

Rother District Council

Report to	-	Council
Date	-	5 July 2021
Report of the	-	Chief Executive
Subject	-	Appointments of Representatives to Outside Bodies

Recommendation: It be **RESOLVED:** That:

- 1) appointments be made to the outside bodies attached at Appendices 1 and 2 for a term of one year except where stated otherwise, and attendance be designated as an approved duty;
 - 2) subject to mutual agreement between the Trustees of The Bexhill Trust and Bexhill Town Council, responsibility for making appointments to The Bexhill Trust pass to Bexhill Town Council from Rother District Council with immediate effect, pursuant to a community governance agreement under Section 99 of the Local Government and Public Involvement in Health Act 2007 and the Charity Trustees under Section 297 of the Charities Act 2011;
 - 3) subject to the approval of 2) above The Bexhill Trust be removed from the list of outside bodies to which this Council appoints; and
 - 4) Members be reminded of the need to report annually via the Members' Bulletin on the outside bodies to which they are appointed.
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Introduction

1. Full Council has retained the responsibility for approving the list of outside bodies to which formal appointments are made, making such appointments at the Annual Council Meeting (ACM) or as otherwise required. This year, due to the ACM taking place earlier than expected as a consequence of the cessation of remote meetings, the appointments to outside bodies were agreed to be made at this meeting.

Appointments Required

2. Attached at Appendix 1 is a list of Outside Bodies to which the Council is required to make an appointment for the 2021/22 civic year. It also shows the name(s) of the current representatives that were appointed for the last municipal year.

The Bexhill Trust

3. The newly established Bexhill Town Council (BTC) has already considered in principle that the responsibility for the appointment of Trustees to The Bexhill Trust should transfer from Rother District Council (RDC) to BTC. Correspondence has also been received from the Clerk to The Bexhill Trust seeking clarification regarding the appointing authority.

4. The Bexhill Trust was established in December 1917 by seven founders, two of whom were the mayor and deputy mayor of the Borough of Bexhill. The area of benefit was the borough of Bexhill and the beneficiaries were stated to be in the inhabitants of the borough's area. The charity was not an off-shoot of the Borough Council and operated separately from the Council and subsequently RDC.
5. Neither the Borough Council nor RDC had or has any role in the management of the charity. The powers of any local authority appointor is to appoint the trustees; it cannot direct or seek to influence the trustees once appointed and such trustees thereafter must operate in the interests of the charity only in accordance with charity law (and not as delegates of the appointing local authority).
6. The responsibility for appointing the trustees passed to RDC in 1974 pursuant to Section 179 of the Local Government Act 1972. At no time were the Bexhill Charter Trustees the appointors of The Bexhill Trust Charity Trustees.
7. The power of appointing trustees did not pass to BTC on 1 April or 10 May 2021 either under the community governance order or the Local Government (Parishes and Parish Councils) (England) Regulations 2008.
8. It is open to the Charity Trustees to make a change to the governing document under Section 280 of the Charities Act 2011 to enable BTC to become the appointor of trustees but cannot do so without the consent and agreement of both RDC and BTC. It is understood that a number of current Trustees believe this is a logical step.
9. It is therefore recommended that RDC agrees to the transfer of the power of appointment pursuant to a community governance agreement under Section 99 of the Local Government and Public Involvement in Health Act 2007 and the charity trustees under Section 297 of the Charities Act 2011, subject to the formal agreement of The Bexhill Trust. Passing the responsibility for appointing Trustees to BTC will result in a minor reduction in administrative time for RDC.

Reserved Appointments / Appointments not required

10. There are a number of appointments which are reserved for Members holding a certain position within the Council, for example the Portfolio Holder for Housing and Homes will be the Council's representative on the Sussex Local General Panel.
11. Those that are reserved in this way are listed at Appendix 2; these appointments are therefore not open for re-appointment and/or nomination but are shown for information and completeness following the appointment of Cabinet Members and allocation of portfolios confirmed by the Leader at the ACM. Substitutes, where appropriate, have also been confirmed by the Leader of the Council. Where an appointment is reserved for the Leader of Council, in practice, this will mean the Leader of the Council or a named replacement in his/her place.
12. Attached at Appendix 3 is a list of the Outside Bodies that do not require an appointment to be made this year as these appointments are of a longer duration – this is therefore for information only.

Considerations

13. In considering each appointment, Members will need to take account of the following:
 - the benefit to the authority that continued membership provides; and
 - the views of the previous Member representative, if available.
14. To aid the Council's deliberations, Member representatives have been asked to submit comments in support or otherwise of the outside bodies to which they were previously appointed; these comments are attached at Appendix 4 for consideration. Any comments received subsequent to the publication of this report will be circulated at the meeting.
15. Where the Council has appointed non-Councillors as its representatives to certain outside bodies, it is confirmed that all are happy to continue to represent the Council in their appointments if that is Members' decision.
16. Members are requested to consider each outside body that requires an appointment and appoint thereto. In the light of any evidence given by the previous representative, either on the night or in writing, the Council may also wish to agree to the removal of any outside body from the current list.

Removals from the List

17. Since appointments to outside bodies were made in June 2020, there have been no removals from the Council's list of approved outside bodies; should the proposal in this report concerning The Bexhill Trust be approved, this outside body will be removed from the list.

Additions to the List

18. Since appointments to outside bodies were made in June 2020, there have been no additions to the Council's list of approved outside bodies.

Reports on Outside Bodies

19. It has previously been agreed that Members appointed to outside bodies are required to produce an annual report (published in the Members' Bulletin) to keep all other Councillors informed of the work of the outside body or bodies to which they had been appointed. No reports have been received from the appointed representatives during the last year, but it is acknowledged that in some cases this is due to the fact that the outside body has not met or the Council's representative has been unable to attend any meetings.
20. A template for reports and timetable will be circulated after the meeting to those Members who represent the Council on outside bodies for reports to be submitted for inclusion in the Members' Bulletin.

Risk Management

21. Failure to appoint representatives to outside bodies may result in the loss of conduit between the Council and the respective external organisations.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Risk Management	Yes	Exempt from publication	No

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Appendices:	1 Appointments Required 2021/22 2 Reserved Appointments 2021/22 3 No Appointments Required 4 Members' Comments
Relevant Previous Minutes:	None
Background Papers:	None
Reference Documents:	N/A.

APPOINTMENTS REQUIRED

OUTSIDE BODY	DETAILS OF APPOINTMENTS IN 2020/21	APPOINTMENT REQUIRED FOR 2021/22
Battle Abbey Liaison Group (formerly the Battle Abbey Advisory Group)	Councillor Cook	One appointment required Propose Cook
Bexhill Chamber of Commerce and Tourism	Councillor Timpe	One appointment required Propose Timpe
Bexhill Town Forum Executive Committee	Councillor Langlands (Substitute: Councillor Drayson)	One appointment and one substitute appointment required Propose Langlands / Drayson (S)
Bexhill Trust*	Councillors J.J. Carroll (May 2021), B.J. Drayson (June 2024), S. Errington (June 2024), & Mayor (R) and Deputy Mayor (R) (ex-officio) (Non-Councillors: Azad (May 2021), Kenward (June 2022), Mrs J. Potts (May 2021) and M.R. Watson (May 2021))	Four appointments required (to replace Carroll, Azad, Potts and Watson)
Combe Valley Community Interest Company	Councillors Brewerton and Byrne	Two appointments required Propose Timpe and Byrne
Connecting Hastings and Rother Together, Local Action Group	Councillor Coleman Substitute: Councillor Courtel	One appointment and one substitute appointment required Propose Coleman / Courtel (S)
Dungeness Power Station Site Stakeholders Group	Mr Hoggart (Substitute: Councillor Osborne)	One appointment and one substitute appointment required Propose Hoggart / Osborne (S)
East Sussex Energy, Infrastructure & Development Ltd	Councillor Dixon	One appointment required Propose Dixon
East Sussex Health and Wellbeing Board	Councillor J Barnes	One appointment required Propose J Barnes

OUTSIDE BODY	DETAILS OF APPOINTMENTS IN 2020/21	APPOINTMENT REQUIRED FOR 2021/22
East Sussex Health Overview and Scrutiny Committee	Councillor Mrs Barnes (Substitute Councillor Osborne)	One appointment and one substitute appointment required (Member of Overview and Scrutiny Committee) Propose Mrs Barnes / Osborne (S)
Hastings and Bexhill Renaissance Ltd (SeaSpace)	Councillor Dixon	One appointment required Propose Dixon
Hastings Furniture Service (SLA)	Councillor Courtel	One appointment required Propose Courtel
Local Government Association – Coastal Issues Special Interest Group	Councillor Mier	One appointment required Propose Mier
Pevensey and Cuckmere Water Level Management Board (formerly - Pevensey Levels Internal Drainage Board (Shadow Board))	Councillor Thomas	One appointment required Propose Thomas
Police & Crime Commissioner Panel (4-year appointment)	Councillor Drayson (Substitute: Councillors Brewerton and Jeeawon)	Propose Mier as substitute to replace Brewerton
Romney Marshes Area Internal Drainage Board	Councillors Mier, Norton, Osborne, Prochak, Mr Hoggart, Mr Lovejoy and Mr Nickerson.	Seven appointments required Propose Mier, Norton, Osborne, Prochak, Mr Hoggart, Mr Lovejoy and Mr Nickerson.
Romney Marsh Partnership	Mr Hoggart	One appointment required Propose Hoggart
Rother Voluntary Action (SLA) (4-year appointment)	Councillor Brewerton (Substitute: Councillor Errington)	Propose Mrs Cook to replace Brewerton
Rural Rother Trust	Chairman of Council – Councillor Drayson (R), Vice-Chairman of Council – Councillor Harmer (R), and Councillors Browne, Ganly, Mrs Kirby-Green, Mier and Prochak.	Five appointments required Propose Browne, Ganly, Mrs Kirby-Green, Mier and Prochak.
Rye Harbour Nature Reserve	Mr A.H. Lloyd and Councillor	Two appointments and

OUTSIDE BODY	DETAILS OF APPOINTMENTS IN 2020/21	APPOINTMENT REQUIRED FOR 2021/22
Management Committee (SLA)	Norton (Substitute: Mr Hoggart)	one substitute appointment required Propose Lloyd, Norton / Hoggart (S)
Rye Partnership	Mr Hoggart	One appointment required Propose Hoggart
Team East Sussex (TES)	Councillor Bayliss	One appointment required Propose Bayliss

(SLA) = Voluntary Sector Service Levels Agreements

*Should the proposal to transfer responsibility for appointing Trustees to Bexhill Town Council be agreed, no appointments required.

RESERVED APPOINTMENTS (R)

OUTSIDE BODY	REPRESENTATIVE(S) APPOINTED IN 2020/21	CONFIRMED APPOINTMENTS 2021/22
Action in Rural Sussex (SLA) (R)	Cabinet Portfolio Holder for Environmental Management – Councillor Field (Substitute: Councillor Prochak)	Field Substitute: Prochak
1066 Country Member Liaison Group (R)	Cabinet Portfolio Holder for Communities, Culture & Tourism – Councillor Timpe	Timpe
A21 Reference Group (R)	Cabinet Portfolio Holder for Environmental Management and the Chairman of the Overview and Scrutiny Committee – Councillors Field and Osborne	Field Osborne
De La Warr Pavilion (R)	Cabinet Portfolio Holder for Communities Culture and Tourism and Deputy Leader of the Council – Councillors Timpe and Prochak	Timpe Prochak
District Councils' Network (DCN) (R)	Leader of the Council – Councillor Oliver	Oliver
East Sussex Strategic Partnership (R)	Deputy Leader of the Council – Councillor Prochak (Substitute: Councillor Oliver)	Prochak Substitute: Oliver
Hastings and Rother Task Force (R)	Leader of the Council - Councillor Oliver (Substitute: Councillor Prochak)	Oliver Substitute: Prochak
High Weald AONB Forum / Joint Advisory Committee (R)	Chairman of the Planning Committee – Councillor Vine-Hall	Vine-Hall
Local Government Association (R)	Leader of the Council – Councillor Oliver	Oliver
Rother Local Strategic Partnership (R)	Deputy Leader of the Council – Councillor Prochak	Prochak
South East Employers (R)	Chairman of Licensing & General Purposes Committee – Councillor Mier (Substitute: Councillor Coleman)	Mier* Substitute: Coleman*

The Sussex Local General Panel (formerly known as the AmicusHorizon Area Panel) (R)	Cabinet Portfolio Holder for Housing & Homes – Councillor Byrne	Byrne
Tourism South East (R)	Cabinet Portfolio Holder for Communities Culture & Tourism – Councillor Timpe (Substitute: Councillor Dixon)	Timpe Substitute: Dixon

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*subject to appointment as Committee Chairmen / Vice-Chairman.

NO APPOINTMENTS REQUIRED

OUTSIDE BODY	DETAILS OF APPOINTMENTS IN 2020/21	APPOINTMENT REQUIRED FOR 2021/22
Battle Area Sports Centre Management Committee (4-year appointment)	Councillors Cook and Dixon (Substitutes: Curtis and Prochak)	None required
Bexhill Museum Limited (formerly Society of Bexhill Museums) (SLA) (4-year appointment)	Councillor Thomas (Substitute: Councillor Langlands)	None required
Harbour of Rye Advisory Committee (3-year appointments)	Councillors Norton and Stevens	None required
Hastings Advice and Representation Centre (HARC) (SLA) (4-year appointment)	Councillor Coleman (Substitute: Councillor Mier)	None required
Hastings and Rother Mediation Service (SLA) (4-year appointment)	Councillor Thomas (Substitute: Councillor Vine-Hall)	None required
Rother District Citizens Advice Bureau (SLA) (4-year appointment)	Councillor Gray (Substitute: Councillor Timpe)	None required
Rye Sports Centre Advisory Committee (4-year appointment)	Councillors Osborne and Stevens	None required
Safer Rother Partnership (4-year appointment)	Councillor Drayson	None required

Bexhill Chamber of Commerce: Councillor Timpe

I have not been advised of a meeting since last year but believe that a continued relationship would be useful.

De La Warr Pavilion: Councillor Prochak

To have two councillors on the DLW Board of Trustees is a vital link between the Council and the DLW. As you know Rother own the building and it is in our interest to ensure the operation is viable and forward looking. The link has been even more important during the pandemic when the business plan of live music, catering and retail to provide revenue fell apart with lockdown. We were meeting weekly initially and have had regular meetings to understand how the DLW planned staffing and application for funding to see them through. Rother's initial funding support was a life line.

Also although not written in to the appointments' criteria it is of benefit to have a rural and a Bexhill member.

Hastings Advice and Representation Centre: Councillor Mier (substitute)

A well-established organisation providing much needed support.

East Sussex Health Overview and Scrutiny Committee: Councillor Mrs Barnes

- Does membership bring a tangible benefit to the Council, yes; to the organisation, yes.
- Level of funding - n/a.
- What does the outside body do? Scrutinises healthcare services in East Sussex.
- Managed by ESCC in partnership with Eastbourne BC, Hastings BC, Lewes DC and Rother DC. There is a representative from each one. We look at health issues and suggest ways of improvement; in short, being a critical friend.
- How many times has it met since you were appointed and when did it last meet? It meets 4 times a year, latterly by Teams. I am also currently on a task and finish group to scrutinise the setting up of Urgent Treatment Centres. The committee normally meets in the Council Chamber at ESCC.
- What level of funding does Rother provide? As far as I know it doesn't make a contribution.
- Is this outside body achieving what it set out to do? Most definitely. Calling senior members of the healthcare providers to account is an essential check on the service they are providing.
- What are the current issues pertinent to this outside body?
 - Making sure the 111 service works efficiently.
 - Increasing the rate of cancer diagnosis.
 - Setting up of the Clinical Assessment Service.
- Detailed proposals to close Eastbourne walk-in centre as part of the changes to urgent care in East Sussex, resulted in a consultation process with users of the service, leading to a recommendation that the walk-in centre should be closed.
- Plans to merge the three CCGs in East Sussex and wider development of an integrated Care System across Sussex has now been given approval by NHS England.
- During the Covid crisis the CCG has provided useful data on how the vaccination programme is progressing in East Sussex and I have forwarded that to RDC.

LGA Coastal Issues Special Interest Group: Councillor Mier

I have a clear interest as representing coastal villages, one at risk from sea erosion / landslip and one at risk from sea flooding.

Romney Marshes Area Internal Drainage Board: Councillor Mier

Very important. Part of my Ward is within the area of the Board and is near sea level, and at risk of flooding if watercourses not maintained. Other parts of Ward form the catchment area to the Board's area, so mutual interest.

Romney Marshes Area Internal Drainage Board: Councillor Prochak

As an appointee to the IDB, I would like to confirm that although at a distance from Bexhill, their work and responsibilities are important to the eastern end of Rother as well as for the non-main river waterways further west.

With the extremes of weather owing to climate change, their work becomes even more challenging.

Just a comment is that I am not sure why we have as many as 4 representatives.

Rother Rural Trust: Councillor Mier

A small charity, but very active and providing useful support to those needing one-off support to overcome crises. Trustees regularly asked to comment on grant applications.