

# Council



St Edmundsbury  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Review of Representation on Outside Bodies</b>	
<b>Report No:</b>	<b>COU/SE/15/018</b>	
<b>Report to and date:</b>	<b>Annual Council</b>	19 May 2015
<b>Portfolio holder:</b>	Leader of the Council <i>(Appointment of the Leader of the Council to be confirmed at Annual Council on 19 May 2015)</i>	
<b>Lead officer:</b>	Joy Bowes Service Manager (Legal) <b>Tel:</b> 01284 757141 <b>Email:</b> <a href="mailto:joy.bowes@westsuffolk.gov.uk">joy.bowes@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	One of the functions exercised by the Council is to appoint representatives on outside bodies. Following each Borough Council Election, the Council undertakes a full review to decide whether to continue to appoint representatives on outside bodies and, if so, to appoint the representative(s).	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that:</b>  <b>(1) Where the Council may send observers to meetings of outside bodies these will be appointed by the Cabinet.</b>  <b>(2) If deemed appropriate, the Council to explore the passing of nominations to other organisations.</b>  <b>(3) Where the Council may make a nomination, but the nominee is not automatically appointed by the organisation, the nomination be made by the Cabinet.</b>  <b>(4) The Service Manager (Legal) be given delegated authority to appoint the Borough Council's representatives on outside bodies not covered by (1), (2) and (3) above, in accordance with nominations put forward by the relevant Group Leaders or (if</b>	

	<p><b>applicable) the nominating body or individual listed (as detailed in Appendix A to Report No: COU/SE/15/018).</b></p> <p><b>(5) In relation to the appointments to the Gershon Parkington Memorial Trust (as detailed in Appendix B):-</b></p> <p><b>(a) To determine whether to appoint any Borough Councillors to the four vacant trustee positions, through whatever process is agreed for appointing to other outside bodies under this report.</b></p> <p><b>(b) To authorise a Director, in consultation with the Portfolio Holder responsible for the heritage collection, to appoint to any remaining vacancies, before the next meeting of the Trust takes place.</b></p>		
<p><b>Key Decision:</b></p> <p><i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>		
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>• Not applicable</li> </ul>		
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>• As set out in paragraph 1.3 below.</li> </ul>		
<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>equality</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Opportunities for the Council to be represented on outside bodies are missed	Medium	To consider the appointment of representatives to outside bodies	Low
<b>Ward(s) affected:</b>		All	
<b>Background papers:</b>		None	

**Documents attached:**

**Appendix A** – St Edmundsbury  
Borough Council Representation on  
Outside Bodies 2014/2015  
**Appendix B** – Gershom Parkington  
Memorial Trust

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## **1. Key issues and reasons for recommendation(s)**

### **1.1 Background**

- 1.1.1 One of the functions exercised by the Council is to appoint representatives on outside bodies.
- 1.1.2 Following each Borough Council Election, the Council undertakes a full review to decide whether to continue with representation on an outside body and, if so, appoint the representative(s).
- 1.1.3 Attached as Appendix A, to this report, is the list of outside bodies for the last civic year, 2014/2015. This list provides the name of the organisations and the number of representatives in that year.

### **1.2 Considerations**

- 1.2.1 The attached list of representation on outside bodies includes an Officer recommendation as to whether the Council should continue with its representation or not. In some cases this is not discretionary since the organisation has changed its governance arrangements.
- 1.2.2 The Council is required to consider the list in order to determine whether it wishes to continue or not with representation. In particular, attention is drawn to the following:-
  - (a) Where the Borough Council may send observers, it is recommended that Cabinet and not Council makes these appointments, if considered necessary, as the appointee is not formally representing the Council. This does not mean that the observer must be a member of the Cabinet.
  - (b) It is suggested that, where deemed to be appropriate, the Borough Council explores the possibility of 'passing' the nomination to other organisations (ie Town/Parish Councils).
  - (c) Where the Borough Council has the right to nominate a representative, but the nominee will not be automatically appointed by the outside body, then the nomination will also be made by the Cabinet.

### **1.3 Options**

- 1.3.1 The Council is required to determine, to approve or reject the principles outlined in 1.2.2 above.
- 1.3.2 For the remaining appointments, the Council has two alternatives in conducting the review of the representation on outside bodies:-
  - (a) That the Service Manager (Legal) be given delegated authority to appoint the Borough Council's representatives on outside bodies, in accordance with nominations put forward by the relevant Group Leaders or (if applicable) the nominating body or individual listed in Appendix A; or
  - (b) The Council considers each appointment in detail at its next ordinary

meeting of the Council, scheduled for 7 July 2015.

- 1.3.3 The first alternative has been used successfully in previous years and has the advantage that nominations can be received 'piecemeal'. The second alternative will require all nominations to be received more than a week before the Council meeting on 7 July 2015.
- 1.3.4 Further information about these outside bodies will also be made available to assist in the making of these appointments.

## **2. Additional Information**

### **2.1 Gershom Parkington Memorial Trust**

- 2.1.1 The Charity was set up in the 1980s to manage a donation of money linked to the clock collection and is separate to the main Gershom Parkington bequest. The Council (which manages the Charity) has received a request, supported by one of the trustees, for use of the funds to support a specific horology project and the Council now needs to reconvene the Charity to determine this. Further information is set out within Appendix B to this report.
- 2.1.2 Therefore, in relation to the appointments to this Charity, it is being recommended:-
  - (1) To determine whether to appoint any Borough Councillors to the four vacant trustee positions, through whatever process is agreed for appointing to other outside bodies under this report.
  - (2) To authorise a Director, in consultation with the Portfolio Holder responsible for the heritage collection, to appoint to any remaining vacancies before the next meeting of the Trust takes place.

**St Edmundsbury Borough Council Representation on Outside Bodies 2014/2015**

(Note: This list covers constituted organisations and charities. Council representation on project groups or boards, formed of various organisations, would be determined by Cabinet or in accordance with the Memoranda of Understanding for those projects)

<b>NAME OF ORGANISATION</b>	<b>PRESENT REPRESENTATIVE(S)</b>	<b>SUPPORT OFFICER(S)</b>	<b>CONTINUE YES/NO</b>
<b>Abbeycroft Leisure Trust Board (merged with Anglia Community Leisure Trust from 1 April 2015)</b>	Following the merger of ACL and Abbeycroft Leisure Trusts in April 2015, the Council no longer has appointment rights to the merged Board. Councillors can apply to serve as board members in a personal capacity.	Alex Wilson	<b>NO</b>
<b>Association for Suffolk Museums Management Committee</b>	One Member	Mark Walsh Damien Parker	<b>YES</b>
<b>'OurBuryStEdmunds' (Bid 4 Bury) Board Directors</b>	One Member and One Officer	Steven Wood Andrea Mayley	<b>YES</b>
<b>Brecks Partnership – Core Management Group</b>	Disbanded and replaced by 'Breaking New Ground' HLF Management Committee (see below)	Mark Walsh Damien Parker	<b>NO</b>
<b>'Breaking New Ground' – HLF Management Committee  (replaces the Brecks Partnership – Core Management Group – see above)</b>	One Member	Mark Walsh Damien Parker	<b>YES</b>
<b>Bury St. Edmunds and District Volunteer Centre – Management Committee</b>	One Member	Davina Howes Lucy Carter	<b>YES</b>

**APPENDIX A**

<b>NAME OF ORGANISATION</b>	<b>PRESENT REPRESENTATIVE(S)</b>	<b>SUPPORT OFFICER(S)</b>	<b>CONTINUE YES/NO</b>
<b>Dedham Vale Area of Outstanding Natural Beauty (AONB) and Stour Valley Joint Advisory Committee</b>	Two Members	Mark Walsh Damien Parker	<b>YES</b>
<b>District Councils' Network</b>	One Member	Ian Gallin Liz Barnard	<b>YES</b>
<b>East of England Local Government Association (EELGA)</b>	One Member	Ian Gallin Liz Barnard	<b>YES</b>
<b>George Savage Trust</b>	One Member (currently Mrs Wayman) <i>(Will also need to confirm whether Mrs Wayman wishes to continue to serve on the Trust)</i>  (For information: The George Savage Trust was set up in 1939 following a bequest made by Mr George Savage. It has responsibility for the care and maintenance of the five cottages on Cavendish Green known as Hyde Park Corner. The Council has not been represented by a serving Borough Councillor in recent times)	Alex Wilson	<b>YES</b>
<b>Gershom Parkington Memorial Trust</b>	Six Trustees (Four vacancies)  Charity to be reconvened to determine the use of the funds to support a specific horology project. Additional information on these vacant Trustee positions are set out in Appendix B	Alex Wilson	<b>YES</b>

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<b>NAME OF ORGANISATION</b>	<b>PRESENT REPRESENTATIVE(S)</b>	<b>SUPPORT OFFICER(S)</b>	<b>CONTINUE YES/NO</b>
<b>Greater Cambridge/Greater Peterborough Local Enterprise Partnership</b>	One Member	Ian Gallin	<b>YES</b>
<b>Guildhall Feoffment Trust</b>	Three Members	Simon Phelan	<b>YES</b>
<b>Havebury Housing Partnership Management Board</b>	From September 2014, the Council no longer appoints board members. Councillors can serve in an individual capacity	Alex Wilson Simon Phelan	<b>NO</b>
<b>Havebury Housing Partnership: Exercise of Borough Council's Voting Rights</b>	From September 2014, the Council no longer has voting rights	Alex Wilson Simon Phelan	<b>NO</b>
<b>King Edward VI Grammar School Bury St. Edmunds Foundation</b>	Three Members	Karen Points	<b>YES</b>
<b>Local Government Association (General Assembly)</b>	One Member	Ian Gallin	<b>YES</b>
<b>Local Government Association Rural Commission</b>	Disbanded	Steven Wood Andrea Mayley	<b>NO</b>
<b>Magna Carta Trust</b>	Two trustees  Former Mayor, Mrs Margaret Charlesworth, has served as one of the trustees for many years to provide continuity.  The serving Mayor is the other trustee in an	Alex Wilson	<b>YES</b>



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	<p>ex-officio capacity, but there has been discussion in recent times about amending the Charity's rules to allow member councils more flexibility and continuity in all of their appointments. Anticipating such a change, Stefan Oliver (then a serving Borough Councillor and also a former Mayor) was appointed in 2013 by full Council to act as the second trustee. However, the change did not occur, and it was agreed instead that Mr Oliver would attend as an observer instead, in place of the Mayor, until the 2015 elections.</p> <p>It is suggested that one trustee is appointed (or re-appointed) for 2015-2019 and, if desired, also an observer to substitute for the Mayor if needed.</p>		
<b>New Anglia Local Enterprise Partnership</b>	One Member	Ian Gallin	<b>YES</b>
<b>Our Greenest County Board (Suffolk County Council)</b>	One Member	Steven Wood Peter Gudde	<b>YES</b>
<b>ONE Haverhill Board</b>	Two Members	Ian Gallin Steven Wood Andrea Mayley	<b>YES</b>
<b>Rural Services Network (SPARSE)</b>	One Member	Davina Howes Liz Barnard	<b>YES</b>
<b>Smith's Row Art Gallery Trust</b>	One Member	Mark Walsh Damien Parker	<b>YES</b>

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<b>NAME OF ORGANISATION</b>	<b>PRESENT REPRESENTATIVE(S)</b>	<b>SUPPORT OFFICER(S)</b>	<b>CONTINUE YES/NO</b>
<b>Southgate Community Partnership</b>	Ward Member for Southgate to be a trustee of the Partnership	Davina Howes Lucy Carter	<b>YES</b>
<b>St Edmund and Waveney YMCA (Services) Limited</b>	Representation no longer required as disbanded and merged with YMCA Suffolk	Simon Phelan	<b>NO</b>
<b>St John's Centre Trustees, Bury St Edmunds</b>	One Member	Mark Walsh Damien Parker	<b>YES</b>
<b>Stiff's Almshouses Charity Trustees, Rougham</b>	One Member (currently Mrs Anne Bell) <i>Mrs Bell has indicated her wish to continue in this role. This has also been supported by the Deputy Leader of the Council.</i>	Simon Phelan	<b>YES</b>
<b>Suffolk County Council - Health and Wellbeing Board</b>	One Member and one substitute (representation alternated each year with Forest Heath District Council)	Davina Howes Lucy Carter	<b>YES</b>
<b>Suffolk County Council - Suffolk Flood Risk Scrutiny Sub-Committee</b>	One Member and one Substitute	Mark Walsh Magnus Magnusson	<b>YES</b>
<b>Suffolk County Council - Health Scrutiny Committee</b>	One Member  Nominations are made by the Borough Council's Overview and Scrutiny Committee, for confirmation by Council	Davina Howes Christine Brain	<b>YES</b>
<b>Suffolk Joint Emergency Planning Panel</b>	One Member and one Substitute	Alan Points	<b>YES</b>

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<b>NAME OF ORGANISATION</b>	<b>PRESENT REPRESENTATIVE(S)</b>	<b>SUPPORT OFFICER(S)</b>	<b>CONTINUE YES/NO</b>
<b>Suffolk Police and Crime Panel</b>	One Member and one Substitute	Davina Howes Lucy Carter	<b>YES</b>
<b>Suffolk Rail Policy Group</b>	One Member	Steven Wood Andrea Mayley	<b>YES</b>
<b>Suffolk Sport</b>	One Member	Mark Walsh Damien Parker	<b>YES</b>
<b>Suffolk Waste Partnership</b>	One Member	Mark Walsh Mark Christie	<b>YES</b>
<b>Suffolk West Citizens Advice Bureau (Bury St Edmunds)</b>	One Observer	Alex Wilson	<b>YES</b>
<b>Theatre Royal Board of Management</b>	One Observer	Liz Watts Mark Walsh Damien Parker	<b>YES</b>
<b>West Stow Anglo Saxon Village Trust</b>	Five Members	Mark Walsh Damien Parker Lance Alexander	<b>YES</b>
<b>Western Suffolk Community Safety Partnership</b>	One Member	Davina Howes Lucy Carter	<b>YES</b>
<b>West Suffolk Network (Senior Representatives Group)</b>	One Member and One Officer	Davina Howes Lucy Carter Liz Barnard	<b>YES</b>

**GERSHOM PARKINGTON MEMORIAL TRUST**

The Charity was set up in the 1980s to manage a donation of money linked to the clock collection, and is not to be confused with the main Gershom Parkington bequest itself (administered solely by the Council). The Gershom Parkington Memorial Trust has funds of £11,504.22. The Council (which manages the Charity) has received a request, supported by one of the trustees, for use of the funds to support a specific horology project and needs to reconvene the Charity to determine this.

The object of the Charity is to “advance the education of the public in understanding the development and history of horology and to encourage a practical interest in scientific matters particularly amongst students and school children”. Its powers are (in summary):

- to support the clock collection i.e. to raise funds, acquire and donate new clocks, repair existing clocks and provide equipment needed in connection with the collection.
- organise exhibitions, lectures and displays
- print materials related to the Collection.

As it is ancillary to the original Gershom Parkington bequest, which has its own funds to draw upon, the Charity has been inactive for many years. Excluding ex-officio appointments, there are now only two appointed trustees. The Trust can have up to 10 members as follows:

- Six appointed by St Edmundsbury Borough Council (not required to be councillors)
- One appointed by Suffolk County Council
- One appointed by the British Horological Institute
- One appointed by the Antiquarian Horological Society
- One ex-officio, being the “assistant curator for the time being responsible” for the clock collection itself.

The quorum of the Trust is three. With the ex-officio trustee and the Borough Council’s two remaining appointees (Mr Simon Pott and Honorary Freeman Sheila Wormleighton), a quorum could already be provided. However, to comply with the spirit of the Trust document, if the Council intends to ‘reactivate’ the Trust after a long period of it being inactive, then it needs to notify the other bodies of their vacancies so they can decide whether or not to re-appoint before it first meets again (which has been done). The Borough Council would also be wise to consider increasing its own membership as part of this annual review of representatives on outside bodies.

In terms of the Borough Council’s own representation, there is no fixed term of office, so it is not suggested that the two existing appointments are replaced unless they wish to stand down. Furthermore there is no need to appoint to all four vacancies, initially at least. However, the intention of the Charity was for the Borough Council to appoint a majority of the membership, so appointing at least three other trustees at this time would meet this objective.

The Borough Council might also want to make greater use of ex-officio appointments to ‘future-proof’ its membership e.g.:

- the member of the Council’s Cabinet responsible for the St Edmundsbury Heritage Collection

- the Mayor, Deputy Mayor or a Chairman of a specified committee or working party
- the service manager of the Council responsible for managing its heritage service.

There is also no requirement for all of the four vacancies to be councillors so it might be possible also to appoint from the membership of, say, the Friends of Moyse's Hall (where the clock collection is displayed) or from another heritage or civic group. If this approach is desired by Council it is suggested that the power to appoint to any vacancies during 2015 be delegated to a Director in consultation with the relevant Portfolio Holder, since the aim is to convene a meeting in June or July 2015.