

Cheltenham Borough Council
Standards Committee – 8th December 2006
Guidance for Members Appointed to Outside Bodies
Report of the Borough Solicitor & Monitoring Officer

1. Executive Summary and recommendation

- 1.1** Each year the council makes a large number of nominations, mainly elected members, to positions on external bodies such as Companies, trusts and unincorporated associations. These appointments can throw up some interesting issues concerning members conduct as the bodies themselves will often have their own rules in some cases statutory regulation governing the activities of those who take part in their running. For instance a member appointed to a company as a director on the board will find themselves subject to the rules relating to companies which are contained in both statute and in common law provisions. Members may also find themselves in a position of conflict of interest where the interest of the council and the body on which they are appointed are at odds. In addition the question of personal and prejudicial interests comes into play where councillors may be taking part in debates about decisions which would have a direct impact upon the bodies concerned.
- 1.2** In view of the complexity of these issues in some cases I propose to introduce some guidance for members appointed to outside bodies designed to assist them in identifying potentially problematic situations and offering some advice on how to proceed in those cases. I attach a first draft of this document for your consideration and comment and would welcome any thoughts you might have.
- 1.3 I therefore recommend that:**
- 1.3.1 Standards Committee instructs the Borough Solicitor to make any amendments which arise from the discussion and circulate the final draft to Members of the Standards Committee at the earliest opportunity for their approval.**
- 1.3.2 Subject to their approval the Borough Solicitor is instructed to submit the draft guidance to the Staff & Support Service Committee at the earliest opportunity in order that it might be considered by that committee before being submitted to full council for adoption. In the event that the Staff & Support Services Committee require significant amendment to the content of the document the Borough Solicitor shall bring that to the attention of the Standards Committee before progressing it for adoption.**

1.4 Summary of implications

- 1.4.1 Financial** There are no financial implications attached to this report.
- 1.4.2 Legal** There are no immediate legal implications for the Council arising from this report.
- 1.4.3 Human Resources** There are no human resource implications arising from this report.

Background Papers

Draft guidance for Members

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Accountability

Scrutiny Function