

# REPORT TO CANAL & RIVER TRUST COUNCIL

## APPOINTMENTS COMMITTEE REPORT

### Update Report by the Appointments Committee March 2015

#### 1. Remit

The Appointments Committee is a joint committee of 3 Trustees and 3 Council members. The remit is defined by Article 27 of the Canal & River Trust Articles of Association (attached as **Annex 2**). Current members are:

| Trustees   | Council Members                              |
|--|--|
| Lynne Berry (Committee Chair)<br>Tom Franklin (to end 2014)<br>Jane Cotton (from January 2015)<br>Tony Hales | Alison Ward<br>Clive Henderson<br>Mark Penny |

This paper reviews the tasks undertaken since the September 2014 meeting of the Council.

#### 2. Partnership Chair Appointments

##### 2.1 New Appointments

##### 2.1.1 North Wales & Borders, South Wales & Severn and North West Partnerships

The positions were advertised on the Trust website. Social media and informal networks were used to disseminate the opportunity. In each case, applicants were subsequently interviewed by a panel drawn from the Committee.

The Committee was unanimous in making 3 Chair appointments:

- **Brenda Harvey** North Wales & Borders Partnership
- **David Hagg** South Wales & Severn Partnership
- **Bob Pointing** North West Partnership

Brenda and David took up their appointments for 3 years from 14 November 2014. Bob was appointed for 3 years from 26 January 2015. Brief biographies are appended at **Annex 1**.

We are delighted to welcome the 3 new Chairs to their first Council meeting.

##### 2.2 Second Term appointments

Six Partnership Chairs come to the end of their first term on 28 March 2015 as below:

| Partnership Chair | Partnership    |
|-------------------|----------------|
| Charlotte Atkins  | Central Shires |
| Danny Brennan     | East Midlands  |
| Brian Fender      | London         |
| Mark Penny        | North East     |
| John Best         | South East     |
| Mark Lang         | All Wales      |

All indicated they were willing to complete a further term.

Under the revised Rules agreed by Council in September 2014, in particular Rule 2.5, the Committee is able to make a 2<sup>nd</sup> term appointment without public advertisement, on the basis that the Committee is satisfied with the annual appraisals of the Partnership Chairs. Such appointments are subject to approval by the Trustees.

Tony Hales and Lynne Berry who conducted the annual appraisals, recommended the reappointment of all 6 Chairs.

**The Committee decided to:**

- re-appoint **Charlotte Atkins, Danny Brennan, Brian Fender, Mark Penny and John Best** for a further term of 3 years from 28 March 2015
- reappoint **Mark Lang** for up to 6 months pending a review of the All Wales Partnership which is under consideration (*see separate paper*).

We are delighted that all have accepted a second term. The Trustees will be asked to approve these appointments at their meeting on 26 March 2015.

**3. Nominated Member of Council**

The LGA have nominated **Jim Harker** to the Trust Council and Jim will join us for the Council meeting. Jim is Leader of Northamptonshire County Council and holds a number of Board positions within LGA. He is a Board Member of Northamptonshire Enterprise Partnership. We welcome him as a Council Member.

**4. Boater Representation on Council**

At the Council meeting in September 2014, Ann Farrell asked that consideration should be given to increasing the number of elected private boater members on Council from 4 to 5 from 2016.

In making the proposal, Ann Farrell pointed to the contribution boaters make

- in generation of income for the Trust
- through economic activity on the waterways
- as volunteers and in supporting and running events and other waterway organisations
- and the numbers of individuals involved – approximately 30,000 12-month licence holders, circa 35,000 boats, which gross up to a much larger number if family, friends and shared ownerships are considered

This was referred back for consideration by the Appointments Committee.

A short position paper was drafted for consideration by the Committee. Ann Farrell also provided a paper supporting her proposal which was circulated to the Committee at the same time.

The position paper noted:

- the balance of stakeholder interests in the current make-up of the Council
- the ratio of elected boaters to total boater numbers, and comparators for other electoral constituencies – Boating Business, Friends of the Trust, Volunteers, Employees
- the numbers of private boaters have remained flat since 2012
- from 2016, a new nominated seat for IWA, whose members include many boaters

- the new elections in 2016 for Friends and Volunteers in which Boaters would be able to take part where they meet eligibility criteria

**The Committee concluded** that any further changes to the Council beyond those agreed in the Rules approved by the Council in September 2014, which might include increased representation for any one group, would best be considered when we have further experience with the Council in its second term.

Therefore, the Appointments Committee rejected the suggested increase in boater representation, noting that this is a matter that will be kept under review and considered as part of the next Governance Review due to take place no later than 2019.

## **5. Election Regulations for 2015/16 elections**

Under Rule 1.13, the Appointments Committee may prescribe detailed regulations for the conduct of any election of Council members.

Regulations for forthcoming elections have been drafted with the benefit of the 2012 election review. A copy of the Regulations approved by the Appointments Committee is appended as **Annex 3**.

The Regulations provide for an increase in the elected places on Council from 7 to 9 to include:

- one member to be elected from amongst Volunteers registered with the Trust (4.3)
- another member to be elected from amongst the Friends of the Trust (4.4)

In addition

- the forthcoming elections will be run online
- electors may vote in all constituencies where they meet eligibility criteria (5.3), and may stand for election in only one constituency (5.2)

Eligibility criteria for the new constituencies have been drawn-up with the assistance of relevant colleagues in the Trust with knowledge of these groups.

Eligibility for Private Boaters are unchanged from the 2012 election, as are the criteria for employees. Minor changes have been made to the Boating Business criteria to improve clarity.

Although not part of the Regulations, a communications plan is being developed to promote the elections from April onwards.

**The Council is asked to note this report.**

**Roger Hanbury  
Head of Governance Services  
11 March 2015**

## NEWLY APPOINTED CHAIRS – BIOGRAPHIES

### **Brenda Harvey, North Wales & Borders**



For the past five years Brenda has run her own company providing management and consultancy advice with a particular emphasis on partnerships and inter-agency working in the public sector. Before this Brenda spent nearly thirty years working in local government. She is a qualified town planner who has worked on regeneration and partnership projects throughout her career including as Chief Executive of Ellesmere Port & Neston Borough Council in Cheshire. Brenda was a Trustee of The Waterways Trust and a member of the Museums & Attractions Partnership of the Canal & River Trust. In a voluntary capacity she played a key part in the production of plans for the future of the National Waterways Museum and the Stoke Bruerne Canal Corridor.

### **David Hagg, South Wales & Borders**



David is Chief Executive of Stroud District Council. His authority is leading the award winning restoration of the Cotswold Canals in the Stroud Valleys. Recent awards include the Campaign for the Protection of Rural England (CPRE), the Living Waterways Awards and the Institution of Civil Engineers. He has been a member of a wide range of regional and national bodies; the most recent being as a Commissioner on the Low Commission.

### **Bob Pointing, North West Partnership**



Bob joined the Partnership as Chair in January 2015. He has previously worked as Chief Executive of the West Lakes Renaissance Urban Regeneration Company, as the Director of the North Liverpool Partnership and as Chief Executive of the Douglas Valley Partnership responsible for delivering Wigan City Challenge where he successfully brought in £150m of private sector investment and won the British Urban Regeneration Association's Award for Partnership in Regeneration. He has also worked for the Government Office in the North West (Merseyside), the Civic Trust and in housing in Merseyside and Manchester. Bob is currently a Visiting Fellow at the Heseltine Institute, University of Liverpool.

**Article 27 of the Canal & River Trust Articles of Association****27. Appointments Committee**

- 27.1 There shall be an Appointments Committee which shall be a joint committee of the Board and the Council comprising an equal number of Trustees and A Members (being no fewer than two of each).
- 27.2 The role of the Appointments Committee shall be, through an open and transparent process to:
- 27.2.1 identify from time to time appropriate constituencies which shall be invited to nominate or elect persons to serve on the Council pursuant to Article 29.3;
- 27.2.2 recommend from time to time whether the Rules should provide for the Council seats in respect of a particular stakeholder constituency to be filled by an election process or through nominations (or a combination of the two), and in the case of nominations, identify appropriate stakeholder bodies or groups which shall be invited to make the nominations;
- 27.2.3 identify and co-opt no more than five persons or 10% of the total membership of the Council (whichever is the less) onto the Council to promote a suitable balance of knowledge, experience and representative qualities on the Council;
- 27.2.4 manage the recruitment process for the Board of Trustees and make recommendations to the Council pursuant to Article 22.2; and
- 27.2.5 appoint the chairs of Waterways Partnerships, who shall become A Members and join the Council on appointment *ex officio*.

## CANAL & RIVER TRUST (The Trust) 2015/16 Council Electoral Regulations

### 1. The Elections

- 1.1 Current members of the Trust Council come to the end of their term of office in March 2016.
- 1.2 A new Council will then take office from the date of the Council meeting in March 2016.
- 1.3 The new Council will be formed under the Trust Rules dated 24 September 2014. A copy of the Trust Rules can be found [here](#).
- 1.4 Elections for those members to be selected by election will take place between September and December 2015.
- 1.5 These Regulations agreed by the Joint Trustees and Council Appointments Committee set how the Council elections will be run.
- 1.6 The election will be conducted online.
- 1.7 A secure dedicated website, accessible directly or by a link from the Trust main website will provide for all stages of the election including nomination and sponsoring of election candidates, candidate manifestos, election communications and support, and voting.

### 2. Constituencies

Under Rule 1.2 the election constituencies and the numbers of members to be elected are as follows:

| Constituency         | Number to be elected |
|----------------------|----------------------|
| Private Boating      | 4                    |
| Boating Business     | 2                    |
| Volunteers           | 1                    |
| Friends of the Trust | 1                    |
| Employees            | 1                    |

### 3. Time Plan

The Time plan for the Council Elections will be as follows:

| Event  | Date                        |
|--|-----------------------------|
| Election website available by link from <a href="http://www.canalrivertrust.org.uk">www.canalrivertrust.org.uk</a> | Monday 30 March 2015        |
| Nominations open   | Friday 4 September 2015     |
| Nominations close  | Wednesday 30 September 2015 |
| Publication of candidates standing for election and their manifestos   | Friday 16 October 2015      |
| Last date for candidates to withdraw their candidature   | 1700 Friday 23 October 2015 |
| Voting opens   | Friday 6 November 2015      |
| Voting closes  | Friday 4 December 2015      |
| Results announced  | Monday 7 December 2015      |
| First meeting of the new Council   | March 2016                  |

#### **4. Eligibility**

Eligibility criteria for those who may stand for election, sponsor candidates, and vote in the elections in each constituency are as follows:

##### **4.1 Private boating**

To be eligible to stand for election, sponsor an election candidate and vote in the election in this constituency, you must hold a 12-month canal or river boat licence on 30 September 2015.

To stand for election your nomination must be supported by 10 sponsors who each meet this criterion.

To serve on Council, you must continue to hold a valid 12-month canal or river boat licence throughout your term of office.

Employees of the Trust are not eligible to stand for election, sponsor candidates, or vote in this constituency.

##### **4.2 Boating Business**

To be eligible to stand for election and serve as a Council member in this constituency, you must satisfy one of the following criteria:

Criterion 1. You must have one of the following with the Trust:

- Marina Connection or Network Access Agreement
- Property contract for a boatyard, hire boat base, mooring site or other boating business use
- Business Boat licence
- Freight vessel registered with the Trust

Or

Criterion 2. You must be an officer or employee of a trade association or an individual that represents the interests of boating businesses

To stand for election your nomination must be supported by 5 sponsors who each satisfy Criterion 1 above.

To be eligible to vote in the election in this constituency, you must satisfy Criterion 1.

Employees of the Trust are not eligible to stand for election, sponsor candidates, or to vote in this constituency.

##### **4.3 Volunteers**

To be eligible to stand for election, sponsor an election candidate, and vote in the election in this constituency, you must have registered as a volunteer with the Trust.

In addition you must have volunteered directly for the Trust in the 12 months immediately preceding 30 September 2015. This volunteering time must have been recorded on the Trust's database and must be in addition to any time volunteered as a member of an Advisory Group, Partnership or the Trust Council.

To stand for election your nomination must be supported by 5 sponsors who each meet these criteria.

To serve on Council you must, throughout your term of office, continue to be registered as a volunteer with the Trust and continue to volunteer regularly, such hours to be spent directly on work for the Trust and in addition to any time volunteered as a member of an Advisory Group, Partnership or the Trust Council.

Employees of the Trust are not eligible to stand for election, sponsor candidates, or vote in this constituency.

#### **4.4 Friend of the Trust**

To be eligible to stand for election, sponsor an election candidate, and vote in the election you must have supported the work of the Trust by means of an active Direct Debit for at least 4 months on 30 September 2015.

Your direct debit payment must be for at least £3 a month or equivalent amount if paid on a quarterly, bi-annual or annual basis.

To stand for election your nomination must be supported by 5 sponsors who each meet these criteria.

To serve on Council you must, throughout your term of office, continue your direct debit payment of at least £3 a month or equivalent amount if paid on a quarterly, bi-annual or annual basis.

Employees of the Trust are not eligible to stand for election sponsor candidates or vote in this constituency.

#### **4.5 Employees**

To be eligible to stand for election, sponsor an election candidate, and vote in the election in this constituency, you must be a Trust employee on 30 September 2015.

To stand for election your nomination must be supported by 5 sponsors who each meet this criterion.

Executive Directors are not eligible to stand for election, sponsor candidates, or vote in this constituency.

Agency staff and others contracted but not on the payroll of the Trust are not eligible to stand for election, sponsor candidates, or vote in this constituency.

To serve on Council you must continue to be an employee of the Canal & River Trust throughout your term of office.

### **5. General Provisions**

**5.1** Candidates may withdraw their candidature from the election at any time up to 1700 on Friday 23 October 2015.

**5.2** Electors may not stand for election in more than one constituency.

**5.3** Electors may vote in all elections in which they meet the eligibility criteria.



- 5.4 Each election candidate will be provided with space to publish a 150-word message or 'manifesto' on the election website to support their election candidacy.
- 5.5 Election candidates are required to declare any committee membership, officer, trusteeship, directorship or other official position held with any inland waterway organisation during the 12 months immediately preceding 30 September 2015.
- 5.6 Any organisation (meaning a company, partnership, unincorporated association or other collection of two or more people) which is eligible to vote in any of the elections will only have one vote for each election in which it meets the eligibility criteria.
- 5.7 The electoral method will be the Single Transferable Vote.
- 5.8 The election managers will be Electoral Reform Services.
- 5.9 In the event of any dispute arising from the application and interpretation of these Regulations, the matter will be considered by the Appointments Committee and their decision will be final.

**March 2015**