

## **AGENDA ITEM**

### **FALKIRK COUNCIL**

**Subject: APPOINTMENT OF MEMBERS TO OUTSIDE ORGANISATIONS**  
**Meeting: FALKIRK COUNCIL**  
**Date: 27 JUNE 2007**  
**Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION**

#### **1. INTRODUCTION**

- 1.1 With the exception of appointments to SESTran, Council agreed at its statutory meeting held on 18 May 2007 to continue consideration of the appointment of members to outside organisations to the next meeting of Council.
- 1.2 The appendix to this report provides information on external bodies which have expressed a wish to have representation from elected Members of Falkirk Council.

#### **2. NATURE OF OUTSIDE ORGANISATIONS**

- 2.1 The external bodies included in the Appendix comprise;
  - External public agencies concerned with public services;
  - Outside organisations partly funded by Falkirk Council; and
  - Voluntary organisations
- 2.2 The Appendix provides information about each organisation including whether the representation has voting rights, the purpose of the organisation, the function expected of the elected member, information with regard to frequency of meetings and details of subscription fees where these apply.
- 2.3 Members appointed to organisations with particular status (e.g. companies) must ensure that they adhere to all the requirements and obligations of the particular organisation, especially where issues of company law are involved. Again, the Appendix indicates the status of each organisation. Further advice will be provided for members appointed to external bodies.

#### **3. CORNTON VALE OVER 21's PRISON VISITING COMMITTEE**

- 3.1 The Council has 6 places on the Cornton Vale Over 21's Prison Visiting Committee. Council appointments to the Visiting Committee are not restricted to elected members and the Council has adopted a practice in the past of appointing both elected members and lay people to the Committee.
- 3.2 At the meeting of Falkirk Council on 6 December 2006, when being advised of a vacancy on the Committee, Members agreed to proceed with a recruitment process to draw up a

panel of interested lay people for future appointments. This resulted in 2 applications being received. Both applicants are considered suitable for appointment.

- 3.3 The lay people appointed previously by the Council have been contacted to establish if they wish to be re-appointed. Of these 2 people, only one wishes to be re-appointed. Therefore, the 6 places available on the Committee could be filled as follows:-

- re-appointment of 1 lay person, Mr Bill Strathearn;
- appointment of the 2 new lay people (Miss Jill MacIntosh and Miss Lindsay Drummond) who applied following the recruitment process, and
- Council to nominate 3 Members to the remaining 3 places or alternatively, look to recruit more lay people

#### **4. CONVENTION OF SCOTTISH LOCAL AUTHORITIES**

- 4.1 Members will note from the Agenda for this meeting that there is a Motion to take up membership of the Convention of Scottish Local Authorities (CoSLA). The opportunity has been taken here to set out the requirements for the appointment of members to the Convention should Council agree to take up membership.
- 4.2 The Council is entitled to 4 places on the Convention. Advice on how these positions are filled has been provided by CoSLA. The advice is offered to guide local authorities in determining its delegation in terms of political proportionality. It includes a formula that states that where the main opposition group has more than one quarter of the total membership of the Council then one of the places should be allocated to that group. The Council can opt not to be bound by this formula and can consider appointing members on the basis of the political proportionality of the Council. This approach would equate to 2 members representing the Labour Group and 2 members representing the SNP Group.

#### **5. REGISTER OF INTERESTS**

- 5.1 Sections 4 and 5 of the Code of Conduct for Councillors relate to the Registration and Declaration of Interests. Members appointed to external bodies are required by the terms of the Code to include such appointments in their Register of Interests and consider declaring those interests in any context where there is any link between a matter which requires the attention of that Member and the registered interest. Members' interests may be governed by the General Dispensation issued by the Standards Commission provided certain criteria are met. Guidance on registration and declaration of interests and on the General Dispensation has been issued by the Standards Commission and all Members were provided with a copy shortly after being elected along with the Code of Conduct. Further information can be found in the FAQs issued to members with their Registration of Interests form.

## **6. RECOMMENDATION**

### **6.1 It is recommended that Council:-**

- (a) considers the nomination and appointment of elected Members to the organisations as detailed in the Appendix to this Report; and**
- (b) notes the requirements upon Members to record any appointments to outside bodies in their Register of Interests in accordance with the terms of the Ethical Standards in Public Life (Scotland) Act 2000, and**
- (c) reserves the opportunity to make appointments to CoSLA should the Council decide to take up membership.**

.....  
**Acting Director of Law and Administration**

**Date: 11 May 2007**

**Contact Officer:     Andrew Rose, 01324 501277 ext 1277  
                              Iain Tough, 01324 506110 ext 6110**

### **LIST OF BACKGROUND PAPERS**

- 1. Information supplied by external organisations.**