

To: **COUNCIL**
25 NOVEMBER 2015

EXTERNAL BODY REPRESENTATION
Director of Corporate Services – Democratic and Registration Services

1 PURPOSE OF REPORT

- 1.1 This report seeks the Council's approval to the appointment of Council representatives on South Hill Park Trust and notes the appointment to PATROL.

2 RECOMMENDATIONS

- 2.1 **That Council appoints two representatives to the South Hill Park Trust Board.**
- 2.2 **That Council amends existing and future four year terms of office for representatives to the South Hill Park Trust Board to be co-terminus with the Council's Annual General Meeting.**
- 2.3 **That Council notes the Leader's appointments to PATROL as described in paragraph 5.11.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 To appoint to vacancies on an external organisation and to note the Leader's appointment to another.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None.

5 SUPPORTING INFORMATION

South Hill Park Trust Board

- 5.1 Two vacancies have arisen for representatives on the South Hill Park Trust Board as a result of the resignation of the previous representative, Chas Baily and the end of the current term of office of Councillor Mrs Hayes MBE.
- 5.2 In recent history nominations have been co-terminus with South Hill Park Trust Board's Annual General Meeting in November but this has led to mid-year nominations rather than all the Council's external representatives being appointed at the Council's Annual General Meeting in May. It is therefore proposed that existing and future terms of office be made co-terminus with the Council's Annual General meeting in May in order to simplify the administration process. It is understood that South Hill Park Trust Board would be supportive of this transition but should they not accept this change than the existing terms would be reverted to.
- 5.3 South Hill Park Trust Board's constitution allows for a representative to stand for a second four year term of office but after two consecutive terms must stand down for

Unrestricted

one year. It is noted that members of the Board of South Hill Park Trust Ltd have voting rights.

- 5.4 South Hill Park Trust Board have previously advised the Council that once a nomination has been confirmed the representative would complete their term of office regardless of whether they continued to be an elected representative of Bracknell Forest Council for the duration of their term.
- 5.5 The Council has four positions on the Board with the expiration of four year terms staggered to ensure a continuity of representation. Accepting the proposal at recommendation 2.2 current representation is as follows:

Councillor Mrs Hayes

(Current term of office is due to expire at the November 2015 AGM but can be reappointed for a second four year term of office until May 2019)

Councillor Mrs McCracken

(Term of office expires May 2017 but as on second four year term would have to stand down for a year)

Councillor Tullett

(Term of office expires in May 2019 but can be reappointed for a second four year term of office until May 2023)

Vacancy

(Initial four year term of office would expire in May 2019 but could be reappointed for a second four year term of office until May 2023)

- 5.6 This is a Council appointment because it is not an executive function.

PATROL

- 5.7 The PATROL (Parking and Traffic Regulations Outside London) Joint Committee (PATROLAJC) has been established to enable councils undertaking civil parking enforcement in England and Wales and civil bus lane and moving traffic enforcement in Wales to exercise their functions under:
- a. section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations);
 - b. section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations);
 - c. Regulations 12 and 13 of The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations).

These functions are exercised through PATROL in accordance with Regulation 16 of the English General Regulations and Regulation 15 of the Welsh General Provisions Regulations. There are currently 306 council's party to the PATROL agreement.

- 5.8 Bracknell Forest Council undertakes civil parking and in order to exercise these powers, needs to provide access to independent adjudication Independent

Unrestricted

adjudication is provided through the Traffic Penalty Tribunal for which the Joint Committees make provision.

- 5.9 The Joint Committees defray their expenses amongst member councils in respect of costs of adjudication and any other such matters that the Joint Committee lawfully undertakes. Each member authority is required to nominate a Member (and a substitute where possible) to sit on the Joint Committee which meets once a year and appoints an Executive Sub Committee and Resources Sub Committee to take forward business between meetings.
- 5.10 Further background information (including past agendas and papers) can be found on the PATROL web site by following the link:
<http://cpapers.patrol-uk.info/Committee.aspx?id=Collection-28516>.
- 5.11 A vacancy had arisen for a representative on the PATROL as a result of the death of the previous representative, Councillor Mrs Ballin. The Leader has appointed Councillor Turrell as representative and Councillor Brossard as substitute to the Joint Committee of England and Wales for the civil enforcement of Parking and Traffic Regulations Outside London (PATROL).
- 5.12 This appointment is decided by the Leader because it is an executive function.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 *Nothing to add to the report.*

Borough Treasurer

- 6.2 *Any costs associated with this appointment will be met from within the Council's existing budget.*

Equalities Impact Assessment

- 6.3 Not relevant to this report.

Strategic Risk Management Issues

- 6.4 Not relevant to this report.

7 CONSULTATION

Principal Groups Consulted

- 7.1 Leader of the Council.

Method of Consultation

- 7.2 Discussion with the Leader.

Representations Received

7.3 Not applicable.

Background Papers

None

Contact for further information

Ann Moore, Corporate Services - 01344 352260

ann.moore@bracknell-forest.gov.uk