

Report of the City Solicitor

Report to Member Management Committee

Date: 28th June 2019

Subject: Local Authority Appointments to Outside Bodies

Are specific electoral Wards affected? If relevant, 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. Each year Member Management Committee is required to review the list of all notified Outside Bodies including those designated as Strategic and Key (Appendix 2) and appointed to via this Committee and Community and Local Engagement (Appendix 3) and currently appointed to via the relevant Community Committee and determine whether the Council should make/continue to make an appointment to those bodies.
2. Member Management Committee is asked to consider any vacancies detailed in Appendix 2 and make appointments to them.
3. Any appointments should be made in accordance with the Appointments to Outside Bodies Procedure Rules.

Recommendations

The Member Management Committee is asked to:

- a. Note the Appointments to Outside Bodies Procedure Rules at Appendix 1;
- b. Approve the schedule at Appendix 2 and make appointments as appropriate;
- c. Approve the schedule at Appendix 3 and confirm the delegation of the appointment of these to the Community Committees;
- d. Consider the matter referred from Inner North West Community Committee in respect of appointments to Leeds Bradford Airport Consultative Committee (LBACC);

- e. Note the addition of Member appointments to Local Care Partnerships to the schedule of Community Committee appointments
- f. Note the changes to the Outside Bodies schedule as outlined in paragraph 3.14 of the report.

1.0 Purpose of this report

1.1 This report outlines the Member Management Committee's role in relation to Elected Member appointments to Outside Bodies and asks the Committee to:

- Agree a schedule detailing those organisations that the Council will continue to make an appointment to; and
- Agree the nominations to those organisations which fall to this Committee to make an appointment to.

2.0 Background information

2.1 Each year the Member Management Committee is required to review the list of notified Outside Bodies and determine whether the Council should make/continue to make an appointment to those bodies. The process by which this is undertaken is detailed in the Appointment to Outside Bodies Procedure Rules (an extract of which is listed below). A copy of the full Procedure Rules is attached at **Appendix 1**.

Extract from the Appointments to Outside Bodies Procedure Rules

2.2 *Each year the Member Management Committee will review the list of notified Outside Bodies and will determine whether the Council should make/continue to make an appointment to those bodies.*

2.3 *Determination will be 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.*

2.4 The current schedule of bodies to which this Committee makes appointments is attached at **Appendix 2**. This schedule identifies those appointments which fall to the Committee to make.

2.5 In relation to these appointments Member Management Committee is asked to:

- confirm that the Council will continue to make an appointment to those organisations listed;
- confirm the allocation of responsibility for appointments to the Member Management Committee; and

- consider those Members which they would wish to appoint to serve on the organisations listed in Appendix 2.

- 2.6 The appointments procedure advises the Member Management Committee to 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, and to have regard to a Member's current interests prior to making any appointment to avoid any potential conflict of interest.
- 2.7 The Member Management Committee is asked to note that Elected Members should normally fill all available appointments and that 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.
- 2.8 A vacancy occurring during the municipal year will normally be referred to the Member Management Committee for an appointment to be made, having regard to the principles as described above.
- 2.9 In addition, in accordance with the Appointments to Outside Bodies Procedure Rules (4.6), the City Solicitor has delegated authority to make an appointment where a group whip is seeking to alter an appointment allocated to their group by Member Management Committee. The City Solicitor has sub delegated that authority to the Head of Governance and Scrutiny Support.

3.0 Main issues

Schedule of Appointments

- 3.1 The Member Management Committee met during the last Municipal Year to make Elected Member appointments to Outside Bodies. The attached schedule at **Appendix 2** details the position for the 2019/20 Municipal Year.
- 3.2 Prior to this meeting, Group Whips were contacted in order that their group appointments could be updated/amended or to confirm they are to remain the same. Information was provided from some groups and this is set out in an additional column within Appendix 2 (an updated version will be circulated in advance of the meeting to ensure that Members have before them the latest position).
- 3.3 Members will note that in response to comments made at the November 2018 and March 2019 meetings, a review of the format of the appendix was undertaken. The new approach to presenting the information has been adopted to distinguish between those Outside 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 those 'other' organisations which Member Management Committee appoint to but may not strictly meet the criteria of the Procedure Rules.
- 3.4 Member Management Committee is asked to consider any vacancies detailed in Appendix 2 and make appointments to them.

- 3.5 Members are reminded that where an Outside Body has been categorised as Strategic and Key Partnership, the appointment will be made by the Member Management Committee. In those cases where an Outside Body has been categorised as Community and Local Engagement, the appointment will be made by the appropriate Community Committee.

Outside Body Procedure Rules

- 3.6 Recognising the importance of Elected Member input to outside bodies, the Annual Council Meeting held on 22nd May 2019 agreed amendments to the Appointments to Outside Bodies Procedure Rules to stipulate that where a political group has been allocated a position to fill, then that position must be filled by Elected Members from the political group that has been allocated the place. Where planned appointments contain alternative proposals e.g. to cede a place to another political group or where an appointment of an individual other than an Elected Member is being considered, then such appointments must be made by either the Member Management Committee, or if delegated, by the Community Committee with that authority.
- 3.7 The Appointments to Outside Body Procedure Rules 2019/20 are attached as Appendix 1 to this report.

Local Care Partnerships

- 3.8 In May 2019, an approach was made to the Authority to make Councillor nominations to the evolving Local Care Partnerships (LCPs) - the basis of Leeds' vision of locally integrated health and care based in communities. Due to the urgency of the request (appointments are anticipated during the June/July meeting cycle), all political Group Whips were asked to consider whether appointments to the LCPs should be designated as 'Strategic and Key' or 'Community and Local Engagement'.
- 3.9 All party agreement was given to the LCP appointments being designated as "Community and Local Engagement" and therefore, able to be delegated to the relevant Community Committees to make appointments to the LCP appropriate to their area.

Leeds Bradford Airport Consultative Committee (LBACC)

- 3.10 In March 2019, the Inner North West Community Committee considered correspondence received from the Leeds Bradford Airport Consultative Committee (LBACC) in response to a request for representation on the LBACC made by the North Hyde Park Neighbourhood Association (NHPNA). In responding to the request, the correspondence advises that LBACC would be prepared to debate and consider appointing a Councillor from the Inner North West Community Committee. In considering the matter, given the strategic nature of the Consultative Committee and in line with the relevant Procedure Rules, the Community Committee referred the matter to the Member Management Committee (MMC) for consideration.

- 3.11 An extract of the minutes of the Inner North West Community Committee meeting held 14th March 2019 is set out below for reference:

“The report of the City Solicitor made the Committee aware of correspondence received from the Leeds Bradford Airport Consultative Committee (LBACC) which responded to a request for representation on the LBACC made by the North Hyde Park Neighbourhood Association (NHPNA). In responding to the request, the correspondence advised that the LBACC would be prepared to debate and consider appointing a Councillor from the Inner North West Community Committee.

Given the strategic nature of the Consultative Committee and in line with the relevant procedure rules, it was recommended that the Community Committee refer the matter, together with any observations to the Member Management Committee (MMC) for consideration.

RESOLVED –

- a. That the report be noted*
- b. That the matter be referred to the Council’s Member Management Committee for further consideration.”*

- 3.12 Member Management Committee is asked to consider whether appointment(s) to LBACC 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.

- 3.13 The Committee is asked to consider the issue and determine how to proceed.

Review of the Outside Bodies schedule

- 3.14 During the course of a review of the Outside Bodies schedule and the information contained on each organisation, several matters came to light which are required to be reported to and noted by Member Management Committee:

- Assisted Living Leeds (Leeds Community Equipment and Telecare Services Partnership Board) has changed its name to “Assisted Living Leeds (Leeds Community Equipment and Telecare Services Advisory Group).
- The following organisation has been wound up:
 - City Centre Partnership

4 Corporate Considerations

4.1 Consultation and Engagement

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 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.

4.3.3 Climate emergency

Since this is a factual report detailing the appointment of Councillors to Outside Bodies there are no specific climate implications.

4.4 Resources and Value for Money

4.4.1 There are no resource 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 Each year Member Management Committee is required to review the list of notified Outside Bodies and determine whether the Council should make/continue to make an appointment to those bodies.
- 5.2 Member Management Committee is asked to consider any vacancies detailed in Appendix 2 and make appointments to them.
- 5.3 Any appointments should be made in accordance with the Appointments to Outside Bodies Procedure Rules.

6 Recommendations

- 6.1 The Member Management Committee is asked to:
 - a) Note the Appointments to Outside Bodies Procedure Rules at Appendix 1;
 - b) Approve the schedule at Appendix 2 and make appointments as appropriate;
 - c) Approve the schedule at Appendix 3 and confirm the delegation of the appointment of these to the Community Committees;
 - d) Consider the matter referred from Inner North West Community Committee in respect of appointments to Leeds Bradford Airport Consultative Committee (LBACC);
 - e) Note the addition of Member appointments to Local Care Partnerships to the schedule of Community Committee appointments
 - f) Note the changes to the Outside Bodies schedule as outlined in paragraph 3.14 of the report.

7 Background documents¹

- 7.1 None

¹ 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.