

CHESHIRE EAST

GOVERNANCE AND CONSTITUTION COMMITTEE

Date of meeting: 6 October 2008
Report of: Task and Recommendation Group – Outside Organisations
Title: Progress Report on Development of a Work Programme and Recommendations to Deal with Appointments to Outside Organisations

1. Purpose of Report

- 1.1 To up-date the Governance and Constitution Committee on progress on the work of the Task Group – Outside Organisations and to outline its proposals for developing criteria and procedures to form the basis of an appointment process which can be put into effect from 1 April 2009.

2. Decision Required

- (a) That progress to date be noted;
- (b) That, subject to there being no constitutional restrictions, responsibility for appointments during the transitional year be delegated to the Chair of the Governance and Constitution Committee in consultation with Group Whips and the Interim Monitoring Officer; and
- (c) That the Cabinet be consulted on the proposed criteria at the appropriate time, and the need for any appointments to be reserved to the Cabinet.

3. Name of Group

- 3.1 The Task Group has adopted the name “Task and Recommendation Group – Outside Organisations” and held its first meeting on Monday, 15 September 2008 in the Municipal Buildings, Crewe. Councillor Shirley Jones was elected Chair of the Group.

Its next meeting is to be held on the 8 October.

4. Progress

- 4.1 The Group considered a work plan, criteria for appointments and the method of making appointments during the remainder of the transitional year.

4.2 Work Plan

Members agreed that to enable progress to be made, the following information is required for its next meeting –

- List of categories of appointments to be made by the Cabinet, together with a list of those appointments which the Cabinet wishes to reserve to itself;
- List of categories of appointments to be made by the Governance and Constitution Committee;
- Full list of organisations covering Cheshire East area (ie those relating to the individual boroughs of Crewe & Nantwich, Congleton and Macclesfield, together with a list of the Cheshire-wide organisations compiled by Cheshire County Council);
- Information in respect of constitutional requirement (by the organisation) for a local authority representative, including those where a particular type of representative is specified; for example, Education Foundations often stipulate that the local authority representative must be a local Member;
- Financial implications of representation, taking into account those organisations which pay expenses/honoraria to their local authority representatives; and where representation is a cost **to** the local authority;
- Details of frequency of meetings for each organisation to establish the level of commitment required by appointees;
- List of “strategic organisations” (Category 1) for each of the four constituent authorities.

4.3 Priorities

The Group has agreed that its first priority is to review the Cheshire-wide organisations provided by Cheshire County Council. The aim is to identify those organisations where appointments have been made by both the County Council and the individual Borough Councils, with the aim of eliminating duplication.

At its meeting in October, the Group will also consider those organisations regarded as top level-strategic appointments at national, regional and local level to which the new authority should appoint; examples are NWRA, NWEQ, Primary Care Trust, Hospitals Trusts, and Manchester Airport Consultative Committee.

4.4 Criteria for Appointment

The Group gave initial consideration to the criteria for appointments which were based on the consultation exercise undertaken across authorities outside Cheshire. Some common themes have emerged from that exercise and these will be considered in more detail at future meetings.

The current working draft criteria are attached as an appendix.

5. Potential Devolution to Town and Parish Councils

The Group acknowledges that an inevitable outcome of the review will be that some of the smaller organisations may be removed from the composite list, where benefit is only to a small area rather than the whole of the Cheshire East area. This should not be perceived negatively. It could provide a greater opportunity for involvement of the local Town and Parish Councils which could make appointments to such organisations.

6. Appointments During Transitional Year

Members considered delegation arrangements, in the event of receipt of requests for representation on outside organisations during the remainder of the transitional year. The Group agrees that it is important for the process to be Member-led. It was agreed that, subject to there being no constitutional restrictions, the Governance and Constitution Committee be recommended to delegate this task to the Chair of the Committee in consultation with Group Whips and the Interim Monitoring Officer.

As specific criteria for appointment has not yet been agreed for recommendation to the Committee, these will need to be dealt with on a case-by-case basis.

It is expected that representatives will attend in an observer capacity only and this will have the advantage of allowing Members to familiarise themselves with the operation of the organisation.

7. Training

- 7.1 The Group agreed that, in due course, a training day should be arranged for all Members to raise awareness prior to accepting appointments. On that occasion, Members will be informed of the purpose of representation on outside organisations, the commitment involved and any potential legal implications, particularly for those appointed as trustees or company directors.

8. Recommendation

The Governance and Constitution Committee is recommended to RESOLVE -

- (a) That progress to date be noted;
- (b) That, subject to there being no constitutional restrictions, responsibility for appointments during the transitional year be delegated to the Chair of the Governance and Constitution

Committee in consultation with Group Whips and the Interim Monitoring Officer; and

- (c) That the Cabinet be consulted on the proposed criteria at the appropriate time, and the need for any appointments to be reserved to the Cabinet.

9. Reasons for Recommendation

- 9.1 It is important for Cheshire East Council to participate actively as a partner in the network of local organisations across the whole of the Cheshire East area.
- 9.2 The process being undertaken by the Task Group will enable appropriate and timely recommendations to be made to the Governance and Constitution Committee to ensure that there is a scheme in place by 1st April 2009 for making appointments to outside organisations.

For further information:

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