

Cabinet Appointments to Outside Bodies and Sub-Committees

Report of the Democracy and Governance Portfolio Holder

Recommended:

1. That Councillors Bundy, A Dowden, Swain and Hatley be appointed to the Eastleigh Borough Council/Test Valley Borough Council Liaison Group.
2. The Councillor Adams-King be appointed to PATROL.
3. That the Deputy Leader be appointed to the Partnership for South Hampshire Committee.
4. That Councillor Adams-King be appointed to South East Councils.
5. That the membership of the Scrap Metal Dealers Hearing Sub-Committee consist of three members drawn by the Head of Legal and Democratic Services from the membership of the Cabinet.

Summary:

- This report seeks to appoint members to a number of outside bodies that the Council works with in order to share information and knowledge on matters of mutual interest in order to better fulfil its obligations.
- The report also seeks to establish a Sub-Committee to deal with hearing representations regarding applications for Scrap Metal Dealers Licences.

1 Introduction

- 1.1 The Council has a number of agreements in place with other local authorities in order to fulfil its duties and share information and knowledge about a range of issues with partner organisations.
- 1.2 Legislation requires that the membership of the Scrap Metal Dealers Hearing Sub-Committee is appointed to by Cabinet.

2 Background

Eastleigh Borough Council/Test Valley Borough Council Liaison Group

- 2.1 The Borough Council has had a joint arrangement with Eastleigh Borough Council for many years to consider matters of mutual interest. It is necessary to appoint members to this Liaison Group.
- 2.2 Councillors Bundy, A Dowden, Hatley and Swain were appointed to serve on this Liaison Group in 2021/22.

- 2.3 Cabinet is asked to appointment members to serve on the Eastleigh Borough Council/Test Valley Borough Council Liaison Group for 2022/23.

PATROL

- 2.4 The Council has powers in respect of decriminalised parking enforcement. The PATROL Adjudication Joint Committee was established to enable councils in England undertaking civil parking enforcement to exercise their functions under Section 81 of the Traffic Management Act 2004 (TMA) and Regulations 16 and 17 of The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.
- 2.5 There is a statutory obligation for civil enforcement authorities to make provision for independent adjudication for appeals against civil traffic penalties. This requirement is fulfilled by joining the PATROL Joint Committee, which provides resources for the Traffic Penalty Tribunal. The PATROL Adjudication Joint Committee Agreement (to which Test Valley Borough Council is party) requires nomination of a Councillor to the Joint Committee.
- 2.6 Cabinet is asked to appoint a member to PATROL.

Partnership for South Hampshire

- 2.7 The Council has had a joint voluntary agreement with ten other local authorities across South Hampshire to deliver regeneration of the core areas in the south Hampshire sub-region. It is necessary to appoint a member to the Joint Committee on an annual basis.
- 2.8 The joint arrangements provide for the discharge of a Council function which contributes to the Council's Corporate Objectives.
- 2.9 Cabinet is asked to appoint a Member to the Partnership for South Hampshire.

South East Councils

- 2.10 South East Councils is an organisation established to represent the views of local authorities on the South East region which aims to promote and maintain the South East's position as a leading global economy, seek fair funding for the region and monitor and highlight the economic pulse of the South East.
- 2.11 Test Valley Borough Council has been a member of South East Council's since 2021. Cabinet is asked to appoint a Member to South East Councils.

Scrap Metal Dealers Hearing Sub-Committee

- 2.12 At its January 2014 meeting (Minute 238 of 15 January 2014 refers), Cabinet agreed to establish a Scrap Metal Dealers Hearing Sub-Committee. As a result it was also agreed:

- a) That a Committee of the Cabinet be established for the purposes of hearing representations regarding an application for a Scrap Metal Dealers Licence, and that such a Committee consist of three members drawn by the Head of Legal and Democratic Services from the membership of the Cabinet.
- b) That in the event of a member selected becoming unavailable, the Head of Legal and Democratic Services is authorised to select a replacement from the membership of the Cabinet.
- c) That the Committee undertake any hearing in accordance with the Procedure Rules attached as an Annex to the report to the Sub-Committee, subject to the Rules being amended to provide for the appointment of a Chairman by the Committee.

2.13 Legislation requires that the membership of the Scrap Metal Dealers Hearing Sub-Committee is appointed to by Cabinet.

2.14 Cabinet is asked to re-confirm the membership of the Scrap Metal Dealers Hearing Sub-Committee on the basis set out above.

3 Corporate Objectives and Priorities

3.1 The arrangements provide for the discharge of Council functions which contribute to the Council's Corporate Objectives.

4 Options and Option Appraisal

Option 1

4.1 To not appoint to the outside bodies and sub-committee as set out in the report.

4.2 Appointing to the outside bodies ensures that the Council is able to continue to work with partners to consider areas of mutual interest, maintain good working relationship and share knowledge and ideas. To not appoint to these position would mean the Council will no longer actively engaged with its partners in key areas.

4.3 The Council is required to make an appointment to both PATROL and PfSH in order to fulfil its agreements and legal obligations. By not appointing to these appointments the Council would be failing to meet with its partnership agreement and to fulfil its legal obligation.

4.4 Legislation requires that the membership of the Scrap Metal Dealers Hearing Sub-Committee is appointed to by Cabinet. By not appointing membership the Council would not be in a position to hold a Scrap Metal Dealers Hearing Sub-Committee if required.

Option 2

4.5 To appoint Members to the outside bodies and sub-committee as set out in the report. This is the recommended option.

- 4.6 This will allow the Council to consider matters of mutual interest and continue good working relationships with its partners, ensuring effective development of ideas and knowledge sharing.
- 4.7 The Council is required to make an appointment to both PATROL and PfSH in order to fulfil its partnership agreement and legal obligations.
- 4.8 Cabinet is required to appoint the membership of the Scrap Metal Dealers Hearing Sub-Committee.

5 Risk Management

- 5.1 A Risk Management questionnaire has been completed and indicates this report does not require a risk assessment because the changes/issues covered by this report are not significant in terms of risk or have previously been considered.

6 Resource Implications

- 6.1 No additional resource implications have been identified.

7 Legal Implications

- 7.1 The Council is required to appoint a Member to PfSH in order to provide for the discharge of a Council function and fulfil its partnership agreement.
- 7.2 The Council is required to make an appointment to PATROL in order to fulfil its legal obligations.
- 7.3 Cabinet is required to appoint the membership of the Scrap Metal Dealers Hearing Sub-Committee.

8 Equality Issues – None

9 Other Issues

- 9.1 Community Safety – None
- 9.2 Environmental Health Issues – None
- 9.3 Sustainability and Addressing a Changing Climate – None
- 9.4 Property Issues – None
- 9.5 Wards/Communities Affected – None

10 Conclusion

- 10.1 That the member identified in the report be appointed to the Sub-Committee and Outside Bodies in order for the Council to continue to fulfil its obligations and strengthen partnerships.

Background Papers (Local Government Act 1972 Section 100D)

None

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	None	File Ref:	N/A
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(Portfolio: Democracy and Governance) Councillor I Jeffrey

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Report to:	Cabinet	Date:	22 June 2022
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