



Legal and Democratic Services

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TO THE CHAIRMAN AND MEMBERS OF
THE EXECUTIVE

Please ask for:

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Your ref:

Our ref:

SH/

6 August 2004

Dear Sir/Madam

EXECUTIVE – TUESDAY 17 AUGUST 2004

At a special meeting of the Community Overview and Scrutiny Committee held on Friday 6 August 2004 to deal with a call-in on the decisions taken at the Executive on 19 July 2004 relating to representatives on outside bodies, it was decided to refer the decision back to the Executive for consideration.

The following item will, therefore, be added to the Agenda for the Executive meeting to be held on Tuesday 17 August 2004 at 1.00pm in the Flensburg Room:-

Representatives on Outside Bodies

At the request of the Community Overview and Scrutiny Committee, to reconsider the decisions taken in Minute EX.153/04 (Representatives on Outside Bodies).

The item should be dealt with immediately prior to Agenda Item A.16 on the Agenda.

I attach a copy of Minute EX.153/04. The Minute of the Community Overview and Scrutiny Committee is being prepared and will be circulated in due course.

Yours sincerely

J. M. Egan

Head of Legal and Democratic Services

**EXCERPT FROM THE MINUTES OF THE
EXECUTIVE
HELD ON 19 JULY 2004**

EX.153/04: REPRESENTATIVES ON OUTSIDE BODIES (Non-Key Decision)

Portfolio All

Subject Matter

To consider a report from the Head of Legal and Democratic Services (LDS.32/04) seeking nominations for the appointment of representatives on outside bodies.

Summary of options rejected

None

DECISION

1. That the following appointments to outside bodies be made:-

Age Concern - Carlisle and District General Committee
Councillor Mrs Parsons

Age Concern - Cumbria District Forum
Councillor Mrs Parsons

Anchorage Centre Management Committee
Councillor Mrs Parsons

Belah Community Centre Management Committee
Councillors Mrs S Fisher, Morton and Toole

Botcherby Community Centre Management Committee
Councillors Mrs Glendinning, Boaden and Scarborough

Brampton Community Association General Committee
Councillor Knapton

Care and Repair Carlisle - Hanover Housing Association
Councillor Mallinson E

Carlisle and Eden Community Safety Strategic Group
Councillor Bloxham

Carlisle and Eden Local Strategic Partnerships
Councillors Guest, Bloxham, Mitchelson and Firth

Carlisle Citizens' Advice Bureau Management Committee
Councillors Mrs Fisher and Earp

Carlisle College Corporation
Councillor Knapton (term of office expires 11.9.05)

Carlisle Council for Voluntary Service
Councillors Mrs Parsons and Mrs Crookdake

Carlisle District Crime and Disorder Strategic Partnership Group
Councillor Bloxham

Carlisle District Health Group
Councillor Knapton

Carlisle Education Business Partnership
Councillor Mrs Bowman

Carlisle Educational Charity
Councillors Mrs Mallinson & Firth and one Labour and one Liberal Democrat (nominations to be made by the respective Groups) (all 4 year term of office expiring August 2008)

Carlisle Law Centre Management Committee
Councillor Knapton

Carlisle Leisure Limited Board
Councillors Stevenson and Mitchelson

Carlisle Police Sub-Division Community Liaison Committee
Councillor Mrs Bowman and Morton (Councillor Bloxham as substitute)

Carlisle South Sure Start – Interim Steering Group
Councillor Weedall and Knapton (Councillors Martlew & Bloxham - substitutes)

Carlisle Sports Council
Councillor Knapton

Carlisle Tourism Executive Board
Councillors Firth, Mitchelson and Mrs Bowman

City Centre Management Working Group
Councillor Mrs Bowman

Community Safety Forum
Councillors Morton, Bloxham and Knapton

Conservation Area Advisory Committee
Councillor Mrs Geddes

Croftlands Trust Management Committee
Councillor Mrs Parsons

Cumbria Branch of the Local Government Association
Councillors Firth, Mitchelson and Bloxham

Cumbria Community Legal Services Partnership
Councillor Earp

Cumbria Health and Wellbeing Committee
Councillor Mrs Prest (Councillor Mrs Fisher and Mrs Parsons - substitutes)

(Note – This is a joint Scrutiny Committee comprising representatives of the six District Councils in Cumbria and Cumbria County Council. The terms of reference require that Members should be serving Members of Overview and Scrutiny Committees.)

Cumbria Inward Investment Agency Limited
Councillor Mrs Bowman

Cumbria Playing Fields Association – Executive Committee
Councillor Weedall

Cumbria Strategic Partnership
Councillor Mitchelson (Councillor Firth - substitute)

Cumbria Tourist Board – AGM
Councillors Mrs Bowman and Mitchelson

Cumbria Tourist Board General Council
Councillor Mrs Bowman

Cumbria Waste Management Environment Trust - Carlisle and Eden
Advisory Group
Councillor Bloxham

Currock Community Centre Management Committee
Councillors Bradley, Glover and Im Thurn.

Denton Holme Community Centre Management Committee
Councillors Atkinson, McDevitt and Mrs Southward

Drugs Reference Group
Councillor Mrs Parsons

East Cumbria Countryside Project
Councillors Mrs Crookdake and Earp

Elizabeth Fell Memorial Trust
Councillor Mrs Fisher

Fluoridation of Water Supplies Working Group
Councillor Bloxham

Friends of Tullie House Museum and Art Gallery
Councillor Mrs Fisher

Greystone Community Association
Councillor Patrick

Hadrians Wall Tourism Partnership
Councillor Knapton

Hadrians Wall World Heritage Site Management Plan Committee
Councillor Jefferson

Harraby Community Centre Management Committee
Councillors Weber, Weedall and Mrs Rutherford

Impact Housing Association
Councillor Mrs Parsons

Kingmoor Joint Venture Company - Kingmoor Park Properties
Councillor Knapton

Local Authority World Heritage Forum
Councillor Jefferson

Local Economy Forum
Councillor Mrs Bowman

Local Government Association - General Assembly
Councillor Mitchelson (Councillor Firth - substitute)

Local Government Association - Rural Commission
Councillors Mitchelson and Firth

Local Government Association - Urban Commission
Councillors Firth and Mitchelson

Local Government Information Unit
Councillor Firth

Longtown Community Centre Management Committee
Councillors Bloxham and C S Bowman

Longtown Investment Partnership
Councillors Bloxham, Jefferson and C S Bowman (i.e. the Ward
Councillors for the Longtown and Rockcliffe and the Lyne Ward)

Mary Hannah Almshouses Charity
Councillors Mrs Fisher, Toole (term of office expires July 2005) and C
S Bowman (term of office expires February 2006)

Morton Community Centre Management Committee
Councillors Aldersey and P Farmer and Councillor Mrs Farmer

National Association of Councillors - Northern Branch
Councillor Mrs Geddes

National Parking Adjudication Service Joint Committee
Councillor Bloxham (Councillor Morton substitute)

North Cumbria Technology College - Management Group
Councillors Mrs J Prest and Weedall

North Pennines Partnership of Local Authorities
Councillor Collier

North West Housing Forum
Councillor Bloxham

North West Local Authorities Employers Organisation
Councillor Mrs Geddes (Councillor C S Bowman - substitute)

Objective 2 and 3 Cumbria County Working Group
Councillor Mrs Bowman

Petteril Bank Community Centre Management Committee
Councillors Mrs Crookdake, Mrs Martlew and Wilson

Quality Street Competition
Councillors Mrs Crookdake and Mrs Parsons

Raffles Single Regeneration Budget Board
Councillor Bloxham

Settle - Carlisle Railway Development Company
Councillor Mitchelson

*try for
extra place
for a rep -
Cllr Martlew.*

Solway Coast Area of Outstanding Natural Beauty Joint Advisory
Committee
Councillor Collier

Stanwix Community Association
Councillor Mrs Geddes

Voluntary Action Cumbria
Councillor Mrs Bowman

West Coast Rail 250
Councillor Mitchelson

Yewdale Community Centre Management Committee
Councillors Hendry, Warwick and Stothard

2. That the appointments to the Carlisle Housing Association Board be deferred to the next meeting of the Executive.

Reasons for Decision

To make appointments to outside bodies for the 2004/05 Municipal Year.

EXCERPT FROM THE MINUTES OF THE COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE HELD ON 6 AUGUST 2004

COS.109/04 CALL-IN – REPRESENTATIVES ON OUTSIDE BODIES

Councillor Boaden (Chairman) reported that he had called in for scrutiny Executive decision EX.153/04 dealing with the nomination of Representatives on Outside Bodies.

Copies of the decision setting out the Executive's appointments to outside bodies and report of the Head of Legal and Democratic Services LDS.32/04 had been circulated prior to the meeting.

The reason given for the call-in was to establish the basis the Executive had used for establishing representation on various bodies.

The Chairman reminded Members of the options open to them today in terms of decision making, which were:

- (a) refer the matter back to the decision making body, in this case the Executive, for reconsideration setting out in writing the nature of its concerns;
- (b) refer the matter to full Council;
- (c) not refer the matter back to the decision making body, in which case the decision would take effect from the date of today's meeting.

A Member stated that certain Members of the Committee were also members of outside bodies and questioned whether they required to declare an interest.

In response, the Head of Legal and Democratic Services advised that the Committee was not making nominations to such bodies today and therefore there was no requirement upon Members to make such declarations.

The Chairman thanked those Members of the Executive who were present for their attendance at the meeting. He then questioned the process adopted by the Executive in nominating representatives to the various bodies.

In response Councillor Knapton stated that, in his capacity as Portfolio Holder with most responsibility to the Community Overview and Scrutiny Committee, he would make a statement on behalf of the Executive, namely:

The Executive considered that representatives on outside bodies needed to be able to speak on behalf of the Authority and follow Council policy. The Executive believed that members of the Executive were best equipped to do that because they had

responsibility for decision making. The representatives on outside bodies were there to represent the views of the Authority and not their own or their Political Party views.

Discussion then followed between Members of the Committee and Executive Members present, during which the following points were raised:

Was it being suggested therefore that all representatives should come from the Executive? Clearly many bodies did not have such representation. Why the difference?

In response, Councillor Mitchelson commented that many functions were Executive functions and their responsibility. As regards nominations to Community Centre Management Committees, then those had been shared out and leant heavily on Ward Councillors for the areas in question.

A Member commented that there were other instances where the Members nominated were not Executive Members.

Councillor Knapton replied that the Members in question were mainly closer to the Executive and were aware of the Executive's views.

A Member referred to the statement made above by Councillor Knapton that representatives should represent the views of the Council and not their own or political views. She was concerned that being "closer to the Executive" was clearly political.

In response, Councillor Knapton stated that the views of the Executive were also those of the City Council.

A Member expressed regret that the City Council consisted of fifty-two Members who represented all facets of the City and its economy, social life, etc. and yet a large proportion were totally excluded for no good reason. He believed that the basis upon which the nominations had been made was flawed and that the Council was not making the best use of the talents at its disposal.

He used as an example the Citizens Advice Bureau where two appointments had been made who were both Conservatives and highlighted his own previous role as Chairman of a CAB Committee which could have been useful to the Council in considering its appointments. It was his belief that the full Council should take ultimate responsibility for the authority and its relationships with others. He hoped that today the Conservative administration would be more flexible in the interests of the City and its people.

In response, Councillor Mrs Geddes advised that she had just spent 2½ hours with the North West Employers looking at the Charter. Members came from all walks of life and there was currently no method of placing on record the skills possessed by each Member. Under the Charter there would be personal development reviews for every Member and an opportunity for all to log their skills. That information could inform the nomination process in future.

A Member welcomed that statement, but stressed that the skills of certain Members were already well known. She questioned how it had been established that Conservative Members possessed skills that other Members did not.

Mrs Geddes replied that her statement referred to the future.

Another Member indicated that the Leaders of each Political Group were best placed to know the skills of their Members. He believed that greater dialogue between Party Leaders would be beneficial. A Member added that that facility was already available but had not been used.

In response, Councillor Mitchelson stressed that Group Leaders had not put forward any nominations, there was a greater sharing of Members this year than had been the case for many years, and if nominations were put forward in the future the Executive would consider the same.

The Chairman questioned the position as regards a nomination to Petteril Bank Community Centre Management Committee, and given what had been said about Ward Member representation on such Committees why the nomination of a non Ward Member had been made.

In response, Councillor Mitchelson explained that the position regarding that particular Member had been discussed, the Member consistently attended Management Committee meetings and the Association welcomed her input.

The Chairman asked whether attendance and contribution at meetings was one of the criterion used for determining representation. Councillor Mitchelson replied that there was no formal record of attendance at such meetings.

A Member refuted that statement and further commented that, although all Members serving on such Committees were welcomed they were not nominated by the Associations. There was no reason why a representative of the Petteril Bank area could not have been nominated by the Council.

A Member then expressed concern that an elite number of Councillors were holding numerous positions and questioned whether they could do justice to those positions. The distribution of Members on outside bodies should be more evenly spread.

Councillor Knapton stated that, as far as his Portfolio area was concerned, then he took responsibility to attend meetings of all organisations of which he was a part. Failure to do so would mean that he was not in touch with all aspects under his control. Referring to the Cumbria Playing Fields Association – Executive Committee, he was well aware that the serving Member made a valuable contribution and he therefore believed that that Member should remain on that body.

The Chairman stated that outside bodies were wide ranging and many did not have Portfolio Holder representation, yet many Councillors were not given the opportunity to serve thereon. A Member added that, although Members were supposed to serve their communities, the Labour Group had been excluded from undertaking that role in many of the areas it represented.

Councillor Mitchelson replied that more Conservative Members did not serve on an outside body than did Members of the Labour Group.

A Member questioned the appointment of a new Member of the City Council to Greystone Community Association and whether a skills assessment had been undertaken as mentioned above. The Leader of the Labour Group had not been approached and therefore the Personal Development Plan had been totally ignored. She stressed she was questioning the process adopted and not the ability of any particular Member.

Councillor Mitchelson reported that only one appointment could be made to the Association and it was felt that the Member would serve the Association well in her capacity as Ward Councillor. Councillor Mrs Geddes added that she knew the Member concerned and believed her to be a good and proactive Member.

A Member then suggested that here was an opportunity for the Leader to discuss the matter informally with each Group Leader so that the talents of all Members may be used for the greater good of the community.

It was moved and seconded that the matter be referred back to the Executive for reconsideration in order that the best talents of Members may be utilised in the nomination of representatives on outside bodies and that dialogue may be conducted with Group Leaders.

It was moved and seconded, by way of amendment, that the matter be not referred back to the Executive and that the decision take effect from the date of this meeting, since many outside bodies were waiting to be informed of nominations and for Members to attend meetings of their organisations.

Following voting the votes were tied and, with the Chairman exercising his casting vote, it was

RESOLVED – That the decision be referred back to the Executive for reconsideration in order that the best skills and talents possessed by all Members may be utilised in the nomination of representatives on outside bodies, and that dialogue may be conducted with Group Leaders in that regard.

Councillors C S Bowman, Earp, Mrs Parsons and Tootle wished it to be recorded that they had voted against the motion.