



Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate

REPORT OF:	HEAD OF HEALTH AND WELLBEING
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TO:	EXECUTIVE
DATE:	20 APRIL 2017
EXECUTIVE MEMBER:	COUNCILLOR R. MILL

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

SUBJECT:	APPOINTMENTS TO THE BOARD OF THE BANSTEAD COMMONS CONSERVATORS
RECOMMENDATIONS: <p>(i) That the position historically filled by a representative of the London Borough of Sutton be kept vacant until such time that London Borough of Sutton are in a position to confirm their nominee;</p> <p>(ii) That the appointment of the representative of the London Borough of Sutton be delegated to the Head of Health and Wellbeing in consultation with the Deputy Leader (Executive Member for the Environment and Infrastructure) once their nomination has been received; and</p> <p>(iii) To consider each of the nominations for the Banstead Commons Conservators and appoint two representatives to fill the other two positions that have come to the end of their term.</p>	
REASONS FOR RECOMMENDATIONS: To ensure that positions on the Board of the Banstead Commons Conservators are suitably filled.	
EXECUTIVE SUMMARY: This report covers the annual appointment of representatives to serve on the Banstead Commons Conservators. Officers have delegated authority to accept those nominations (paragraph 1.12 of Officer Scheme of Delegation). In the event that the number of nominations received exceed the number of vacancies, or where nominations come from non members the matter is passed to the Executive for determination.	

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. The board consist of eight conservators appointed on a rolling basis and each serving a three year term of office. The posts are voluntary and unpaid.
5. 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. The provisions of the Act make it clear that the Council may appoint such persons as it sees fit. There is no stipulation restricting who may be appointed except that someone who is bankrupt or has compounded with his creditors is not eligible.
6. Acknowledging the contribution made by the London Borough of Sutton, which adjoins the Commons along its northern boundary, Reigate and Banstead Borough Council invites the London Borough of Sutton to nominate a representative which is subsequently appointed by RBBC.
7. 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 should fall to the Head of Health and Wellbeing in consultation with relevant Portfolio Holder and respective Group Leaders.
8. In 2016 in view of the fact that appointments to Banstead Commons Conservators include the nomination of non-members the Executive agreed that the Council should return to the previous approach with regard this particular 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 of appointments should be determined by the Executive.
9. Historically the Conservators have received core grant funding to help them achieve their objectives, however, the Council has recently reviewed this arrangement and is currently establishing a Service Level Agreement with the Banstead Commons Conservators.

KEY INFORMATION

Nominations

10. In 2017 in addition to the appointment of the representative of the London Borough of Sutton the terms of two other of the Conservators are due to conclude.

11. In light of the fact that London Borough of Sutton are yet to determine their nominee it is recommended that the position for the representative of the London Borough of Sutton be kept vacant until such time that they are in a position to confirm their nominee.
12. In view of the declared interests of the Leader and Executive Member for Leisure and Wellbeing (as a current Conservator or the wife of a current Conservator) it is recommended that the appointment of the representative of the London Borough of Sutton be delegated to the Head of Health and Well Being in consultation with the Deputy Leader and Executive Member for the Environment and Infrastructure.
13. 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 2017	Nominations	Term
Mr. N. Cull (London Borough Sutton) (31.03.2017)	Mr. N. Cull (London Borough Sutton)	TBC	Three Years
Cllr R.S. Mantle (31.03.2017) Mr. D. Atkins (31.03.2017) Mr. J.C. Mill (31.03.2018) Cllr V.W. Broad (31.03.2018) Mr. J. Clarke (31.03.2018) Dr. J.H. Peacock (31.03.2019) Mr. J. McCrea (31.03.2019)	Cllr R.S. Mantle Mr. D. Atkins	Cllr R.S. Mantle Mr. D. Atkins Mrs D. Walkling Dr. B. Osborne	Three Years

14. The Executive are asked to determine the two appointments and agree to the delegation of responsibility in relation to the appointment of the representative of the London Borough of Sutton.

OPTIONS

15. The Executive have the discretion to decide which nominees to appoint. Alternatively the Executive may ask officers to seek new nominations.

LEGAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS COMMUNICATION IMPLICATIONS

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

EQUALITIES IMPLICATIONS

18. 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.

19. The opportunities are advertised on notice boards across the Commons and the appointments are displayed in a similar way and listed on the Conservators website.

RISK MANAGEMENT CONSIDERATIONS

20. None

CONSULTATION

21. 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 and are set out in the exempt part 2 of the agenda to assist the Executive in reviewing the details of the nominations received.

POLICY FRAMEWORK

22. There are no policy implications.

Background Papers: None.