

26 JUNE 2018

**APPOINTMENT OF NON-COUNCILLOR MEMBERS****REPORT BY DIRECTOR**

This report notifies the Partnership of Mr Gavin Roser's intention to stand down from the position of non-Councillor member of the Partnership and seeks agreement to arrangements for appointing a replacement, and also seeks approval of extensions to the terms of appointment of Ms Trudi Craggs and Mr David Scotney until 30 September 2020.

**1. RECOMMENDATIONS**

## 1.1 That the Partnership :-

- (i) notes the resignation of Mr Gavin Roser from the position of non-Councillor member of the Partnership effective from 30 September 2018 and agrees to enter into a recruitment process to fill the resultant vacancy;
- (ii) agrees to delegate authority to carry out the resultant recruitment and appointment process to the Executive Committee;
- (iii) extends its thanks and appreciation to Gavin Roser for his significant contribution to the work of the Partnership since his appointment in March 2007; and
- (iv) agrees to extend the appointments of Ms Trudi Craggs and Mr David Scotney as non-Councillor members of the Partnership until 30 September 2020.

**2. BACKGROUND**

- 2.1 The membership of the Partnership is prescribed within the Regional Transport Partnerships (Establishment, Constitution and Membership) (Scotland) Order 2005, which requires that either 4 or 5 non-Councillor members are appointed. The Partnership has previously taken the view that it would wish to appoint the maximum of 5 non-Councillor Members, as permitted by legislation.
- 2.2 Non-Councillor members were originally appointed by Scottish Ministers during 2006 and 2007 for initial 2-year terms. Legislation provides for subsequent non-Councillor appointments to be made by the Partnership, subject to formal endorsement by Scottish Ministers. There is no limit to the number of times that a non-Councillor member can be appointed or to the number of years he or she can serve. The Partnership has generally made

non-Councillor appointments for an initial period of 2 years, with further 2-year extensions subject to agreement by the Partnership Board.

- 2.3 The procedure specified by Scottish Government relating to reappointment of non-Councillor members requires that any submission for Ministerial endorsement is accompanied by an appraisal of the member's suitability for reappointment. The Partnership has previously resolved that the necessary appraisals of member performance are undertaken by the Chairperson (Report RTP/09/33 refers).
- 2.4 Based upon previous advice provided by the Public Appointments and Diversity Centre of Expertise (PACE) and Transport Scotland any vacancies arising for non-Councillor membership are advertised on the Partnership's own website and by circulation to stakeholders. In addition PACE has offered to advertise any vacancies on their website.
- 2.5 As has been reported previously, the Scottish Government is seeking to improve the representation of women on the boards of Scottish public authorities. The Gender Representation on Public Boards (Scotland) Act 2018 received Royal Assent on 9 March 2018. This sets a 'gender representation objective' whereby, for non-executive member components of public boards (i.e. non-Councillor appointments in the case of RTPs), public boards should seek to ensure that 50% of non-executive members are women. The Act places duties on listed public authorities (including RTPs), appointing persons and Scottish Ministers in connection with their role in achieving the gender representation objective.
- 2.6 The Act accepts that appointments must be made on merit but, where there are two or more equally qualified candidates for appointment, the appointing person(s) must appoint a candidate who is a woman if doing so will result in achieving, or making progress towards, the gender representation objective. There is scope to consider whether appointment of a person who is not a woman is justified on the basis of a characteristic or situation particular to that person.
- 2.7 In addition public authorities and appointing persons must take such action as they consider appropriate to encourage applications from women and, where the gender representation objective has not been achieved, must take such additional steps to achieve this as they consider appropriate. The legislation also includes a requirement to report on progress toward meeting the gender representation objective.
- 2.8 The Act requires that Ministers must publish guidance, which is currently being drafted with a view to consulting on draft guidance in summer/autumn 2018, with final guidance published around the end of 2018 and the duties under the Act coming into full force in Spring 2019.

### **3. DISCUSSION**

#### Mr Gavin Roser

- 3.1 Gavin Roser was appointed as a non-Councillor member by the Partnership in March 2007. Subsequent two year extensions to Gavin's appointment were approved at the Partnership meetings on 22 September 2009 (Report RTP/09/33 refers), 21 June 2011 (Report RTP/11/12 refers), 18 June 2013 (Report RTP/13/12 refers) and 16 June 2015 (Report RTP/15/15 refers).
- 3.2 At the meeting on 13 June 2017 the Partnership agreed to extend Gavin's appointment for a further year until 30 September 2018 and noted Gavin's intention to stand down at the end of this latest one-year extension to his term of appointment (Report RTP/17/11 refers). The Partnership is asked to extend its thanks and appreciation to Gavin for his significant personal contribution and commitment to the work of Tactran over the 11 years since his appointment in 2007.
- 3.3 It is recommended that the resultant vacancy is advertised in line with arrangements outlined in 2.4 above and also having regard to the ongoing implementation of the Gender Representation on Public Boards (Scotland) Act 2018, as outlined in sections 2.5 – 2.8 above. It is also recommended that responsibility for undertaking the appointment process and submitting an appointment for endorsement by Scottish Ministers is delegated to the Executive Committee, supported by the Director and Secretary. The outcome of the selection process will be reported back to a future meeting of the Partnership.

#### Ms Trudi Craggs

- 3.4 Trudi Craggs was appointed as a non-Councillor member in November 2014 for an initial 2 year term until 30 November 2016. At its meeting on 14 June 2016 the Partnership agreed to extend Trudi's appointment until 30 September 2018 (Report RTP/16/16 refers). At its meeting on 13 June 2017 the Partnership agreed to appoint Trudi to the position of Deputy Chairperson of the Partnership. Trudi has confirmed her willingness to continue for a further 2-year term of appointment until 30 September 2020.

#### Mr David Scotney

- 3.5 David Scotney was appointed as a non-Councillor member in September 2010 for an initial 2-year term. Subsequent two-year extensions to David's appointment were approved at the Partnership meetings on 12 June 2012 (Report RTP/12/13 refers), 17 June 2014 (Report RTP/14/08 refers) and 14 June 2016 (Report RTP/16/16 refers). David has also confirmed his willingness to continue for a further 2-year term of appointment until 30 September 2020.

- 3.6 Since their respective appointments Trudi and David have both contributed significantly to the work of the Partnership, as active Board members, participants and advocates for the Partnership, and through contribution of their considerable knowledge and experience of working in the fields of transport planning, project assessment, appraisal and delivery, transport consultancy and transport law, all of which has contributed to and informed the effective working of the Partnership Board and to informing and supporting the work of the Partnership's officers.
- 3.7 The Partnership is asked to approve extension of the terms of appointment of Trudi Craggs and David Scotney as non-Councillor members of the Partnership until 30 September 2020, subject to satisfactory appraisal by the Chair of the Partnership in accordance with procedures laid down by Scottish Government.

#### **4. CONSULTATIONS**

- 4.1 None.

#### **5. RESOURCE IMPLICATIONS**

- 5.1 Costs associated with seeking appointment to the vacancy of non-Councillor member arising from Gavin Roser's resignation will be met from the approved 2018/19 Core Revenue Budget provision for Board Expenses.

#### **6. EQUALITIES IMPLICATIONS**

- 6.1 In making any new non-Councillor member appointments the Partnership must have regard to the Gender Representation on Public Boards (Scotland) Act 2018 and related guidance, and any other relevant guidance and objectives in relation to achieving gender balance and diversity in the membership of public sector boards.

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**Director**

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#### **NOTE**

Background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information), relied on to a material extent in preparing the above Report.

Reports to Partnership on Appointment of Non-Councillor Members : Various as referenced within report.

Gender Representation on Public Boards (Scotland) Act 2018