



Report of the Chief Democratic Services Officer

Report to: North East (Outer) Area Committee

Date: 20th September 2010

Subject: Local Authority Appointments to Outside Bodies

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Council
Function

Delegated Executive
Function available
for Call In

Delegated Executive
Function not available for
Call In Details set out in the
report

Executive Summary

This report updates Members on the situation regarding appointments to two particular organizations considered at the last meeting.

1.0 Purpose of this Report

1.1 Further to Minute No. 15, 5th July 2010, this report updates the Area Committee regarding developments in relation to appointments to two particular outside bodies

- Aberford Almshouses Trust
- Moor Allerton Elderly Care

2.0 Background

2.1 In April 2004 Full Council agreed that in future Elected Member appointments to Outside Bodies should be undertaken by a constituted body of Elected Members and that appointments to all outside bodies should, where appropriate, be made with due regard to proportionality within the law.

The **Member Management Committee** has responsibilities for Council Appointments to Outside Bodies and for exercising decision making in the following areas:

- Considering requests from all Outside Organisations seeking Elected Member representation
- Determining the category of appointment which will govern which Committee will make the appointments
- Making Elected Member appointments to Outside Bodies within the Strategic and Key Partnership category.

2.3 Full Council has agreed that due to the large number of organisations seeking Council representation, appointments within the Community and Local Engagement Category will be considered and approved by Elected Members serving on the relevant **Area Committee**.

3.0 The Appointment Procedure - Community and Local Engagement Category

3.1 The Area Committee must first consider whether it is appropriate for an appointment to be of a specific office holder¹ either by reference, if this is available, to the constitution of the outside body concerned or in the light of any other circumstances as determined by the Area Committee. Such appointments will then be offered on this basis.

3.2 Nominations will then be sought for the remaining places, having regard to trying to secure an overall allocation of places which reflects the proportion of Members from each Political Group on the Area as a whole.

3.3 All appointments are subject to annual change unless otherwise stated in the constitution of the external organisation. Each appointment (including in-year replacements) runs for the municipal year, ending at the next Annual Council Meeting.

3.4 Elected Members² will fill all available appointments but it is recognised that Party Groups may not wish to take up vacancies which are made available to them. In such circumstances vacancies will be notified to the Area Committee and agreement sought as to whether the vacancy will be filled.

3.5 A vacancy occurring during the municipal year will normally be referred to the Area Committee for an appointment to be made, having regard to the principles as described above.

3.6 Area Committees may review the list of organisations to which they are asked to make appointments at any time and make recommendations to the Member Management Committee.

¹ For example it may be considered necessary or otherwise appropriate to appoint a specific Ward Member

² Section 249 Local Government Act 1972 states that Aldermen and Honorary Freemen may attend and take part in civic ceremonies but do not have the right to attend Council/committee meetings or receive any allowances or payments under a Members Allowance Scheme. This establishes the principle that such persons should not to be treated as Councillors, and therefore cannot be appointed to outside bodies in place of a Councillor if the request from an organisation is for a Councillor

4.0 Appointments 2010/11

Aberford Almshouses Trust

The Almshouses were established by the Gascoigne family of Lotherton Hall in 1846 to provide accommodation for farm workers and poor people of the area. The original Almshouses were sold to Leeds City Council in 1976 and from the proceeds of the sale the Trustees purchased a piece of land from Mercantile Insurance (who at that time owned the Parlington Estate). On this land they built Parlington House, which contains 14 single and 14 double flats, and was opened on 1st January 1980 by Lady Sands, a descendent of the Gascoigne family. The flats have been re-furbished in recent years, and 6 further flats built.

The Council's current representatives on the Trust are ex-Councillor Alec Shelbrooke, whose four year appointment runs until July 2012, and ex-City and Parish Councillor Frank Watson, whose term of office expires in July 2011.

Following the last Area Committee meeting (Minute No.15 refers), contact has been made with both the Trust and Alec Shelbrooke MP. The arrangement for the Council to appoint two Trustees apparently dates back to the 1976 purchase of the original Almshouses by the Council. Ex – Councillor Shelbrooke has confirmed that unfortunately he no longer has the time to remain a Trustee, and none of the current Harewood Ward Members has the capacity to take on the appointment, given their other commitments.

Over the course of time, occasionally appointments to outside bodies do become obsolete, and this is recognized in the Appointment Rules (see Para 3.6 above). In this event, the correct course of action is for the Area Committee to recommend to the Member Management Committee that the appointment concerned be formally deleted from the list of appointments to outside bodies, and this is the course of action now recommended to the Area Committee.

Moor Allerton Elderly Care

Moor Allerton Elderly Care (MAECare) is a registered Charity (Reg.No. 1100645) established by, and all times answerable to, Churches Together in Moor Allerton and Shadwell (CTMAS). Its aims are –

- To improve the quality of life of older local people, regardless of religion or belief, race, disability, gender or sexual orientation;
- Accepts and values each individual member, volunteer and employee;
- Acts as a link to existing services and seeks to address unmet demand.

The Management Committee shall consist of not more than 20 people residing in, or members of churches in, the community of Moor Allerton or Shadwell, and is appointed annually by CTMAS at its AGM. Trustees do not have to be City Councillors, but the Council's nominee has always been a Local Member.

This is an annual appointment, and all three Alwoodley Ward Members have previously served on the MAECare Management Committee. In 2009/10, the NE Inner Area Committee, part of which area is covered by MAECare, were requested by

the NE Outer Area Committee to consider making an appointment, and Councillor B Lancaster was appointed.

It was reported at the last Area Committee meeting on 5th July 2010 (Minute No.15) that Councillor Lancaster did not have the capacity to continue in this role, and none of the other Moortown Ward Members wished to take on the role again.

It was suggested at the last meeting that perhaps a representative of Alwoodley Parish Council might be appropriate. Before approaching the Parish Council, it was regarded as appropriate and courteous to first discuss the situation with MAECare itself. During the course of the discussions, it became apparent that the suggestion was problematical, in as much as the area covered by MAECare also covered Shadwell, which has its own Parish Council. MAECare made it clear that they were not unduly concerned regarding having a Council representative on their management committee, as they knew that they had the support of Local Members in delivering their services. In consultation, therefore, with MAECare and Councillor Harrand, it was agreed that this appointment was no longer regarded as a necessity.

In line with the Aberford Almshouses Trust situation outlined above, it is therefore recommended that the MAECare appointment also be referred to the Member Management Committee for proposed formal deletion from the list of appointments to outside bodies.

5.0 RECOMMENDATIONS

- 5.1 The Area Committee is asked to recommend to the Council's Member Management Committee that the appointments to the Aberford Almshouses Trust and Moor Allerton Elderly Care be formally deleted from the list of appointments to outside bodies.

Background Papers

Appointment to Outside Bodies Procedure Rules