

**COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE –
SPECIAL MEETING**

FRIDAY 6 AUGUST 2004 AT 2.00 PM

PRESENT: Councillor Boaden (Chairman), Councillors C S Bowman, Earp, Hendry, Mrs Parsons, Scarborough, Mrs Styth (as substitute for Councillor K Rutherford) and Tootle

ALSO

PRESENT: Councillors Mrs Geddes (Corporate Resources Portfolio Holder), Knapton (Health and Community Activities Portfolio Holder) and Mitchelson (Leader of the Council)

COS.115/04 APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor K Rutherford.

COS.116/04 DECLARATIONS OF INTEREST

There were no declarations of interest affecting the business to be transacted.

COS.117/04 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 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.

[The meeting ended at 2.35 pm]