

**To the Chair and Members of the  
ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE**

**REVIEW OF THE CONSTITUTIONAL PROVISIONS REGARDING  
RESPONSIBILITIES FOR APPOINTMENTS TO OUTSIDE BODIES**

**EXECUTIVE SUMMARY**

1. This report sets out the current Constitutional provisions in respect of responsibilities for making appointments to Outside Bodies and seeks the Committee's views on whether it wishes to make recommendations to the Council after seeking the Standards Committee's views on a schedule of Bodies that should be Executive appointments in the future and those which should be full Council appointments. The Committee is asked to consider this, in light of the Overview & Scrutiny Management Committee's review of the Outside Bodies appointments process during 2007 and its recommendations to the Mayor.

**RECOMMENDATIONS**

2. The Committee is asked to consider whether it wishes to recommend to full Council via the Standards Committee that future appointments to Outside Bodies be split between the Executive and the full Council on the basis set out within Appendices A and B and, if so, request officers to draft appropriate revisions to the local choice functions within Sections III and IV of the Constitution, for Council's consideration.

**BACKGROUND**

3. Since the introduction of Mayoral Governance in May 2002 and the adoption by the Council of the Constitution in respect of a Mayoral form of governance, Part 3 of the Constitution Section III "FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL BY RESOLUTION OF THE FULL COUNCIL" and Section IV "FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE EXECUTIVE BY RESOLUTION OF THE FULL COUNCIL" have each contained a range of functions which are 'local choice' functions. In other words, the Council has discretion to decide if the function should be a full Council responsibility or the Executive's responsibility. Currently, both Sections III and IV each contain the following provision:-

The appointment of any individual –

- (a) to any office other than an office in which he is employed by the authority;

- (b) to any body other than –
  - (i) the authority;
  - (ii) a Joint Committee of two or more authorities; or
- (c) to any Committee or Sub-Committee of such a body,  
and the revocation of any such appointment.

In respect of Section III, this is applicable where the appointment relates to a function which is the responsibility of the full Council and in respect of Section IV where the appointment relates to a function which is the responsibility of the Executive.

- 4. Currently, the overwhelming majority of appointments to Outside Bodies have been Executive appointments made by the Mayor in accordance with Section IV of the Constitution in paragraph 3 above.

### **OSMC REVIEW OF OUTSIDE BODIES**

- 5. The Overview and Scrutiny Management Committee undertook a review of organisations that the Council or Executive have made appointments to in 2007/08, and made a series of recommendations to the Mayor at its meetings on 5/11/07 and 13/12/07.
- 6. OSMC made recommendations to the Mayor with regard to those organisations that it considered in future should be appointed by the Executive and those which it considered should be full Council appointments. A list of all Outside Bodies divided in to the categories recommended by OSMC is attached at Appendices A (recommended for Executive appointment) and B (recommended for Full Council appointment). The list of Outside Bodies reflecting OSMC's recommendations shown at Appendices A and B have been refreshed to reflect an updated list of all organisations that have currently been appointed to in the 2008/09 municipal year which essentially includes any new organisations that the Council has chosen to appoint a Member to, or deleted from the list are organisations that are either no longer in existence or the Council has chosen not to make an appointment to since OSMC conducted its review.

### **OPTIONS CONSIDERED**

- 7. The Committee is asked to consider whether it supports OSMC's recommendations on the division of appointments to be made between the Executive and full Council as listed at Appendices A and B.
- 8. Should the Committee be supportive and wish to recommend this approach to full Council it is suggested that authority be given for an annual review of the list of bodies within each category to be undertaken by Officers to allow new bodies that the Council is invited to be represented on, or bodies that are no longer in existence or that the Authority no longer wishes to be represented on, to be added or deleted from the respective schedule. It is proposed that this

delegation to Officers should provide for the annual reporting of the updated list of each category to full Council for review prior to the commencement of the new municipal year in which the appointments are to be made. If the Committee wishes to support this approach, this will require revision to the local choice function provisions within Sections III and IV of the Constitution, described above, which officers would draft for inclusion in the Committee's recommendations to the Council.

## **IMPACT ON THE COUNCILS KEY OBJECTIVES**

9. This report has no direct impact on the Council's key objectives. Clear responsibility and effective Constitutional provisions for making appointments to Outside Bodies contributes towards the Councils aims of 'Achieving Excellence'.

## **RISKS & ASSUMPTIONS**

10. No particular risks are identified in this report with regard to the scope for considering Constitutional revision.

## **LEGAL IMPLICATIONS**

11. The current Constitutional provisions in accordance with the Local Government Act 2000 are set out in the body of this report.

## **FINANCIAL IMPLICATIONS**

12. There are no financial implications associated with this report.

## **BACKGROUND PAPERS**

13. Reports to Overview & Scrutiny Management Committee 5/11/07 and 13/12/07 – Review of Appointments to Outside Bodies.

## **REPORT AUTHOR**

Simon Oldham  
Democratic Services and Member Support Manager  
Tel: 01302 736707  
Email: [simon.oldham@doncaster.gov.uk](mailto:simon.oldham@doncaster.gov.uk)

**PAUL EVANS**  
**INTERIM DIRECTOR OF RESOURCES**

**APPENDIX A - OUTSIDE BODIES PROPOSED AS EXECUTIVE APPOINTMENTS**

<b>OUTSIDE BODY</b>	<b>NOTES</b>
Air Transport Forum	
Association of Public Service Excellence (APSE)	
BDR Waste Disposal Ltd	
DARTS (Doncaster Community Arts)	
Dearne Valley Leisure Trust	
Discover the Spirit (DtS) Board	
Doncaster and Bassetlaw Hospitals NHS Foundation Trust	
Doncaster Central Development Trust Community Interest Company (NDC)	
Doncaster Community Social Group	
Doncaster Dome Leisure Trust	
Doncaster Racecourse Management Company Ltd	
Doncaster Relief in Sickness Fund	
English Heritage Yorkshire & the Humber	
Groundwork Dearne Valley	
Joint Committee for South Yorkshire Archaeology Service	2 Members (1 Executive / 1 Non-Executive).
Keepmoat Stadium Management Committee	Currently 1 officer (Managing Director, Director of Development as Deputy) and 1 Member.
Local Government Association – General Assembly Commission	
Local Government Association – Strategic Aviation Special Interest Group (SASIG)	
Local Government Association – Urban Commission	
Local Government Information Unit	
Local Government Yorkshire & Humber - Assembly	
Local Government Yorkshire & Humber – Employer’s Committee	
Local Government Yorkshire & Humber – Regional Planning Forum	
Local Government Yorkshire & Humber Improvement & Efficiency Board	
Mexborough & District Music Festival	
National Coal Mining Museum For England – Liaison Committee / Group	
National Foundation for Education Research	
North Doncaster Development Trust (NDDT)	
Objective 1 Programme Management Committee	
Parish Council Joint Consultative Committee	2 Executive Members (+ 6 Non-Executive Members. Those to be appointed by the Council).

Parking and Traffic Regulation Outside of London Adjudication Joint Committee (PATROLAJC)	
Reserve Forces & Cadets Association for Yorkshire & Humber	
South Yorkshire & Humber Broadband Committee	
South Yorkshire & Transportation Steering Group	
South Yorkshire Buildings Preservation Trust Ltd	
South Yorkshire Coalfield Partnership Board	
South Yorkshire Joint Committee on Archives	2 Members (1 Executive / 1 Non-Executive)
South Yorkshire Joint Highways Laboratory	2 Members (1 Executive / 1 Non-Executive)
South Yorkshire Joint Trading Standards Committee	2 Members (1 Executive / 1 Non-Executive)
South Yorkshire Magistrates Court Committee – Local Authority Liaison Forum	
South Yorkshire Rural Partnership	
South Yorkshire Training Trust – Northern Racing College	
South Yorkshire Transport Users Advisory Group	
St Leger Homes of Doncaster (ALMO)	
Thorne Moorends Regeneration Partnership	
Trans Pennine Trail Members Steering Group	
Victim Support South Yorkshire – Doncaster	
Yorkshire & Humber Region Home Safety Council	
Yorkshire & Humberside Pollution Advisory Group	
Yorkshire Libraries & Information Services	
Yorkshire Purchasing Organisation – Management Committee	
Yorkshire South Tourism	
Yorkshire Tourist Board – Authority Tourism Forum	

**APPENDIX B – OUTSIDE BODIES PROPOSED AS FULL COUNCIL APPOINTMENTS**

<b>OUTSIDE BODY</b>	<b>NOTES</b>
Adwick Charities	
Alliance, The	
Bentley with Arksey Doles Charity	
Cantley's Poor Land Trust	
Citizen's Advice Bureau Trustees Board Doncaster	
Citizen's Advice Bureau Trustees Board Mexborough & District Management Committee	
Citizen's Advice Bureau Trustees Board North East Doncaster Management Committee	
Doncaster College	
Dunscroft Unite Limited	
Elm Green Lane Community Care Centre Management Committee	
Healthier Doncaster Theme Group	
Internal Drainage Boards - Armthorpe	
Internal Drainage Boards – Ashfields and West Moor	
Internal Drainage Boards – Black Drain	
Internal Drainage Boards – Dun Drainage	
Internal Drainage Boards - Finningley	
Internal Drainage Boards – Hatfield Close	
Internal Drainage Boards – Potteric Carr	
Internal Drainage Boards - Tickhill	
Internal Drainage Boards – Tween Bridge	
Internal Drainage Boards - Went	
Mexborough Charity Trust – Almshouses	
Parish Council Joint Consultative Committee	6 Non-Executive Members (+ 2 Executive Members. Those to be appointed by the Executive).
Pegler Sport & Social Club – Executive Committee	
Prostitution Task Group	
Robert Woods Kirk Sandall Exhibition Foundation	
Robin Hood Doncaster Sheffield Airport Consultative Committee - Noise Monitoring Sub Committee	
Robin Hood Doncaster Sheffield Airport Consultative Committee, Community Sub Committee	
South Yorkshire Fire and Rescue Authority (SYFRA)	
South Yorkshire Health Scrutiny Committee	
South Yorkshire Passenger Transport Authority (SYPTA)	
South Yorkshire Pensions Authority	

South Yorkshire Police Authority (Appointments Committee)	Mayor and Deputy Mayor ex-officio (Leader / Deputy Leader of other South Yorkshire Districts)
St Leger Homes Area Board - East	
St Leger Homes Area Board - West	
Standing Advisory Council for Religious Education	
Travis Educational Trust	
Yorkshire Wildlife Trust Management & Development Committee (Potteric Carr)	