



## Open Report on behalf of Andrew Crookham, Executive Director - Resources

Report to:	County Council
Date:	20 May 2022
Subject:	Appointments to Outside Bodies

### Summary:

This report requests that the Council review its appointments to Outside Bodies as detailed in Appendix A.

### Recommendation(s):

That the Council makes the appointments to the organisations as detailed in Appendix A.

## 1. Background

- 1.1 The Council's Constitution provides the Annual Meeting of Council with responsibility for making Member appointments to Outside Bodies except where the appointment is exercisable only by the Executive under Part 3 of the Constitution or has been delegated.
- 1.2 The Executive has responsibility to make appointments to all Outside Bodies except for Joint Committees (of one or more Local Authorities) or those Bodies where appointments should be politically balanced. This means that the majority of appointments can be made by the Executive. This report details only the appointments to be made by Council.
- 1.3 Appendix A sets out a list of organisations to which the Council may make appointments and the nominations for each appointment for Council consideration and approval.
- 1.4 Members are asked to note that the Joint Health Scrutiny Committee for Humber Coast and Vale has not yet been fully established, and therefore the nomination of Cllr Macey to represent Lincolnshire County Council on that body is pre-emptive of an anticipated request for a nomination. When a nomination request is received, the agreed representative will be put forward for co-option.

- 1.5 Further, the South East Lincolnshire Joint Strategic Planning Committee (SELJSPC) requires three substitutes to be appointed, and these appointments should be reflective of the substantive Members already appointed to serve on the Joint Committee. Therefore, the Council are asked to appoint two Conservative Members, and one South Holland Independent Member to act as appointed substitutes to cover any unforeseen apologies. Whilst substitute Members are invited to attend all meetings of the SELJSPC to contribute to the discussions, the terms of reference stipulate that voting rights will only be transferred to a substitute Member when actively standing in for an absent appointed Member.

## **2. 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.

There are no equalities implications in reviewing the appointments to Outside Bodies.

#### Joint Strategic Needs Assessment (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 and Wellbeing Strategy (JHWS) in coming to a decision.

There are no implications for the JSNA or JHWS in relation to the review of Council appointments to Outside Bodies.

#### 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 no implications in relation to Crime and Disorder from the review of these appointments.

### **3. Conclusion**

The appointments to Outside Bodies will assist Councillors participating strategically and in the wider community. It will also provide Councillors with additional knowledge and expertise which can be shared with fellow Councillors.

#### **4. Legal Comments:**

The making of appointments to the bodies set out in Appendix A is within the remit of the Council.

**5. Resource Comments:**

There are no specific financial implications arising from the adoption of recommendations in this report.

**6. Consultation****a) Has Local Member Been Consulted?**

No

**b) Has Executive Councillor Been Consulted?**

No

**c) Scrutiny Comments**

N/A

**d) Risks and Impact Analysis**

N/A

**7. Appendices**

To be circulated prior to the meeting attached to the Order of Proceedings	
Appendix A	Outside Bodies Appointments

**8. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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