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| REPORT OF: | TOM KEALEY |
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| TO: | EXECUTIVE |
| DATE: | 31 MARCH 2016 |
| EXECUTIVE MEMBER: | COUNCILLOR R. MILL |

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| KEY DECISION REQUIRED: | NO |
| WARD (S) AFFECTED: | ALL |

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| SUBJECT: | APPOINTMENTS TO THE BOARD OF THE BANSTEAD COMMONS CONSERVATORS |
| RECOMMENDATIONS: | |
| <p>(i) To approve changes to the process for appointing representatives to the Banstead Commons Conservators where by, in the event that the number of nominations received exceed the number of vacancies, or where nominations come from non members, the matter is referred to the Executive for determination; and</p> <p>(ii) Subject to the determination of (i) above consider the two forthcoming vacancies on the Banstead Commons Conservators and appoint representatives.</p> | |
| REASONS FOR RECOMMENDATIONS: | |
| <p>To implement changes to the current appointment process for the Banstead Commons Conservators adopted in January 2015 to take account of the nomination of non members and to determine the appointment of two representatives to the board in 2016</p> | |
| EXECUTIVE SUMMARY: | |
| <p>Following the Executive decision in January 2015 responsibility for the appointment of representatives to outside bodies was delegated to the Head of Health and Wellbeing in consultation with the relevant Portfolio Holder and respective Group Leaders. However, in view of the fact that appointments to Banstead Commons Conservators include the nomination of non-members it is proposed that the Executive should consider returning to the previous approach with regard this body, where by, in the event that the number of nominations received exceed the number of vacancies, or where nominations come from non members, the matter is referred to the Executive for determination.</p> <p>This report seeks agreement to implement this change and subject to the approval of this recommendation it also seeks the determination of the appointment of two representatives to serve on the Banstead Commons Conservators for a term of 3 years.</p> | |

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| Executive has authority to approve the above recommendations |
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STATUTORY POWERS

1. Representation on outside bodies is made in accordance with Local Government Acts 1972 and 2000.
2. The appointment of Banstead Commons Conservators is laid down by the Scheme set out in the Schedule to the Metropolitan Commons (Banstead) Supplemental Act 1893.

BACKGROUND

3. The Council works with several bodies to ensure high standards of care and ensuring effective access to public open space owned by the Council. The Banstead Commons Conservators (BCC) carries out an important role in one of the largest areas being 1350 acres of Metropolitan Common land in the Borough (Banstead Heath, Banstead Downs and Park Downs).
4. Whilst the bodies nominating conservators has changed over the 125 years since the Commons areas were defined, the position has now settled so that all appointments are made by the Council.
5. In January 2015 the Council reviewed the process by which it makes appointments to all outside bodies and the Executive agreed that responsibility for the determination of appointments be delegated to the Head of Health and Wellbeing in consultation with relevant Portfolio Holder and respective Group Leaders.
6. In view of the fact that appointments to Banstead Commons Conservators include the nomination of non-members it is proposed that the Council should consider returning to the previous approach with regard this body, where by, in the event that the number of nominations received exceed the number of vacancies, or where nominations come from non members, the matter is referred to the Executive for determination.
7. The Council is currently in discussions with Banstead Commons Conservators with a view to adopting a Service Level Agreement with them.

KEY INFORMATION

Nominations

8. Two of the Conservators terms are due to come to an end at the end of March 2016.
9. Mr J. Harris, one of the representatives coming to the end of their term has confirmed that he does not intend to stand for a further term.
10. The current representatives and the nominations received are set out below:

| Current Conservators and dates their terms expire | Representatives coming to the end of their term in 2016 | Nominations | Term |
|---|---|--|-------------|
| Dr. J.H. Peacock (31.03.2016) Mr. J.S. Harris (31.03.2016) Cllr R.S. Mantle (31.03.2017) Mr. D. Atkins (31.03.2017) Mr. N. Cull (London Borough Sutton) (31.03.2017) Mr. J.C. Mill (31.03.2018) Cllr V.W. Broad (31.03.2018) Cllr J. Clarke (31.03.2018) | Dr. J.H. Peacock Mr. J.S. Harris | Dr. J.H. Peacock Mr John McCrea | Three Years |

11. The Executive are asked to determine the two appointments.

OPTIONS

12. The Executive have the option of accepting the recommendation to return to the historic procedure or maintaining the process adopted in 2015.
13. Subject to the outcome of the first recommendation it is open to the Executive to decide which nominees to appoint to the vacancies or to continue to delegate this decision to the Head of Health and Wellbeing in consultation with relevant Portfolio Holder and respective Group Leaders.
14. It should be noted that the Executive do not have to make any appointments and may ask officers to seek new nominations.

LEGAL IMPLICATIONS

15. The legal requirements involved in the appointment or election of Conservators have been followed.

FINANCIAL IMPLICATIONS

16. There are no financial implications relating to the appointments.

EQUALITIES IMPLICATIONS

17. It is important that appointments to outside bodies are made by the Council in a fair and representative way best suiting the interests and diversity of Borough residents.

RISK MANAGEMENT CONSIDERATIONS

18. None.

CONSULTATION

19. A public notice inviting applications has been posted on notice boards across the Commons. Details of nominees and accompanying biographical details have been made available in the Members Room for consideration.

POLICY FRAMEWORK

20. There are no policy implications.

Background Papers: None