

**AGENDA ITEM NO: 6** 

Report To: Inverclyde Council Date: 19 May 2022

Report By: Head of Legal & Democratic Report No: LS/043/22

Services

Contact Officer: Iain Strachan Contact No: 01475 712710

Subject: Appointments to Outside Bodies – Joint Boards, Joint Committees,

**Public Bodies and other Public Organisations** 

### 1.0 PURPOSE

1.1 This report advises of the requirement to appoint Members to represent the Council on a variety of outside bodies.

- 1.2 This report recommends the appointment of Elected Members to the following joint boards, joint committees, public bodies and other public organisations:
  - CoSLA (Convention of Scottish Local Authorities);
  - Clyde & Loch Lomond Plan District Joint Committee;
  - Clyde Valley Learning & Development Joint Committee;
  - Glasgow & Clyde Valley Strategic Development Planning Authority (Clydeplan);
  - Glasgow & Clyde Valley City Deal Cabinet (Joint Committee);
  - Glasgow Airport Consultative Committee;
  - Greater Glasgow & Clyde NHS Board;
  - Inverclyde Alcohol & Drugs Partnership;
  - Inverclyde Alliance Board;
  - Inverclyde Integration Joint Board;
  - Renfrewshire Valuation Joint Board;
  - Scotland Excel Joint Committee:
  - Shared Services Joint Committee;
  - Strathclyde Concessionary Travel Scheme Joint Committee; and
  - Strathclyde Partnership for Transport.

### 2.0 SUMMARY

- 2.1 The Council is represented on a variety of joint boards, joint committees, public bodies and other public organisations.
- 2.2 At the statutory meeting of the Council, Elected Members are required to make appointments to the various bodies listed at paragraph 1.2, and detailed in Appendix 1. Appendix 1 sets out the number of Elected Members the Council can appoint to each body, and any particular requirements over which Members are eligible for appointment.
- 2.3 No Elected Member is obliged to accept an external appointment. However, if they do then they may find themselves taking on additional legal duties, e.g. as a trustee of a charity or a director of a company, where they will, in essence be obliged to act in the best interests of that organisation. The exact nature of these legal duties will depend upon the nature of the organisation in question and the role they are appointed to. There is also potential for future conflicts of interests between such a role and their role as an Elected Member.
- 2.4 Any Elected Member appointed is requested to undertake the Member training that has been arranged on the appointment to outside bodies, and the associated legal duties of directors and trustees.

## 3.0 **RECOMMENDATION**

3.1 It is recommended that the Council appoints Elected Members to the bodies specified in the appendix.

Iain Strachan Head of Legal & Democratic Services

#### 4.0 BACKGROUND AND CONSIDERATIONS

- 4.1 The Council has traditionally appointed Elected Members to serve on a variety of trusts, limited companies, joint boards, joint committees and other outside bodies. These appointments are normally decided at the first meeting following the Council elections, or as vacancies arise during the term of the Council.
- 4.2 Appointments are sought for those organisations listed in paragraph 1.2 and Appendix 1 to this report. Appendix 1 contains details of the number of appointments sought for each organisation, and details of any specific requirements that apply. Elected Members have separately been provided with more detail about those organisations, to ensure they understand its nature and what the appointment would involve.
- 4.3 Standing Order 54 of the Council's Standing Orders and Scheme of Administration provides that the Council shall ensure that in making appointments to outside bodies it shall ensure such appointments reflect, as far as practicable, the balance of political representation on the Council, but "only where more than 2 representatives of the Council to an outside body are required". There are a number of organisations in respect of which more than 2 Elected Member representatives are sought, meaning the provisions around political representation apply. As noted above, Appendix 1 sets out the number of Elected Members the Council can appoint to each body, and any particular requirements over which Members are eligible for appointment. Appendix 2 sets out the political representation on the Council and the practical effect of the associated numerical entitlement, together with a suggested representation in terms of the above-mentioned Standing Order 54 and appointment to those outside bodies.
- 4.4 By way of explanation, those members who were not elected as a representative for a particular political party have been treated as a distinct partnership, with their collective numerical entitlement being calculated accordingly. This is based upon officer discussion with those said elected members and the expectation that a formalised coalition arrangement is entered into between them, and is also consistent with arrangements during the previous term of the Council. Appendix 2 will be updated verbally at the meeting if there are any changes proposed as a result of any political discussions. It is also to be noted that groups are not obliged to take up the full allocation they might otherwise be entitled to. Members will also want to consider which appointments they might be better suited to, including by considering the nature of the role and the number of potential meetings.
- 4.5 No Elected Member is obliged to accept an appointment. However, if they do then they may find themselves taking on additional legal duties, e.g. as a trustee of a charity or a director of a company, where they will, in essence be obliged to act in the best interests of that organisation. The exact nature of these legal duties will depend upon the nature of the organisation in question and the role they are appointed to. There is also potential for future conflicts of interests between such a role and their role as an Elected Member.
- 4.6 Any Elected Member appointed is requested to undertake the Elected Member training that has been arranged on the appointment to outside bodies, and the associated legal duties of directors and trustees. Elected Members are also directed to the Standards Commission Guidance Note 'Advice for Councillors on Arm's Length External Organisations': <a href="https://www.standardscommissionscotland.org.uk/uploads/files/1638361910211201AdviceNote CouncillorsALEOsv1.pdf">https://www.standardscommissionscotland.org.uk/uploads/files/1638361910211201AdviceNote CouncillorsALEOsv1.pdf</a>

### 5.0 IMPLICATIONS

### **Finance**

5.1 This report has no direct financial implications.

One off Costs

Cost Centre	_	_	Proposed Spend this Report	Virement From	Other Comments
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N/A					
Annually Rec	urring Costs/	′ (Savings	)		
Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					
_egal	•		•		
The legal cor	nsiderations a	re contai	ned within this	report.	
Human Reso	ources				
There are no	HR implication	ons arisin	g as a result o	f this report.	
Equalities	•		-	·	
Equalities					
•	lity Impact As	ssessmen	t been carried	out?	
YI	ES				
X re	commend a	substant		an existing	licy, function or strated policy, function or stra ed
Fairer Scotla	and Duty				
f this report a	affects or pro	poses any	/ major strateg	ic decision:-	
Has there be of outcome?	en active cor	nsideratio	n of how this r	eport's recon	nmendations reduce ine
in					rt's recommendations re nic disadvantage has
X N	O – This repo	ort does n	ot affect or pro	pose any ma	jor strategic decision
Data Protect	ion				
Has a Data P	rotection Imp	act Asse	ssment (DPIA)	been carried	l out?
YI	ES – This rep	oort involv	•	ssing which m	nay result in a high risk t

NO - This report does not involve data processing that would necessitate a

# DPIA

Repopulation

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5.2

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There are no repopulation implications arising from this report. 5.7

## 6.0 CONSULTATIONS

6.1 None.

## 7.0 LIST OF BACKGROUND PAPERS

7.1 None.

CLYDE AND LOCH LOMOND PLAN DISTRICT JOINT COMMITTEE		
Description	The Joint Committee approves the policy and strategy associated with flooding within the Clyde and Loch Lomond Plan District.	
Description:	The core function of this Group is to work with SEPA and to identify areas of flooding and provide solutions.	
No. Council Members:	1 + substitute	
Frequency of Meetings:	4 meetings per year or as required	
Venue of Meetings:	Varies	
Nomination:	Councillor: Substitute Councillor:	

CLYDE VALLEY LEARNING AND DEVELOPMENT JOINT COMMITTEE		
Description:	The Clyde Valley Learning and Development Project is the combined activities designated by the project steering group and/or the Social Care Group to deliver efficiencies, savings, best practice and collaboration to the employees of the Member Councils in the field of Learning and Development. The purpose of the Joint Committee is to regulate the delivery of the Project by maintaining a strategic overview and monitoring the learning and development functions of the Member Councils.	
No. Council Members:	1 + 1 Substitute	
Frequency of Meetings:	3 meetings per year (June, September and February)	
Venue of Meetings:	By video conference	
Nomination:	Councillor: Substitute Councillor:	

CONVENTION OF SCOTTISH LOCAL AUTHORITIES		
Description:	COSLA, the Convention of Scottish Local Authorities, represents Scottish local government, lobbying on behalf of its members – the 32 local councils in Scotland.  Formed in 1975, it exists to promote and protect the interests of councils in Scotland and the people and communities they serve by representing their views to Scottish and UK legislatures, in addition to other bodies and the public.	
No. Council Members:	3 which must represent the balance of party political representation on the Council. Currently, Leader, Depute Leader and Leader of the largest opposition Group. There are also the following Boards:  Children And Young People – 1 Member Health and Social Care – 1 Member Environment and Economy – 1 Member Community Wellbeing – 1 Member Substitutes can attend the Boards and they do not require to be named	

Frequency of Meetings:	Convention – twice a year Boards – 6 times a year	
Venue of Meetings:	COSLA Offices, Edinburgh	
	Councillor (Council Leader):	Councillor (Depute Leader):
	Councillor (Leader of largest op	oposition group):
	COSLA Boards	
Nomination:	Children & Young People	Councillor:
	Health & Social Care	Councillor:
	Environment & Economy	Councillor:
	Community Wellbeing	Councillor:

GLASGOW AIRPORT CO	ONSULTATIVE COMMITTEE
Description:	Considers key developments and infrastructure arrangements to and around the airport, the regulatory and legislative aspects of the airport's developments and any issues which may involve the community such as promoting public transport initiatives.
No. Council Members:	1 + 1 substitute
Frequency of Meetings:	4 meetings per year
Venue of Meetings:	Glasgow Airport
Nomination:	Councillor: Substitute Councillor:

GLASGOW AND CLYDE VALLEY CITY DEAL CABINET (JOINT COMMITTEE)		
Description:	Established in terms of Section 57 of the Local Government (Scotland) Act 1973 and formed as a "Cabinet" to govern the City Deal and determine the strategic economic development priorities for the Glasgow and Clyde Valley region.  The Cabinet reports to the UK and Scottish Governments and acts in the joint interests of the Member Authorities: Glasgow City, East Dunbartonshire, East Renfrewshire, North Lanarkshire, Renfrewshire, South Lanarkshire, West Dunbartonshire and Inverclyde Councils.	
No. Council Members:	(Leader of the Council) + substitute      NOTE: The Joint Committee agreement states that Councils shall be represented by the Leader of the Council, with a substitute also to be appointed.	
Frequency of Meetings:	4 times a year	
Venue of Meetings:	Glasgow	
Nomination:	Councillor (Council Leader): Substitute Councillor:	

GLASGOW AND CLYDE	VALLEY STRATEGIC DEVELOPMENT PLANNING AUTHORITY (CLYDEPLAN)
Description:	Clydeplan comprises 8 local authorities – East Dunbartonshire, East Renfrewshire, Glasgow City, Inverclyde, North Lanarkshire, Renfrewshire, South Lanarkshire and West Dunbartonshire Councils - working together on strategic planning matters as required in the Planning etc. (Scotland) Act 2006. The principal role of Clydeplan is to prepare and maintain an up to date Strategic Development Plan (SDP) for the area. The process involves engagement through joint working and consultation with a number of key stakeholder organisations and the wider community.
No. Council Members:	2
Frequency of Meetings:	4 times a year – usually Monday mornings
Venue of Meetings:	Glasgow City Council or MS Teams
Nomination:	Councillor: Councillor:

GREATER GLASGOW & CLYDE NHS BOARD		
Description:	The overall purpose of the unified NHS Board is to ensure the efficient, effective and accountable governance of the local NHS system and to provide strategic leadership and direction for the system as a whole, focusing on agreed outcomes.	
No. Council Members:	One member. This is a Ministerial appointment and the NHS Board, in accordance with NHS guidance, invites nominations from the Leader, Depute Leader or Convener of the Health & Social Care Committee.	
Frequency of Meetings:	Every 2 months, normally at 9.30am Board Seminars Bi-Monthly Membership of two Board Standing Committees	
Venue of Meetings:	Usually JB Russell House, Gartnavel Hospital, Glasgow	
Nomination:	Councillor:	

INVERCLYDE ALCOHOL	AND DRUGS PARTNERSHIP
Description:	The Inverclyde Alcohol and Drug Partnership's aim is to achieve joint working among alcohol and drug partnership agencies to provide the best response to alcohol and drug misuse problems in Inverclyde and achieve better outcomes for people with alcohol and drugs problems, their carers, families and the local communities.
No. Council Members:	3 – to include Convener of Health & Social Care Committee and Chair of Licensing Board.
Frequency of Meetings:	4 per year
Venue of Meetings:	Greenock Municipal Buildings and by video conference
Nomination:	Councillor (Convenor Health & Social Care Committee):  Councillor (Chair of Licensing Board):

Councillor:

INVERCLYDE ALLIANCE BOARD				
Description:	Community Planning brings together all the public sector partners in an area to plan and co-ordinate action and resources to improve outcomes for local people. The Inverclyde Alliance Board governs the Community Planning Partnership for Inverclyde and provides strategic leadership.			
No. Council Members:	4			
Frequency of Meetings:	4 per year, in the afternoons			
Venue of Meetings:	Usually the Municipal Buildings, Greenock by video conference			
Nomination:	Councillor:	Councillor:		

INVERCLYDE INTEGRAT	TION JOINT BOARD	)	
Description:	Inverclyde Integration Joint Board (IIJB) is made up of voting members, who are either Councillors of Inverclyde Council or non-executive Directors of NHS Greater Glasgow and Clyde, and non-voting members made up of persons nominated by the Council, the NHS Board, third sector bodies, users, carers and other key stakeholders. The Integration Joint Board is a separate legal entity from Inverclyde Council and NHS Greater Glasgow and Clyde and has full autonomy and capacity to act on its own behalf. Health and Social Care functions have been delegated to the Integration Joint Board from the Council and NHS Greater Glasgow and Clyde and the Integration Joint Board is responsible for the planning and operational management of the services to which the delegated functions relate.		
No. Council Members:	4 + 4 named proxies  The Chair and Vice-Chair of the IIJB are drawn from the voting members of the IIJB. If a voting member is appointed by the Council to serve as Chair then the Vice-Chair will be a voting member nominated by the Health Board and vice-versa.  The term of office of the Chair and Vice-Chair is 2 years.  May 2022 – current Vice-Chair is a voting member nominated by the Council. This will change in June 2023, when the Council will need to nominate an IIJB voting member as Chair.		
Frequency of Meetings:	5 per year minimum		
Venue of Meetings:	Greenock Municipal Buildings and by video conference		
Nomination:	Councillor: Proxy Councillor: Councillor: Proxy Councillor: Councillor: Proxy Councillor: Councillor: Proxy Councillor:		

RENFREWSHIRE VALUATION JOINT BOARD			
Description:	Renfrewshire Valuation Joint Board was established by the Valuation Joint Bo (Scotland) Order 1995 to carry out the valuation functions of Renfrewshire, Renfrewshire and Inverclyde Councils.		
	It came into existence on 1 April 1996 and was also given the responsibility of carrying out Electoral Registration on behalf of the three constituent authorities.		
No. Council Members:	4 + 4 substitutes		
Frequency of Meetings:	4 per year		
Venue of Meetings:	If hybrid meetings continue then Renfrewshire Council Chamber or MS Teams (previously on a rotational basis within the constituent Local Authorities)		
	Councillor:	Substitute Councillor:	
Contact Details:	Councillor:	Substitute Councillor:	
Contact Details.	Councillor:	Substitute Councillor:	
	Councillor:	Substitute Councillor:	

SCOTLAND EXCEL JOINT COMMITTEE				
Description:	Scotland Excel's Joint Committee has the opportunity to shape and influence public procurement policy at a national level and ensure it delivers a positive impact on local communities.			
No. Council Members:	1 + 1 substitute			
Frequency of Meetings:	Twice a year in June and December, usually late mornings			
Venue of Meetings:	Glasgow City Chambers or MS Teams			
Nomination:	Councillor:	Substitute Councillor:		

SHARED SERVICES JOINT COMMITTEE				
Description:	The Shared Services Joint Committee oversees the operation of, and provides democratic accountability for Shared Local Authority Services on an equitable basis for Inverclyde and West Dunbartonshire Councils.			
No. Council Members:	4			
Frequency of Meetings:	At least twice in each financial year or more often if required			
Venue of Meetings:	Chair Authority – currently Inverclyde Council and by video conference			
Nomination:	Councillor: Councillor: Councillor:			

STRATHCLYDE CONCESSIONARY TRAVEL SCHEME JOINT COMMITTEE				
Description:	<ul> <li>The Joint Committee has responsibility for:</li> <li>determining the concessionary fare and criteria applicable for concessionary travel on subway, rail services and on ferry services where the card holder is a resident, all within the Strathclyde scheme area;</li> <li>determining which of those services and routes qualify for a concessionary fare within the Strathclyde area; and</li> <li>complying with all statutory requirements arising from being a Joint Committee, including the setting of a legal balanced budget.</li> </ul>			
No. Council Members:	1 + 1 substitute			
Frequency of Meetings:	Two per year			
Venue of Meetings:	131 St Vincent Street, Glasgow and by video conference			
Nomination:	Councillor: Substitute Councillor:			

STRATHCLYDE PARTNERSHIP FOR TRANSPORT				
Description:	Strathclyde Partnership for Transport was formed on 1 April 2006 as successor to Strathclyde Passenger Transport Authority and Strathclyde Passenger Transport Executive. It is one of the seven Regional Transport Partnerships in Scotland and is responsible for formulating the public transport policy for the 12 local authorities in the West of Scotland.			
No. Council Members:	1+1 substitute			
Frequency of Meetings:	Quarterly, with the first meeting being held on Friday 27 <sup>th</sup> May at 10am.			
Venue of Meetings:	131 St Vincent Street, Glasgow and by video conference			
Nomination:	Councillor: Substitute Councillor:			

### SUGGESTED APPOINTMENTS TO OUTSIDE BODIES WITH MORE THAN 2 REPRESENTATIVES

3 REPRESENTATIVES (5 Bodies – Boglestone Community Association, Inverciyde Community Development Trust, Inverciyde Alcohol & Drug Partnership, Peter Stanton Memorial Trust (3 elected members including the Provost), Riverside Inverciyde)

PARTY	NO. OF ELECTED MEMBERS	% OF TOTAL	NUMERICAL ENTITLEMENT	NUMERICAL ENTITLEMENT ROUNDED TO NEARERST 0.5*	SUGGESTED REPRESENTATION PARTY-BY-PARTY**
Labour	9	40.90	1.23	1	1
SNP	8	36.36	1.09	1	1
Conservative	2	9.09	0.27	0.5	0 or 1
Internal Independent		40.04	0.44	0.5	
Coalition	3	13.64	0.41	0.5	0 or 1

## 4 REPRESENTATIVES (5 Bodies – Inverclyde Alliance Board, Inverclyde Integration Joint Board, Inverclyde Leisure, Renfrewshire Valuation Joint Board and Shared Services Joint Committee)

PARTY	NO. OF ELECTED MEMBERS	% OF TOTAL	NUMERICAL ENTITLEMENT	NUMERICAL ENTITLEMENT ROUNDED TO NEARERST 0.5*	SUGGESTED REPRESENTATION PARTY-BY-PARTY**
Labour	9	40.90	1.64	1.5	1 or 2
SNP	8	36.36	1.45	1.5	1 or 2
Conservative	2	9.09	0.36	0.5	0 or 1
Internal Independent Coalition	3	13.64	0.55	0.5	0 or 1

## 5 REPRESENTATIVES (2 Bodies - James Campbell Buchan Trust and Women's Forum)

PARTY	NO. OF ELECTED MEMBERS	% OF TOTAL	NUMERICAL ENTITLEMENT	NUMERICAL ENTITLEMENT ROUNDED TO NEARERST 0.5*	SUGGESTED REPRESENTATION PARTY-BY-PARTY**
Labour	9	40.90	2.05	2	2
SNP	8	36.36	1.82	2	2
Conservative	2	9.09	0.45	0.5	0 or 1
Internal Independent		40.04	0.00	0.5	0 1
Coalition	3	13.64	0.68	0.5	0 or 1

- \*In order to apply a consistent approach to the suggested representation based upon the Council's political balance, the numerical entitlement has been rounded (whether that be higher or lower) to the nearest 0.5.
- \*\*Where alternatives are given (e.g. "0 or 1" or "2 or 3"), then it would be for the groups in question to seek to agree the specific arrangements to effect the solution for their respective numerical entitlement, with the requirement in the Council's Standing Orders to seek to achieve a balance of political representation being capable of being met by those groups agreeing to alternate representation where the same applies to more than 1 appointment. It is, however, to be noted that where 4 representatives are sought all four groups need to be involved in that discussion, and not just two.