

Open Report on behalf of Richard Wills, Executive Director responsible for Democratic Services

Report to:	Executive
Date:	05 June 2018
Subject:	Representation on Outside Bodies
Decision Reference:	I015730
Key decision?	No

Summary:

To consider the Outside Body List applicable to the Executive as detailed at Appendix A, and to note the appointment changes by the Leader and Executive Councillors since 6 June 2017, as detailed at Appendices B and C.

Recommendation(s):

That the Executive

1. Considers the Outside Body list at Appendix A and approves the list or makes amendments to it.
2. Notes the current appointments made by the Leader and Executive Councillors under delegated authority as set out in Appendices B and C to the report.

Alternatives Considered:

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| 1. | To not make appointment to the outside bodies as detailed. |
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Reasons for Recommendation:

To continue to provide Council representation on organisations, as part of the County Council's community leadership role.

1. Background

The Council's Constitution provides for appointment to joint committees of more than one local authority and those bodies the membership of which is politically

balanced, to be made by the County Council, and such appointments were made on 19 May 2017 for the Council term.

Under Part 3 of the Council's Constitution the Executive has responsibility to make appointments to all other outside bodies.

This report seeks consideration by the Executive of the appointments set out in Appendix A and either approval of the appointments set out in Appendix A or approval of the amendments the Executive would wish to make to the Appendix.

The report also provides information for noting as to the appointments made by the Leader of the Council and Executive Councillors under delegated authority (see Appendix B and Appendix C). The two Appendices B and C show the following changes made since these were last provided to the Executive in June 2017

Appointments delegated to the Leader of the County Council (Appendix B)

The following appointment changes have been made:

- Historic Environment Advisory Panel – Councillor B Aron was replaced by Councillor L A Cawrey
- Lincolnshire Partnership NHS Foundation Trust – Council of Governors (Stakeholder Group) Councillor Mrs K Cook was appointed as the Council's second representative
- Mid-Lincolnshire Local Access Forum – Councillor C E H Marfleet was replaced by Councillor C L Strange
- Usher Trust – Councillor W J Aron was replaced by Councillor R B Parker

The Leader of the Council is no longer required to make appointments to the following organisations, which have therefore been removed from the list.

- Community Lincs – Company Member
- Active Lincolnshire
- Regeneration and Tourism Advisory Group (Lincoln City)

There are some vacancies as highlighted in bold in the list at Appendix B.

Appointments delegated to Executive Councillors (Appendix C)

Due to the absorption of Rail North into the structure of Transport for the North with effect from 1 April 2018. Councillor C J T H Brewis was appointed as the Council's representative and Councillor R A Renshaw was appointed as the substitute member by the Executive Councillor for Highways, Transport and IT.

The Executive Councillor for Adult Care, Health and Children's Services is no longer required to make appointments to the following organisations, which have therefore been removed from the list.

- Cordeaux Academy
- Gainsborough Academy

- Manor Leas Academy
- Priory Trust Academy
- Sleaford St Georges Academy Trust

There are some vacancies as highlighted in bold in the list at Appendix C.

Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

The Executive must have regard to the above considerations in determining appointments.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are not considered to be any direct implications.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are not considered to be any direct implications.

2. Conclusion

The report seeks approval for the appointments to outside bodies which are the responsibility of the full Executive by either approving or amending the list at Appendix A. The Report also invites the Executive to note the appointment changes made by the Leader and the Executive Councillors since 6 June 2017.

The appointment to all organisations listed in Appendices A, B and C will assist Councillors in participating strategically and in the wider community. It will also provide Councillors with additional knowledge and expertise which can be shared with other Councillors.

3. Legal Comments:

The recommendations are lawful and within the remit of the Executive.

4. Resource Comments:

There are no material financial implications arising from acceptance of the recommendations in this report.

5. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

This has not been considered by a scrutiny committee.

d) Have Risks and Impact Analysis been carried out?

No

e) Risks and Impact Analysis

Not Applicable

6. Appendices

These are listed below and attached at the back of the report	
Appendix A	List of Appointments made by the Executive
Appendix B	List of Appointments Delegated to the Leader of the Council
Appendix C	List of Appointments Delegated to Executive Councillors

7. Background Papers

Document title	Where the document can be viewed
Executive Report dated 6 June 2017 - Representation on Outside Bodies	Democratic Services

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