

North East Derbyshire District Council

Standards Committee

11 March 2019

Executive and Non-Executive Appointments for the 2019-20 Municipal Year.

Report of the Joint Head of Corporate Governance and Monitoring Officer

This report is public

Purpose of the Report

- To identify those Outside Bodies which should be classed as 'Executive' appointments and those which should be classed as 'Non-Executive' appointments for the 2019-20 municipal year.

1 Report Details

- 1.1 The Committee has previously agreed in principle to the adoption of a split between the appointment to outside bodies which relate to executive functions and those which relate to non-executive functions. It was explained that many local authorities had recognised that there is a clear distinction between Outside Bodies whose activities are relevant to executive side functions or the wider representative role played by Councillors.
- 1.2 There are a variety of ways in which this distinction is then reflected in appointments to these bodies. Some authorities make a distinction between Executive and Non-Executive appointments as part of the appointment process and in particular, ask their Cabinets to make Executive appointments and full Council to make Non-Executive appointments.
- 1.3 Committee also agreed the clear criteria that would be required for grouping those bodies to be appointed by Cabinet and those to be appointed by Council. The criteria was considered by Committee in October 2018 and is set out below:

OUTSIDE BODIES – EXECUTIVE SIDE FUNCTIONS TO BE APPOINTED BY CABINET:

- (i) There is an explicit legal or constitutional requirement that the Executive represent the Authority on the external organisation;
- (ii) The external organisation works directly with the Authority or its activities impact on the provision or Executive-side services;
- (iii) Membership of the external organisation enables the Authority to project political influence of helps to achieve its corporate goals and objectives.

OUTSIDE BODIES – NON EXECUTIVE SIDE FUNCTIONS TO BE APPOINTED BY COUNCIL

- (i) The external organisation has a minimal impact on the Executive-side services or functions of the Authority;
- (ii) The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment;
- (iii) Membership of the external organisation needs to reflect the political balance of the Council as a whole;
- (iv) The external organisation carries out functions which could potentially impact on the Council's reserved, regulatory or scrutiny functions.

1.4 The criteria has now been applied to those Outside Bodies which the Council appointed to in May 2018, in order to categorise those which should be classed in the future as Executive Appointments and those which should be treated as Non-Executive Appointments.

1.5 The suggested grouping of the Outside Body appointments is appended to the report. If the Committee endorse this then Council and Cabinet would then be asked to approve the methodology and suggested allocation of responsibility for the specific appointments for the 2019-20 municipal year.

2 Conclusions and Reasons for Recommendation

2.1 Participation by Members in the work of Outside Bodies is important to the District Council, to these bodies and to the wider community. By being represented on Outside Bodies the Council can build links with local people and improve their capacity to work together on behalf of their communities.

2.2 The proposed approach should help to provide greater clarity about the purpose of individual appointments, their value to the Council and judging who the most appropriate appointees might be.

2.3 A survey has been carried out of those elected Members who serve on Outside Bodies. The early returns suggest that some of them have not been fully clear about their appointments and have had limited contact with the Outside Bodies to which have been appointed. Some are unable to judge the value of their participation in these Bodies. Setting clear appointment criteria for Executive and Non-Executive appointments will provide the individual Members appointed to these bodies, Council and Cabinet the benchmarks to make these judgements which are currently lacking.

3 Consultation and Equality Impact

3.1 None specific. Member participation in Outside Bodies provides local groups and other organisations an opportunity to engage with the Council and for Members to engage with them.

4 **Alternative Options and Reasons for Rejection**

4.1 The current approach to appointing representatives to Outside Bodies could be retained. However, it would not provide the clarity and focus of the revised approach.

5 **Implications**

5.1 **Finance and Risk Implications**

5.1.1 N/A

5.2 **Legal Implications including Data Protection**

5.2.1 N/A

5.3 **Human Resources Implications**

5.3.1 N/A

6 **Recommendations**

6.1 That Standards Committee considers and endorses the suggested allocation of Executive and Non-Executive appointments, as set out in the appendix to the report.

6.2 That Standards Committee recommends this allocation to Council and Cabinet for approval and adoption for the 2019-20 municipal year.

7 **Decision Information**

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title
1	Suggested Allocation for Executive and Non-Executive Appointments to Outside Bodies for the 2019/20 Municipal Year
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	
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Appointments to be made to Outside Bodies for the 2019-20 Municipal Year

Outside Body	Executive Appointment	Non-Executive Appointment
Advice Agency Liaison Board	This should be classed as an executive appointment in terms of point (ii) of the criteria: The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services.	
Age Concern Chesterfield & District	This should be classed as an executive appointment in terms of point (ii) of the criteria: "The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services."	
APSE	This should be classed an executive appointment in terms of point (iii) of the criteria: "Membership of the external organization enables the Authority to project political influence or helps to achieve its corporate goals and objectives."	
Ash Renishaw Liaison Committee		This should be classed a non-Executive appointment in terms of point (ii) of the criteria: "the external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment".

<p>Bolsover/NE Derbyshire LEADER Programme</p>	<p>This should be classed as an executive appointment in terms of point (ii) of the criteria: The external organisation works directly with the Authority or its activities impact on Executive-side services and point (iii) of the criteria: Membership of the external Organisation enables the Authority to project political influence or helps to achieve its corporate goals and objectives.”</p>	
<p>Chesterfield and District Trade Unions Council</p>	<p>This should be classed as an executive appointment in terms of point (iii) of the criteria: Membership of the external Organisation enables the Authority to project political influence or helps to achieve its corporate goals and objectives.”</p>	
<p>Chesterfield & North Derbyshire Pensioner's Association</p>	<p>This should be classed an executive appointment in terms of point (iii) of the criteria: “Membership of the external organisation enables the Authority to project political influence or helps to achieve its corporate goals and objectives.”</p>	
<p>Chesterfield Canal Partnership</p>	<p>This should be classed an executive appointment in terms of point (iii) of the criteria: “Membership of the external organisation enables the Authority to project political influence or helps to achieve its corporate goals and objectives.”</p>	

Chesterfield Volunteer Centre	This should be classed as an executive appointment in terms of point (ii) of the criteria: "The external organisation works directly with the Authority or its activities impact on the provision of Executive Side Services."	
Citizens Advice Bureau Management Committee	This should be classed as an executive appointment in terms of point (ii) of the criteria: "The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services."	
Clay Cross One Public Estate Project Control Board	This should be classed as an Executive appointment in terms of point (i) of the criteria: "There is an explicit legal or constitutional requirement that the Executive represents the Authority on the external organisation."	
Coal Aston Public Playing Fields & Village Hall		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their local communities and to promote community empowerment."

Council for Voluntary Services (LINKS)	This should be classed as an Executive appointment under point (ii) of the criteria: "The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services."	
D2 Joint Committee	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its corporate goals and objectives."	
Danesmoor Darby & Joan Club		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their local communities and to promote community empowerment."
Derbyshire and Nottinghamshire Chamber of Commerce	This should be classed as an Executive appointment in terms of point (ii) of the criteria: "The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services." This should be also be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or to achieve its corporate goals and objectives."	

Derbyshire Law Centre	This should be classed as an Executive appointment in terms of point (ii) of the criteria: "The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services."	
Derbyshire Partnership Transformational Management Board NOW CALLED 'THE PARTNERSHIP FORUM'	This body is now called 'Derbyshire Partnership Forum'. It should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its corporate goals and objectives."	
Derbyshire Police and Crime Panel		This should be classed as a Non-Executive appointment in terms of point (iv) of the criteria: "The external organisation carries out functions which could potentially impact on the Council's reserved, regulatory or scrutiny functions."
Derbyshire Scrutiny Liaison Group		This should be classed as a Non-Executive appointment in terms of point (iv) of the criteria: "The external organisation carries out functions which could potentially impact on the Council's reserved, regulatory or scrutiny functions."

Derbyshire Unemployed Workers Centre	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or to achieve its corporate goals and objectives."	
Dronfield & District Disabled Club		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."
East Midlands Councils	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its corporate goals and objectives."	
Eckington Parish Over 60's Club		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."

EMC Regional Employers Board	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its corporate goals and objectives."	
English Heritage East Midlands Region		This should be classed as a Non-Executive appointment in terms of point (iv) of the criteria: "The external organisation carries out functions which could potentially impact on the Council's reserved. Regulatory [i.e. Planning] functions."
Ford Angling Club		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."
Housing Market Area Executive Sounding Board	This should be classed as an executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its corporate goals and objectives."	

Holmgate Community Centre Management Committee		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."
Holmgate Darby & Joan Club		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."
Joint Board with BDC, CBC and NEDDC	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its political goals or objectives."	
Joint Scrutiny Panel (Shared Services)		This should be classed as a Non-Executive appointment in terms of point (iv) of the criteria: "The external organisation carries out functions which could potentially impact on the Council's reserved, regulatory or scrutiny functions."

Killamarsh Community Trust		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."
LGA Derbyshire	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its political goals or objectives."	
LGA General Assembly and Related	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its political goals or objectives."	
Marketing Peak District & Derbyshire – Local Authority Investor Group	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its political goals or objectives."	
Marsh Lane, Old People's Welfare Association		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."
	This should be classed as an Executive appointment in terms of point (ii) of the	

	criteria: "The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services."	
Northwood Group Ltd	This should be classed as an Executive appointment in terms of point (ii) of the criteria: "The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services."	
NDHIA Advisory Committee	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its political goals or objectives."	
Policy and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee	This should be classed as an Executive appointment in terms of point (ii) of the criteria is probably the most appropriate: "The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services."	
Peak District National Park Authority		This should be classed as a Non-Executive appointment in terms of point (iv) of the criteria: "The external organisation carries out functions which could potentially impact on the Council's reserved, regulatory or scrutiny functions."
Pear Tree Friendship Club		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external

		organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment.”
Ridgeway Sports & Social Club		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: “The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment.”
Rykneld Homes Ltd	This should be classed as an Executive appointment in terms of point (ii) of the criteria: “The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services.”	
Safer Neighbourhoods Crime and Disorder Partnership NOW CALLED COMMUNITY SAFETY PARTNERSHIP	This should be classed an Executive appointment in terms of point (ii) of the criteria: “The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services.”	

Sheffield City Region Combined Authority	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its political goals or objectives."	
Sheffield City Region Scrutiny Committee		This should be classed as a Non-Executive appointment in terms of point (iv) of the criteria: "The external organisation carries out functions which could potentially impact on the Council's reserved, regulatory or scrutiny functions."
Sheffield City Region Audit Committee		This should be classed as a Non-Executive appointment in terms of point (iv) of the criteria: "The external organisation carries out functions which could potentially impact on the Council's reserved, regulatory or scrutiny functions."
Shirland & Higham Village Hall Management Committee		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."
Shirland Welfare Committee		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."

Stonebroom Community Association		This should be classed as a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."
Strategic Partnership for Accommodation and Support	This should be classed as an Executive appointment in terms of point (ii) of the criteria: "The external organisation works directly with the Authority or its activities impact on the provision of Executive-side services."	
The Alliance	This should be classed as an Executive appointment in terms of point (iii) of the criteria: "Membership of the external organisation enables the Authority to project political influence or helps to achieve its political goals or objectives."	
Wingerworth Welcome Club		This should be classed a Non-Executive appointment in terms of point (ii) of the criteria: "The external organisation provides an opportunity for local Councillors to engage with their communities and to promote community empowerment."