022 25908, natalie.jones-punch@westsussex.gov.uk

Appendices

Appendix A – List of Outside bodies recommended for removal from the list

Appendix B - Outside bodies recommended for retention on the list to which individual Cabinet Members will appoint and nominations to those outside bodies.

Background papers

None