

Trustees' Sub-Committee

26 March 2024



Reading
Borough Council
Working better with you

Title	Introduction to the Reviews of Outside Bodies and Mapledurham Playing Fields Management Committee
Purpose of the report	To note the report for information
Report status	Public report
Report author	Mike Graham
Lead Councillor	Councillor Brock, Leader of the Council & Councillor Hornsby-Smith, Chair of Trustees Sub-Committee
Corporate priority	Thriving Communities
Recommendations	That the report be noted.

1. Executive Summary

- 1.1. This is the first meeting of the Trustees Sub-Committee since it was constituted in May 2022. This report introduces the two substantive items of business for this meeting.
- 1.2. Under its Terms of Reference this Sub-Committee acts as Trustee for the Council and considers and responds to any proposal made by any organisation, including the local authority, which might affect the objectives of a number of charitable trusts including Mapledurham Playing Fields (MPF). Until May 2022 the Mapledurham Playing Fields Trustees Sub-Committee exercised the function of the authority as Trustee of MPF.
- 1.3. The Council is reviewing the powers and duties of the MPF Management Committee as well as its composition and supporting arrangements. Proposals for the Sub-Committee to consider in its role as Trustee are set out in the report elsewhere on the agenda.
- 1.4. The Policy Committee at its meeting on 12 June 2023 authorised the Trustees Sub-Committee to conduct a review of the appointments and nominations to outside bodies and report back to Policy Committee with recommendations. (Minute 6 (4) refers). This report briefly introduces the context and scope of the review, with the findings and recommendations set out in a separate report on the agenda. The appointment of councillors to the MPF Management Committee has been excluded from this review due to the Sub-Committee's specific role as Trustee for MPF.

2. Policy Context

- 2.1. Under its Terms of Reference this Sub-Committee acts as Trustee for the Council and considers and responds to any proposal made by any organisation, including the local authority, which might affect the objectives of a number of charitable trusts including Mapledurham Playing Fields.
- 2.2. Appointing the Council's representatives on outside bodies is a Key Decision reserved to Policy Committee under Part 2 Article 13.3 and Part 3 Section 2(5) of the Council's Constitution. This Sub-Committee has been given a specific delegation to carry out this review. The Monitoring Officer has a delegation to appoint to any vacancies arising mid-year in consultation with the Leader of the Council.

3. The Proposal

3.1. Review of Outside Bodies

- 3.1.1. The Council makes appointments to a large number of outside bodies mainly on an annual basis. Most appointees are serving councillors and this is often a requirement of the organisation.
- 3.1.2. The outside bodies that the Council appoints are [listed on the Council's website](#) under a number of categories: Joint Committees, Council-owned Companies, Other Companies, National and Regional Membership Organisations, Partnership Bodies, NHS Partner Organisations and Voluntary & Community Sector and Other Local Organisations.
- 3.1.3. For the categories of Joint Committees, Council-owned Companies, Other Companies, National and Regional Membership Organisations, Partnership Bodies, NHS Partner Organisations the role of the Council's representative is generally clearly defined and the Council's interest and/or obligation in participating is evident. The review therefore concentrates on the category of VCS and local organisations.
- 3.1.4. There is an absence of written criteria or policies as to which bodies the council appoints to and on what basis and the current list of appointments has developed piecemeal over a long period. The review seeks to establish a clearer and more consistent approach to appointments to outside bodies and ensure that the ongoing arrangements contribute to the priorities set out in the Corporate Plan and are beneficial to both the Council and the external organisation.

4. Contribution to Strategic Aims

- 4.1. Representation on outside bodies gives the Council an opportunity, through its representatives, to work with partner organisations to achieve the priorities set out in the Corporate Plan under the themes of:
 - Healthy Environment
 - Thriving Communities
 - Inclusive Economy
- 4.2. Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](#). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.

5. Environmental and Climate Implications

- 5.1. There are no environmental or climate implications arising from the decision to make appointments to outside bodies.

6. Community Engagement

- 6.1. Representation on outside bodies gives the Council an opportunity, through its representatives, to engage with the community on matters that affect the Borough.

7. Equality Implications

- 7.1. Under the Equality Act 2010, Section 149, a public authority 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 this 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.
- 7.2. An Equality Impact Assessment (EIA) is not relevant at this stage of the review of appointments to outside bodies. It will be considered again as and when any potential changes are identified.

8. Legal Implications

- 8.1. The Council cannot legally provide personal liability cover for representatives serving on outside bodies (*Burgoine v Waltham LBC 1996*) and it is the responsibility of the outside body to secure the appropriate insurance and personal liability cover for people on it. Local authorities do not have a legal power to extend their insurance policies to cover the liabilities of third parties.
- 8.2. All Councillors, officers and other people appointed by Reading – and any other local authority – are therefore advised of the need to check directly with the outside body about its insurance cover, and how far it protects them.

9. Financial Implications

- 9.1. Attendance by Councillors appointed to outside bodies will be an approved duty for the purposes of the Council's scheme made in accordance with the provisions of the Local Authorities (Members' Allowances) Regulations 1991. This means that travel and subsistence claims may be made in respect of expenses incurred in attending meetings. Non-Councillors who are appointed to represent the Borough on outside bodies may claim financial loss allowance and travel and subsistence, if applicable.

10. Other Relevant Considerations

- 10.1. There are no other significant issues which are relevant to this report.

11. Timetable for Implementation

- 11.1. Any recommendations made by the Sub-Committee to Policy Committee will be reported alongside the annual consideration of Outside Body appointments in June 2024.

12. Background Papers

- 12.1. There are none.