

REPORT TO MARR AREA COMMITTEE – 20TH AUGUST 2019

CONFIDENT GOVERNANCE – NOMINATION TO TORPHINS PATHS GROUP SCIO

1 Recommendations

The Committee is recommended to:

1.1 Nominate an Elected Member to the Torphins Paths Group SCIO in an observer capacity.

2 Background / Discussion

- 2.1 At its meeting on June 27th 2019, Full Council agreed that the Council be represented on the outside body; Torphins Paths Group SCIO and that this Committee be delegated to nominate the Elected Member.
- 2.2 This report now seeks the nomination of an Elected Member in an observer capacity. This means that the Elected Member will attend the meetings of the body but will not become a member of the body and is there to observe proceedings or provide advice on what the Council's position is on a particular issue. Members should be aware that when they take on an observational role, they must be careful to limit their remit accordingly and not inadvertently influence policy or management decisions of the body, otherwise they may be treated as decision-makers for the organisation and thereby take on liability for the decisions made.
- 2.3 [Torphins Paths Group](#) is a Scottish Charitable Incorporated Organisation (SC049120) which aims to improve and develop paths for walking and cycling in and around Torphins and to develop new paths connecting Torphins with other communities.
- 2.4 The nomination to outside bodies is managed through the Confident Governance process. This provides a cohesive and consistent process. All outside bodies provide their constitutional documents, accounts and complete an application form and these are examined by officers before the request for representation is put to Full Council. Elected Members who are nominated to an outside body will receive copies of these documents.
- 2.5 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

- 3.1 The Committee is able to consider and take a decision on this item as Full Council delegated the remit to nominate to the outside body on June 27th 2019 as it relates to the Marr Area.

4 Implications and Risk

- 4.1 An equality impact assessment is not required because the nomination of an elected member to an outside body does not have a differential impact on any of the protected characteristics.
- 4.2 There are no staffing and financial implications.
- 4.3 No Risks have been identified as relevant to this matter on a Corporate Level or a Strategic Level.

Ritchie Johnson Director of Business Services

Report prepared by Ann Overton, Senior Solicitor (Democratic Services)
July 4th 2019