

Cabinet	 TOWER HAMLETS
26 February 2020	
Report of: Asmat Hussain, Corporate Director Governance and Monitoring Officer	Classification: Unrestricted
Nomination to Outside Bodies	

Lead Member	Mayor John Biggs
Originating Officer(s)	Joel West, Senior Committee Services Officer
Wards affected	All Wards
Key Decision?	No
Forward Plan Notice Published	N/A
Reason for Key Decision	N/A
Strategic Plan Priority / Outcome	A dynamic outcomes-based Council using digital innovation and partnership working to respond to the changing needs of our borough.

Reasons for Urgency

Outside bodies have recently advised the Council that, due to changes in their circumstances, previous nominees are no longer eligible to serve on their boards. It is considered appropriate that the Council re-nominates to these positions without delay to ensure outside bodies are able to direct their operations in accordance with their governance rules and the Council's perspective continues to be included in this.

Executive Summary

It is the responsibility of the Mayor to nominate representatives to certain Outside Bodies on behalf of Tower Hamlets Council.

Paragraph 3.3 of the report lists proposed appointments to outside bodies for the Mayor to consider. Although all appointments are reviewed regularly, they are, unless stated elsewhere in this report, valid until such time as they are amended or renewed by a Mayoral decision.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Agree the nominations to outside bodies as shown in Paragraph 3.3.

1. REASONS FOR THE DECISIONS

- 1.1 Having representatives on outside bodies increases the Council's engagement with the local community and improves its potential to offer leadership and guidance in relation to activities taking place in the borough.
- 1.2 London-wide initiatives can also offer considerable benefits that promote delivery of the Council's key priorities. Conditions of some London-wide partnerships and trusts are that the Council is represented on their boards.

2. ALTERNATIVE OPTIONS

- 2.1 The Mayor could decide not to make appointments to outside bodies at all. However, this is not recommended as it would reduce the Council's opportunity to be involved in and to support good work within the community and it would also reduce the Council's leadership opportunities. There are also a number of bodies where the Council is required or expected to provide a representative.

3. DETAILS OF THE REPORT

- 3.1 Participating in the work of outside bodies is an important part of the role of elected Members and officers, but is different in nature from other aspects such as being a member of a local authority executive or sitting on regulatory committees. In some cases it will involve actively representing and defending the authority's interests on local authority associations. In others it will involve becoming a trustee of a charity or a director of a company limited by guarantee. In this case Members and officers have a duty to act in the best interests of the organisation to which they have been appointed rather than exclusively pursue the authority's interests. There are potential tensions in carrying out this role effectively. To this end guidance will be sent to all those nominated to outside bodies.
- 3.2 A key part of this role is ensuring that information about the activities of outside bodies is communicated to the Council. Much of this may take place through day to day contact with colleagues or with officers responsible for that area of work.
- 3.3 The nominations to be made to Outside Bodies are:

Outside Body	Mayor or Council Nomination	Nominees permitted	2019/20 nominee(s)
PLACE Board	Mayor	1	Karen Swift (Divisional Director, Housing and Regeneration)
East London NHS Foundation Trust (Council of Governors)	Mayor	1	Councillor Eve McQuillan

PLACE Board

- 3.4 PLACE is a not-for-profit Company which was established by the Council in 2018 to develop and own modular temporary accommodation for the benefit of London boroughs who are members of the company. There is provision for the Council to nominate one representative to the Company's Board of Directors. The previous nominee was the former Interim Divisional Director of Housing & Regeneration, Mark Baigent.

The East London NHS Foundation Trust

- 3.5 The East London NHS Foundation Trust provides a wide range of community and inpatient services to children, young people, adults of working age, older adults and forensic services to the City of London, Hackney, Newham, Tower Hamlets, Bedfordshire and Luton. There is provision for the Council to nominate one representative to the Trust's Council of Governors, who may be a Member or officer, but cannot be a member of the Council's Health & Adults Scrutiny Sub-Committee. The previous nominee was Councillor Denise Jones, who is now a Member of the Health & Adults Scrutiny Sub-Committee and so has stood down.

4. EQUALITIES IMPLICATIONS

- 4.1 Nominating representatives to outside bodies increases the Council's engagement with the local community and improves its potential to offer leadership and guidance in relation to activities taking place in the Borough

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
 - Data Protection / Privacy Impact Assessment.

Risk Management Implications

- 5.2 Where appropriate it is important that any training/support needs of new appointees are identified by the bodies concerned and that appropriate training and support is delivered.

5.3 The nomination of representatives to outside bodies enables the Council to strengthen links with the community. The nomination of representatives also contributes to the Council's leadership role in the community.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 This report requests the Mayor in Cabinet to agree nominations to outside bodies as outlined in the table at section 3.3 and as such there are no direct financial implications arising from this report.

7. COMMENTS OF LEGAL SERVICES

7.1 The appointments in paragraph 3.3 are the responsibility of the executive. The Mayor therefore has responsibility for these appointments under the Constitution and is legally entitled to make these appointments. This is under s.1 Localism Act 2011, the general power of competence.

7.2 Annual appointments should normally be made at the Annual General Meeting, but in-year appointments can be made by the Mayor. Although the power is expressed to be a one off appointment, this is assumed to include the power to remove if it is felt to be necessary (*paras. 19 and 20 Local Authorities (Functions and Responsibilities) (England) Regulations 2000*).

7.3 When considering appointments or the approach to be taken to appointments, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty). It is important to be satisfied that any process followed is supportive of equal opportunity.

Linked Reports, Appendices and Background Documents

Linked Report

None.

Appendices

None.

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

None.

Officer contact details for documents:

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