

## Elected Member Appointments to Outside Bodies

Date: 24<sup>th</sup> July 2024

Report of: City Solicitor

Report to: General Purposes Committee

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief summary

This report outlines the General Purposes Committee's role in relation to Elected Member appointments to Outside Bodies and seeks agreement to schedules detailing those organisations that the Council will continue to make an appointment to; and agreement of the nominations to those organisations which fall to this Committee to make an appointment to.

Determination of the appointments is based on specific criteria set out in the Appointments to Outside Bodies Procedure Rules and supports the aims of the Best City Ambition to work with all communities as a team for Leeds and by supporting what the Council and its partners are focussing on during the 2024/25 Municipal Year to improve outcomes.

### Recommendations – The Committee is asked to:

- a) Note the process set out in the Appointments to Outside Bodies Procedure Rules which this Committee follows when making appointments, attached at **Appendix 1** of this report,
- b) Note the information contained in **paragraph 11** relating to organisations that either no longer require Elected Member representation or a change to the number of seats available,
- c) Note the current position with regards to new and existing Outside Bodies which required appointments since the last General Purposes Committee and were confirmed through the delegated decision process as outlined in **paragraph 12**,
- d) Consider the current position in relation to Elected Member appointments to Outside Bodies and 'Other Bodies' detailed in **paragraph 4** and **Appendix 2** and where appointments fall to General Purposes Committee to make; and
  - confirm that the Council will continue to make an appointment to those organisations listed as "Strategic and Key" partnerships.
  - consider and approve those Members which they would wish to appoint to serve on the organisations listed in Appendix 2
- e) Confirm the designation of those Outside Bodies included within the schedule at **Appendix 3** as "Community and Local Engagement" and confirm that appointments to these bodies will be approved by the relevant Community Committees.

## What is this report about?

- 1 Under the Appointments to Outside Bodies Procedure Rules, General Purposes Committee is requested to review the list of notified Outside Bodies (and 'Other Bodies') on an annual basis and to determine whether the Council should make/continue to make an appointment to those bodies. Throughout the year, General Purposes Committee may consider any changes necessary to the appointments.
- 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.
- 3 The process by which this is undertaken is detailed in the Appointment to Outside Bodies Procedure Rules – a copy of the full Procedure Rules is attached at **Appendix 1**.
- 4 The current schedule of Outside Bodies and 'other bodies' to which this Committee makes appointments is attached at **Appendix 2**. This schedule was last agreed by General Purposes Committee on 26<sup>th</sup> July 2023.
- 5 In relation to these appointments the 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 General Purposes Committee;
  - consider and determine those Members which they would wish to appoint to serve on the organisations listed in **Appendix 2**; and
  - confirm the allocation of responsibility for appointment to the organisations listed in **Appendix 3** to the Community Committees
- 6 Members are reminded that where an Outside Body has been categorised as a 'Strategic and Key Partnership', the appointment will be made by General Purposes Committee and these are identified in Appendix 2. In cases where an Outside Body has been categorised as 'Community and Local Engagement' (as shown in Appendix 3), the appointment will be made by the appropriate Community Committee subject to this Committee confirming the allocation of responsibility for appointment to the organisations to the Community Committees.
- 7 The appointment procedure advises General Purposes 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.
- 8 Elected Members should normally fill all available appointments and 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.
- 9 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 this Committee and agreement sought as to whether the vacancy will be filled.

- 10 Group Whips were contacted in advance of this meeting seeking consideration of their Group nominations in readiness for consideration by General Purposes Committee, or to confirm they are to remain the same. Notifications are set out in the 2024/25 nominations column within Appendix 2. An updated schedule will be circulated in advance of the meeting to ensure the Committee considers the latest position.
- 11 The Committee is advised that those organisations listed below have given notification that they no longer meet or no longer require the Council to nominate/appoint an Elected Member;
- Nell Bank Centre – On 22<sup>nd</sup> August 2023, the Council was notified that the Nell Bank Charitable Trust had taken over full financial and operational responsibility for the Nell Bank Centre and now appoints its directors and members directly. The constitution of the Nell Bank Charitable Trust no longer requires a Leeds elected Member to be appointed.
  - Housing Advisory Panels – Local Housing Advisory Panels ceased to operate at the end of March 2024 and revised Tenant Engagement arrangements are in place. Previous references to them in Appendix 3 (schedule of Outside Body appointments delegated to the Community Committees) have been removed.
  - Inclusive Growth Delivery Partnership – the Partnership no longer operates.

### **Appointments made since the last General Purposes Committee in July 2023**

- 12 Paragraph 4.5 of the Appointments to Outside Bodies Procedure Rules delegates authority to the City Solicitor to confirm appointments during the Municipal Year, and in line with the requirements of paragraph 4.5 (iv) these are listed below:
- 09 08 23 - Leeds Heritage Theatres Board – Appointment of Councillor Dowson and Councillor Stephenson.
  - 31 08 23 – The Robert Salter Charity – Councillor McCluskey replaced Councillor Dowson.
  - 07 11 23 – Armed Forces Champions – Appointment of Councillor Blackburn.

### **What impact will this proposal have?**

- 13 Determination of the appointments is based on specific criteria set out in the Outside Bodies Procedure Rules and supports the aims of the Best City Ambition to work with all communities as a team for Leeds and by supporting what the Council and its partners are focussing on during the 2024/25 Municipal Year to improve outcomes.

### **How does this proposal impact the three pillars of the Best City Ambition?**

Health and Wellbeing       Inclusive Growth       Zero Carbon

- 14 The appointment of Elected Members to Outside Bodies and 'other bodies' contributes to all three pillars within the Best City Ambition, particularly the overarching aim to help partner organisations and local communities in every part of Leeds to understand and support the valuable contribution everyone can offer – no matter how big or small – to making Leeds the Best City in the UK.

## What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?       Yes       No

- 15 Prior to this meeting of General Purposes Committee, Group Whips were contacted seeking consideration of their Group nominations, or to confirm they are to remain the same.
- 16 Additionally, Group Whips are consulted in relation to any appointments made outside of a Committee meeting and are provided with the Outside Body and Other Bodies appointments schedule in May/June each year in order to consider appointments and vacancies in readiness for the annual review.

## What are the resource implications?

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

## What are the key risks and how are they being managed?

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

## What are the legal implications?

- 19 Full Council has delegated responsibility to General Purposes 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.
- 20 If a Councillor is nominated to an Outside Body by the Council, then that Councillor is covered by The Local Authorities (Indemnities for Members and Officers) Order 2004. For example, should someone attempt to take civil action against a Councillor personally in their role as a Council appointed trustee/director of an Outside Body; then the Council would cover the cost of defending the action against that Councillor, and if the action were successful the Council would cover any compensation which the Councillor had to pay. The only exceptions to this are to any action or failure to act which “constitutes a criminal offence; or is the result of fraud, or other deliberate wrongdoing or recklessness on the part of that Member.
- 21 The indemnity applies to any company, trust or charity to which a Member is appointed and applies in respect of director or trustee appointments.

If a Member becomes a trustee or director but has not been nominated by the Council, then the indemnity will not apply, and the Member should check that the trust, company etc. has got appropriate insurance cover for its trustees/directors.

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

## **Options, timescales and measuring success**

### **What other options were considered?**

- 22 The alternative option of not to make appointments has been discounted as this would not support the aims of the Best City Ambition.

### **How will success be measured?**

- 23 In making appointments to Outside Bodies, the Council will put Elected Members at the heart of partnership working with local communities, Third Sector and Voluntary Sector partners, allowing greater engagement and involvement in discussions on work towards common goals.

### **What is the timetable and who will be responsible for implementation?**

28 As soon as possible after this meeting,

- Democratic Services (via Group Office Managers) will notify Members of the appointments,
- Democratic Services (via Governance Services) will advise each Outside Body/Other Body of the appointment (s) to their organisation.

### **Appendices**

- Appendix 1 – Appointments to Outside Bodies Procedure Rules
- Appendix 2 – Schedule of proposed Member appointments to Outside and Other Bodies
- Appendix 3 – Schedule of proposed appointments to Outside Bodies delegated to Community Committees by General Purposes Committee

### **Background papers**

- None