

Report of the Chief Officer (Democratic and Central Services)

Report to North East (Outer) Area Committee

Date: 3rd July 2012

Subject: Local Authority Appointments to Outside Bodies

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Wetherby; Alwoodley; Harewood		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: Appendix number:		

Summary of main issues

This report outlines the procedures for Council appointments to outside bodies, and the Committee is requested to consider and appoint to those bodies listed at Appendix 2 to the report

Recommendations

The Area Committee is asked to;

Confirm the nominees to work with the Outside Bodies identified at Appendix 2, or agree any changes to the schedule, having regard to the Appointments to Outside Bodies Procedure Rules, as outlined in this report and as detailed at Appendix 1.

Consider the recent decision of the Charity Commission to agree a new Charity Scheme for the Lady Elizabeth Hastings' Charities and the impact this has had on Council's ability to appoint a local elected Councillor to the Charity.

1 Purpose of this report

- 1.1 This report outlines the Area Committee's role in relation to Elected Member Appointments to Outside Bodies and asks the Committee to determine the appointments to those organisations which fall to the Committee to make an appointment to.

2 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. Attached at Appendix 1 is the agreed Appointments to Outside Bodies Procedure Rules.
- 2.2 The Member Management Committee has responsibilities for Council appointments to Outside Bodies and for exercising decision making in the following areas:
- Considering requests from 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 Due to the large number of organisations seeking Council representation, Council agreed that appointments within the Community and Local Engagement Category will be considered and approved by Elected Members serving on the relevant Area Committee.
- 2.4 In July 2004 the Member Management Committee met to consider allocation of appointments to each Area Committee. Attached at Appendix 2 are those that have been determined should be made by this Area Committee.

3 Main issues

- 3.1 The Area Committee is requested to determine the appointments to those Outside Body appointments as detailed within Appendix 2.
- 3.2 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.

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

- 3.3 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 Committee as a whole.
- 3.4 All appointments are subject to annual change unless otherwise stated within the constitution of the external organisation, which will therefore be reflected on the table at Appendix 2. Each appointment (including in-year replacements) runs for the municipal year, ending at the next Annual Council Meeting.
- 3.5 Elected Members² will fill all available appointments but it is recognised that Political 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.
- 3.6 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.
- 3.7 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.

Lady Elizabeth Hastings' Charities

- 3.8 Members will be aware of proposals brought forward by the Lady Elizabeth Hastings' Charities to amend the scheme for the Charity. These proposals were made to the Charity Commission who have authority to make those changes.
- 3.9 A significant consequence of the proposals is that the Council no longer has nomination rights to a place on the trust.
- 3.10 In October 2011 Notice was given of the Charity Commission's intention to approve the Scheme changes. As a result of this Notice representations were made to the Charity Commission by the Council (and others), raising concerns about the proposals.
- 3.11 Attached at Appendix 3 is the decision notice of the Charity Commission (this summarises the representations which were made) and which confirms the new Scheme. Members may wish to comment on the outcome and impact of the changed governance arrangements.

4 Appointments 2012-2013

- 4.1 This year there are three appointments to be made in relation to the following organisations:-

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

Aberford Almshouses Trust

- 4.2 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.
- 4.3 The Council's current representative is Councillor M Robinson and this is a four year appointment.

East/North East Homes ALMO - Area Panels

- 4.4 Although the appointments to the ALMO Board of Directors are now made by the Member Management Committee (see Paragraph 2.6), the Area Committee appoints to the ALMO Area Panels.
- 4.5 The new Area Panels are now meeting on a regular basis. Covering the whole of the new organisation, the Area Panels include –
- 4.6 Inner North East: Chapeltown, Chapel Allerton, Meanwood, Moortown and Roundhay
- 4.7 **Outer North East:** Wetherby and its surrounding villages and Alwoodley
- 4.8 Inner East: Ebor Gardens, Lincoln Green, Gipton, Harehills, Osmondthorpe, Burmantofts and Richmond Hill
- 4.9 Outer East: Seacroft, Crossgates and Halton Moor
- 4.10 The Area Panels have two main roles.
- Ensuring that the organisation is providing a good service to our customers and
 - Delivering environmental and community safety schemes that benefit our customers.
- 4.11 By examining company performance and meeting with senior managers from East North East Homes Leeds, the Area Panels can tackle poor or underperforming areas of work or commend managers on good performance.
- 4.12 Each Area Panel will have a dedicated Partnership Development Officer whose role will be to support the panels and to represent the panels at the various meetings that currently exist in each of the four areas as well as developing new partnerships to reflect the needs of the neighbourhoods and the priorities of the panels.

4.13 The Partnership Development Officers will also be responsible for identifying and developing customer led environmental and community safety schemes. This includes consulting with affected residents, identifying and applying for match funding, drawing up specifications liaising with contractors and ensuring contract delivery.

4.14 The panels have a wide responsibility that is set out in their Terms of Reference including:

- § Business & delivery Plans
- § Tenant Inspections
- § Performance
- § Tenant Participation
- § Tenancy Management
- § Repairs & Improvements
- § Lettings
- § Tenant Satisfaction
- § Staffing and
- § Service Development

Although generally the panels will be monitoring and measuring the organisation's performance across these headings they will, in time, get involved in more detailed work such as.

- § Consulting on contracts for Grounds Maintenance & Repairs
- § Recommending priorities for inclusion in Business Plan
- § Leading a tenant Inspection
- § Developing strategies for Hard to reach Groups
- § Be involved in deciding how to enforce tenancy conditions
- § Participating in contract evaluation
- § Making recommendations for Local Lettings Policies
- § Recommending changes in service delivery
- § Getting involved in induction of new staff

These are annual appointments, and the Council's current representative, appointed last year by the Area Committee is Councillor G Wilkinson. There is also a vacancy on the Area Panel following a decision by Councillor R Feldman not to seek re-election at the recent local elections.

Area Based Partnership Groups

4.15 Following a decision by Member Management Committee in 2008, in recent years, Area Committees have appointed to area based partnership groups. Specifically, Area Committees have appointed Members acting as local 'champions' in respect of each theme based Leeds Initiative partnership group.

4.16 Given the significant reconfiguration which has been made to the structure of Leeds Initiative, the overarching matter of Elected Member representation in respect of Leeds Initiative is scheduled to be considered by Member Management Committee in the new municipal year. Following Member Management Committee's consideration of this matter, further details will be provided to Area Committees at the earliest opportunity.

5 Corporate Considerations

5.1 Consultation and Engagement

5.1.1 This report facilitates the necessary consultation and engagement with Area Committee Members in respect of appointments to the designated Outside Bodies.

5.2 Equality and Diversity / Cohesion and Integration

5.2.1 There are neither equality and diversity or cohesion and integration implications arising from this report.

5.3 Council policies and City Priorities

5.3.1 Council representation on, and engagement with those Outside Bodies to which the Area Committee has authority to appoint, is in line with the Council's Policies and City Priorities.

5.4 Resources and value for money

5.4.1 There are neither resource or value for money implications arising from this report.

5.5 Legal Implications, Access to Information and Call In

5.5.1 The matters detailed within this report are in relation to Area Committees' Council Functions, and as such, any decisions arising from it are not eligible for Call In.

5.6 Risk Management

5.6.1 In not appointing to those Outside Bodies listed within Appendix 2, there is a risk that the Council's designated representation on such organisations would not be fulfilled.

6 Conclusions

- 6.1 Having regard to the Appointments to Outside Bodies Procedure Rules (attached at Appendix 1), the Area Committee is asked to determine the appointments to those designated Outside Bodies detailed within Appendix 2.

7 Recommendations

7.1 The Area Committee is asked to;

- Confirm the nominees to work with the Outside Bodies identified at Appendix 2, or agree any changes to the schedule, having regard to the Appointments to Outside Bodies Procedure Rules, as outlined in this report and as detailed at Appendix 1.
- Consider the recent decision of the Charity Commission to agree a new Charity Scheme for the Lady Elizabeth Hastings' Charities, detailed at Appendix 3, and the impact this has had on Council's ability to appoint a local elected Councillor to the Charity.

8 Background documents³

8.1 Appointments to Outside Bodies Procedure Rules

8.2 Area Committee Procedure Rules

8.3 Area Committees' Terms of Reference

³ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.