



Report of the Chief Democratic Services Officer

North East (Outer) Area Committee

Date: 7th February 2011

Subject: Appointments to Outside Bodies - Lady Elizabeth Hastings' Educational Foundation

<p>Electoral Wards Affected:</p> <input type="checkbox"/> Ward Members consulted (referred to in report)	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>	
<p>Council Function <input checked="" type="checkbox"/></p>	<p>Delegated Executive Function available for Call In <input type="checkbox"/></p>	<p>Delegated Executive Function not available for Call In Details set out in the report <input type="checkbox"/></p>

1.0 Purpose Of This Report

1.1 The purpose of this report is to inform Members that Lady Elizabeth Hastings' Educational Foundation has been categorised as Community and Local Engagement, meaning that any appointments to it will now be made by the North East (Outer) Area Committee instead of Member Management Committee.

2.0 Background Information

- 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.
- 2.2 Appointments to Outside Bodies Procedure Rules have been adopted by Full Council. The procedure addresses previous concerns raised by Elected Members relating to proportionality; introduces appointment categories; and places responsibility for appointment clearly with Elected Members both through this Committee and the Member Management Committee.
- 2.3 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; and

- Making elected Member appointments to Outside Bodies within the Strategic and Key Partnership category.

2.4 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 Main Issues

3.1 Under the Lady Elizabeth Hastings Charities Scheme, Leeds City Council is entitled to nominate a trustee to Lady Elizabeth Hastings' Educational Foundation. This body was previously categorised as a Strategic and Key Partnership, and (former Councillor) Mr Michael Fox has been appointed as the Council's nominative trustee since 2002.

3.2 Member Management Committee, at its meeting on 12th January 2011 resolved that Lady Elizabeth Hastings' Educational Foundation should be categorised as Community and Local Engagement, meaning that the relevant Area Committee would be responsible for making appointments to it.

3.3 The charity provides grants to individuals in the parishes of Burton Salmon, Thorp Arch, Collingham with Harewood, Bardsey with East Keswick, Shadwell, and Ledsham with Fairburn. All of these areas fall within the remit of the North East (Outer) Area Committee, apart from Ledsham with Fairburn which is within the remit of the East (Outer) Area Committee, and Burton Salmon which comes under Selby District Council.

3.4 In accordance with Appointments to Outside Bodies Procedure Rule 3.4, the Chairs of the North East (Outer) and East (Outer) Area Committees were asked to determine which is the appropriate Area Committee to make appointments to Lady Elizabeth Hastings' Educational Foundation. As most of the areas come within the remit of the North East (Outer) Area Committee, the Chairs agreed that it should be responsible for making appointments to the charity.

3.5 Therefore Members of the North East (Outer) Area Committee are asked to note that this Committee is now responsible for making appointments to Lady Elizabeth Hastings' Educational Foundation, and confirm whether they wish to seek to appoint an elected Member to replace the Council's current nominee (Mr Michael Fox).

4.0 Implications For Council Policy and Governance

4.1 The contents of this report are in accordance with the Appointments to Outside Bodies Procedure Rules, which are contained within Part 4 of the Constitution.

4.2 Members attention is drawn to the relevant clauses of the Lady Elizabeth Hastings Educational Foundation governing document; this stipulates that;

18. Foundation Trustees

1. The body of Foundation Trustees shall subject as hereinafter provided consist when complete of six competent persons who shall be communicant members of the Church of England, being:

*Four ex officio Foundation Trustees
One Nominative Foundation Trustee and
One Co-operative Foundation Trustee*

20.....the Nominative Foundation Trustee shall be appointed by Leeds City Council as local education authority. Each appointment shall be made for a term of three years at a meeting convened and held according to the ordinary practice of the council. The chairman of the meeting shall cause the name of the person appointed to be notified forthwith to the Foundation Trustees or their clerk. The person appointed may be but need not be a member of the council.

5.0 Legal and Resource Implications

5.1 If Members are minded to seek to appoint an elected Member to replace Mr Fox, the Council's legal team have advised that the Council could ask Mr Fox to retire from the charity, and then appoint an elected Member in his place. However, the Council would not be able to require Mr Fox to retire. His current three year term of office is not due to expire until June 2012.

6.0 Recommendations

6.1 Members of the North East (Outer) Area Committee are recommended to:

- Note the contents of this report; and
- Confirm whether they wish to seek to appoint an elected Member to Lady Elizabeth Hastings' Educational Foundation to replace the current nominee, Mr Michael Fox.

7.0 Background Papers

7.1 Minutes of Member Management Committee 12th January 2011

7.2 Appointments to Outside Bodies Procedure Rules