

APPOINTMENTS TO AD HOC BODIES AND EX OFFICIO POSITIONS 2022-23

Executive Summary

This report sets out the nominations for appointments to Ad Hoc Bodies available for 2022/23. Also set out is the schedule of Ex Officio appointments.

The following documents are attached to this report:

- Appointments to Ad Hoc Bodies 2022/23: Appendix 1
- Nominations to positions available through the Surrey Leaders Group: Appendix 2
- Ex Officio appointments 2022/23: Appendix 3
- Protocol for Members Appointed to Outside Bodies: Appendix 4.

The nominations to Ad Hoc Bodies, the Surrey Leaders' Group Appointments and Ex Officio appointments were considered by Selection Panel at its meeting on 17 May 2022. In respect of the appointments available through the Surrey Leaders' Group, the Members of the Panel made no nominations.

Recommendations

The Council is requested to:

RESOLVE That

- (i) appointments to Ad Hoc Bodies, including no nominations to positions appointed to by the Surrey Leaders Group, as set out in Appendix 1 and Appendix 2 to this report, be agreed; and
- (ii) the schedule of Ex Officio appointments, as set out in Appendix 3 to this report, be noted.

The Council has authority to determine the recommendations above.

Background Papers:

None.

Reporting Person:

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REPORT ENDS

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Appendix 1

Appointments to Ad Hoc Bodies 2022/23

In the event of a contest, each Member shall have a maximum number of votes equal to the number of vacancies. Substitutes are indicated in brackets.

Ad Hoc Body	Nominations			
	Lib. Dem.	Conservative	Labour	Independent
Ashford & St Peters Hospital NHS Trust (1 rep, 3 years to 2025)	Councillor Nicholson (2025)	Councillor -	Councillor -	Councillor -
Basingstoke Canal Joint Management Cttee (2 reps, 1 year plus 2 subs, 1 year)	Councillor Leach (Spenser)	Councillor Davis (Kemp)	Councillor -	Councillor -
Corporate Trustee – Woking Palace (1 rep, 1 year)	Councillor Barker	Councillor -	Councillor -	Councillor -
Countryside Partnership Board (1 rep, 1 year plus 1 sub, 1 year). Substitute appointed to the Local Liaison Group.	Councillor Leach	Councillor (Brown)	Councillor -	Councillor -
Fairoaks Airport Consultative Cttee (1 rep., 1 year plus 1 sub, 1 year).	Councillor Morley	Councillor (Dorsett)	Councillor -	Councillor -
Farnborough Airport Consultative Cttee (1 rep., 1 year plus 1 sub, 1 year)	Councillor Barker	Councillor (Kemp)	Councillor -	Councillor -
Maybury Centre (2 reps, four years to 2026 and 2023 respectively)	Councillor Graves (2026)	Councillor -	Councillor Aziz (2023)	Councillor -
National Parking Adjudications Service Jt Cttee (1 rep, 2 years, plus 1 sub, 2 years to 2023)	Councillor (Barker) (2023)	Councillor Dorsett (2023)	Councillor -	Councillor -
Police and Crime Panel (1 rep., 1 year)	Councillor Nicholson	Councillor -	Councillor -	Councillor -
ShopMobility (1 rep., 1 year plus 1 sub, 1 year)	Councillor Barker	Councillor (Whitehand)	Councillor -	Councillor -

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Ad Hoc Body	Nominations (continued)			
	Lib. Dem.	Conservative	Labour	Independent
South East Employers (1 rep., 1 year plus 1 sub, 1 year)	Councillor Barker	Councillor (Azad)	Councillor -	Councillor -
Sport Woking (formerly Woking Sports Council) (2 reps, 1 year)	Councillor Johnson	Councillor -	Councillor Aziz	Councillor -
Surrey County Playing Fields Association (1 rep., 1 year)	Councillor Johnson	Councillor -	Councillor -	Councillor -
Sutton Green Village Hall Management Cttee (2 rep.s, 1 year, 1 to be local Ward Cllr, 1 to be a Member of WBC)	Councillor Cosnahan Forster	Councillor -	Councillor -	Councillor -
Woking Access Group (2 rep.s, 1 year)	Councillor Barker	Councillor -	Councillor Raja	Councillor -
Woking Community Transport (2 observers, 1 year)	Councillor Forster	Councillor Kemp	Councillor -	Councillor -
Woking People of Faith (1 rep, 5 years to 2026)	Councillor -	Councillor Morales	Councillor -	Councillor -
Woking Youth Council (2 reps, 1 year plus 1 substitute, 1 year)	Councillor Spenser (Leach)	Councillor Brown	Councillor -	Councillor -

SURREY LEADERS GROUP – APPOINTMENTS

The nominations will be put forward to the Surrey Leaders Group for consideration. The nominees will need to complete and submit a CV for the position by **31 May 2021**. A template for the CV has been produced by the Association. Member representatives will be asked to prepare an annual report at the end of each year.

Ad Hoc Body	Con	Lib Dem	Labour	Ind
2 X Adults and Health Select Committee (<i>representatives may not be members of their own council's executive or equivalent</i>) (Two positions available for three years to June 2025.)				
1 X South East Reserve Forces And Cadets' Association (One position available for three years to June 2025.)				
1 X Surrey Civilian-Military Partnership (One position available for three years to June 2025.)				
1 X Integrated Care Partnership Board (One position available for three years to June 2025. New for 2022.)				

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EX-OFFICIO APPOINTMENTS

The following appointments will be confirmed once the Portfolio Holders for the coming year have been agreed.

<p>Allotments Consultation Group Deputy Mayor to be a judge at the Annual Allotments Competition</p>
<p>Asset Management – Lead Member Portfolio Holder for Asset Management</p>
<p>Children & Young People – Lead Member Portfolio Holder for Cultural and Community Development</p>
<p>Elected Member Development – Lead Member</p>
<p>Jt Cttee – Oversight of Delivery of Surrey Public Authority Services Leader of the Council or their nominee</p>
<p>Ostensible Authority Standing Panel Leader of the Council and 2 nominees</p>
<p>Safeguarding – Lead Member Appropriate Portfolio Holder</p>
<p>Surrey Climate Change Partnership Members Group Portfolio Holder for Climate Change</p>
<p>Surrey Waste Partnership Portfolio Holder for Waste and Recycling</p>
<p>Surrey Waste Partnership – Jt Waste Collection Services Cttee Portfolio Holder for Waste and Recycling</p>
<p>Transport – Lead Member Chairman of Joint Committee or their nominee</p>
<p>Woking Chamber of Commerce Leader of the Council or their nominee</p>
<p>Woking Palace Consultative Panel Ward Members for Hoe Valley and Portfolio Holder for Planning</p>

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Protocol for Members Appointed to Outside Bodies

There are a number of outside bodies with which Members may become involved, such as sports clubs, community organisations, trusts and volunteer groups. In some cases, the Council appoints the Member to serve as its representative on the Outside Body. In other cases the Member may have been appointed independently of any Council involvement. More recently, the Council has identified the need to appoint Members as Observers on several outside bodies. This guidance sets out the duties of Members appointed to Outside Bodies.

There are many reasons why Woking Borough Council may appoint Members to Outside Bodies. They include:

- To provide knowledge, skills and expertise which may otherwise not be available.
- To protect the Council's assets or investment i.e. if the Council has provided grant funding.
- To provide local accountability or democratic legitimacy through the appointment of an elected representative.
- To ensure good relationships can be maintained with the body.

Appointed Members will be expected to participate fully in the Outside Body. If other commitments mean that the Member will regularly have to miss meetings of the organisation, or that they have to withdraw from meetings because of conflicts of interest, the appointment will not assist the Body and may reflect badly on the Borough Council. Accordingly Members should not put their name forward unless they are satisfied that they will be able to participate fully in the organisation.

The Roles of Members

Council Appointed Representatives

Members appointed by the Council as representatives on outside bodies should understand clearly the purposes and main objectives of the body and their own role in the organisation. Representatives will act according to the rules, constitutions and frameworks set by the relevant Outside Body and where possible with those of the Council. Members will make independent and personal judgements based on their duty of care to the Outside Body, and will comply with their obligations as far as they are applicable pursuant to the Members Code of Conduct.

Representatives will take an active and informed role in the management of the Outside Body's affairs and will be expected to report back on their involvement with the Outside Body. Members should seek to safeguard the Council's interests on those bodies which are funded by or through the Council, to the extent that this does not conflict with their duties towards the organisation.

Council Appointed Observers

Council appointed Observers are responsible for undertaking a monitoring role, attending annual or general meetings, and facilitating exchanges of views or information as an extension of their Council duties. The position of observer has no specific legal status in company or local authority law.

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Observers may attend Board meetings and will generally be recorded in the minutes as being 'in attendance'.

Observers take no part in the Outside Body's management or governance arrangements and will be mainly concerned with representing the Council. Council appointed Observers should understand clearly the Outside Body's purposes and main objectives and should seek to safeguard the Council's interests on those bodies which are funded by or through the Council.

An observer may be called upon to advise the Body directly. In such circumstances, the Observer should always make it clear that they are first and foremost responsible for the Borough Council's involvement rather than the body itself.

Types of Outside Bodies

Charities

Charities are bodies registered with the Charity Commission. Charity Trustees must:

- Act strictly in accordance with the Charity's constitution and rules.
- Act in the best interests of the Charity.
- Manage the Charity's affairs prudently.
- Not derive any personal benefit or gain from the Charity.
- Take proper professional advice on matters you are not competent to decide yourself.
- Ensure that the Charity's bank accounts are operated by more than one person.
- Ensure the Charity keeps full and accurate accounting records.
- Ensure the trustees have proper control of the Charity's property and assets
- Spend charity income solely for the purposes set out in the Charity's constitution.
- Ensure that the Charity property is properly maintained and insured.

Unincorporated Associations/Bodies

Organisations which are neither charities nor companies are referred to as unincorporated associations. They normally operate pursuant to a constitution or set of rules defining the organisation's responsibilities and those of its members. The affairs of an unincorporated association are normally governed by a management committee in accordance with the constitution.

Members appointed to represent the Council on an unincorporated association must act in the best interests of the association, use reasonable care and skill when involved in decision making on behalf of the association and ensure the association has clear rules and procedures for decision making.

Companies

Companies can be bodies limited by shares, usually operating a trade or business, or bodies limited by guarantee – or "not for profit". Such bodies may also be a charity. Companies employ staff, enter into contracts and own property/land.

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Statutory Corporations

Statutory Corporations are bodies which are set up under statute. They include, for example, Police Authorities and Fire Authorities, universities and some quangos. The membership and powers of a statutory corporation, and how they are appointed, are set out in the statute.

Interests

The Members Code of Conduct

Members are obliged to observe the provisions of the Members' Code of Conduct whenever they conduct the business of the Council including when they act as a representative of the Council, or an Observer, on an Outside Body.

Councillors may become members of or be appointed to Outside Bodies in their private capacity. If a Councillor is appointed to a Body in these circumstances, they will need to make sure that there is no conflict of interest with their position as a Councillor. Their role and responsibilities will be governed by the Body's constitution, or governing document (the Members' Code of Conduct will not apply).

Reporting to Council

Representatives on Outside Bodies are encouraged to submit an annual report on the activities of the organisation to which they have been appointed. The report should be provided to the Democratic Services Manager and the relevant Portfolio Holder.

Whilst reports from the majority of appointed members are not compulsory, Members appointed to certain Bodies are required to report annually to Council on the activities. A report will be prepared for Council in March/April each year.

The Bodies for which annual reports would be sought from the appointed representatives are as follows:

- Basingstoke Canal Joint Management Committee
- Fairoaks Airport Consultative Committee
- The Police and Crime Panel
- Countryside Partnership Board
- Woking Community Transport
- Woking Palace Consultative Panel
- Woking People of Faith

The Councillors appointed to grant funded bodies would in future be asked to comment on the grant applications.