


Individual Mayoral Decision	 TOWER HAMLETS
Report of: John S. Williams, Service Head, Democratic Services	Classification: Unrestricted
Appointments to External Bodies 2015/16	

Lead Member	Mayor John Biggs
Originating Officer(s)	Matthew Mannion, Committee Services Manager
Wards affected	All wards
Community Plan Theme	All
Key Decision?	No

Executive Summary

The Mayor has responsibility for appointing representatives to certain External Bodies on behalf of Tower Hamlets Council. The appendix to this report sets out the first tranche of appointments made by the Mayor for 2015/16. Most appointments are for one year unless set out in the appointment details. A second report will follow with further appointments.

Where appropriate the appendix also lists appointments to be made by the Mayor of London or Council. In these cases the Mayor may nominate a candidate and the formal appointment(s) will be made by the appropriate person/body.

Recommendations:

The Mayor is recommended to:

1. Agree the appointments to External Bodies as shown in Appendix 1.

1. REASONS FOR THE DECISIONS

- 1.1 Appointing 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.

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 REPORT

- 3.1 Participating in the work of external bodies is an important part of the role of elected members 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 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 appointed to external bodies.
- 3.2 A key part of this role is ensuring that information about the activities of external 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.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. There are no direct financial implications arising from this report.

5. LEGAL COMMENTS

- 5.1. Pursuant to section 9D(2) of the Local Government Act 2000, any function of the Council which is not specified in regulations is to be the responsibility of the Council's executive under executive arrangements. The relevant regulations which specify non-executive functions are the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the Functions Regulations").
- 5.2. The Functions Regulations specify a category of functions which may be (but need not be) the responsibility of a local authority's executive. These are

sometimes referred to as local choice functions. Included in the category of local choice functions is the appointment of any individual to anybody, other than the Council or a joint committee, and the revocation of any such appointment. The Council's Constitution (part 3.2.2) specifies that responsibility for such appointments lies with the Mayor if the appointment is made in relation to or in support of an executive function.

- 5.3. The majority of the appointments in Appendix 1 relate to local choice functions and are the responsibility of the executive. The Mayor therefore has responsibility for these appointments under the Constitution.
- 5.4. The London Legacy Development Corporation (LLDC) and London Legacy Development Corporation Planning Decisions Committee are established under section 198 of the Localism Act 2011. Although these bodies carry out planning functions, these have been transferred to the LLDC by the London Legacy Development Corporation (Planning Functions) Order 2012. Consequently the LLDC is not exercising non-executive functions on behalf of the Council, and the nominations to those Boards fall within the Mayor of Tower Hamlets' executive powers.
- 5.5. Tower Hamlets Homes Ltd (THH) is a company limited by guarantee, established by the Council to exercise some of its housing management functions. The functions exercised by THH are identified in a management agreement made pursuant to section 27 of the Housing Act 1985 and approved by the Secretary of State. THH's Articles of Association specify that the Board will comprise 10 Members, of which four shall be Council Board Members and be Councillors appointed by the Council's Executive. As THH is concerned with exercising housing management functions which are executive functions, appointments to THH's board are considered to be made in relation to or in support of executive functions and thus within the responsibility of the Mayor.
- 5.6. 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.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Appointing 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.

7. BEST VALUE (BV IMPLICATIONS)

- 7.1 There are no specific implications arising from this report.

8. SUSTAINALBE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no specific implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 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.

9.2 The appointment of representatives to external bodies enables the Council to strengthen links with the community. The appointment of representatives also contributes to the Council's leadership role in the community.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no specific implications arising from this report.

11. SAFEGUARDING IMPLICATIONS

11.1 There are no specific implications arising from this report.

Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices

- Appendix 1 – List of Appointments to External Bodies

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

- None.

Officer contact details for documents:

- N/A