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# CHESHIRE EAST COUNCIL

## Constitution Committee

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**Date of Meeting:** 24<sup>th</sup> June 2010  
**Report of:** Democratic Services Manager  
**Subject/Title:** Outside Organisations

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### 1.0 Report Summary

- 1.1 This report invites the re-appointment of the Task Group (Appointments to Outside Organisations); deals with some specific appointments which have arisen recently; and outlines progress to date on the monitoring of the effectiveness and appropriateness of representation on outside organisations.

### 2.0 Recommendations

#### 2.1 That

(1) the Task Group (Outside Organisations):

- (a) be re-constituted to serve for the remainder of the Municipal Year;
- (b) meet on an *ad hoc* basis;
- (c) comprise five Members on a cross-party basis (3 Conservative, 1 Liberal Democrat and 1 Labour);
- (d) comprise Councillors R Cartlidge, S Jones and P Whiteley, in the interests of continuity, together with an additional two Conservatives to be nominated at the meeting;
- (e) oversee appointments to Categories 2-4 outside organisations, in general, and address any issues emerging in respect of those appointments;
- (f) continue with its review of appointments to establish the effectiveness and appropriateness of representation; and
- (g) report back to the Constitution Committee as and when it considers appropriate within the Municipal Year.

(2) Councillor Paul Edwards be nominated as the Council's representative on the Board of Trustees of Sir John Deane's College, Northwich;

(3) representation on the School Governing body for Sandbach School be reduced from four Councillors to two with immediate effect;

- (4) Councillors E Alcock and B Moran be nominated as the Council's representatives on Sandbach School Governing body;
- (5) Councillor Harold Davenport be nominated as the Council's representative to attend meetings of the Greater Manchester Integrated Transport Authority, in an observer capacity;
- (6) the progress of the Task Group in monitoring the effectiveness and appropriateness of representation, together with the preparation of a list of support officers, be noted;
- (7) the changes in representation on outside organisations, as identified in the report, be noted; and
- (8) arrangements be made for training to be delivered to Members to offer advice and guidance on their role and responsibilities when appointed to outside organisations.

### **3.0 Reasons for Recommendation**

- 3.1 The development of a method for reporting back on representation will enable the Council to monitor the work of outside organisations and determine their continued appropriateness to the Council's aims, which in turn will inform the appointments to be made from May 2011.
- 3.2 The issues which arise, in general, are more appropriate for the Task Group to undertake than the full Committee.
- 3.3 The retention of the Task Group as a standing body, to meet as and when required, will enable it to address other issues associated with outside organisations which may emerge during the course of the year.
- 3.4 The appointments to Sandbach School are in accordance with the proposed new governance arrangements for the school; the proposed appointment to Sir John Deane's College acknowledges the education provision which falls within the Borough of Cheshire East.

### **4.0 Wards Affected**

N/A

### **5.0 Local Ward Members**

N/A

### **6.0 Policy Implications**

None identified

## **7.0 Financial Implications**

None identified

## **8.0 Legal Implications (Authorised by the Borough Solicitor)**

Whilst membership of outside bodies carries with it the potential for personal liability for elected Members undertaking such roles as ancillary to their status as a Councillor, particularly in respect of trusteeships, Cheshire East Borough Council has already resolved to put in place for elected Members the maximum indemnity which is allowed by law.

## **9.0 Risk Management**

No risks identified.

## **10.0 Background and Options**

### **10.1 Composition of the Task Group**

The Task Group set up by the former Governance and Constitution Committee in July 2008 was established on a cross-party basis, comprising 3 Conservatives, 1 Liberal Democrat and 1 Labour, the membership being drawn from that Committee. It is suggested that the Task Group be re-constituted on the same basis and that in the interests of continuity, Councillors Shirley Jones, Roy Cartlidge and Paul Whiteley be re-appointed, together with two Conservatives to replace Councillor Harold Davenport and Andrew Kolker, the former Chairman and Vice-Chairman respectively of the Governance and Constitution Committee.

### **10.2 Sir John Deane's College**

Sir John Deane's College is a foundation school which falls within the Borough of Cheshire West and Chester and provides sixth form education, not only to Northwich and the surrounding area, but also to Middlewich and Holmes Chapel in Cheshire East.

There are three Cheshire West and Chester Members appointed to the Board of Trustees and the school would welcome representation from Cheshire East.

The Board administers funds providing grants for the benefit of the college or individual students who need support for a project, or for maintenance. The appointees are trustees and hold the land in trust from the Charity Commission.

This matter has been considered by the Task Group which recommends the appointment of one Cheshire East Member to the Board of Trustees. As the majority of the pupils attending the school from Cheshire East Borough are from the Middlewich area, it is appropriate for a Middlewich Ward Councillor to be appointed. The Committee is therefore asked to approve the nomination of Councillor Paul Edwards.

### 10.3 Sandbach School

In March 2009, the Governance and Constitution Committee appointed four Members to Sandbach School, namely Councillors Gillian Merry, Barry Moran and Stella Furlong (Conservative) and Councillor Elsie Alcock (Liberal Democrat). They were appointed to serve until May 2011.

The school has recently written to the Council acknowledging that although its current constitution provides for between two and four Councillors, the school would prefer the number to be reduced to two. This letter was considered by the Task Group (Outside Organisations). Members were minded to take no action but they agreed to review the situation at the next round of appointments in May 2011.

A further letter has since been received from the school making a formal request to reduce the number of Councillors from four to two. In view of the timing of this latest letter, it has not been possible to seek the Task Group's views in advance of the Committee's meeting.

The School wishes to introduce new governance arrangements from September 2010 to allow it to appoint more parent governors, but its ability to do this, within the constraints of its constitution, is limited. A reduction in Council nominees would allow the school to increase the number of parent governors. The School wishes to start its election arrangements for parent governors in mid-June.

The Committee is asked to agree to the School's request and to reduce the Council's representation on the governing body to two Councillors. This would result in Councillors E Alcock and B Moran being nominated as the Council's representatives, with Councillors G Merry and S Furlong coming off the body.

### 10.4 Greater Manchester Integrated Transport Authority

A request has been received from Greater Manchester Integrated Transport Authority to nominate a Councillor to attend its Authority meetings as an observer. Councillor Macrae has asked the Committee to consider this request and recommends that Councillor Harold Davenport be nominated because of his particular interest in transport.

Councillor Davenport currently represents the Council on four other outside organisations which are connected with transport.

#### 10.5 Monitoring Effectiveness/Appropriateness of Representation

The former Governance and Constitution Committee, at its meeting held on 25<sup>th</sup> March 2010, approved the format of monitoring forms to be issued to Councillors/Officers and Secretaries of outside organisations as a means of establishing the effectiveness and appropriateness of representation.

The process of issuing forms to Councillors is not yet complete, but is expected to be concluded by the end of June/early July. Forms will be sent to secretaries of outside organisations in July.

An analysis of the responses will be undertaken by the Task Group later in the year and this will inform the next round of appointments to be made in May 2011.

#### 10.6 Support Officers

A list of Officers who attend meetings of outside organisations is currently being compiled. The Task Group has previously expressed the view that to ensure that a robust support system is in place for Members appointed to outside bodies, there should be a Support Officer whose role would be that of a specialist to offer advice on the topic area of the outside body to which individual Members have been appointed. The provision for support is also enshrined in the "Appointments to Outside Organisations - Guidance for Members" which was adopted by the Committee on 25<sup>th</sup> March 2010.

#### 10.7 Changes in Representation

The Conservative Group has made a number of changes to its appointments to the Category 2 outside organisations. In accordance with the Procedure for Casual Vacancies (adopted by the former Governance and Constitution Committee on 9<sup>th</sup> March 2009), these replacements are being reported to the Committee for confirmation.

<b>Organisation</b>	<b>Current Representative</b>	<b>Proposed Representative</b>
Macclesfield Chamber of Commerce and Business Link	Cllr J Macrae	Cllr W Fitzgerald
South Cheshire Chamber of Commerce & Industry	Cllr D Brickhill (resigned)	Cllr J Macrae
Wilmslow Trust	Cllr R Menlove (resigned)	Cllr J Crockatt

## 10.8 Guidance for Members

At its meeting on 25<sup>th</sup> March 2010, the former Governance and Constitution Committee noted progress on the preparation of a guidance note for Members. The document is subject to further review by Legal Services and will not be available in its final form until later in the year. However, in advance of that, Members may find it helpful to receive advice and guidance on the key principles contained within the document. Arrangements are therefore being made to hold two separate briefing sessions.

## 11.0 **Access to Information**

The background papers relating to this report can be inspected by contacting the report writer.

### ***For further information:***

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