

Council – 21 May 2007

APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

Report of the Head of Corporate Services

Statutory Powers: Local Government Act 1972

Financial Implications: None

Purpose of the Report

1. To approve the Council's representation on outside bodies and appoint the appropriate representatives.

RECOMMENDATION

That the Council RESOLVES that:

1. **The Council should be represented on the list of outside bodies attached at appendix A;**
2. **Appropriate representatives be appointed as this Council's appointments to those bodies for the 2007 / 08 municipal year and that for the purposes of Members' Allowances, attendance at meetings of these bodies be regarded as an approved duty;**
3. **Members appointed to outside bodies provide regular feedback and consultation on issues affecting the bodies concerned.**

Background

2. The Council makes annual appointments to a large number of outside bodies.
3. Members are reminded of the agreed Council practice (as contained in minutes 12 and 27/03) of reporting back on the work of the body and raise issues of interest to the Council. Some Members adhere to this and produce reports for the Members' Bulletin. However, in general, feedback and consultation remains at a low level.

Feedback and Consultation

4. Members are, therefore, reminded that appointment to outside bodies includes:
 - a commitment to regular feedback on issues raised at such bodies;
 - consultation with other Members and relevant officers on issues coming up before the bodies; and
 - briefing / debriefing relevant officers as soon as possible after becoming aware of issues which may be of interest to the Council.This will help the Council in assessing whether continued membership of those bodies is in line with the Council's agreed corporate priorities.

Conflicts of Interest

5. With some of the organisations concerned, conflicts of interests due to Council representation can arise. In such cases, Members should be aware that, even though they may be the Council's representative, the first legal duty is to act in the best interests of that outside body when participating in the affairs of that organisation. Fortunately commonality of interests is a more

frequent situation than circumstances of conflicts of interests, but if situations do arise which may put the Council or the Member in a difficult situation advice should be sought from the Monitoring Officer.

6. Any Member serving on an outside body should seek advice at an early stage from that organisation as to the duties and liabilities of Members. The extent of any liability (and insurance) will depend on the nature of the organisation (e.g. is the organisation a company limited by guarantee or is it unincorporated? Am I acting as a trustee or as a Director?). If clarity of advice cannot be offered by that outside body the advice of the Monitoring Officer should be sought. Fortunately, mishaps are few and far between but Members do need to be clear as to both their responsibilities and liabilities.
7. When acting for an outside body, the Member is not acting for the Council as the outside organisation will invariably have a legal status independent of the Council. If the outside organisation has a Code of Conduct, it is that Code which will apply; otherwise the Member should observe this Authority's Code of Conduct.
8. Members are also reminded of their obligations regarding the Register of Interests. Amongst other things, the register should show membership of, or position of general control or management in organisations where a Member represents his / her authority.

Risk Assessment

Risk	Mitigation
The benefits to the Council of representation on outside bodies is not realised	Members are reminded of the importance of reporting back key issues through the Members' Bulletin
Members may find themselves in positions where interests conflict potentially damaging their own and the Council's reputation	Early advice of the Monitoring Officer should be sought when such situations arise

Conclusion

9. The Council's on-going membership of the numerous outside bodies maintains the important link between it and the wider community. The views aired at such meetings allow the Council to develop its own actions (where appropriate) so that they are better aligned with the agreed Council's priorities and proven community needs.

K Williams
Head of Corporate Services

Council
21 May 2007

Background Papers:
Council Constitution