

Report of City Solicitor

Report to Member Management Committee

Date: 1st March 2019

Subject: Local Authority Appointments to Outside Bodies

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|--|---|
| Are specific electoral wards affected? If yes, name(s) of ward(s): | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 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? If relevant, access to information procedure rule number: Appendix number: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Summary of main issues

1. This report provides an update on the current position regarding Member appointments to outside bodies and provides an opportunity to confirm Member nominations to remaining vacancies or alter existing appointments.
2. There are currently a number of issues relating to outside body appointments (outlined in section 3 of the report), which the Committee is asked to consider.
3. A list of appointments made since the last meeting of Member Management Committee is also provided for information.

Recommendations

Members are asked to:

- (a) Consider the current position in relation to elected Member appointments to outside bodies detailed in Appendix 1;
- (b) Determine the appointment process for the Yeadon Town Hall Community Interest Company (CIC).
- (c) Consider the appointments to Leeds Culture Trust Board.
- (d) Note the process set out in the Outside Bodies Procedure Rules which this Committee follows when making appointments
- (e) Note the change of appointments since the last meeting of the Committee as detailed under paragraph 3.3 of this report.

1. Purpose of this report

1.1 Further to the meeting of this Committee in November 2018, and confirmation of nominations received to date, this report:

- provides an update on the current position regarding Member appointments to outside bodies; and
- provides an opportunity to confirm Member nominations to remaining vacancies or alter existing appointments.

2. Background information

2.1 This is the third meeting of the Member Management Committee since the Annual Meeting of Council to make Elected Member appointments to Outside Bodies. The attached schedule at Appendix 1 details the current position. Members will note that in response to comments made at the November 2018 meeting a review of this appendix is under way in consultation with group whips.

2.2 It is likely that at the first meeting of the new Municipal Year Members will be asked to consider this information in a different format which a) makes clear those bodies that are external to the Council and are appointed to via this Committee in accordance with the Appointments to Outside Bodies Procedure Rules, and b) lists those 'other' organisations which Member Management Committee appoint to but may not strictly meet the criteria set out in (a).

3. Main issues

3.1 Yeadon Town Hall Community Interest Company (CIC).

- (a) At its meeting in November 2018 Executive Board approved the community asset transfer of Yeadon Town Hall to the Yeadon Town Hall Community Interest Company (CIC) with the Council having representation on the CIC's Board and with the board representation being agreed in accordance with the Council's Appointments to Outside Bodies Procedure Rules.
 - (b) In order to progress this matter as quickly as possible the Chair of the Community Committee where the Town Hall is located spoke with Councillor Downes to see if he would be happy to serve on the newly formed Board and having received agreement to this he notified all Members of the Community Committee of this proposal, to which no objections were received.
 - (c) As the Council's appointment to the CIC was required urgently Councillor Downes was appointed as the Council's representative in accordance with Outside Bodies Procedure Rule 4.6 until such time that Member Management Committee could meet and determine how the appointment to this organisation should be made. As part of this process each group was consulted and supportive of the appointment of Councillor Downes.
 - (d) Member Management Committee are asked to consider whether the appointment to the Yeadon Town Hall Community Interest Company(CIC) should be designated as Strategic and Key or Community and Local Engagement, an extract from the Outside Bodies Procedure Rules setting out the categories is set out below
- **Strategic and Key Partnerships** – participation contributes to the Council's strategic functions, priorities and community leadership role.

- **Community and Local Engagement** – not necessary to fulfil strategic or key partnership role but, nonetheless, beneficial in terms of leading, engaging and supporting the community from a ward perspective
- (e) If Members determine that the appointment should be categorised as Community and Local Engagement then the appointment would be delegated to the relevant Community Committee (Outer North West).

3.2 Leeds Culture Trust

- (a) Leeds 2023 is a high priority cultural initiative in the city. Leeds 2023 is based on two pillars of; *Whole city* – that will seek to bring a lasting social legacy and benefit to all Leeds communities, particularly the young people who live in the city; and *International* – which will have a strong international focus with which to secure positive worldwide attention and profile for the city.
- (b) Leeds Culture Trust (known publically as "Leeds 2023") is an independent organisation that has been set up to deliver a £35 million cultural programme in 2023, it will lead the artistic programme, handle the national and international marketing and seek a permanent legacy from the five year cultural lead up to benefit the whole city.
- (c) Leeds Culture Trust currently has seven trustees and is chaired by media executive, Ruth Pitt. The Trust is in the process of recruiting more trustees to the board and recruiting a Creative Director who will be responsible for curating the high level cultural programme of events and activities for the year.
- (d) Leeds Culture Trust's objects are specifically restricted to the following for the public benefit:
 1. To advance the education of the residents of Leeds and surrounding areas in the arts, culture and heritage.
 2. To promote the arts, culture and heritage, in particular but not exclusively by:
 - a) Encouraging participation and inclusion; and
 - b) Supporting charities, arts organisations and other not for profit bodies and individuals engaged in the provision of artistic, cultural and heritage activities and events.
- (e) Over the next five years the Trust will work closely with Leeds City Council's Culture and Sport Development Team to agree the key outputs for Leeds 2023. Regular reporting and monitoring of Leeds Culture Trust activities will be undertaken by Leeds City Council's Chief Officer for Culture and Sport who will attend Trustee meetings in an observer capacity. Leeds Culture Trust will finalise and account for its activities in 2024.
- (f) Executive Board considered this matter in 2018 and it was noted that the Council will have two local authority nominees. Executive Board recommended that one place should be reserved to the Leader of Council and one other Elected Member
- (g) Following discussions between the Leaders of the 3 largest groups on the Council it has been agreed that the second nominee should be a Conservative nominee and Councillor Andrew Carter has nominated Councillor Dan Cohen to this role.

- (h) Members are asked to consider the appointments to the Trust and consider whether those appointments should be reserved to the Leader of Council and a Conservative Member.

3.3 The Appointment Procedure for Outside Bodies

- (a) Members may recall at the meeting in June, it was agreed that in advance of the Elections and new Municipal Year, information be brought to this Committee setting out the proportionality requirements in respect of the appointments to outside bodies, below is an extract in italics from the Procedure Rules that set out how appointments should be made.

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

4.2 *Nominations will then be sought for the remaining places. The Member Management Committee should have regard to a Member's current interests prior to making any appointment. The Member Management Committee will have regard to the principle of securing an overall allocation of places which reflects the proportion of Members from each Political Group on the Council as a whole.'*

- (b) In previous years this Committee has considered and agreed where appointments need to be reserved to a specific holder and this can range from the Leader of Council, a Portfolio Holder, a Chair, an opposition Member or to a ward Member.
- (c) Committee has then considered and discussed appointments and then made appointments having regard to a Member's interests and having regard to proportionality as set out above.

3.4 Appointments Made Since November 2018

Members are advised that since the last meeting of the Committee a number of appointments have been confirmed by the City Solicitor/Head of Governance & Scrutiny Support in accordance with the Appointments to Outside Bodies Procedure Rules (4.6).

| Outside Body | Member Appointed | Member Replaced | Date |
|---|-------------------------|------------------------|-------------|
| Yeadon Town Hall Community Interest Company (CIC) | Cllr Downes | N/A | 8 Jan 2019 |
| Leeds Playhouse | Cllr Harrison | Whips nominee | 4 Feb 2019 |

4. Corporate considerations

4.1 Consultation and engagement

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

4.1.1 Group Whips are consulted in relation to any appointments made outside of Member Management Committee.

4.2 **Equality and diversity / cohesion and integration**

4.2.1 There are no specific equality and diversity or cohesion and integration implications as a result of this report.

4.3 **Council policies and best council plan**

4.3.1 Under the Appointments to Outside Bodies Procedure Rules, Member Management Committee is asked to review the list of notified Outside Bodies on an annual basis and determine whether the Council should make/continue to make an appointment to those bodies.

4.3.2 Determination is based on one or more of the following criteria being met:

- the proposed appointment is a statutory requirement;
- the proposed appointment would be consistent with the Council's policy or strategic objectives; and/or
- the proposed appointment would add value to the Council's activities.

4.4 **Resources and value for money**

4.4.1 There are no resource or value for money implications as a result of this report.

4.5 **Legal implications, access to information, and call-in**

4.5.1 Full Council has delegated responsibility to Member Management Committee for:

- determining which outside bodies should have Member representation and, by determining the category of each such outside body, determining how such appointments should be made; and
- making appointments to outside bodies categorised as Strategic and Key Partnership.

4.5.2 This report relates to a Council function and therefore, is not available for call-in.

4.6 **Risk management**

4.6.1 There are no risk implications as a result of this report.

5. **Conclusions**

5.1 The current position in relation to elected Member appointments to outside bodies is detailed in Appendix 1, and vacancies exist on a number of bodies. The appointments made since the last meeting of Member Management Committee are detailed in the report.

6. **Recommendations**

Members are asked to:

- (f) Consider the current position in relation to elected Member appointments to outside bodies detailed in Appendix 1;
- (g) Determine the appointment process for the Yeadon Town Hall Community Interest Company (CIC).
- (h) Consider the appointments to Leeds Culture Trust Board.
- (i) Note the process set out in the Outside Bodies Procedure Rules which this Committee follows when making appointments
- (j) Note the change of appointments since the last meeting of the Committee as detailed under paragraph 3.3 of this report.

7. Background documents²

7.1 None

² The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.