



<b>REPORT OF:</b>	HEAD OF HEALTH AND WELLBEING
<b>AUTHOR:</b>	Kamal Mehmood
<b>TELEPHONE:</b>	01737 276228
<b>E-MAIL:</b>	kamal.mehmood@reigate-banstead.gov.uk
<b>TO:</b>	EXECUTIVE
<b>DATE:</b>	29 MARCH 2018
<b>EXECUTIVE MEMBER:</b>	COUNCILLOR R. MILL

<b>KEY DECISION REQUIRED:</b>	NO
<b>WARD (S) AFFECTED:</b>	ALL

<b>SUBJECT:</b>	<b>APPOINTMENTS TO THE BOARD OF THE BANSTEAD COMMONS CONSERVATORS</b>
<b>RECOMMENDATIONS:</b>	
(i) <b>To consider each of the nominations to the Banstead Commons Conservators and appoint three representatives to fill positions that have come to the end of their term.</b>	
<b>REASONS FOR RECOMMENDATIONS:</b>	
To ensure that positions on the Board of the Banstead Commons Conservators are suitably filled.	
<b>EXECUTIVE SUMMARY:</b>	
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.	

<b>Executive has authority to approve the above recommendations</b>
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## STATUTORY POWERS

- Representation on outside bodies is made in accordance with Local Government Acts 1972 and 2000.
- 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 consists of eight conservators appointed on a rolling basis and each serving a three year term of office. Historically two have been elected representatives (councillors); one nominated by the London Borough of Sutton, which adjoins the Commons along its northern boundary, and the remainder nominated representatives from the local community. 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. In January 2015 the Council reviewed the process by which it makes appointments to all outside bodies and the Executive agreed responsibility for the determination of appointments should fall to the Head of Health and Wellbeing in consultation with the relevant Executive Member and respective Group Leaders.
7. 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.
8. The Conservators receive core grant funding, subject to a Service Level Agreement, to help them achieve their objectives.

## **KEY INFORMATION**

### **Nominations**

9. Three of the Conservators terms are due to conclude at the end of March 2018. These include two positions filled by elected representatives. The Executive are asked to determine the three appointments.
10. The current representatives and the nominations received are set out below. Additional information, including biographical details for each nominee, is set out in the Exempt part 2 section of the Executive's agenda.

Current Conservators and dates their terms expire	Representatives coming to the end of their term in 2018	Nominations	Term
Cllr V.W. Broad (31.03.2018) Cllr - Vacant (31.03.2018) Mr J.C. Mill (31.03.2018) Dr J.H. Peacock (31.03.2019) Mr J. McCrea (31.03.2019) Mr N. Cull (London Borough Sutton) (31.03.2020) Cllr R.S. Mantle (31.03.2020) Mr D. Atkins (31.03.2020)	Cllr V.W. Broad  Elected representative (vacancy)  Mr J. Mill	Cllr V.W. Broad  Cllr G. Curry  Mr J.C. Mill  Mr S. Guy	Three Years

### OPTIONS

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

### LEGAL IMPLICATIONS

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

### FINANCIAL IMPLICATIONS

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

### EQUALITIES IMPLICATIONS

14. 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.

### COMMUNICATION IMPLICATIONS

17. The positions have been notified to all Members through Group Leaders. In addition, a public notice inviting applications was posted on notice boards across the Commons.
18. The appointments will be publicised on noticeboards across the Banstead Commons and nominees notified of the outcome of the Executive decision.

### RISK MANAGEMENT CONSIDERATIONS

19. None

### OTHER IMPLICATIONS

20. None

## **CONSULTATION**

21. Details of nominees and accompanying biographical details have been made available in the Members Room. This information is set out in the Exempt part 2 section of the Executive's agenda.

## **POLICY FRAMEWORK**

22. There are no policy implications.

## **Background Papers:**

None.