

## **FC83. COMMUNITY SERVICES TRUST UPDATE: APPOINTMENT OF BOARD DIRECTORS**

There was submitted Report (circulated) dated 21 February 2011 by the Chief Executive setting out the process for the recruitment and appointment of 11 Board Directors of the Falkirk Community Trust including proposals that the 5 elected Members of Falkirk Council on the Board form an interim Board with effect from 14 March 2011.

Councillor C Martin, seconded by Councillor Nicol, moved that Council:-

### **(1) AGREES**

- “(i) that the elected members on the proposed Community Trust Board would comprise 2 members from the Labour Group; 2 members from the SNP Group and 1 member from the Conservative or Independent Groups or the non aligned member;
- (ii) to appoint Provost Reid and Councillors Mahoney and Nicol to the Trust Board; and
- (iii) the appointment process for the appointment of the independent members of the Trust Board, as set out in the report; and

### **(2) NOTES:-**

- (i) the arrangements for the identification of the employee representative;
- (ii) the arrangements for the creation of the interim Board, and
- (iii) that further Reports will be submitted to Members for approval prior to the creation of the Trust.

By way of an Amendment, Councillor Alexander, seconded by Councillor Coleman, moved that Council:-

- (1) “seeks a further report that properly briefs members of the implications of corporate law as it related to communal board responsibilities before elected members can take up any position within the board of trustees. As part of this process members must first scrutinise then approve the draft memorandum and articles of association;
- (2) does not agree with the membership of the Trust Board being determined by the elected members on the board;
- (3) believes that appointments should be open and transparent and therefore stakeholder groups should have a major even majority say in the appointment of independent members to ensure that transparency and therefore asks the Chief Executive to bring to the next meeting of Falkirk Council a report that ensures this happens, and
- (4) agrees that no additional payments will be made to directors other than the reimbursement of receipted expenses.”

Following discussion, Council adjourned to allow consideration of the terms of the amendment and re-convened at 3.25pm with all members present as per the sederunt.

With the consent of the Provost, and Councillor Nicol, as his seconder, Councillor Martin then adjusted the text of his Motion to the following, in accordance with Standing Order 19.7.

“Council:-

**(1) AGREES**

- (i) that the elected members on the proposed Community Trust Board would comprise 2 members from the Labour Group; 2 members from the SNP Group and 1 member from the Conservative or Independent Groups or the non aligned member provided that the SNP Group representatives are notified to the Acting Director of Law and Administration Services by 5pm on 4 March 2011, failing which the positions will be filled by members from the Administration of the Council.
- (ii) to appoint Provost Reid and Councillors Mahoney and Nicol to the Trust Board;
- (iii) the appointment process for the appointment of the independent members of the Trust Board as set out in the report, and

**(2) NOTES:-**

- (i) the arrangements for the identification of the employee representative;
- (ii) the arrangements for the creation of the interim Board,
- (iii) that further Reports will be submitted to Members for approval prior to the creation of the Trust, and
- (iv) that, as previously agreed by Council, and as set out in the Business Case, no additional payments will be made to directors other than the re-imbursement of receipted expenses

On a division, 18 Members voted for the adjusted Motion and 13 voted for the Amendment.

Accordingly, **AGREED** the terms of the adjusted Motion.