

10. COUNCIL REPRESENTATION ON WEST LOTHIAN LEISURE BOARD

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive seeking approval of matters concerning council representation on West Lothian Leisure (WLL) Board and other related matters.

The Depute Chief Executive recalled that on 25 October 2016 the Council Executive agreed to transfer the management and operation of certain sports, leisure and cultural facilities and functions to the modernised West Lothian Leisure (WLL). Part of the decision was to require certain amendments to be made to WLL's Articles of Association prior to implementation of the transfers. Additionally council representation on WLL Board was also to be reported to elected members for consideration.

At present a maximum of 12 Directors in total could be appointed to the WLL Board, which comprised as follows :-

- A maximum of 3 Council Directors;
- A maximum of 6 Independent Directors; and
- A maximum of 3 Employee Directors

In order to ensure that the council had an appropriate level of representation in the modernised trust model going forward it was recommended that the WLL Board be asked to agree the following recommendations :-

- ❖ That the maximum number of Council Directors which could be appointed to the WLL Board be 5;
- ❖ That the maximum number of Independent Directors which could be appointed to the WLL Board be 6, including any Trade Union representative appointed; and
- ❖ That provision was made for the relevant Trade Union to appoint a maximum of 1 Independent Director.

Such amendments would result in a maximum of 11 Directors which could be appointed to the WLL Board.

To ensure the necessary degree of independence for the WLL Board the maximum number of Council Directors could not be a majority of the total maximum allowable across both categories of director. It further recommended that the Depute Chief Executive be delegated the necessary authority to negotiate and conclude any consequential amendments to the Articles of Association, which could be necessary to facilitate the increase in council representation.

The Council Executive was asked to :-

1. Agree that the WLL Board be asked to approve the amendments to

WLL's Articles of Association detailed in Section D.2 of the report;  
and

2. Agree to delegate authority to the Depute Chief Executive to negotiate and conclude any further amendments to WLL's Articles of Association necessary to facilitate the proposed changes in Section D.2 of the report.

Decision

To approve the terms of the report