

Scrutiny at Eden

Outside Bodies Review

March 2020

Chairman's Foreword

The Human Resources and Appeals Sub-Committee made a recommendation at one of their meetings that this long overdue scrutiny review of the Outside Bodies that Members represent EDC on take place.

Reviews took place in 2008 and 2010 which looked in depth at four partnerships in each review, and since then there has been many changes with budget cuts and service delivery.

Members are elected to represent the Council at the AGM in May on what is now referred to as Outside Bodies. The Council needs to provide assurance to the public that their money is being spent wisely and that the input by the elected Councillor into the Outside Body they represent will improve quality of life and provide value for money.

In the past I have found myself becoming a trustee of an Outside Body without being informed that the position I was nominated for involved becoming a trustee. More details need to be given to Members who are nominated prior to them accepting the position, and details of how to report the decisions made at the meetings to their fellow councillors.

The 2019 pack for newly elected Members is a step in the right direction giving details of the Outside Bodies, but there is no guidance on how to report back to the council after attending meetings of that particular Outside Body.

At the 2019 AGM it was clear Members were nominated for positions when they had not been consulted, as if it was some kind of game. I spoke with Members who found themselves in positions they had no interest in and didn't want to hold. Members need to be asked if they are prepared to take on the Outside Body, before being put on the spot at the AGM.

The preference needs to be appropriate representation on the Outside Body with the represented member having background knowledge of the subject or if the Outside Body is dedicated to a certain area of Eden the representative living in a ward that the Outside Body covers.

Joan Raine

Chairman

1. Introduction

This review has been undertaken to allow the now defunct Scrutiny Co-ordinating Board, now Overview and Scrutiny Committee to have an oversight of the Outside Bodies which elected Members sit on as representatives and make recommendations to improve the reporting process for Members.

2 Scope

2.1 Purpose of the Review

To review all outside bodies on which Members sit, and to look at improving the method for reporting back on Outside Bodies to ensure that all are adding value to Eden District Council.

2.2 Aims

- To consider all outside bodies which have Members appointed to them.
- To compare current practices with comparable Councils.
- To establish a set method for members to report back from Outside Bodies.

2.3 Methodology

The Outside Bodies Task and Finish Review came about as a direct result of a complaint to the Council, resulting in the Human Resources and Appeals Sub-Committee making a recommendation that Scrutiny look at how Members reported back from Outside Bodies. It was also decided that it would be appropriate to look at all Outside Bodies as well, to ensure that it was appropriate that Eden District Council retained its representatives and that they were adding value to the Council as a whole.

The Members of the Task and Finish Group were:

Councillor J Raine – Crosby Ravensworth (Chairman)

Councillor D Banks - Langwathby

Councillor M Hanley – Alston Moor

Councillor R Orchard – Hartside

Councillor J Thompson – Penrith West

The Group agreed to the following approach:

- Desk based research to look at comparable Councils and how they dealt with Outside Bodies.
- A survey of Members involved with the non-Executive, non-statutory Outside Bodies.

A number of Councils were identified as being similar to Eden District Council based on the Institute of Public Finance and Accountability 'nearest neighbours' group of similar authorities. The Group considered the annual reports of those Councils, and information on their website regarding Members and Outside Bodies.

3 Findings

3.1 Background

Following the acceptance of the Terms of Reference at the Scrutiny Co-ordinating Board Members met on a total of three occasions; to prepare a survey to send out to current Members, to discuss how to report back to Council, to look at what other comparable Councils did and to discuss the final recommendations.

Desktop Research

Members asked for desktop research to find out how other Councils treated their Outside Bodies, what information was provided to Members and how Members reported back to their authorities.

Information was obtained from Babergh District Council, Derbyshire Dales District Council, Hambleton District Council, Mid Suffolk District Council, Ribble Valley Borough Council, Richmondshire District Council, Ryedale District Council, South Lakeland District Council and Test Valley Borough Council.

All Councils researched had a number of differing approaches to Outside Bodies. Of all the Councils researched, only two stated that they had methods for Members to report back after meetings, Ryedale District Council and South Lakeland District Council. Ryedale Council asked Members to fill in a precis form after every meeting and submit them, which were then published online, and South Lakeland District Council produce an annual report which is submitted at their Annual General Meeting.

Test Valley Borough Council also produced an in depth guidance for Councillors, with additional information for any Member who is asked to become a trustee of an Outside Body.

Members felt that there was a need to report back on a regular basis, to enable the Council as a whole to be aware of what was discussed, and also to publish this on the website so that the public can have full transparency over what elected Members are doing. Members expressed a preference for the Ryedale approach of producing a precis after each meeting attended, and requested that a similar form be produced for the use of Members. See Appendix B for a copy of suggested form.

Survey of Members

Members of Outside Bodies which weren't linked to Executive roles, or statutory bodies such as the Lake District National Park were surveyed regarding their thoughts about the Outside Bodies which they were representing. The questions asked were as follows:

1. Have you attended meetings of the Outside Body you are appointed to since you were elected to that position in May 2019?
2. How many meetings have there been, and how many have you attended/sent apologies to?
3. Did you report anything back to the Council?
4. Was there relevance of the meeting to Eden District Council?
5. What other bodies/authorities have representation on the Outside Body?
6. Are there minutes available from the meetings?
7. Did you feel it was worthwhile attending the meetings?
8. Did you feel you contributed to the meetings?

9. Do you think that we should continue to have a representative on the Outside Body?

All Members who were surveyed came back with responses (attached as Appendix 1 to this report), and Members of the Task and Finish Group were impressed at the level of response. Members were pleased that there was a high level of engagement from those Members who responded towards their Outside Bodies. The only body which caused issue towards Members was the Omega Proteins Liaison Group, and Members agreed to look at this closely. This group was set up following a court case a number of years ago, and at the time Eden District Council was the lead agency responding to any complaints regarding the 'Penrith Pong'. Since the Environment Agency are now the lead agency, Eden District Council's need for representation on this board is minimal. The Task and Finish Group therefore recommended that as of the municipal year 2020/2021, Eden District Council withdraws from the Omega Protein Liaison Group.

Members also felt that it wasn't necessary to send two Members to the Greenwich Leisure Limited Eden Group, as there was already an officer in support there at meetings, and it was felt that one Member in attendance would be enough.

Other issues

Other issues which were brought up from Members was that it appeared it had been a number of years since Terms of Reference were sought from all Outside Bodies. Member Services agreed that they would undertake a survey of all Outside Bodies to ensure that their Terms of Reference were up to date, though at the time of writing of this report, these had not been received. Member Services would continue to follow up on this piece of work, and report back.

During the desktop research phase, Members were interested to see what other Councils produce to support their Members in their duties towards Outside Bodies. Members of the Task and Finish Group requested that Member Services produce appropriate guidance to give to Members, especially for any Member representing an Outside Body with special responsibilities such as Trustees or a Director of a Company.

4. Conclusion

Members were pleased with the level of engagement which had been received from Members in response to questions, and to the level of engagement and respect Members have with the Outside Bodies themselves. Outside Bodies provide vital links directly to communities, and Members were at pains to ensure that a high level of representation was maintained.

For the future, Members were keen to ensure that more regular work was done to make sure that Eden District Council has appropriate representative on the current Outside Bodies, and also if there are other Outside Bodies which could benefit from Eden District Council representation.

5. Recommendations

The Review Group made the following recommendations;

- a) that with effect from the commencement of the municipal year 2021/2022, Eden District Council no longer send any representatives to Omega Proteins Liaison Board; and that the number of representatives on Greenwich Leisure Limited Eden Board be reduced to one;

- b) that Members who are elected to a position representing Eden District Council on an Outside Body should fill in a summary note after each meeting they attend, to be published on the Eden District Council website;
- c) that a working group be set up to monitor Eden District Council representation on Outside Bodies, both to look at current representation on Outside Bodies, and if there is any other groups which may require Eden District Council representation, to begin meeting during the 2021/2022 municipal year, and thereafter on a bi-annual basis; and
- d) that any representatives on the Lake District National Park Authority, Lake District National Park Partnership, Yorkshire Dales National Park Authority, North Pennines Area of Outstanding Natural Beauty and MASCG should be through preference a Member from an appropriate ward.

Appendix 1

Outside Bodies Information

Questions sent to Members.

1. Have you attended meetings of the Outside Body you are appointed to since you were elected to that position in May 2019?
2. How many meetings have there been, and how many have you attended/sent apologies to?
3. Did you report anything back to the Council?
4. Was there relevance of the meeting to Eden District Council?
5. What other bodies/authorities have representation on the outside body?
6. Are there minutes available from the meetings?
7. Did you feel it was worthwhile attending the meetings?
8. Did you feel you contributed to the meetings?
9. Do you think that we should continue to have a representative on the Outside Body?

Alston Moor Partnership (including the Townscape Heritage Initiative Steering Group and Alston Moor Partnership Board) – representative Lissie Sharp

1. Yes, I have attended Alston Moor Partnership Directors meetings and I've also started attending the Community Plan working group meetings.
2. Board meetings - 6th August, 17th October, 4th December, 12th February – attended. I sent apologies for the board meeting on the 4th June and the AGM on the 16th July. Community plan working group - 28th November and 23rd January – attended.
3. I've reported any relevant information back to the Chief Executive and to the Executive members. I think it would be great if there was some way of sharing information to the wider group of members, short reports on SharePoint or via email. I would also like to be able to share information from other meetings that I attend.
4. I feel that the meetings and items discussed are very relevant to Eden District Council, I think it encourages good practice in partnership working with other organisations across the district.
5. Representation from other organisations - Cumbria County Council, Alston Moor Parish Council, Alston Moor Business Association, a local farmer and member of the NFU, Alston Moor Community Energy, members of the community who tend to "wear different hats" and are members of other community groups.
6. Minutes are available.
7. I think it is important that there is a representative from each tier of council on the board for Alston Moor Partnership, to be able to link in, share information and feedback to our Council. Their aim is to ensure that the community of Alston Moor can flourish as a place to live and work, which links directly to the vision of our

Council. Alston Moor Partnership are key group in the area working on the ground with the community. They have delivered some key projects including the Townscape Heritage scheme and the Greenprint project, of which both have been extremely successful in creating a number of benefits for Alston Moor. It is informed by their Community Plan and because there is such a broad range of representation on the board, information sharing becomes a key part of the meetings and is extremely useful.

8. Yes, I feel that I contribute to the meetings and I have since become part of the community plan working group as well as a board member.
9. Yes, I think a representative from Eden District Council should continue to be on Alston Moor Partnership.

Cumbria Health and Wellbeing Scrutiny Committee and Eden Health and Wellbeing Forum – Representative Michael Hanley, Substitute Lissie Sharp

1. Yes
2. The meetings are every 2-3 months and I have missed one due to clashing with my working day. I have attended 5 HSC meetings.
3. I always write a report and have sent this to Joan Raine and I think I sent some of the reports to officers.
4. Yes
5. Health and Wellbeing Forum
6. Yes
7. Yes
8. Yes
9. Yes

Cumbria Local Nature Partnership – Representative Ali Ross

1. Yes
2. I have attended 3 meetings (since being elected in May), two of these were full Board meetings and one was a review sub-group. I have also attended one joint CLNP/EDC meeting. I sent apologies for one meeting.
3. I have reported back informally to the CEO and Director of People and Place and also to the Council Leader.
4. Yes. The work of the CLNP is highly relevant to EDC's declaration of an ecological emergency and the Council's stated objective to protect the biodiversity in the District. In particular, it offers an effective means by which the Council can be helped to meet its forthcoming duty to produce a Nature Recovery Strategy.
5. Cumbria County Council, Copeland Borough Council, Barrow Borough Council, Natural England, Lake District National Park Authority, Cumbria Wildlife Trust Friends of the Lake District, Cumbria LEP.
6. Yes
7. Yes
8. Yes

9. Yes – but probably only if it is someone who has some ecological/conservation interest or expertise.

Cumbria Police and Crime Panel – representative Deb Holden

1. Yes
2. I have attended 2. (12 July 2019. 14 October 2019). The meeting in January 2020 was postponed until 7 Feb, but I sent my apologies for that one.
3. No
4. Yes. At the first meeting there was reference to installing CCTV in parishes, with support from the Police Crime Commissioner. Apparently some parishes had declined the offer. I asked PTC why they hadn't taken up the offer. They gave several valid reasons. I believe it is important to attend the meetings, and would welcome an opportunity to feedback relevant pieces to District Councillors. It is useful to be able to take matters of concern back to the PCP meetings as we have a session first thing in the morning without the Crime Commissioner present, in order to go through the agenda and raise issues on the agenda and from our districts.
5. Allerdale and Barrow Borough Councils, Eden and South Lakeland District Councils. Cumbria County Councillor (Chair), CC Cllr Helen Fearon (Vice Chair), 2 independent co-opted members. Other County Council Officers and the Office of the Police and Crime Commissioner.
6. Yes
7. Yes
8. Yes. At the first meeting I questioned the PCC on an agenda item about the pension scheme and take up by Police officers. However, if I had an opportunity to report back to Councillors in Eden the type of agenda items the PCP look at and then ask them what issues are needing attention in their areas, it would be more useful. Bear in mind I am still finding my feet at these meetings.
9. Yes. Now I have attended two meetings I am better able to represent EDC Councillors. This is the only panel where policing issues can be raised for Eden District, directly with the Police Crime Commissioner.

Eden Access Forum – representative Joan Raine

Defunct Committee

Greenwich Leisure Limited Eden Board - 2 representatives, Douglas Banks, and David Ryland (recently elected to the position). Councillor Banks responded, as Councillor Ryland has not attended a meeting.

- 1 Yes
- 2 Two meetings, attended one and apologised one.
- 3 No
- 4 Yes, they run leisure facilities for EDC.
- 5 User groups
- 6 Yes full minutes

- 7 To a certain extent but usually an EDC officer is present
- 8 I contributed but just on observation to information given
- 9 If an EDC officer is to attend one member would be sufficient.

Lake District National Park Partnership – representative Darrell Smith

1. Yes
2. There have been two to date, one I attended and the other one I sent apologies for. The next meeting is on 10 March 2020 and I will be attending.
3. Recently there has been a number of items related to our carbon, climate and biodiversity aspirations. These present opportunities for collaboration. I have passed these back to both members of the Executive and Officers.
4. Being that several EDC parishes sit within the LDNP these meetings have direct relevance. Also, as the answer to Q3 suggests, there is also a wider regional relevance.
5. The partnership consists of 25 organisations that represent a wide range of perspectives that cover businesses, environment and societal interests.
6. Yes
7. Yes
8. Yes, I think as the District Council representative for those EDC communities that live in the Park my contributions in this regard are worthwhile. We also have the opportunity to report back to these communities on LDNP future plans and direction through Parish Council meetings.
9. Yes.

North Pennines Area of Outstanding Natural Beauty Partnership – representative Mary Robinson

1. I was already on the ANOB as my wards are wholly in the ANOB area taking over from Pat Godwin.
 - Attended the Executive meeting on 21/2/19 At Allendale
 - Attended the AGM meeting on 22/5/19 at High Force
 - Apologies for the 3/6/19 meeting due to holidays
 - Attended the meeting on 7/11/19 at Alston
2. The meetings and record of attendance are detailed above.
3. I circulated the Glover report to all members. Discussions have been held with the Executive and with officers in particular with regard to a HLF bid (Fell Foot Forward) which officers and member representation have been involved with from its inception.
4. The work of the ANOB in the North Pennines is key to planning decisions made in the area it covers. Contained within the Duty to Cooperate Statement of Compliance August 2015 the ANOB is included with regard to working with Northumberland County Council which states “Partnership working is already well established through the ANOB partnership”

The successful HLF bid for the Fell Foot Forward project, submitted in August 2019 and given full support by HLF in December 2019 is an excellent example of the value of being part of this partnership. The Lottery funding of 2 million pounds brings the total of the overall scheme to invest 3.4 million in nature recovery and cultural heritage over a 4 year period.

Eden District Council has committed 5K towards the project alongside Carlisle City.

The first meeting of the project steering board is Wed 26th Feb 2020, I have been invited to sit on the steering board.

I would suggest due to the sheer scope of the project which is now moving into the delivery phase the project officers are invited to provide a presentation for members in the coming months.

5. Carlisle City Council, Cumbria County Council, Durham County Council, Northumberland County Council, Natural England, Friends of the North Pennines, Moorland Association, County Land and Business Association, NFU, RSPB, Visit County Durham, Northumberland Tourism, Durham Wildlife, Wildlife Trust, Cumbria Wildlife Trust, Cumbria Tourism.

Four Open Seats. Then the chairs of the working groups which are, Access and Recreation, Historic Environment, Geopark, Tourism.

There is both member and officer attendance.

6. Yes agendas, minutes, management plans and financial reports.
7. Essential and I invited the project officer for Fell Foot Forward to deliver a presentation and the Local Enterprise Partnership Rural sector panel which I chair as the work of the ANOB dovetails with the work of the LEP and with the Borderlands growth fund.
8. Not only do I contribute to the meetings but contribute to maximising partnership working with the Parishes and the LEP. I have been involved with the development alongside EDC officers of the Fell Foot Forward project for several years now.
9. This is a key outside body from planning policy through to the work they carry out within a large part of our district.

Omega Proteins Liaison Group – 3 representatives, Michael Eyles, John Thompson, Virginia Taylor

John Thompson

1. 2018 there was only one (April) meeting, one was scheduled in October, but the group couldn't agree a date.
2. 2019 2 meetings not attended by myself. Apologies given. 2020 there are scheduled meetings for February (which was cancelled), June and October.
3. Nothing of importance discussed.
4. None
5. None

6. No
7. No
8. No
9. No. As the Environment Agency are the lead authority we have little or no say. Only item is planning which I will have to declare as on the Planning Committee.

Virginia Taylor

1. Unfortunately not. They are always arranged for 5 ish and so far on days when I have other commitments.
2. I think there have been 3. Two of the 3 I was clear while the dates were arranged that the one chosen was not possible. One of the dates I might have been able to get to with a following wind but I couldn't and followed up with a reiterated apology.
3. No
4. I have been to meetings in the past. The liaison group was set up as a result of the 'Hugh James' case, where a group of residents took out a civil case for damages against Omega. It was intended to be a place where residents could express concerns. In fact it tends to be a forum for Omega to set out their successes and it is not easy to dispute them face to face. Additionally there is potential conflict of interest with planning powers as the contents of these meetings could be construed as lobbying. Omega are in charge of the agenda and the meeting. I think Omega should have a regular meeting directly with EDC members and officers rather than this 'outside body' as although we are no longer in any formal relation with them statutory nuisance still exists and comes our way to deal with.
5. Penrith Town Council. No one else I don't think.
6. A note of items rather than a record of discussion. Not formal minutes I wouldn't say.
7. No
8. Possibly
9. NO!!! There is at present an activist who considers that this meeting has powers which it does not. It always was a PR exercise masquerading as a community group and since this is causing trouble I think the time has come to divest.

Michael Eyles

I have attended two meetings of Omega and given apologies for one, the last one. The meetings mainly consist of receiving statistics from the Leo Group (owners) officers and given progress reports of developments on the site. EDC is no longer the licencing body for the plant, this having passed to the Environment Agency a couple of years ago. There has been no representatives from the EA at the meetings. For this reason I feel the presence of EDC no longer has a real purpose.

**Parking and Traffic Regulations Outside London Adjudication Committee –
representative Michael Eyles**

PATROL is a different matter. I have attended three meetings and found them informative. I have been remiss in reporting back to council on these matters, although I have notes from the last two meetings. I am in the process of writing up those from the meeting on 28th January but have yet to complete that task. I will endeavour to do that this week.