

Committee(s):	Date(s):
Port Health & Environmental Services Committee Court of Common Council	15 July 2014 24 July 2014
Subject: Thames Estuary Partnership – appointment of a Director/Trustee	Public
Report of: Director of Markets and Consumer Protection	For Decision
Summary	
<p>The City Corporation, in its role as London Port Health Authority, is a partner with the charity the ‘Thames Estuary Partnership’ (TEP) with which it works closely on matters such as shellfish in the estuary and water quality of the river.</p> <p>TEP has invited the City to take on a role of Corporate Director/Trustee, but the City does not accept such appointments. Rather it is the City Corporation’s practice to appoint a Member of the Court of Common Council to serve in an individual capacity and these appointments are normally made by the Court of Common Council.</p> <p>Mr Nigel Challis CC (a member of your Committee between 2008 and 2014) has been acting as the Corporation’s representative and has indicated that he is prepared to continue to do so, subject to this Committee and the Court of Common Council’s consent. The purpose of this report, therefore, is to seek your Committee’s formal endorsement to make an appointment to the TEP Board of Trustees/Directors, and to recommend to the Court of Common Council that Mr Challis be authorised to undertake this outside body appointment.</p> <p>Recommendation(s)</p> <p>Members are asked to:</p> <ul style="list-style-type: none"> • Recommend to the Court of Common Council that Mr Nigel Challis CC be appointed as a Director/Trustee of the Thames Estuary Partnership. 	

Main Report

Background

1. The Thames Estuary Partnership (TEP) provides a neutral forum for local authorities, national agencies, industry, voluntary bodies, local communities

and individuals to work together for the good of the Thames Estuary. It is a charity that provides a framework for the management of the estuary.

2. The City Corporation, in its role as London Port Health Authority is a formal partner with TEP together with other organisations such as the Environment Agency, Port of London Authority and Thames Water.
3. TEP has invited the City Corporation to be a Corporate Director/Trustee of the charitable company. It is not the City Corporation's practice to accept these corporate appointments to outside bodies, but rather to nominate or appoint Members (as the case may be) in their individual capacity. Representation on the TEP Board has been undertaken to-date by Mr Nigel Challis CC; an appointment which was previously approved by your Committee. Normally appointments to outside bodies of this nature are advertised to all Members of the Court and, where necessary, balloted upon. Thus the appointments are formally approved by the Court of Common Council.
4. The Partnership undertakes a range of functions including:
 - Coordination of a projects programme;
 - Facilitation of new projects and forums for Joint working
 - Organisation of events and workshops
5. TEP seeks to balance the interests of local communities, the local economy and the environment. It involves all those who have an interest in the estuary and has established a series of Action Groups to facilitate joint working.
6. London Port Health Authority (LPHA) has been involved with TEP, particularly in relation to Shellfish, and is a member of the Fisheries Action Group. LPHA takes advantage of the neutral stance offered by TEP to discuss sensitive matters with the industry that may not otherwise be covered.
7. As an example of a joint project that is of significance to LPHA, TEP has been working with the environmental charity Thames21 to improve water quality in the Thames. The project covers the tidal area of the River Thames – from Teddington Lock downstream to Haven Point on the north bank of the Thames Estuary in Essex and Warden Point on the south bank in Kent, which is coterminous with the LPHA area.
8. TEP has been instrumental in coordinating a response to the consultation on the Water Framework Directive. They have used their contacts with the wider community interested in the Thames to collate the diverse views and connect with individuals and groups who would otherwise be unlikely to respond to government consultations by setting up “pop up” sessions at River based events. This has led to a new collaborative group – “Your Tidal Thames” Framework Directive Consultation.
9. In addition, TEP's newsletter “Talk of the Thames” has featured a number of articles about the work of LPHA, including the Annual Fishing Experiment and its role at London Gateway Port.

Current Position

10. As indicated above, following the invitation extended to the City Corporation to become a corporate Director/Trustee of the charity, Mr Nigel Challis CC has been representing the City Corporation on TEP with the consent of your Committee. However, outside body appointments, whereby the City Corporation appoints a Member of the Court of Common Council to serve on a specific outside body, would normally be made by the Court of Common Council. This is usually done by ballot where there is more than one expression of interest.
11. The Corporation's usual practice in relation to corporate directorships is to appoint an individual Member who acts in his/her personal capacity. It is therefore necessary for your Committee, having responsibility for matters relevant to the activities of the charity, to consider whether a Member of the Court of Common Council should be appointed to TEP and if so, make such a recommendation to the Court of Common Council.
12. TEP have confirmed that their invitation to the City Corporation to be represented on their Board is also extended in the alternative to a Member nominated or appointed by the City Corporation.
13. Given the close working relationship between LPHA and TEP, it would be advantageous for the City Corporation, to maintain those links by appointing a Member to the TEP Board.
14. Mr Challis, a Member of your Committee until April this year, has indicated that he is prepared to continue on the Board, subject to this Committee and the Court of Common Council's consent. Mr Challis has built up a good understanding of the TEP's work and has made a considerable contribution to the board.

Options

15. On the assumption that the City Corporation's links with the TEP should continue through an appointment to that Board, there are two options available to your Committee:
 - (i) that a vacancy for this appointment be advertised, in the normal manner, ahead of the meeting of the of Common Council where that matter is to be considered; thus inviting expressions of interest from amongst all Members of the Court of Common Council; ;or
 - (ii) endorse Mr Challis as the City Corporation's appointee and recommend to the Court of Common Council that he be formally appointed.

Proposals

16. Given the interest shown by Mr Challis in this position and his first-hand experience of the work of the TEP to date, your Committee is encouraged to endorse his appointment to the TEP Board, and recommend his appointment to the Court of Common Council to obtain formal approval.

Corporate & Strategic Implications

17. The work undertaken by the TEP is of importance to the LPHA, and in line with the City Corporation's vision it assists in providing 'high quality, accessible services benefitting its communities, neighbours, London and the nation.'

Implications

18. There are no financial implications. A Member serving on an outside body has a responsibility to take an active and informed role in the management of the outside body's affairs and to meet their duty of care to that body. Members must behave ethically, report back to the City Corporation where appropriate, and be mindful of the need to manage any conflicts of interest which may arise in undertaking their role on the outside body and as an elected Member of the City Corporation.

Conclusion

19. The City Corporation through its role as LPHA actively supports the work of the TEP, and it would be beneficial to continue to have representation at board level. Mr Nigel Challis CC is prepared to undertake this role, and given his experience the Committee is asked to endorse and recommend, for approval, his appointment to the Court of Common Council.

Appendices

None.

Background papers

- Invitation to Corporation of London to join Thames Estuary Partnership (TEP) as a Trustee letter 2012
- Minute from the PHES Committee meeting held on 18/01/2013: *Members considered appointing a member of the Committee to become a trustee of the Thames Estuary Partnership Board.*
RESOLVED – *That Nigel Challis be appointed as the Committees trustee on the Thames Estuary Partnership Board and that the appointment be reviewed when appropriate.*
- Email from Executive Director of TEP containing documents for completion dated Wed 07/08/2013 16:17

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