

Outside Organisations Sub-Committee

Agenda

Date:	Wednesday, 12th December, 2012
Time:	10.00 am
Venue:	Room S1/2 - Westfields, Middlewich Road, Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

5. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the Sub-Committee on any matter relevant to its work. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

For requests for further information

Contact: Cherry Foreman

Tel: 01270 686463

E-Mail: cherry.foreman@cheshireeast.gov.uk with any apologies

4. **Minutes of Previous meeting** (Pages 1 - 6)

To approve as a correct record the minutes of the meeting held on 20 September 2012.

5. **Review of Representation on Outside Organisations** (Pages 7 - 12)

To consider the final outstanding responses of the review.

6. **Sub-Committee Work Programme and Date of Next Meeting** (Pages 13 - 14)

To consider the Sub-Committee Work Programme and the date of the next meeting.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Outside Organisations Sub-Committee**
held on Thursday, 20th September, 2012 at Room S1 - Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor S Jones (Chairman)

Councillors J P Findlow, S Hogben, D Marren, B Moran and B Murphy.

Officer in attendance:

Cherry Foreman – Democratic Services

41 APOLOGIES FOR ABSENCE

There were no apologies for absence.

42 DECLARATIONS OF INTEREST

There were no declarations of interest.

43 PUBLIC SPEAKING TIME/OPEN SESSION

No members of the public were present.

44 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 3 May 2012 were approved as a correct record.

45 AUDLEM EDUCATION FOUNDATION

At the request of the Constitution Committee consideration was given to representation on the Audlem Education Foundation Awards Committee, and also to the responsible body for making those appointments.

The need to consider the matter had arisen as a result of there being a vacancy on the Awards Committee, in addition to which meetings had regularly been inquorate which affected its ability to make decisions. In order to improve the situation the Foundation had asked for the number of representatives on the Awards Committee to be increased from 5 to 6 with Mrs Helen Rounding and Peter Marshall being added as Members.

The report detailed the history of the Foundation with the former Cheshire County Council having been set up as Trustee in 1973. It was noted that under the terms of the Foundations Constitution the Council had full power to make and alter rules for the management of the Foundation.

Members noted that when it was originally established the geographic area covered by the Foundation was the Ancient Parish of Audlem which comprised the civil parishes of Audlem, Buerton and Hankelow, part of Dodcott-cum-Wilkesley, and Newall.

It was proposed that:

- Based on these Parishes, the representatives on the Awards Committee should be one person from each Parish (Audlem, Buerton and Hankelow, Dodcott-cum-Wilkesley, and Newall) plus one from Cheshire East Council; this would provide a membership of 6 as had been requested.
- The Awards Committee should be responsible for appointing the five Parish representatives and Cheshire East would continue to appoint its one representative as before.
- To ensure that the Awards Committee could operate during the time it would take for the matter to be referred to the Foundation, and for the Parish appointments to be made, it was further proposed that Helen Rounding and Peter Marshall be added as representatives for the intervening period.
- It was proposed that the quorum for the meetings of the Awards Committee should be half of its membership.

RESOLVED

1. That the number of representatives on the Audlem Education Foundation Awards Committee be increased to six with one representative from each of the Parishes of Audlem, Buerton and Hankelow, Dodcott-cum-Wilkesley, and Newall, plus one from Cheshire East Council.
2. That the Awards Committee be directly responsible for appointing the five Parish representatives and that Cheshire East Council continue to appoint its one representative as before.
3. To ensure that the Awards Committee can operate during the time it will take for the matter to be referred to the Foundation, and for the Parish appointments to be made, that Helen Rounding and Peter Marshall be added as representatives for the intervening period.
4. That the quorum for meetings of the Awards Committee be half of its membership.

46 NEW ORGANISATION - THE NANTWICH PARTNERSHIP

Consideration was given to a request for this new organisation to be added to the approved list of outside organisations. Membership of the Partnership was open to any individual, group or organisation etc actively involved in regenerating Nantwich and in furthering the work of the Partnership. A Management Team of between 5 and 11 representatives was proposed.

In accordance with the established procedure and criteria the Sub-Committee considered whether or not the Nantwich Partnership should be added to the list of approved organisations; having agreed that it was suitable it was then agreed that it should be a Category 2 (Constitution appointed) organisation.

The Sub-Committee requested clarification of the number of Cheshire East Councillor representatives to be appointed and it was proposed that, subject to further clarification, approval be given for up to two representatives to be appointed and that the appointments be dealt with by way of the Casual Vacancies Procedure.

RESOLVED

1. That approval be given for the Nantwich Partnership to be added to the list of Category 2 (Constitution Committee) Outside Organisation appointments.
2. That, subject to further clarification, up to two Cheshire East Councillors be appointed to the Partnership and that the appointments be finalised in accordance with the Casual Vacancies Procedure.

47 REVIEW OF REPRESENTATION ON OUTSIDE ORGANISATIONS

Consideration was given to the replies received from those organisations and Members surveyed in Phase 3 of the review.

Each set of responses was considered in turn and the further actions below were proposed for the organisations shown:-

1. Maw Green Landfill Site Community Liaison Meeting – Clarification be sought of the number of Councillor representatives to be appointed.
2. Northern Regional Association for Sensory Support – delete from the list as no meetings have been held, correspondence to the organisation has been returned marked 'gone away', and no further information has been found.

3. Over Peover Educational Foundation – delete from list as no meetings have been held and no response received from the organisation; the organisation to be advised it can ask to be added back on if it is necessary.
4. Public Transport Association – Response to be requested from Cllr Davenport, and further contact details to be sought from Cllr Fletcher. In the light of information received further consideration to be given to whether this should be a Category 1 or 2 appointment.
5. Sandbach Park Steering Group – delete from the list as it is not an outside organisation and relates to a Cheshire East function.
6. Sir John Deane's College, Northwich – Response from the College to be requested.
7. Sir Thomas Delves Foundation, Wybunbury – that the vacancy be filled with in accordance with the Casual Vacancies Procedure.
8. Stanley and Brocklehurst Almshouses Trust – that a response be sent to confirm that from now on Cheshire East Council will appoint one representative, rather than the previous four, and that this would also pertain for the Fence Trust.
9. Transport Futures – further information to be sought from Cllr Davenport.
10. University of Keele Court – Noted that this was now defunct. Further information to be sought from the Organisation regarding successor arrangements for local representation.
11. Youth Federation of Cheshire, Halton, Warrington and Wirral - Delete from list as no meetings have been held and no response received from the organisation; the organisation to be advised it can ask to be added back on if it is necessary.

During the course of the discussion it came to the attention of the Sub-Committee that South Cheshire College of Further Education did not have any Cheshire East Councillor representation on its Board of Governors. The Sub-Committee considered that it should in line with other similar establishments in the area such as Macclesfield College, and Reaseheath. It was therefore proposed that the Chairman of the Sub-Committee write to the College to see if they would like a Cheshire East Councillor representative on their Board or as a co-opted member.

RESOLVED

1. For the reasons set out above the Northern Regional Association for Sensory Support, the Over Peover Educational

Foundation, Sandbach Park Steering Group, the University of Keele Court and the Youth Federation of Cheshire, Halton, Warrington and Wirral, be removed from the list of outside organisations appointed to by the Council.

2. That further information be sought from either the organisation or the Councillor as appropriate, regarding the Maw Green Landfill Site Community Liaison Meeting, the Public Transport Association, Sir John Deane's College, Northwich and Transport Futures.

48 SUB-COMMITTEE WORK PROGRAMME

The progress of the review was noted, and of the remaining items on the work programme.

The date of the next meeting was set for Wednesday 12 December 2012 at 10.00am at which time consideration would be given to any outstanding matters on the review.

The meeting commenced at 11.00 am and concluded at 12.30 pm

Councillor S Jones (Chairman)

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CHESHIRE EAST COUNCIL

Outside Organisation Sub Committee

Date of Meeting:	12 December 2012
Report of:	Democratic Services and Registration Manager
Subject/Title:	Review of Representation on Outside Organisations

1.0 Report Summary

- 1.1 At its meeting on 23 November 2011 the Sub Committee agreed to commence its review of the appropriateness of Councillor representation on those outside organisations for which it was responsible for appointing the Councils representatives.
- 1.2 The total list of organisations that fall within the purview of the Sub-Committee was divided into six tranches and a survey letter has now been sent to them all.
- 1.3 Since the last meeting a reminders and requests for outstanding information have been sent out and Appendix 1 to this report sets out the current position. The supporting documents to the appendix will be circulated to Committee members prior to the meeting.
- 1.4 The Sub-Committee is now asked to consider the responses.

2.0 Decision Requested

- 2.1 That consideration be given to the responses received and a decision made as to the continuing appropriateness of the Councils representation on each of the bodies surveyed to date.

3.0 Reasons for Recommendations

- 3.1 The Sub-Committee is committed to ensuring that representation on outside organisations remains effective for all concerned.

4.0 Wards Affected

- 4.1 All, as the outside organisations are spread across the whole of the Borough.

5.0 Local Ward Members

- 5.1 N/A

6.0 Policy Implications

6.1 None identified.

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

7.1 None identified.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 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 resolved to put in place for elected Members the maximum indemnity which is allowed by law.
- 8.2 Section 111 of the Local Government Act 1972 empowers local authorities to do any thing which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions, and Section 2 of the Local Government Act 2000 empowers them to do anything they consider likely to achieve the object of the promotion of the economic, social or environmental well-being of their area. Pending the coming into force of the general power of competence in the Localism Act 2011, which will be on a date yet to be announced, either or both of these existing powers would normally be the authority for appointing Members to outside bodies and/or selecting the bodies to which they are to be appointed.

9.0 Risk Management

9.1 None identified

10.0 Background and Options

- 10.1 The terms of reference of the Sub-Committee include the comprehensive review the representation of the outside organisations in preparation for the next round of appointments, which will take affect from the date of the new Council in 2015. The current review is part of that ongoing process.

11.0 Access to Information

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

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Designation: Democratic Services Officer
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REVIEW OF OUTSIDE ORGANISATIONS – OUTSTANDING POSITION

ORGANISATION	REPRESENTATIVES	CLLR RESPONSE	ORGANISATION RESPONSE	CONSTITUTION OR TERMS OF REFERENCE AVAILABLE	COMMENTS
Public Transport Consortium	R Fletcher H Davenport	Y -	No current contact	-	H Davenport response plus information and contact details requested. Once received consideration to be given to whether I is a category 1 or 2 organisation
Sir John Deane's College, Northwich	P Edwards	y	y	Y	Response now received from College
Sir Thomas Delves Foundation, Wybunbury	J Clowes 1 vacancy	Y -	y	y	1 vacancy to be dealt with under the casual vacancies procedure
Transport Futures	H Davenport	-	No current contact	-	H Davenport response plus information and contact details requested
University of Keele Court (Defunct)					Information on replacement arrangements requested
Cheshire Local History Association	D Flude	y	-	y	Response now received from D Flude
Kings School, Macclesfield	J Findlow H Gaddum D Neilson	Y Y y	y	y	Response now received from D Neilson

REVIEW OF OUTSIDE ORGANISATIONS – OUTSTANDING POSITION

ORGANISATION	REPRESENTATIVES	CLLR RESPONSE	ORGANISATION RESPONSE	CONSTITUTION OR TERMS OF REFERENCE AVAILABLE	COMMENTS
Knutsford Education Foundation	O Hunter	y	-	Y	Response now received from O Hunter
Linden Bank Community Liaison Group	B Moran	y	y	Y	Response now received from B Moran
Cheshire East CAB	A Thwaite M Martin	Y y	-	-	Information requested again from the CAB with a view to understanding why it differs from the arrangements in Macclesfield (copy letter attached)
Crewe and Nantwich Twinning Association	R Cartlidge	y	y	Y	Response now received from organisation
Maw Green Landfill Community Liaison Committee	C Thorley J Hammond	Y y	y	-	Response now received from organisation.
South Cheshire College of Further Education					Not one of our organisations but an enquiry has been made as to why it does not have representatives as for Macclesfield College, and Reaseheath

REVIEW OF OUTSIDE ORGANISATIONS – OUTSTANDING POSITION

ORGANISATION	REPRESENTATIVES	CLLR RESPONSE	ORGANISATION RESPONSE	CONSTITUTION OR TERMS OF REFERENCE AVAILABLE	COMMENTS
White Moss Sand Quarry Local Liaison Committee	R Fletcher D Hough (non voting)	N/A	N/A	N/A	Now agreed with the Committee administrator that that 1 member shall be appointed but that the shall attend in a non voting capacity
Nantwich Partnership		N/A	N/A	N/A	At its meeting on 26 November the Constitution Committee accepted the recommendation of the Sub-Committee that this was a Category 2 organisation and went on to appoint Cllrs A Martin and P Groves to it as local ward members.

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**OUTSIDE ORGANISATIONS SUB COMMITTEE
WORK PROGRAMME**

ITEM	DESCRIPTION	DATE AGREED	Current Position	CONSIDERED AT MEETING ON: -	DATE COMPLETED
Officer Support for Members on Outside Organisations	To compile a list of officers to assist in providing support to Members	2 March 2011	Ongoing , and to be added to questions to be asked as part of the review of member representation	23 November 2011	
Terms of Reference of the Sub Committee	To consider revisions to the Terms of Reference (for approval by the Constitution Committee)	27 June 2011	Ongoing To be ratified by Constitution Cttee on 22.3.2012	23 November 2011	22.3.2012
Review of representation on outside bodies	To review the effectiveness of representation on the organisations appointed to by the Constitution Committee	27 June 2011	Ongoing Phase 1(tranches 1 & 2) Phase 2 (tranches 3 & 4) and outstanding Phase 1 Phase 3 (tranches 5,6 & 7) and outstanding Phase 2 Report on final position	23 November 2011 28 February 2012 3 May 2012 20 September 2012 12 December 2012	

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