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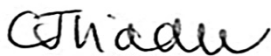
Dear Councillor

**BUSINESS AND RESOURCES OVERVIEW AND SCRUTINY COMMITTEE -  
TUESDAY, 16 APRIL 2024**

I refer to the agenda and papers recently circulated for the meeting of the Business & Resources Overview & Scrutiny Committee to be held on 16 April 2024 at 4:00pm at Allerdale House.

Please find attached the following appendices which were marked as 'to follow':

Yours sincerely



**Clare Liddle**  
**Monitoring Officer**  
**Cumberland Council**

8. **Representatives on Outside Bodies(Pages 3 - 76)**  
To receive the final report from the Task & Finish Group to determine onward recommendation to Council as to whether representatives should be appointed to bodies on the list; and to keep the list under review, and to consider any new requests for representation on such bodies.

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**Below are the statutory bodies which the Council has to appoint to:**

<b>Name</b>	<b>Lake District National Park Authority</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body The Lake District National Park Authority looks after this unique corner of England, encouraging people to enjoy and understand its beauty and helping those who live and work here.
<b>Number of required representatives</b>	4
<b>Current Representative</b>	Councillors Campbell-Savours, Jones-Bulman, Minshaw and Pratt (13 April 2023)
<b>Appointed by</b>	Council
<b>How often it meets</b>	4 times a year
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No fee

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<b>Name</b>	<b>Lake District National Park Partnership</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body This is a joint Management Plan for the Lake District - reflecting its position as a National Park and a World Heritage Site. It has been prepared by the 25 organisations in the Lake District National Park Partnership, including Friends of the Lake District, and was adopted by the Lake District National Park Authority
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Campbell-Savours (30 May 2023)
<b>Appointed by</b>	Council
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No fee

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<b>Name</b>	<b>Maryport Harbour Authority</b>
<b>Category</b> Key Strategic Partnership	Statutory Body Maryport Harbour is a trust port governed by the Statutory Instrument 'Maryport Harbour Revision Order 2007' (2007 No. 1463). The Harbour

Community Partnership Statutory Bodies	Authority doesn't own any property but is the statutory body and implements the Port Marine Safety Code, owning and managing the Navigation Aids. Note: This is an Outside Body unlike Port of Workington where the Council is the Statutory Harbour Authority and therefore a Committee. Appointment should have regard to relevant skills and experience.
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Grisdale and Pegram (13 April 2023)
<b>Appointed by</b>	Council
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	
<b>Pay or grant?</b>	

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<b>Name</b>	<b>Harrington Harbour and Dock Board</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body Unlike Maryport and Port of Workington, Harrington does not have a Statutory Harbour Authority. The Harbour is controlled by the Board which carries out the legal duties and responsibilities. External legal advice has indicated that responsibility for appointing to the whole of the Board should most probably fall to the Council, although not all appointments need be Council officers or members. Instead, appointments should reflect required skills and experience.
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Cannon and Rollo (13 April 2023)
<b>Appointed by</b>	Council
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	
<b>Pay or grant?</b>	

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<b>Name</b>	<b>North Pennines Area of Outstanding Natural Beauty Partnership</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body The partnership is the body responsible for co-ordinating efforts to conserve and enhance the North Pennines AONB
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Dobson (30 May 2023)
<b>Appointed by</b>	Council
<b>How often it meets</b>	Bi-annually
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	

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<b>Name</b>	<b>North Western Inshore Fisheries and Conservation Authority</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body To lead, champion and manage a sustainable marine environment and inshore fisheries by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry". This is a statutory authority, set up to regulate sea fisheries within the district of each body.  The ministerial order establishing this body list the 8 local authorities which constitute each, membership of the authority, the terms of appointment and other rules. (Cumbria membership is now replaced under the terms of the local government reorganisation framework) Nominations for membership of the authority, from local authorities must be members of the local authorities
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Markley and Quilter
<b>Appointed by</b>	Council

<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	

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<b>Name</b>	<b>SACRE (Standing Advisory Council for Religious Education)</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body Its aims are to support high quality teaching and learning in RE and thoughtful, reflective experiences in collective worship. Following the Education Reform Act 1988, when religious education was confirmed as a compulsory part of the curriculum, it became a statutory requirement for every local authority to appoint a standing advisory Council on religious education the aim of this body is to provide advice to the local authority on matters relating to collective worship The body is required by law to be made-up of four groups which includes members of the local authority.
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Lynch and Southward (30 May 2023)
<b>Appointed by</b>	Council
<b>How often it meets</b>	3 times a year
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	

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<b>Name</b>	<b>Solway Coast Area of Outstanding Natural Beauty</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body The Solway Coast AONB works alongside a wide variety of organisations, community groups, local landowners and volunteers advising on policy and undertaking activity that furthers the interest of the AONB. The Solway area of outstanding natural beauty was designated in December 1964 under the provisions

	of the national parks and access to countryside act 1949. There is also a National Association for areas outstanding natural beauty formed in 1998 as an independent organisation
<b>Number of required representatives</b>	3
<b>Current Representative</b>	Councillors Allison, Markley and Pickstone (30 May 2023)
<b>Appointed by</b>	Council
<b>How often it meets</b>	Awaiting response
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	

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<b>Name</b>	<b>Cumbria, Northumberland, Tyne, and Wear NHS Foundation Trust</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body Cumbria, Northumberland, Tyne, and Wear NHS Foundation Trust provides a range of mental health, learning disability and neurological care services across the north of England.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Lynch
<b>Appointed by</b>	Council
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Supporting improvements to health and wellbeing through collaborative working
<b>Pay or grant?</b>	

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<b>Name</b>	<b>North Cumbria Integrated Care NHS Foundation Trust</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body Our governors and members work in partnership with our Board of Directors to help us to shape our services and make plans for the future.
<b>Number of required representatives</b>	1

<b>Current Representative</b>	Councillor Harris (6 June 2023)
<b>Appointed by</b>	Council
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Supporting improvements to health and wellbeing through collaborative working
<b>Pay or grant?</b>	

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<b>Name</b>	<b>Transport for the North Board</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body Making the case for strategic transport improvements across the whole of the North, which are needed to drive inclusive and sustainable transformational economic growth and rebalance the UK economy by looking at how poor transport infrastructure is holding back the North's economic potential, providing an evidence-based case for investment. By connecting the key economic areas of the North, they will drive growth, improve access to jobs, and ensure the North is a great place to live and invest.
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Rollo and Brown (sub)
<b>Note</b>	Must be Leader, Chair or relevant Portfolio Holder for Transport (sub can be any Member)
<b>Appointed by</b>	Council
<b>How often it meets</b>	Approx. 6 times a year
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	

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<b>Name</b>	<b>Transport for the North Partnership Board</b>
<b>Category</b> Key Strategic Partnership Community Partnership	Statutory Body



Statutory Bodies	
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Rollo and Brown (sub) (30 May 2023)
<b>Note</b>	Must be Leader, Chair or relevant Portfolio Holder for Transport (sub can be any Member)
<b>Appointed by</b>	Council
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	

<b>Name</b>	<b>Transport for the North Scrutiny Committee</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Perry and Davison (sub)
<b>Note</b>	Can not be the same member as the Board and Partnership Board member or sub
<b>Appointed by</b>	Council
<b>How often it meets</b>	Approx. 6 times a year
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	

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<b>Name</b>	<b>Cumbria Local Access Forum</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Statutory Body Section 94 Countryside and Rights of Way Act 2000 requires local highways authorities and national parks to establish advisory bodies known as local access forums. Their function is to advise certain specified bodies on the improvement of public access to land in their area for open air recreation and the enjoyment of the area.

<b>Number of required representatives</b>	1 – regulations require forum to consist of at least 10 and no more than 20 members, appointing authority must ensure a reasonable balance of members is appointed using stated criteria.
<b>Current Representative</b>	
<b>Appointed by</b>	Council
<b>How often it meets</b>	Three times a year
<b>How helps council to meet its priorities and ambitions</b>	
<b>Pay or grant?</b>	

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<b>Name</b>	<b>Regional Flood and Coastal Communities</b>
<b>Category:</b> Key Strategic Partnership Community Partnership Statutory Bodies	The regional flood and coastal committee (RFCC) is a committee established by the Environment Agency under the Flood and Water Management Act 2010 that brings together members ,appointed by lead local flood authorities, and independent members for three purposes: plan making on flood management and coastal erosion/investment in flooding coastal erosion/to provide a link between the Environment Agency and others to build understanding of flood and coastal erosion in each area. The Environment Agency has a statutory duty to establish such committees and consult them on flood and risk management functions and to take into account their representations. The Environment Agency is required to obtain the consent of these committees before undertaking certain statutory duties. This is set out in section 23 of the Flood and Water Management Act 2010 unitary local authorities are the lead local flood authorities for their area.
<b>Number of required representatives</b>	1 (shared with W&F, alternate every year) This should be the relevant Portfolio Holder.
<b>Current Representative</b>	Councillor Rollo (30 May 2023)
<b>Appointed by</b>	Council
<b>How often it meets</b>	Quarterly
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No

**Outside bodies for discussion and proposed appointment by the Executive:**

**Key Strategic Partnerships:**

<b>(1) Name</b>	<b>Allerdale Investment Partnership</b>
<b>Purpose:</b>	Key Strategic Partnership (Limited Liability Partnership)
<b>Number of required representatives</b>	2 appointments to the company board, these persons are in a position of general management or control.
<b>Current Representative</b>	Councillor Fryer ( Council 6 June 2023) and Brown (March 2024)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Limited Liability Partnership established to drive forward development across the borough of Allerdale. Company Accounts say that the principal activity of the group is that of buying and selling real estate. The current developments are being undertaken through special purpose vehicles namely the subsidiary companies of AIP. The council provides surplus land, and knowledge of the communities needs and priorities. The commercial operator provides expertise in finance, asset management and industry contacts to push developments forward. The partners share any profits generated by the development of the land.
<b>Pay or grant?</b>	No – body is effectively financed through loans made available by the designated members in the parent limited company which can be for land or finance. It is the parent LLP that provides financial support to the subsidiaries to meet their direct costs and overheads At the end date the liabilities of the limited liability partnership exceeded the assets by £572,869. Members are not seeking repayment of their loans and anticipate full recovery, in the fullness of time, as further profitable projects have filtered through the group. See finance comments below.
<b>Continue to appoint?</b>	Yes

*Finance comments - (BL) - Allerdale Borough Council entered into a joint venture, Allerdale Investment Partnership LLP (LLP) on 7 April 2014 with Lucent Allerdale Partnership Sarl. Lucent's "Member Interest" (i.e. its equity in the limited liability partnership) is now held by Cumbria Partnerships Limited.*

*The purpose of the joint venture is to improve the Council's use of its assets and to realise value through the acquisition, development, marketing and disposal of sites in the borough of Allerdale which the LLP can require to be transferred to the LLP or a Project SPV subsidiary.*

*The LLP has three wholly owned subsidiary companies (companies limited share capital).*

- 1. AIP (Ashfield Road and Ellerbeck Lane) Limited*
- 2. AIP (Derwent Riverside) Limited*
- 3. AIP (Church Street) Limited*

*My understanding is that each partner appoints two directors to each spv company.*

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<b>(2) Name</b>	<b>District Councils' Network</b>
<b>Purpose:</b>	<p>Key Strategic Partnership</p> <p>The District Councils' Network (DCN) is a cross-party network of 168 district and unitary councils. It is a special interest group of the Local Government Association, providing a single voice for all district services.</p> <p>DCN member councils deliver a wide range of local government services to over 20 million people – 36% of England's population. They cover 53% of the country by area. DCN councils are home to 36% of England's businesses and 30% of national Gross Domestic Product.</p> <p>They deliver visible frontline services that matter to every single resident and business in their local areas. These include waste collection, planning and housing, homelessness prevention, welfare support, environmental health, parks and green spaces, leisure centres, and economic development.</p> <p>DCN councils play a unique role in shaping local places to make them more prosperous. They drive local economic growth and the resurgence of local pride that goes with it. They hold vital keys to improving health and wellbeing and reducing pressure on the NHS. They have an unparalleled ability to support local residents who need it most and help prevent the social problems of tomorrow.</p>
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Brown (30 May 2023)

<b>Note</b>	The DCNs constitution states that the representative is the usually the Leader of the Council or someone in an equivalent position
<b>Appointed by</b>	Executive
<b>How often it meets</b>	District Council Network Assembly – Annually DCN Executive – 6 weekly Forum meetings – Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	£2500 p.a. for Unitary Authorities
<b>Continue to appoint?</b>	Yes

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<b>(3) Name</b>	<b>Energy Coast West Cumbria (Properties) Ltd.</b>
<b>Purpose:</b>	Key Strategic Partnership (Private limited company) letting or operating their own or leased real estate
<b>Number of required representatives</b>	1 (undergoing review to allow for an additional rep)
<b>Current Representative</b>	Andrew Seekings (Director) (6 June 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly (March, June, September, December)
<b>How helps council to meet is priorities and ambitions</b>	
<b>Pay or grant?</b>	No. As at March 2023 the company assets are £24 million
<b>Continue to appoint?</b>	

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<b>(4) Name</b>	<b>Energy Coast West Cumbria (Workspace) Ltd.</b>
<b>Purpose:</b>	Key Strategic Partnership (Private limited company) letting or operating their own or leased real estate
<b>Number of required representatives</b>	1 (undergoing review to allow for an additional rep)
<b>Current Representative</b>	Andrew Seekings (Director) (6 June 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly (March, June, September, December)
<b>Pay or grant?</b>	No. As at March 2023 the company assets are £24 million
<b>How helps council to meet is priorities and ambitions</b>	
<b>Continue to appoint?</b>	

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<b>(5) Name</b>	<b>Energy Coast West Cumbria Ltd</b>
<b>Purpose:</b>	Key Strategic Partnership (Private limited company) letting or operating their own or leased real estate
<b>Number of required representatives</b>	1 (undergoing review to allow for an additional rep)
<b>Current Representative</b>	Andrew Seekings (6 June 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly (March, June, September, December)
<b>How helps council to meet is priorities and ambitions</b>	
<b>Pay or grant?</b>	No. As at March 2023 the company assets are £24 million
<b>Continue to appoint?</b>	

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<b>(6) Name</b>	<b>Industrial Communities Alliance</b>
<b>Purpose:</b>	Key Strategic Partnership The ultimate aim is to make sure the support is in place to enable economic, social and environmental renewal in the cities, towns and communities covered by Alliance member authorities.
<b>Number of required representatives</b>	1 Councillor 1 Officer
<b>Current Representative</b>	Councillor Cannon and Darren Crossley (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	6 National meetings and 6 Regional meetings
<b>How helps council to meet is priorities and ambitions</b>	
<b>Pay or grant?</b>	£8,400 annual subscription
<b>Continue to appoint?</b>	

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<b>(7) Name</b>	<b>LGA Coastal Issues Special Interest Group</b>
<b>Purpose:</b>	Key Strategic Partnership Champions the collective interests of coastal, estuarine and maritime communities by increasing awareness and debate on environmental, economic and social issues at all levels in relation to the coast.
<b>Number of required representatives</b>	1 Councillor and 1 Officer

<b>Current Representative</b>	Councillor Minshaw and Ian Hinde (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	£1000 annual fee
<b>Continue to appoint?</b>	

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<b>(8) Name</b>	<b>LGA County Council Network</b>
<b>Purpose:</b>	Key Strategic Partnership Representing the local authorities in county areas, the network is a cross-party organisation which develops policy, commissions research, and presents evidence-based solutions to issues on behalf of the largest grouping of councils in England.
<b>Number of required representatives</b>	4 including the Leader
<b>Current Representative</b>	Councillors Fryer, Brown, Cannon and Markley (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly (meet virtually)
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	£25,000 pa membership fee
<b>Continue to appoint?</b>	

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<b>(9) Name</b>	<b>LGA Fire Commission Special Interest Group</b>
<b>Purpose:</b>	Key Strategic Partnership The Fire Commission provides a forum for all authorities in voting membership or associate membership of the LGA with a responsibility for fire and rescue to come together to: Discuss matters of common interest and concern. Represent the views and concerns of the fire community in relation to fire service modernisation. Take the lead on day-to-day policy issues affecting fire authorities. Exchange good practice; and Influence the priorities and activities of the LGA.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Troughton (30 May 2023)
<b>Appointed by</b>	Executive

<b>How often it meets</b>	Awaiting response
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

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<b>(10) Name</b>	<b>LGA SPARSE (Rural Services Network) Special Interest Group</b>
<b>Purpose:</b>	Key Strategic Partnership SPARSE Rural's main priority is the funding formula and working to ensure that rural areas receive fair funding to enable them to deliver their services, taking into account the additional costs of service delivery in rural areas.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Cannon (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly virtual meetings
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Annual membership fee £7,100
<b>Continue to appoint?</b>	

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<b>(11) Name</b>	<b>Local Government Association General Assembly</b>
<b>Purpose:</b>	Key Strategic Partnership The LGA's General Assembly, the 'parliament of Local Government', meets once a year, and is the only LGA decision making forum which all authorities in full membership are eligible to attend and to vote.
<b>Number of required representatives</b>	4
<b>Current Representative</b>	Councillors Fryer, Brown, Williamson and Mallinson (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Once a year
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

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<b>(12) Name</b>	<b>Local Government Information Unit</b>
<b>Purpose:</b>	Key Strategic Partnership A not-for-profit, non-partisan membership organisation. For local government and anyone with an interest in local democracy and finding local solutions to the challenges that we all face
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Brown (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Once a year
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	£19,641.60 membership pa
<b>Continue to appoint?</b>	

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<b>(13) Name</b>	<b>North West Fire and Rescue Service Local Authority Control Company</b>
<b>Purpose:</b>	Key Strategic Partnership Company controlled by local authorities including Cumberland.  It is responsible for the provision of call handling and mobilising services to the Authorities. It has a Board of Directors, and each Authority is able to appoint two of its Members to the Board.
<b>Number of required representatives</b>	Awaiting response
<b>Current Representative</b>	
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet its priorities and ambitions</b>	
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

<b>Name</b>	<b>North West Fire and Rescue Forum (formerly NWFRS Partnership Board)</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Key Strategic Partnership – see legal advice below

<b>Number of required representatives</b>	
<b>Current Representative</b>	
<b>Appointed by</b>	
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

*Legal advice - Part of Northwest fire Control Limited, which is a company jointly owned by, the then Cumbria County council and other local authorities in the northwest. It is responsible for the provision of call handling and mobilising services to the various authorities.*

*There is a board of directors. Each local authority is entitled to appoint 2 members to its board. The list of directors at Companies House does not appear to be up to date - company number is 06314891.*

*I have not been able to find any reference to a review and scrutiny organisation. I suggest we inquire into current representation on the board and the arrangements for governance.*

*This is obviously an outside body. It appears to me that there's a reasonable case to suggest it's a strategic partnership.*

<b>Name</b>	<b>North West Region Fire and Rescue Management Board</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Key Strategic Partnership – see legal advice below
<b>Number of required representatives</b>	
<b>Current Representative</b>	
<b>Appointed by</b>	
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

*Legal advice - Part of Northwest fire Control Limited, which is a company jointly owned by, the then Cumbria County council and other local authorities in the northwest. It is responsible for the provision of call handling and mobilising services to the various authorities.*

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*I have not been able to find any reference to a review and scrutiny organisation. I suggest we inquire into current representation on the board and the arrangements for governance.*

*This is obviously an outside body. It appears to me that there's a reasonable case to suggest it's a strategic partnership.*

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<b>(14) Name</b>	<b>North West Regional Leaders Board</b>
<b>Purpose:</b>	Key Strategic Partnership The Board will work in the areas of housing, energy and transport, will scrutinise the work of the <a href="#">Northwest Regional Development Agency</a> and will contribute to the Single Regional Strategy combining economic development and spatial planning.
<b>Number of required representatives</b>	1 (Leader)
<b>Current Representative</b>	Councillor Fryer (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(15) Name</b>	<b>PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee</b>
<b>Purpose:</b>	Statutory Body/ Key Strategic Partnership (see legal advice below) Local authorities who undertake civil parking enforcement are required by statute to make provision for the function of independent adjudication. Over 300 local authorities in England, outside London are members of Patrol and exercise this function through a joint committee. The main function of the joint committee is to provide resources to support independent adjudicators and their staff etc. The relationship between the adjudicators and the joint committee is derived from and governed by the Traffic Management Act 2004 and, in the case of the bus lane adjudication service joint committee, the Transport Act 2000.

	See legal advice below.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Rollo (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Annual Joint Committee meetings and Bi-Annual Executive Sub-Committee meetings
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	1 year notice if want to leave

*Legal Advice - based on the statutory nature of this body, and the partnership arrangements amongst over 300 English local authorities, my advice is that this should be treated as a strategic partnership.*

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<b>(16) Name</b>	<b>Tullie House Museum and Art Gallery Trust Board</b>
<b>Purpose:</b>	Key Strategic Partnership (Charity) To advance the education of the public, including an understanding and appreciation of the arts, sciences and history, the provision, operation and maintenance of the Tullie House Museum and Art Gallery, preservation, conservation and interpretation of the collections managed by the Trust, natural and human heritage, the landscape and environment; carrying out and dissemination of research
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Lynch and Quilter (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Awaiting response
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Business Case submitted for approval annually
<b>Continue to appoint?</b>	



Tullie House  
Constitution.pdf

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<b>(17) Name</b>	<b>West Cumbria Sites Stakeholder Group</b>
<b>Purpose:</b>	Key Strategic Partnership The West Cumbria Sites Stakeholder Group (WCSSG) provides a forum for representation of local community interests and is the interface between the community, Sellafield Ltd the Low Level Waste Repository – (now known as Nuclear Waste Services Ltd) and the Nuclear Decommissioning Authority (NDA).  Accountability for policy and decision making will remain with the NDA or the site licensee and democratic overview remains with the elected local authorities.
<b>Number of required representatives</b>	3 Councillors and 3 Officers See legal advice below
<b>Current Representative</b>	Councillor Pollen
<b>Appointed by</b>	Executive 30 May 2023
<b>How often it meets</b>	Every three months
<b>Pay or grant?</b>	No
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Continue to appoint?</b>	

*Legal Advice - This organisation has a website. It says that it provides a forum for representation of local community interests and is the interface between the community, Sellafield Ltd and the nuclear decommissioning authority. The membership reflects the structure of the local community and includes elected representatives of the local community. Currently this is shown as having voting members from the former district councils and the County Council, parish councils on the Isle of Man. It would be sensible to ask them to provide a copy of their governing document. NDA provides the secretariat. The chair and the vice chair receive remuneration. The contact person at the group is the secretary, Rosina Robinson. The next meeting of the group is on 6 February 2024. It would be sensible to treat this as an outside organisation.*

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<b>(18) Name</b>	<b>Zero Carbon Cumbria Partnership</b>
<b>Purpose:</b>	Key Strategic Partnership Zero Carbon Cumbria is a brand that brings together everyone's efforts to reduce carbon emissions in the county. From schools to scouts, from businesses to councils, from community groups to individual residents... people and organisations are taking action to cut their

	carbon footprint and help reach Cumbria's goal of being a net zero carbon county. See legal advice below
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Kelly and Rollo (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Sustainability
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

*Legal Advice - This organisation has a website which describes its purpose as working together re climate action.*

*It appears to be a voluntary community partnership. The partnership manager is Tim Gale, based at Cumberland council. There is a strategic oversight board. The board has terms of reference. There are representatives on it from the community and local authorities. This includes councillor Bob Kelly from Cumberland and Colin Cox the director of public health and communities.*

*There is no reference to a partnership document. It would be sensible to ask Mr Gale if one exists.*

*As a voluntary partnership, in the form established, it would be sensible to treat it as outside body and to make nominations .*

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<b>(19) Name</b>	<b>North West Local Authorities Employers Member Representative</b>
<b>Purpose:</b>	Key Strategic Partnership Our member representatives provide governance and strategic and financial direction to ensure we are a viable and sustainable organisation and that we make best use of membership funding.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Southward (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(20) Name</b>	<b>Industrial Solutions Hub (iSH) Limited</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Key Strategic Partnership (Company) See legal advice below
<b>Number of required representatives</b>	
<b>Current Representative</b>	Darren Crossley
<b>Appointed by</b>	Council 6 June 2023
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

**Legal Advice:**

**A limited liability body:**

*A private company limited by guarantee without share capital and incorporated on 12 July 2022. Company number:14228275.*

**Status of body:**

*It was established to regenerate a community and create more than 700 jobs. The plan is to bring employment skills and training opportunities to Cleator Moor Cumbria.*

**Objectives**

*The business is described as an enterprise social value initiative improving social outlooks and outcomes through strong employment prospects driven by a resilient economy. It brings together industry academia national bodies community stakeholders etc into a business cluster focused on real life problem solving and practical applications*

**Local authority appointing body.**

*The accounts for the year to 31st March 2023 are due by 31st December 2023.*

*There are three directors currently listed at Companies House:*

*Darren Crossley: director, Cumberland Council appointed 9 June 2023*

*Gary McKeating, appointed 8 January 2024*

*Andrew John White, appointed 12 July 2022*

**Directors in a decision making/position of general control or management**

*Appointments to the company board, will mean that these persons are in a position of general management or control.*

-----

<b>(21) Name</b>	<b>Cumbria Tourism Executive Board</b>
<b>Purpose:</b>	Key Strategic Partnership (Private Company Limited by Guarantee) As a membership organisation representing more than 4,500 tourism-related businesses, Cumbria Tourism showcases the world-class destination to a range of regional, national, and international audiences for the benefit of Cumbria's £4.1billion visitor economy. Every one of its member businesses is a valued partner. From marketing to research, lobbying to business support, it prides itself in helping businesses to succeed and ensuring the collective voice of Cumbria's tourism industry is heard loud and clear.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Quilter (30 May 2023)
<b>Note</b>	Portfolio Holder
<b>Appointed by</b>	Executive
<b>How often it meets</b>	6 times per year
<b>How helps council to meet its priorities and ambitions</b>	Local first
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(22) Name</b>	<b>North West Local Authorities Employers Member Representative</b>
<b>Purpose:</b>	Key Strategic Partnership Our member representatives provide governance and strategic and financial direction to ensure we are a viable and sustainable organisation and that we make best use of membership funding.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Southward (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(23) Name</b>	<b>NULEAF</b>
<b>Purpose:</b>	NULEAF is the voice of local government on nuclear decommissioning and radioactive waste management.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Ghayouba (30 May 2023) (Cllr Moore - Chair is not appointed by Cumberland Council)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	tbc - prior to LGR £1,330 pa
<b>Continue to appoint?</b>	

## Community Partnerships:

<b>(24) Name</b>	<b>Allerdale Citizens Advice Bureau</b>
<b>Purpose:</b>	(Charity) Provides free and impartial advice on benefits, debt, work, consumer issues, energy, financial wellbeing, housing and immigration. Part of the Citizens Advice network across England and Wales
<b>Number of required representatives</b>	1
<b>Current Representative</b>	
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Support accessible and trusted services in the area
<b>Pay or grant?</b>	Awaiting response
<b>Continue to appoint?</b>	

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<b>(25) Name</b>	<b>Allerdale Disability Association Charity</b>
<b>Purpose:</b>	(Charity) Provides information on issues from blue badges to benefits for disabled people, their families, and carers throughout Allerdale and the West Coast
<b>Number of required representatives</b>	2
<b>Current Representative</b>	
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Support accessible and trusted services in the area.
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(26) Name</b>	<b>Carlisle and Eden Citizens Advice Bureau Trustee Board</b>
<b>Purpose:</b>	(Charity) Provide free, confidential, impartial, and independent advice to the people who live or work in the Carlisle and Eden districts
<b>Number of required representatives</b>	2
<b>Current Representative</b>	

<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly – Feb, May, Aug, Nov
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Awaiting response
<b>Continue to appoint?</b>	

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<b>(27) Name</b>	<b>Carlisle Educational Charity</b>
<b>Purpose:</b>	(Charity) Formed from an amalgam of bequests dating back to 1893, the principle objective is to promote the further education of young people under the age of 25 within the area of Carlisle. This is achieved by making grants to young persons under the age of 25 who have been awarded a further or higher education place and who (or whose parents) reside within the Carlisle District. See legal advice below.
<b>Number of required representatives</b>	5
<b>Current Representative</b>	Councillors Lynch, Southward, Whalen and Wills (6 June 2023)
<b>Note</b>	Appointments made for four year term
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Twice a year
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No grant provision from Council
<b>Continue to appoint?</b>	

*Legal advice:*

**Review of internal/ partnership/ outside bodies**

**Fact sheet**

**Name of body:**

*The Carlisle Education Charity; otherwise known as the Carlisle Education Trust*

**An Outside body:** *a charity registered with the Charity Commission under number 509357*

**Status of body:** *it operates in Carlisle*

**Objectives:**

*The Cumberland council publications say that the principal objective of the charity is to promote the further education of young people under the age of 25, within the area of Carlisle, by making grants to those who have been awarded a further or higher education place and who, or whose parents, reside within the Carlisle district.*

**Local authority appointing body**

*The Charity Commission registration shows that there are currently 9 trustees appointed between 2011 and 2021. None are described as elected members.*

We need to check any councillor appointment, by whom, , length of term, and whether any of are members of the new authority

**Trustees in a decision making/position of general control or management**

The trustees are in a decision-making position, insofar as presumably, they determine who gets grants. The Charity Commission website shows that in 2022 the charity handed out about £9000 in grants

The Charity Commission website refers to the governing documents being the schemes of 11 September 1979 and of 13 December 1983.

It would be useful to see these.

**The statutory need for the appointment.**

There is no statutory need for trustees to be appointed by a local authority.

**Indemnities and insurance,**

The documents lodged at the Charity Commission do not say whether the charity carries indemnity insurance for the trustees.

**Report mechanisms to the local authority/ relationship to council priorities.**

There is no information on this matter.

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<b>(29) Name</b>	<b>Cumbria Community Foundation West Cumbria Panel</b>
<b>Purpose:</b>	Provide a means by which people and organisations can make a difference to the most disadvantaged people in our community. Cumbria Community Foundation is part of a national and international network of community foundations. Together we seek to support people and organisations wishing to invest in the local community.
<b>Number of required representatives</b>	2
<b>Current Representative</b>	
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Awaiting response
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(30) Name</b>	<b>Gilford Centre Pupil Referral Centre</b>
<b>Purpose:</b>	This is a pupil referral unit for 5- to 16-year-olds with Ofsted registration. It works with pupils who are at risk of permanent exclusion, all those who are not attending school for other reasons. Its services cover north Cumbria.

	The school has a Board of Governors currently numbering 7 including the chair. See legal advice below.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	
<b>Appointed by</b>	Executive
<b>How often it meets</b>	8 weekly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

*Legal advice - The information on the web does not disclose whether the council has an automatic place on the governors or such local authority representatives are by recommendation. My advice is that this is not a strategic partnership but would be better placed within the community partnership category.*

-----

<b>(31) Name</b>	<b>Henry Lonsdale Charitable Trust</b>
<b>Purpose:</b>	(Charity) The object of the Charity is the relief of needy elderly people. The principal activity of the Charity is to provide high quality, professional residential care at two Homes for elderly persons of limited means at Rosehill and Barn Close, Carlisle. In addition, since 2016 the Charity has made grants to Age UK Carlisle and Eden to fund a Carlisle based information and advice officer.
<b>Number of required representatives</b>	3
<b>Current Representative</b>	Councillors Glendinning, Mallinson, Mitchell and Whalen (6 June 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	tbc
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

*Legal advice:*

**An Outside body:** a charity registered with the Charity Commission under number 1168707

**Status of body:** it operates in Cumbria

**Objectives:** the objective of the charity is the relief of needy elderly people. The principal activity of the charity is to provide residential care at one home for elderly persons formerly in two homes . In addition, since 2016 the charity has made grants to Age UK Carlisle and Eden to fund a Carlisle based information and advice service

**Local authority appointing body**

The constitution of the charity provides that Cumbria County Council, or any successor body, can appoint up to 4 nominated trustees, on a trust board of up to seven trustees.

The current trustees were appointed on 9 March 2022. They have a term of three years which expires in 2025. This will be, according to the annual accounts, their final term of office. The annual accounts make reference to the intention of the charity to undertake succession planning for the appointment of trustees in 2025.

The local authority trustees are:

To be confirmed

**Trustees in a decision making/position of general control or management**

The day-to-day running of the care home is undertaken by professional staff. The trustees, however, do have a decision-making and management role.

**The statutory need for the appointment.**

There is no statutory need for trustees to be appointed by a local authority.

**Report mechanisms to the local authority/ relationship to council priorities.**

Elderly social care is a function of the unitary council and the services provided fall within the ambit of that function.

There is no reference in the annual accounts to a formal reporting mechanism to the local authority.

**Additional information**

The 2022 annual accounts contain substantial information on the financial and governance position of the charity.

in 2022 the charity had an income of £2.78 million. This was made-up of donations and income from providing care for elderly people some from private the funded residents and other from local authority funded residents.

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<b>(32) Name</b>	<b>Keswick School Trust</b>
<b>Purpose:</b>	Keswick School became the lead school in Keswick School Multi Academy Trust on the 1st of January 2017. The Multi Academy Trust is administered by four Members and twelve Directors.
<b>Number of required representatives</b>	Awaiting response – no current vacancies
<b>Current Representative</b>	
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(33) Name</b>	<b>Lowther Street Trust</b>
<b>Purpose:</b>	(Charity) The Lowther Street Trust provides financial support to help promote the education of young people aged under 25 that live in the Carlisle area. Schools, Headteachers or Group Leaders can apply to the Trust for funding. The Trust can make financial awards to assist with a variety of educational purposes. See legal advice below.
<b>Number of required representatives</b>	4
<b>Current Representative</b>	Councillors Quilter, Southward, Weber and Whalen (6 June 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

*Legal advice:*

**An Outside body:** a charity registered with the Charity Commission under number 1039066

**Status of body:** it operates in Carlisle

**Objectives:**

*The Charity Commission registration says:*

- *it seeks to promote education and training, including social and physical training, by awarding grants to those residents in the city of Carlisle. Data for the financial year ended 31st March 2023 shows that its total income was £16,0044 and total expenditure £4130.*
- *The charity does not raise funds from the public and does not have any trading subsidiaries.*

**Local authority appointing body**

*The Charity Commission registration shows that there are 4 current trustees as at July 2023: Councillor G Ellis is a trustee, appointed 9 5 17, and also on the Mary Hannah Almshouses Trust.*

*We need to check how the councillor appointment, and by whom, was made, length of term, and whether any of the current trustees are members of the new authority*

**Trustees in a decision making/position of general control or management**

*The trustees which are in a decision-making position insofar as, presumably, they determine who gets grants.*

**The statutory need for the appointment.**

*There is no statutory need for trustees to be appointed by a local authority.*

**Report mechanisms to the local authority/ relationship to council priorities.**

*There is no information on this matter*

<b>(34) Name</b>	<b>Mary Hannah Almshouses Trust</b>
<b>Purpose:</b>	(Charity) The Mary Hannah Almshouses owns six almshouses properties, which are managed on its behalf by H&H land and Estates, the Council provides administrative support to the Trust. See legal advice below.
<b>Number of required representatives</b>	3
<b>Current Representative</b>	Councillors Weber, Dr Davison and Glendinning (6 June 2023)
<b>Note</b>	Appointments made for four year term
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Bi-annually
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

*Legal advice:*

**An Outside body:** a charity registered with the Charity Commission under number 222025

**Status of body:** it operates in Cumbria

**Objectives:** the objective of the charity is to provide accommodation/ housing. The charity regulator is Homes England. The charity scheme of 16 February 1984 says that the trustee shall apply the income of the charity for the benefit of the residents of the alms-houses. There are six properties managed on behalf of H&H land and estates.

**Local authority appointing body**

The Charity Commission registration shows that there are five current trustees as at July 2023: three are described as councillors: Dr Helen Davison, appointed 17 June 2019. Councillor D Morton who is also a trustee of the Belah Centre. Councillor G Ellis who is also a trustee of the Lowther St annex. There is no date of appointment for the latter 2 appointees and no date of termination recorded as to any of the trustees.

It would appear, based on the restriction relating to charitable activities in Carlisle that the nominating body was almost certainly the City of Carlisle District Council  
Are the trustees named as councillors' members of the new unitary council?

The charity has a total gross income for 2022 of £2077.

**Trustees in a decision making/position of general control or management**

The Charity Commission registration says that: the trustees are the people responsible for controlling the work, management, and administration of the charity on behalf of its beneficiaries. As such therefore they are in a position of general control or management.

**The statutory need for the appointment.**

There is no statutory need for trustees to be appointed by a local authority.



**Report mechanisms to the local authority/ relationship to council priorities.**  
*Elderly social care is a function of the unitary council and the services provided fall within the ambit of that function.*

-----

<b>(35) Name</b>	<b>North Allerdale Development Trust</b>
<b>Purpose:</b>	(Charity) Focused on the support and development of community projects across the Solway Plain that stimulate new opportunities or improved facilities for all residents across the area. The charity's objectives include: the provision of community buildings, promotion of the voluntary sector, relief of unemployment and the provision of education. The registration of the Charity Commission is under number 11 31992
<b>Number of required representatives</b>	Awaiting response from Trust
<b>Current Representative</b>	
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

-----

<b>(36) Name</b>	<b>Phoenix Enterprise Centre</b>
<b>Purpose:</b>	(Community Interest Company) To address economic deprivation in West Cumbria, by promoting economic regeneration and addressing unemployment through the following key activities; - <ul style="list-style-type: none"> <li>• The provision of managed workspace and office accommodation</li> <li>• Employment and Benefits Advice and Guidance</li> <li>• Food Pantry Support to those in financial distress</li> <li>• Regeneration Activities</li> </ul> See legal advice below
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Eldon
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly

<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

*Legal advice:*

**An Outside body:**

*It is a private company limited by guarantee without share capital and registered at Companies House under number 01897176. It was previously known as Cleator Moor Business Centre. It is a community interest company.*

**Status of body:**

*It operates in West Cumbria*

**Objectives:**

*It is a small company with a turnover as at 31 March 2022 of £567,000.*

*The financial statements for 2022 say that the company activities provide benefit to unemployed and redundant individuals and to start up and small businesses with a geographical focus in and around Cleator Moor, It also provides outreach services elsewhere in West Cumbria. It assists in the regeneration of an area in economic decline.*

**Local authority appointing body**

*The Company is governed by a board of directors. However, the 21 directors registered at Companies House all appear to have resigned at various dates. The list does not show any current directors. The company accounts for the year ended March 22 shows eight current directors appointed in May 2021*

**Trustees in a decision making/position of general control or management**

*The trustees are in a decision-making position.*

**The statutory need for the appointment.**

*There is no statutory need for trustees to be appointed by a local authority. The company documentation says that the local authority Copeland Borough Council is represented on the board of directors.*

**Indemnities and insurance.**

*It is not clear from the paperwork whether there are insurance policies in place.*

**Report mechanisms to the local authority/ relationship to council priorities.**

*There is no information on any formal links to the local authorities*

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<b>(37) Name</b>	<b>Rosehill Arts Trust Ltd</b>
<b>Purpose:</b>	Charity The charity objectives are <ul style="list-style-type: none"> <li>• providing a wide range of artistic productions that are of educational and cultural value to the community.</li> </ul> It manages and maintains appropriate premises at Rose Hill and seeks to involve the local community by encouraging the use of its premises and facilities as a resource for performances and other activities. See legal advice below.

<b>Number of required representatives</b>	1
<b>Current Representative</b>	
<b>Appointed by</b>	
<b>How often it meets</b>	Quarterly
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

*Legal advice:*

**An Outside body:**

*It is an independent charity registered with the Charity Commission under number 250846. The charity is also company registered at Companies House. Formally known as West Cumbria Arts Trust Limited.*

**Status of body:**

*The trust documents say that it operates in Cumbria*

**Objectives:**

*The charity objectives are*

- *providing a wide range of artistic productions that are of educational and cultural value to the community.*

*It manages and maintains appropriate premises at Rose Hill and seeks to involve the local community by encouraging the use of its premises and facilities as a resource for performances and other activities.*

*Data for the financial year ending 31st March 2022 shows that it has a total income of £ 642,205.*

**Local authority appointing body**

*The trust is governed by a board of trustees. There are 10 current trustees appointed various dates from 2013 to 2022.*

*It is not clear at the time this notice prepared that there are reserved positions for local authority councillors ought any of the trustees are current members of Westmoreland or Cumberland councils.*

**Trustees in a decision making/position of general control or management**

*The trustees are in a decision-making position.*

**The statutory need for the appointment.**

*There is no statutory need for trustees to be appointed by a local authority.*

**Report mechanisms to the local authority/ relationship to council priorities.**

*There is no information on any formal links with the local authorities.*

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<b>(38) Name</b>	<b>Settle – Carlisle Railway Development Company</b>
<b>Category</b>	Community Partnership
Key Strategic Partnership	The Settle-Carlisle Railway Development Company
Community Partnership	was set up in 1992 as a not-for-profit limited company
Statutory Bodies	in response to the call from the Transport Secretary for all political parties to work together following the highly

	documented reprieve of the Settle to Carlisle rail line in 1989
<b>Number of required representatives</b>	<b>Awaiting response from Company</b> See legal advice below
<b>Current Representative</b>	
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

*Legal advice - From the published information it is not clear whether the company invites local authority nominations. The website shows that it works with the following local authorities: Eden District Council/Yorkshire Dales National Park authority/Craven District Council/*

*There appear to be two limited companies and a trust that are all linked: the Settle and Carlisle Railway Properties Limited / the Settle and Carlisle Development company/ they settle and Carlisle railway trust.*

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<b>(39) Name</b>	<b>Solway Firth Partnership</b>
<b>Purpose:</b>	(Charity) Solway Firth Partnership is an independent charity that works to support a vibrant and sustainable local economy while respecting, protecting, and celebrating the distinctive character, heritage, and natural features of our marine and coastal area. This is a charity set up as a private limited company by guarantee. Its objects are to support a vibrant and sustainable local economy whilst respecting protecting and celebrating the distinctive character heritage and natural features of the marine and coastal area. It is governed by a board of trustees and guided by an advisory group the board is drawn from the membership and includes representation for membership organisations. These include local authorities, the Environment Agency and other bodies.
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillor Markley (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	4 times a year

<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Pre LGR, Carlisle City Council gave an annual contribution of £750 and Allerdale Borough Council gave an annual contribution of £1,000 – both had voting rights
<b>Continue to appoint?</b>	

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<b>(40) Name</b>	<b>Local Listing Heritage Panel</b>
<b>Purpose</b>	The panel assesses submissions for the Cumbria wide local list, which reflects the policy provisions of Carlisle Local Plan Policy HE6. This reads:  Policy HE 6 - Locally Important Heritage Assets
<b>Number of required representatives</b>	3
<b>Current Representative</b>	Councillors Grisdale, Semple and Troughton (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Twice a year
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

*Throughout Carlisle District there are a number of buildings and structures of historic and architectural significance that, whilst not statutorily protected, help create the locally distinctive character of the area. The Council recognises the positive contribution these structures make to streetscape and/or landscape and will therefore designate such assets through the Local List to strengthen the presumption in favour of their retention when considering development proposals.*

*Development which would remove, harm or undermine the significance of a locally listed asset, or its contribution to the character of the area, will only be permitted where robust evidence can demonstrate that the public benefits of the development would clearly outweigh the harm.*

*A number of buildings on the Local List have also been included on the basis that together, and sometimes alongside statutory listed heritage assets, they make a particularly strong and positive contribution to the 'townscape' character of an area.*

*These ‘key townscape frontages’ are identified on the Policies Map. Development proposals which would erode the significance of these frontages will be resisted. Only in exceptional circumstances will the loss of a locally listed asset be permitted. Where this is the case the following may be required:*

- 1. an appropriate level of survey and recording which may also include archaeological excavation;*
- 2. provision of replacement buildings of comparable quality and design; and*
- 3. the salvage and reuse within the replacement development of special features.*

*Para 9.19 states that “Across the District there can be pressure for redevelopment potentially resulting in the loss of unlisted structures that whilst not of national importance (and therefore not eligible for inclusion on the statutory register of listed buildings) may be of local heritage or townscape significance. This reflects that many of these structures make an important contribution to the streetscape and/or landscape of a particular area, or that they are of local historic or architectural interest”.*

*Public submissions to the local list are sifted by an officer panel comprising heritage and design officers from across the former County, whose list of recommendations in this passed to the Local List Assessment Panel for further interrogation and determination. The draft list would then be adopted by the Executive Committee’s of each Council.*

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<b>(41) Name</b>	<b>Cumbria Alcohol and Drug Advisory Board</b>
<b>Purpose:</b>	Addiction affects people in all walks of life and is more common than many people think. CADAS provides support for individuals, family members, and carers, promoting recovery in the community. CADA have two strands to its professional support. CADA are there for anyone who wants help with their harmful addiction.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Brown (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Supporting improvements to health and wellbeing through collaborative working
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(42) Name</b>	<b>Mid Copeland GDF Community Partnership</b>
<b>Purpose:</b>	The aim of the Mid Copeland GDF Community Partnership is to share information, discuss concerns and find answers to questions its community has about all aspects of the Geological Disposal Facility (GDF) siting process, including what hosting a GDF could mean and how its community could benefit
<b>Number of required representatives</b>	<b>Awaiting response</b>
<b>Current Representative</b>	(Councillor Pratt is the Chair but not appointed by Cumberland Council)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(43) Name</b>	<b>South Copeland GDF Community Partnership</b>
<b>Purpose:</b>	The role of the partnership includes ensuring that the community has information they need when considering the possibility of hosting a GDF. This all relates to the framework for the long-term management of higher activity radioactive waste See legal advice below.
<b>Number of required representatives</b>	<b>Awaiting response</b>
<b>Current Representative</b>	(Cllr Kelly - appointed prior to LGR but not by Cumberland Council)
<b>Appointed by</b>	
<b>How often it meets</b>	
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

*Legal advice - The community partnerships are groups made-up of members including the local authority, community members and the GDF developer.*

*The policy background is set out in a policy paper published by the government on the 19 December 2018. This paper provides at paragraph 6.28 on page 45 that: a community partnership can only be formed, and continue to operate, if the principal local authority in the search area agrees to participate.*

The government policy paper indicates at paragraph 6.48 there must be a community partnership agreement. This has not been located. Based on the government guidance, and the requirement for the agreement, then this is an outside body.

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<b>(44) Name</b>	<b>West Coast Rail</b>
<b>Purpose:</b>	West Coast Rail 250 (WCR250) campaigns for improved rail services along the West Coast Main Line to support economic growth and employment. The group is a non-political group of local authorities, private sector companies, consumer transport organisations, and individuals.
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Markley and Rollo (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	3 times per year
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(45) Name</b>	<b>Community Coastline Community Rail Partnership</b>
<b>Purpose:</b>	The overall aim of the Partnership is to contribute to the economic wellbeing of all areas served directly or indirectly by the Cumbrian Coast Railway through the operation, services and facilities of the line.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Minshaw (30 May 2023)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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<b>(46) Name</b>	<b>Cumbria Local Enterprise Partnership</b>
<b>Purpose:</b>	The main role of the Board is to set the strategic direction for Cumbria's economic growth and development.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Brown (25 July 2024)
<b>Appointed by</b>	Executive
<b>How often it meets</b>	Quarterly
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

*In England local enterprise partnerships (LEPs) are defined as voluntary partnerships between local authorities and businesses set up after 2011 by the Department for Business Innovation and Skills to help determine local economic priorities etc.*

*They hold some of the powers previously held by Regional Development Agencies. From April 2024 the government sponsorship and funding of such will cease. The government information says that this network can choose to continue, without government funding, if it is the wish of their local democratic institutions*

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<b>(47) Name</b>	<b>North West Reserve Forces and Cadets Association</b>
<b>Purpose:</b>	<b>Awaiting response</b>
<b>Number of required representatives</b>	1
<b>Current Representative</b>	
<b>Appointed by</b>	Executive
<b>How often it meets</b>	
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	No
<b>Continue to appoint?</b>	

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**Outside bodies for discussion and proposed delegation for appointment to Community Panels via Executive:**

<b>(1) Name</b>	<b>Belah Community Centre Management Committee</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	(Charity) Community Partnership To promote the benefit of the inhabitants of the City of Carlisle and in particular that area known as Belah district without distinction of sex, sexual orientation, race, political, religious or other opinions, by associating the Local Authority, Voluntary Organisations and inhabitants in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants. To establish or secure the establishment of a Community Centre and to maintain and manage, in co-operation with the Local Authority, such an Association for the encouragement and promotion of activities by the Community Association and its constituent bodies in furtherance of the above objectives
<b>Number of required representatives</b>	1
<b>Note</b>	Belah Community Centre's Constitution states that the Carlisle City Council may appoint a maximum of three Trustees
<b>Current Representative</b>	Councillor Dr Davison (29 June 2023)
<b>Appointed by</b>	Border, Fellside and North Carlisle Community Panel
<b>How often it meets</b>	Quarterly meetings
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £11,100 up to 13.02.24 – monies delegated to the Border, Fellside and North Carlisle Community Panel
<b>Continue to appoint?</b>	

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<b>(2) Name</b>	<b>Botcherby Community Centre Management Committee</b>
<b>Category</b> Key Strategic Partnership Community Partnership	Charity Community Partnership To promote the benefit of the inhabitants of the City of Carlisle and in particular that area known as

Statutory Bodies	<p>Botcherby district and the neighbourhood without distinction of sex, sexual orientation, race or of political, religious or other opinions, by associating together the said inhabitants and the local authorities, voluntary and other organisations in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants;</p> <p>To establish, or secure the establishment of, a community centre and to maintain and manage the same (whether alone or in co-operation with any local authority or other person or body) in furtherance of these objects;</p> <p>To promote such other charitable purposes as may from time to time be determined.</p>
<b>Number of required representatives</b>	1
<b>Current Representative</b>	
<b>Note</b>	Botcherby Community Centre's Articles of Association state that the composition of the Board of Trustees will include one person nominated by Carlisle City Council.
<b>Appointed by</b>	Petteril Community Panel
<b>How often it meets</b>	8 weekly – frequency of meetings fluctuates.
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £13,000 up to 13.02.24 – monies delegated to the Petteril Community Panel
<b>Continue to appoint?</b>	

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<b>(3) Name</b>	<b>Brampton and Beyond Community Trust</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	<p>(Charity)</p> <p>Community Partnership</p> <p>A registered not-for-profit charity which exists to improve the social, environmental, and economic wellbeing of the local community to support it to become more resilient and sustainable. Governed by a board of trustees providing strategic direction and oversight of its activities and associated interests, it operates Brampton Community Centre and the children's nursery.</p>

<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Mitchelson (29 June 2023)
<b>Note</b>	The Trust's area of benefit covers Brampton & Fellside Ward and Wetheral & Corby Ward and all relevant Ward Members are welcome to join the Advisory Council
<b>Appointed by</b>	Border, Fellside and North Carlisle Community Panel
<b>How often it meets</b>	Every 2 months
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £21,400 up to 13.02.24 – monies delegated to the Border, Fellside and North Carlisle Community Panel
<b>Continue to appoint?</b>	

*Legal advice:*

**Review of internal/ partnership/ outside bodies**

**Fact sheet**

**Name of body:**

*Brampton and Beyond Community Trust*

**An Outside body:**

*It is an independent charity registered with the Charity Commission under number 1138044. The charity is also a not-for-profit company registered at Companies House*

**Status of body:** *The trust is a community-based organisation serving Brampton and the community in the surrounding area*

**Objectives:**

*The Charity exists to*

- *improve the social, environmental and economic well-being of the locals community to support it to become more resilient and sustainable.*
- *It manages the local community centre, its services and the trust's wider activities.*

**Local authority appointing body**

*The trust is governed by a board of trustees who provide strategic direction and oversight of its activities and associated interests.*

*The trust has articles of association which provide for not less than three but not more than 13 directors, who retire at each annual meeting as to thirds. New directors are appointed by ordinary resolution.*

*There are no reserved positions for local authority directors in the articles.*

**Trustees in a decision making/position of general control or management**

*The trustees are in a decision-making position .*

**The statutory need for the appointment.**

*There is no statutory need for trustees to be appointed by a local authority.*

**Indemnities and insurance.**

*It is not clear from the paperwork whether there are insurance policies in place.*

**Report mechanisms to the local authority/ relationship to council priorities.**

*There is no information on this matter*

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<b>(4) Name</b>	<b>Currock Community Centre</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	(Charity) Community Partnership To promote the benefit of the inhabitants of the City of Carlisle and in particular that area known as Currock district without distinction of sex, sexual orientation, race or of political, religious or other opinions, by associating the local authority, voluntary organisations and inhabitants in the interests of social welfare for recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants; To establish, or secure the establishment of, a community centre and to maintain and manage the same in co-operation the local authority, such a centre for the encouragement and promotion of activities by the Community Association and its constituent bodies
<b>Number of required representatives</b>	2
<b>Current Representative</b>	Councillors Brown and Wills (4 December 2023)
<b>Note</b>	Currock Community Centre's Constitution states that Carlisle City Council may appoint up to a maximum of three Trustees
<b>Appointed by</b>	Petteril Community Panel
<b>How often it meets</b>	Every 2 months
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £20,900 up to 13.02.24 – monies delegated to the Petteril Community Panel
<b>Continue to appoint?</b>	

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<b>(5) Name</b>	<b>Denton Holme Community Centre</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	(Charity) Community Partnership To promote the benefit of the inhabitants of the City of Carlisle and in particular that area known as Denton Holme district without distinction of sex, sexual orientation, race, political, religious or other opinions, by associating the Local Authority, Voluntary Organisations and inhabitants in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure time occupation with the object

	<p>of improving the conditions of life for the said inhabitants.</p> <p>To establish or secure the establishment of a Community Centre and to maintain and manage, in co-operation with the Local Authority, such an Association for the encouragement and promotion of activities by the Community Association and its constituent bodies in furtherance of the above objectives</p>
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Southward (21 June 2023)
<b>Appointed by</b>	Carlisle West Community Panel
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £9,000 up to 13.02.24 – monies delegated to the Carlisle West Community Panel
<b>Continue to appoint?</b>	

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<b>(6) Name</b>	<b>Downagate Community Centre</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	<p>(Charity) Community Partnership Provide facilities for recreation and other leisure time occupations in the interests of social welfare for the inhabitants at large of the parishes of Wetheral and Hayton, Cumbria. It also serves the members of neighbouring schools, educational institutions or the public generally on the invitation of the trustees with the objective of improving the conditions of life for the said inhabitants</p>
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Dobson (29 June 2023)
<b>Appointed by</b>	Border, Fellside and North Carlisle Community Panel
<b>How often it meets</b>	3 or 4 times a year
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

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<b>(7) Name</b>	<b>Greystone Community Centre</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	(Charity) Community Partnership To promote the benefit of the inhabitants of Carlisle, and in particular the neighbourhood enclosed by Tait Street, Aglionby Street, Warwick Road, Petteril River, London Road/Botchergate, and including London Road Terrace, Chertsey Mount and Brookfield Gardens without distinction of sex, sexual orientation, race, or of political, religious or other opinions, by associating together the said inhabitants and the local authorities, voluntary and other organisations in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants. To establish, or secure the establishment of, a Community Centre and to maintain and manage the same (whether alone or in co-operation with any local authority or other person or body) in furtherance of these objects.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Anne Quilter
<b>Appointed by</b>	Carlisle West Community Panel
<b>How often it meets</b>	Awaiting response
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £9,300 up to 13.02.24 – monies delegated to the Carlisle West Community Panel
<b>Continue to appoint?</b>	

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<b>(8) Name 21</b>	<b>Harraby Community Centre</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	(Charity) Community Partnership To promote the benefit of the inhabitants of the City of Carlisle and in particular that area known as Harraby and Carlisle South, without distinction of sex, sexual orientation, race, political, religious or other opinions, by associating the Local Authority, Voluntary Organisations and inhabitants in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure time occupation with the object of improving



	<p>the conditions of life for the said inhabitants. To secure the establishment of a Community Centre and to maintain and manage, in co-operation with other partners, the Centre for the encouragement and promotion of activities by the Community Centre and its constituent bodies in furtherance of the above objectives. To promote such charitable purposes as from time to time be determined</p>
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Weber (4 December 2023)
<b>Appointed by</b>	Petteril Community Panel
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £24,800 up to 13.02.24 – monies delegated to the Petteril Community Panel
<b>Continue to appoint?</b>	

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<b>(9) Name</b>	<b>Longtown Memorial Hall Community Centre</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	<p>(Charity) Community Partnership The object of the Charity is to maintain a community centre for use by the inhabitants of the area of benefit for the following purposes:- (a) for the advancement of the education of the said inhabitants; (b) for the provision of facilities in the interests of social welfare for recreation and other leisure time occupation with the object of improving the conditions of life for the said inhabitants. 4. The Charity's area of benefit is the City of Carlisle and in particular that area known as Longtown and the surrounding district</p>
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Pickstone (28 June 2023)
<b>Note</b>	Longtown Memorial Hall Community Centre's Articles of Association state that the composition of the Board of Trustees will include <b>one</b> person nominated by Carlisle City Council.)
<b>Appointed by</b>	Border, Fellside and North Carlisle Community Panel
<b>How often it meets</b>	Awaiting response

<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £27,200 up to 13.02.24 – monies delegated to the Border, Fellside and North Carlisle Community Panel
<b>Continue to appoint?</b>	

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<b>(10) Name</b>	<b>Morton Community Centre Management Committee</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Charity Community Partnership To promote the benefit of the inhabitants of Morton and the neighbourhood without distinction of sex, sexual orientation race or of political religious or other opinions by associating together the said inhabitants and the local authorities voluntary and other organisations in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants. Establish or secure the establishment of a community centre and to maintain and manage the same (whether alone or in co-operation with any local authority or other person or body) in furtherance of these objects. Promote such other charitable purposes as may from time to time be determined.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Quilter (21 June 2023)
<b>Appointed by</b>	Carlisle West Community Panel
<b>How often it meets</b>	Awaiting response
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £28,700, up to 13.02.24 – monies delegated to the Carlisle West Community Panel
<b>Continue to appoint?</b>	

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<b>(11) Name</b>	<b>Petteril Bank Community Centre</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	(Charity) Community Partnership To promote the benefit of the inhabitants of the City of Carlisle and in particular that area known as Petteril Bank district without distinction of sex, sexual orientation, race, political, religious or other opinions, by associating the local authority, voluntary organisations and inhabitants in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants. To establish or secure the establishment of a community centre and to maintain and manage, in co-operation with the local authority, such a centre for the encouragement and promotion of activities by the community centre and its constituent bodies in furtherance of the above objectives. To promote such charitable purposes as from time to time be determined.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Patrick (4 December 2023)
<b>Note</b>	The Chair of the Community Centre has stated that the Centre was being operated under a village hall model, representatives of the City Council were welcome, however the centre only operated the community hall with volunteers
<b>Appointed by</b>	Petteril Community Panel
<b>How often it meets</b>	Awaiting response
<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £12,400 up to 13.02.24 – monies delegated to the Petteril Community Panel
<b>Continue to appoint?</b>	

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<b>(12) Name</b>	<b>Senhouse Museum Trust - Maryport</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Charity Community Partnership This charity is registered to the Charity Commission under number 516491. Its activities are public education and management of the Senhouse woman museum overlooking the Solway Firth. The charity is governed by declaration of trust dated 12 April 1985 Which sets out its charitable objectives.

	They are to advance the education of the public regarding the history of the Romano British. In general and West Cumbria in particular
<b>Number of required representatives</b>	Awaiting response
<b>Current Representative</b>	
<b>Appointed by</b>	Lakes to Sea Community Panel
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

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<b>(13) Name</b>	<b>Stanwix Community Association</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	(Charity) Community Partnership To further or benefit the residents of Carlisle and, in particular, the neighbourhood, commonly known as Stanwix (i.e. the electoral wards of Stanwix Urban and Stanwix Rural) without distinction of sex, sexual orientation, race or of political, religious or other opinions by associating together the said residents and the local authorities, voluntary and other organisations in a common effort to advance education and to provide facilities in the interests of social welfare for recreation leisure time occupation with the objective of improving the conditions of life for the residents. To establish or secure the establishment of a community centre and to maintain or manage or co-operate with any statutory authority in the maintenance and management of such a centre for activities promoted by the charity in furtherance of the above object
<b>Number of required representatives</b>	Councillor Wernham (29 June 2023)
<b>Current Representative</b>	1
<b>Appointed by</b>	Border, Fellside and North Carlisle Community Panel
<b>How often it meets</b>	
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

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<b>(14) Name</b>	<b>Westfield Housing Association</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Community Partnership Small community housing association based in Westfield, Workington providing a range of high quality, affordable homes in West Cumbria. To enable people to thrive through the provision of high quality, affordable homes and excellent customer centred housing and community services.
<b>Number of required representatives</b>	1 Awaiting response
<b>Current Representative</b>	
<b>Appointed by</b>	Workington Together Community Panel
<b>How often it meets</b>	Quarterly
<b>How helps council to meet is priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

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<b>(15) Name</b>	<b>Yewdale Community Centre Committee</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	(Charity) Community Partnership To further or benefit the residents of Yewdale and the neighbourhood, without distinction of sex, sexual orientation, race or of political, religious or other opinions by associating together the said residents and the local authorities, voluntary and other organisations in a common effort to advance education and to provide facilities in the interests of social welfare for recreation leisure time occupation with the objective of improving the conditions of life for the residents. In furtherance of these objects but not otherwise, the trustees shall have power: To establish or secure the establishment of a community centre and to maintain or manage or co-operate with any statutory authority in the maintenance and management of such a centre for activities promoted by the charity in furtherance of the above object
<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Whalen (when??)
<b>Appointed by</b>	Carlisle West Community Panel
<b>How often it meets</b>	

<b>How helps council to meet its priorities and ambitions</b>	Collaborative working (One Council Approach)
<b>Pay or grant?</b>	Grant £7,400 up to 13.02.24 – monies delegated to the Carlisle West Community Panel
<b>Continue to appoint?</b>	

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<b>(16) Name</b>	<b>Cleator Moor Town Board</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Prior to LGR we had two Local Authority reps, one from Cumbria and one for Copeland.  <b>Awaiting further information</b>
<b>Number of required representatives</b>	1
<b>Current Representative</b>	
<b>Appointed by</b>	South Cumberland Community Panel
<b>How often it meets</b>	Quarterly
<b>How helps council to meet its priorities and ambitions</b>	
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

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<b>(17) Name</b>	<b>Tallentire Wind Farm Advisory Panel</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	Community Partnership Established to fund not for profit or charitable activities for local communities located close to the Tallentire Wind Farm. The fund has been set up to benefit the parishes of Bridekirk, Blindcrake, Gilcruix, and Plumbland.
<b>Number of required representatives</b>	1
<b>Current Representative</b>	
<b>Appointed by</b>	Lakes to Sea Community Panel
<b>How often it meets</b>	Twice a year
<b>How helps council to meet its priorities and ambitions</b>	
<b>Pay or grant?</b>	
<b>Continue to appoint?</b>	

It is recommended that the following organisations are removed from the list of outside body arrangements:

<b>Name</b>	<b>Reason</b>
<b>Allerdale GDF Community Partnership</b>	This no longer exists
<b>Bennet Bank Landfill</b>	This does not fall within the criteria of an outside body; this was a meeting attended by relevant ward member or an officer
<b>Beckburn Windfarm Grants Advisory Panel *</b>	This appears to be a committee of the Cumbria Community Foundation. It appears on their website. The foundation is an independent local charity. It is part of a national network of community foundations. This is a subcommittee of an outside body, we do not appoint to the outside body
<b>Big Lottery Application</b>	Application process for funding
<b>Carlisle and Eden Community Safety Partnership</b>	This does not fall within the criteria of an outside body, this is a meeting attended by the relevant Portfolio Holder
<b>Carlisle Healthy City Steering Group</b>	This does not fall within the criteria of an outside body, this was a meeting attended by the Portfolio Holder
<b>Carlisle Lake District Airport Consultative Committee</b>	This does not fall within the criteria of an outside body, this was a meeting attended by the Portfolio Holder
<b>Carlisle Partnership Executive</b>	This does not fall within the criteria of an outside body, this was a meeting attended by Portfolio Holder
<b>Commercial Sub Committee</b>	No information available on this
<b>Community Project (Incorporating Carlisle Nightstop)</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant member or an officer
<b>Copeland Disability Forum - North</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant member or an officer
<b>Copeland Partnership</b>	This does not fall within the criteria of an outside body, this was a meeting attended by Portfolio Holder
<b>Cumberland and Westmorland Welfare Trust for Blind</b>	No longer a registered charity

<b>Cumbria Action for Sustainability</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant member or an officer
<b>Cumbria Housing Group</b>	This does not fall within the criteria of an outside body; this was a meeting attended by Portfolio Holder
<b>Cumbria Local Enterprise Partnership *</b>	This no longer exists
<b>Cumbria Local Nature Partnership *</b>	This does not fall within the criteria of an outside body; this was a meeting attended by Portfolio Holder
<b>Cumbria Planning Group</b>	This does not fall within the criteria of an outside body, this was a meeting attended by Portfolio Holder
<b>Cumbria Strategic Waste Partnership *</b>	No longer exists
<b>Decommissioning Sub Committee</b>	Was a sub committee of the West Cumbria Sites Stakeholder Group but no longer exists
<b>Distington Local Liaison Committee</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant ward member
<b>Eskett Quarry</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant ward member
<b>Geological Disposal Facility (GDF) Partnerships</b>	No information available on this
<b>Ghyll Scaur Quarry Liaison Group</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant ward member
<b>Greenwich Leisure</b>	This does not fall within the criteria of an outside body, this was a meeting attended by Portfolio Holder
<b>Hallburn Windfarm Grants Advisory Panel</b>	This appears to be a committee of Grantscape (the Council does not appoint to this) which is a charity specialising in community benefit fund granted ministration. It administers community funds on behalf of local authorities. It appears to be similar to the Cumbria Community Fund. This is a subcommittee of an outside body the Council does not appoint to
<b>Hespin Wood Landfill</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant ward member
<b>Iggesund Liaison Group</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant ward member
<b>Lakes College West Cumbria</b>	An appointment is no longer needed



<b>Longtown Borderland Town Team</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant ward member
<b>North West Regional Housing Forum</b>	This does not fall within the criteria of an outside body, this was a meeting attended by Portfolio Holder
<b>Peel Place Quarry</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant ward
<b>Project Tullie Board</b>	This does not fall within the criteria of an outside body, this was a meeting attended by relevant portfolio Holder or an officer
<b>Regional Planning Group</b>	This does not fall within the criteria of an outside body; this was a meeting attended by Portfolio Holder
<b>Regional Transport Group</b>	This does not fall within the criteria of an outside body, this was a meeting attended by Portfolio Holder
<b>Riverside Board / Carlisle Liaison Group</b>	This does not fall within the criteria of an outside body, this was a meeting attended by Portfolio Holder and officer
<b>Settle Carlisle Railway Trust *</b>	This does not fall within the criteria of an outside body, this was a meeting attended by a Councillor
<b>Socio-Economic Sub-Committee</b>	Was a sub committee of the West Cumbria Sites Stakeholder Group but no longer exists
<b>Tendley Quarry</b>	This does not fall within the criteria of an outside body; this was a meeting attended by relevant ward member
<b>Traveline Cumbria Board</b>	This does not fall within the criteria of an outside body; this was a meeting attended by relevant ward member
<b>Tyne Valley Community Rail Partnership</b>	This does not fall within the criteria of an outside body; this was a meeting attended by relevant ward member or an officer
<b>West Cumberland Hospital Stakeholder</b>	This does not fall within the criteria of an outside body; this was a meeting attended by relevant ward member or an officer

The following appointments were made to some organisations in 2024/25 which are listed above:

<b>Name</b>	<b>Cumbria Local Nature Partnership</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	This does not fall within the criteria of an outside body; this was a meeting attended by Portfolio Holder
<b>Current Representative</b>	Councillor Kelly
<b>Appointed by</b>	Executive 30 May 2023

<b>Name</b>	<b>Settle Carlisle Railway Trust</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	This does not fall within the criteria of an outside body, this was a meeting attended by a Councillor
<b>Number of representatives</b>	1
<b>Current Representative</b>	Councillor Mitchelson
<b>Appointed by</b>	Executive 30 May 2023

<b>Name</b>	<b>Beckburn Windfarm Grants Advisory Panel</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	This appears to be a committee of the Cumbria Community Foundation. It appears on their website. The foundation is an independent local charity. It is part of a national network of community foundations. This is a subcommittee of an outside body.
<b>Number of required representatives</b>	1
<b>Current representative</b>	Cllr Pickstone (not appointed by Cumberland Council)

<b>Name</b>	<b>Cumbria Strategic Waste Partnership</b>
<b>Category</b> Key Strategic Partnership Community Partnership Statutory Bodies	No longer exists
<b>Number of required representatives</b>	0
<b>Current Representative</b>	Councillor Rollo
<b>Appointed by</b>	Executive 30 May 2023

<b>Name</b>	<b>Copeland Community Fund</b>
<b>Purpose:</b>	<p>An organisation, set up in part by a former local authority, under a contractual agreement with other parties, as a grant giving body</p> <p>A separate socio-economic arrangement hosted by Cumberland Council to recognise the service South Cumberland and Whitehaven &amp; Coastal (the former area of Copeland) provides to the nation by hosting the Low-Level Waste Repository (LLWR) close to the village of Drigg.</p> <p>CCF is directly funded by NDA Group to the level of £1.5 million per annum for every year that the repository is operating, in addition to an initial endowment of £10m. The Fund provides grants to a wide range of non-profit organisations for the benefit of the local community in line with the NDA Local Social and Economic Impact Strategy 2020.</p> <p>Note: see legal advice below</p>

<b>Number of required representatives</b>	1
<b>Current Representative</b>	Councillor Williamson (6 June 2023)
<b>Appointed by</b>	Executive

*Legal advice:*

***Review of internal/ partnership/ outside bodies***

***Fact sheet***

***Name of body:***

*The Copeland Community Fund*

***An Outside body:***

*The fund published documents describe it as a socio-economic arrangement hosted by Cumberland Council and directly funded by the NDA Group (the nuclear decommissioning authority) with an initial endowment of £10m and £1.5m each year. This does not appear to be an Outside Body.*

***Status of body:*** *The fund operates under a Cooperation Agreement between NDC, Cumbria County Council and Copeland Borough Council. This will need to be updated.*

***Objectives:*** *the fund provides grants to a wide range of non-profit organisations for the benefit of the local community in line with the NDA local social and economic impact strategy 2020. A unilateral undertaking was agreed in 2008, revised in July 2016. It contains provisions on the level of funding providers as well as conditions as to the use of the fund.*

***Local authority appointing body***

*There are nomination rights for Cumbria local authorities contained in governance documents. These will fall to be made by Cumberland council as the successor local authority.*

***Trustees in a decision making/position of general control or management?***

*The extent of this will depend upon the arrangements in the governance documents which are not publicly listed on the Internet.*

***The statutory need for the appointment.***

*The need for appointments is dependent upon the governance arrangements for the fund. It does not appear to be a matter of statutory requirements.*

***Report mechanisms to the local authority/ relationship to council priorities.***

*This is a preliminary fact sheet. There are legal issues that arise from the structure of this organisation, going forward, and the legal advice upon which decisions will be made.*



WoE-Local-Growth-Assurance-Framework-!



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**DRAFT**

**GUIDANCE FOR  
COUNCILLORS ON  
MEMBERSHIP OF OUTSIDE  
BODIES**

## Introduction

This advice is for Councillors and officers who represent the Council on organisations outside the Council, whether as a company director, the trustee of a charity or a representative on a management committee. It simply sets out some of the most important responsibilities. It is not meant to be a comprehensive guide. If Councillors or officers have queries then they must contact the Monitoring Officer for advice.

Councillors are appointed formally by the Council annually to serve on a range of outside bodies, including voluntary organisations, local government associations and other organisations.

In performing that role, Councillors can act as individuals, representatives of the Council, directors or trustees. There are both positive and negative aspects to the role:

### a) Positive

- acting according to the rules, constitution and framework set by the outside body;
- making independent and personal judgements in line with their duty of care to the outside body;
- reporting back, at least annually, to the Council or relevant committee;
- behaving ethically and following as far as applicable the Council's Members Code of Conduct; and
- taking an active and informed role in the management of the outside body's affairs.

### b) Negative

- not representing the political party to which Councillors owe their political loyalty;
- not avoiding taking part in the outside body's discussions and decisions;
- not looking at things simply from the Council's perspective; and
- not being there in name only and merely turning up to meetings.

The role of Councillors on outside bodies may give rise to occasional uncertainty and perhaps to conflicts of interest. This Guidance offers a simple guide on the responsibilities of Councillors and officers. Councillors are asked to read this guidance and if there are issues arising from their particular situation at any time, to contact the Monitoring Officer for advice.

Councillors (and officers) are under a specific obligation as a result of the Local Authorities (Companies) Order 1995 to report back to the Council on their involvement in outside companies to which they have been nominated by the Council. That obligation is best met by an annual report to the relevant Portfolio Holder.

This guidance and the Council's Members Code of Conduct addresses some of the issues around the possibility of conflicts of interest. **In essence, if the outside body comes into conflict with the Council and the Councillor is a director or on the management committee of the outside body, it is likely that the Councillor's prime duty would be to the outside body in the**



**conduct of the outside body's affairs.** The Councillor is however also given specific dispensation in the Council's Members Code of Conduct to participate in the Council decision-making process in relation to the outside body to which he or he has been appointed.

## **General**

Membership on outside bodies can take various forms and it would be prudent to establish the capacity in which you are appointed. The first question is whether you are appointed by the Council, or in some other capacity. If you are not appointed by the Council to a particular position, you do not owe the Council any duties in relation to the way in which you carry on your membership of the outside body. However, the normal rules on declaring interests apply, and you will need to consider whether your role gives you a prejudicial interest in relation to any Council business. The remainder of this guidance covers the case where you are appointed by the Council.

If you are appointed by the Council, this may be either:

- a) as a member of a management committee, board of directors, or committee of trustees of the outside body.  
Here, you will not only be representing the interests of the Council, but you will also have duties to the outside body and a role in its governance. If you serve in a decision-making capacity or have a position of general control or management on the outside body, whether company, trust or other association, you owe duties and responsibilities to that body which are separate and distinct from your duties owed to the Council. On occasion, it is likely that duties owed to the outside body and to the Council, will conflict e.g. If you are the treasurer of an outside body who has applied to the council for grant funding and the rest of this guidance gives more detail on this; or
- b) As an 'observer', or an ordinary member, or undertaking a monitoring role, facilitating exchanges of views or information as an extension of your council duties, but taking no part in the outside body's management or governance, other than to attend and vote at annual or general meetings. Here, you will be mainly concerned with representing the council and will not have responsibilities for governance of the body.

## **What sort of roles does this guidance apply to?**

This guidance applies where you are: a director of a company in which the Council has an interest; a member of another authority; a trustee of a charity; or a member of the management board for an unincorporated body.

The various roles will give you responsibilities to the organisation, and to the Council in so far as you are fulfilling a role for the Council, and this creates potential conflicts.

Your responsibilities will depend on the type of body in which you become involved. The main types are as follows:

- a) **Companies:** Companies are separate legal entities. They are set up by their members, who may be either shareholders or guarantors. Liability of company members is limited to the value of their shares or by guarantee. Directors of companies have a duty to the company to act properly and in good faith. If not, they can incur personal liability, particularly if the company becomes insolvent. The activities and operation of companies are regulated by their Memorandum and Articles of Association, and also by company law.
- b) **Unincorporated Associations:** Unincorporated associations are informal organisations. The members regulate their relationship by agreement, such as a membership agreement or the rules of the club or association. Because the association has no legal existence separate from its members, the liability of the members is not limited. Each member can incur personal responsibility for liabilities incurred on behalf of the association, and relies on the membership agreement to be able to recover his/her costs from the other members.
- c) **Charities:** A charity is an organisation which
  - (a) is established for charitable purposes only, and
  - (b) falls to be subject to the control of the High Court in the exercise of its jurisdiction with respect to charities.

Some companies and unincorporated associations are established for charitable purposes. A charity gains relief from corporation tax, VAT and business rates, but is subject to stricter regulation by the Charity Commissioners, to ensure that it is properly managed and that it is spending its money properly on the charitable objects. As a trustee of a charity, you have a duty to act in the best interests of the charity and can be personally liable if you breach that duty.

### **Some other key points to consider at the outset**

Firstly, make sure you are given a clear statement of what is expected of you if you are going to be nominated. The Council should be able to obtain this from the organisation involved

**a) The duty to act in the interests of the outside body** - Being on an outside body can bring many benefits to the Council, the organisation and the community, but it will sometimes create conflicts with your work as a Councillor. For Council Members, it will have to be included as one of your interests in the Members' Register of Interests. You will have a personal interest in Council business referring to it, and sometimes a prejudicial interest where finances or regulatory matters are concerned. You will need to be sure that involvement with the organisation will not prevent you from fully participating in your work as a Councillor, particularly in areas that interest you, or, where you need to represent the community who elected you. This will depend on the nature of the body and type of involvement.

On the other hand, you will also need to make sure that you are able to commit enough time and attention to the organisation. You will want to make a meaningful contribution to their work too. If you cannot attend meetings very often, or are often conflicted out of participating, you will not be able to give the support that the organisation needs, and this will reflect badly upon the Council and upon you. It is best not to be appointed if you cannot participate fully.

**b) Conflict with your role as a councillor** - As a member of the organisation's management committee, as a director of a company, or as a trustee, you will not only be representing the interests of the Council, but you will also owe duties and responsibilities towards the organisation. You will have to exercise your own best judgement in the best interests of the outside body and you cannot just take instructions from the Council although you may take account of the Council's wishes. Where the Council's wishes may conflict with the best interests of the outside body you must nevertheless, if taking decisions for that outside body, act in its best interests. **Therefore where the Council's interests and the outside body's interests conflict it is better not to involve yourself in the decision-making.**

**c) Indemnities** - Councillors who participate in external bodies may be indemnified in relation to liabilities they incur in that capacity, though this is subject to certain limitations, which are set out in more detail at paragraphs 8.1 to 8.4 below.

## **Duties and Responsibilities of Councillors on Outside Bodies**

The following is a summary of the main duties and responsibilities of Councillors who are nominated by the Council to the most common types of outside body. The main principles of the obligations applying to company directors also apply to trustees and members of management committees. If you are in doubt about your duties and responsibilities, you may seek advice from the monitoring officer. In many cases, however, it will be more appropriate to seek advice from the advisers to the body involved, as they will have access to the rules and protocols of the body.

### **• Companies**

A company is a separate legal entity which can hold property in its own right, enter into contracts, employ staff and sue and be sued in its own name. The company is distinct from its members, who may be either shareholders or guarantors. The Council itself may be a member of the company, either a shareholder or guarantor.

If the body is a limited company, and you are asked to be involved, it is likely that you will be appointed as a company director. The duties of a company director are now set out in the Companies Act 2006, which codifies the existing common law and equitable principles. The management of a company is usually the responsibility of the Board of Directors. Directors' powers are usually set out in the company's Articles of Association. Another important document is the Memorandum of Association, which sets out the Company's objectives and powers.

The duties of a company director are the same as your responsibilities as a Councillor. Basically, when involved in company business, the company **must**

come first. Directors must act in the interests of the company, and not in the interests of other parties, including shareholders.

**Directors' Responsibilities** are:

- a) To **promote the success of the company**, A director's primary duty is to act in good faith, in the best interests of the organisation and its objects. All directors owe a fiduciary duty to their company, which means they owe loyalty to the company and a duty of care to act in the best interests of the company, having regard to the interests of the members or shareholders of the company, the company's employees, and creditors. This includes having regard to the likely long term consequences of decisions, the interests of employees, fostering relationships with suppliers and customers and others, the impact of operations on the community and environment, maintaining a reputation for high standards of business conduct, and acting fairly between members of the company
- b) To **exercise care, diligence and skill**, using your own knowledge, skill and experience, together with the care, skill and diligence which may reasonably be expected of a person who is carrying out the functions of a director. So a director with significant experience must exercise the appropriate level of diligence in exercising their duties in line with their higher level of expertise. Although directors are not bound to attend all meetings of directors, attendance should be as frequent as possible and directors should ensure that they are reasonably informed at all times.
- c) **Not to exceed powers**. A company director must act in accordance with the company's constitution, and exercise powers for the purposes for which they were given.
- d) **To comply with the Companies Acts** in relation to the keeping of accounts, and ensure that the relevant returns are made to the Registrar of Companies. Failure to do so will incur fines and persistent default can lead to disqualification as a director.
- e) **To avoid conflicts of interest**. A director must avoid a situation in which he or she has, or may have, a direct or indirect interest which conflicts, or could conflict, with the interests of the company. This duty applies particularly to transactions between a director and a third party in relation to the exploitation of any property, information or opportunity.
- f) **To exercise independent judgement**. A director nominated by the Council cannot, for example, simply vote in accordance with the Council's instructions. To do so would be a breach of duty. The director must act in the company's interests.
- g) **Not to accept benefits from third parties**. A company director must not accept any benefit from a third party (whether monetary or otherwise) which has been conferred because of the fact that he or she is a director. This is based on the established principle that a director must not make a secret profit as a result of being a director. This duty applies unless the acceptance of the benefit cannot reasonably be regarded as likely to give rise to a conflict of interest.
- h) **To declare an interest in a proposed transaction or arrangement with the company**. A company director who has either a direct or an indirect interest in a proposed transaction or arrangement with the company must declare the 'nature and extent' of that interest to the other directors before the company enters into the transaction.

**Directors' Liabilities:** If a director fails to carry out his/her duties, action can be brought for breach of duty, either by the company itself, or by a liquidator if the company goes into liquidation, or with the consent of the court, by a shareholder. Such actions are unlikely where the company is

properly controlled by the directors.

Some important considerations are:

- a) It is not always easy to reconcile the various factors which must be taken into account when reaching a major decision. The important thing as a director is to show that you are aware of and have taken account of the relevant factors, and have exercised due care and diligence in giving them all fair consideration.
- b) It may be difficult to be certain whether benefits may be regarded as giving rise to a conflict of interest. If you are unsure take advice from the company's advisers.
- c) Make sure you are aware of the company's constitution; its Memorandum and Articles of Association, so that you know what it can and cannot do. You must take this into account when making decisions, as well as any shareholder decisions that are relevant.
- d) Be diligent, and make sure you are well informed about the company's affairs. Make sure you are well briefed when taking up the role, and that you receive regular briefings throughout your term of office.
- e) Attend training and briefing sessions.
- f) Ensure insurance is in place.
- g) Some Board decisions may be reviewed on a future occasion. Make sure detailed minutes show that all necessary factors have been considered when major decisions are being taken. Obtain expert advice where necessary e.g. regarding impact of a decision on the environment. Take legal advice where there are doubts about a director's duty in relation to a particular matter.

**Local Authority Controlled and Influenced Companies:** There are special rules that affect companies in which councils have major interests. These are 'regulated' companies for the purposes of the Local Government and Housing Act 1989. They are in effect controlled by (more than 50% interest) or subject to a council's influence (20% interest plus business relationship) because of its level of interest, either individually, or with a group of other authorities. They will generally be subject to the local government capital finance regime and special propriety controls. However, so far as Members who are involved are concerned, there are some additional requirements that need to be complied with as follows:

- a) Remuneration that Councillors receive from the company should not exceed that received from a local authority for a similar role, and it should be declared.
- b) To provide information to Councillors about their activities as required by the local authority (unless it is confidential); and
- c) To cease to be a director immediately if disqualified as a Councillor.

### **Unincorporated Associations**

"Unincorporated associations" have no separate identity from their members. The rules governing the members' duties and liability will be set out in a constitution, which is simply an agreement between the members as to how the organisation will operate. Usually the constitution will provide for a management committee to be responsible for the everyday running of the organisation. Management Committee members must act within the constitution, and must take reasonable care in exercising their powers. An unincorporated

organisation may be charitable and may register as a charity.

If you are involved in a decision making capacity or have a position of general control or management on an unincorporated body, as the body has no separate corporate status, any liabilities will fall upon you personally. Councillors appointed to such bodies should familiarise themselves with the Constitution to understand the nature of their role, responsibilities and liabilities, and should assess the risk of personal liability, and the extent to which it has been covered by insurance.

### **Charities:**

A charity is an organisation which operates for the public benefit and exclusively charitable purposes, either:

- the relief of poverty and human suffering
- the advancement of education
- the advancement of religion
- another purpose for the benefit of the community.

A number of useful publications are available on the Charity Commission's website at [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk). Publication CC3 - 'The Essential Trustee- What you Need to Know' is a useful guide <http://www.comisiwnelusenau.gov.uk/publications/CC3.aspx>. Those who are responsible for the control and administration of a charity are referred to as its *trustees*, even where the organisation is a company limited by guarantee and even though they are not strictly trustees. A charity may also be unincorporated.

Trustees of a charity retain personal liability, and can only delegate to the extent that the constitution authorises them so to do.

### **Charitable Trustees' Responsibilities** are:

- d) To act in accordance with the charity's trust deed or governing document.
- e) To protect the charity's assets.
- f) To comply with the Charities Acts, and the Trustee Act 2000.
- g) Trustees must not make a private profit from their position. They cannot receive remuneration without the sanction of the Charity Commission.
- h) To perform their duty with the standard of care which an ordinary, prudent business person would show. Higher standards are required of professionals, and in relation to investment matters.
- i) Charitable trustees must ensure that the information relating to the charity and trustees is registered with the Charity Commissioners and that annual accounts, reports and returns are completed and sent.
- j) Trustees are under a duty to ensure compliance with all relevant legislation (e.g. in relation to tax and land matters).

**Charitable Trustees' Liabilities:** Generally, a trustee may incur personal liability if he/she:-

- acts outside the scope of the trust deed
- falls below the required standard of care
- acts otherwise than in the best interests of the charity, in a way which

- causes loss to the charity fund
- makes a personal profit from the trust assets

In such circumstances the trustee will be in breach of trust, and will incur personal liability for losses incurred. If in doubt, always consult the Charity Commissioners. You may avoid personal liability for breach of trust if you act in accordance with their advice.

Trustees can incur personal liabilities for contracts they enter into in the name of the charity. They will normally be entitled to be reimbursed from charitable funds for liabilities and expenses properly incurred by them. If the charity is a company, the trustees will be protected from liabilities incurred in the day-to-day running of the charity in the normal course of events, but will be personally liable if they commit a breach of trust, as stated above.

## **Indemnities**

Councillors who participate in external bodies may be indemnified in relation to liabilities they incur in that capacity, though this is subject to certain limitations.

Indemnity by the outside body:

- a) **Directors:** Directors cannot be indemnified by the company against liability for negligence, default, breach of duty and trust. Companies can however purchase insurance to protect directors against claims of negligence, default, breach of duty and trust. Those appointed as directors should ensure that appropriate insurance is in place. Companies can, if their Articles of Association allow, provide for directors to be indemnified for the costs of defending such a claim if they are granted relief by the court or acquitted.
- b) **Trustees:** Provided a charitable trustee acts properly, and within his/her powers, indemnity can be given from the trust fund. Trustees can take out insurance to protect themselves from personal liabilities, but not for criminal acts such as fraud. If the premiums are to be paid out of the charitable funds, the consent of the Charity Commissioners will be needed.
- c) **Unincorporated Associations:** Members may be entitled to an indemnity if they act in accordance with the Constitution of the association, and are not at fault. However, regard must be had to the terms of the constitution. The constitution will determine whether insurance can be paid for by the organisation.

Indemnity by the Council: The Council may provide an indemnity where Councillors are acting on an outside body at the request of the Council, and provided:

- the appointment was made by the Council, or
- the nomination was made by the Council, and
- the appointment was specifically approved for the purpose of the indemnity.

The indemnity the Council can provide is subject to limitations. In general terms, if a Councillor is acting properly, within their powers and in good faith, the power to indemnify will usually apply. However, the Council cannot, for example, provide an indemnity in relation to any action or failure by any Member which constitutes a criminal offence, or for any action or failure by any Member which is the result of fraud, or other deliberate wrongdoing or

recklessness on the part of the Member. When you are serving on an outside body, the Council's indemnity will only apply after any indemnity or insurance from the body itself. There are further limitations and it is advisable to be clear about the scope of the Council indemnity that may be available to you. You can seek further advice on indemnity from the monitoring officer.

## **Code of Conduct – Councillors' Interests**

**Code of Conduct:** All Councillors are subject to the Council's Code of Conduct for Members. You will find a copy of the full Code in the Constitution. When Councillors act as representatives of the Council on another *authority*, they must comply with the other authority's Code of Conduct. However, when Councillors act as the Council's representative on any other sort of outside body, they must comply with the Council's Code of Conduct unless it conflicts with the lawful obligations of the other body.

The Register of Personal Interests requires members to tell the Monitoring Officer in writing within 28 days of taking office, or within 28 days of any change to your Register of Personal Interests, of any interests which fall within the categories set out in the Code of Conduct. These categories include your membership or position of control or management in any other bodies to which you are appointed or nominated by the Council.

This means that if you are present at a meeting when an item of business arises which relates to or affects an outside body to which you have been appointed, you must declare that you have a personal interest, and the nature of that interest, before the matter is discussed or as soon as it becomes apparent to you.

An exemption applies where your interest arises solely from your membership of, or position of control or management on:

- any other body to which you were appointed or nominated by the authority
- any other body exercising functions of a public nature (for example another local authority).

In these exceptional cases, provided that you do not have a prejudicial interest, you only need to declare your interest if and when you speak on the matter.

You will also have a *prejudicial interest* in Council business affecting the outside body if:

- the matter being considered affects the financial position of the outside body; or
- relates to an approval, consent, licence, permission or registration affecting the outside body e.g. an application for planning permission.

If you have a prejudicial interest in a matter under discussion you must declare it. You must then leave the meeting room, unless members of the public are allowed to make representations, answer questions or give evidence about the matter. If that is the case, you can make your representations etc., but must leave the room immediately after doing so. The Code of Conduct supports your role as a community advocate and enables you, even with a prejudicial interest, to represent your community and speak on issues that are important to them and to you.



**Bias:** Where you might be inclined to the view that you have no prejudicial interest, your duties as a director, or trustee, or member of a management committee may well be regarded, on an objective appraisal, as giving rise to a legitimate fear of lack of impartiality, especially having regard to the desirability of maintaining public confidence. Participation in the decision making at a Council committee meeting by a Councillor who is biased potentially invalidates the decision.

Where membership of the outside body is on an advisory or consultative basis, bias will not be assumed from mere membership. However, once the outside body has a line which is being advocated by you, this could potentially be viewed as bias, and the Council's decision on the issue could be vulnerable to challenge if you participate in those circumstances. It will depend on the facts, and in such circumstances advice should be sought from the monitoring officer.

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## Part 3 – Section 9 – Outside Bodies Procedure Rules

These Procedure Rules relate to those external organisations and partnerships (referred to as Outside Bodies) which have asked the Council to appoint an Elected Councillor (or suitable nominee) to them.

Elected Councillors are appointed by Cumberland Council to serve on a range of Outside Bodies. An “Outside Body” covers organisations such as;

- Trusts
- Voluntary Bodies
- Charities
- Community Associations
- Companies

For the avoidance of doubt, these Procedure Rules do not apply to appointments to Joint Committees/Authorities which are reserved to Council. Any appointments of Councillors in their personal capacity is also excluded from these Rules.

Service on Outside Bodies is an established part of a Councillor’s role. A Councillor appointed to an external body will be able to use their knowledge and skills both as a Councillor, and as a representative of their communities, to assist the organisation to which they are appointed, as well as the Council which they represent.

### 1. DETERMINATION OF OUTSIDE BODIES SUPPORTED:

- 1.1 The Monitoring Officer will maintain a list on the Council’s website of all Outside Bodies to which the Council appoints an Elected Councillor.
- 1.2 The Monitoring Officer will review, and keep under review, the list of Outside Bodies and will make recommendations as to whether the Council should make/continue to make an appointment to those bodies. They shall ensure that there is no duplication between Outside Bodies.
- 1.3 The Monitoring Officer will also consider any new requests for representation and make recommendations as to whether or not the Council should be represented on that body.
- 1.4 Determination will be based on one or more of the following criteria being met:
  - 1.4.1 the proposed appointment is a statutory requirement;
  - 1.4.2 the proposed appointment is consistent with and will contribute to the aims and objectives of the Council’s corporate priorities; and/ or
  - 1.4.3 the proposed appointment will add value to the Council’s activities.
- 1.5 Outside Bodies are categorised into the following categories :
  - 1.5.1 Joint Committees/ Authorities: representation is required and appointment is reserved to Council
  - 1.5.2 Key Strategic Partnerships Participation: contributes to the Council’s strategic functions, priorities and community leadership role.

- 1.5.3 Community Partnerships: Participation is not necessary to fulfil strategic or key partnership role but, nonetheless, beneficial in terms of leading, engaging and supporting the community from Cumberland's perspective.
- 1.5.4 Bodies which do not meet the criteria for representation.
- 1.6 Changes and new appointments will be reported annually to the appropriate decision making committee.

## **2. HOW AN APPOINTMENT SHALL BE MADE:**

- 2.1 Where a body is deemed to have met one or more of the criteria the Monitoring Officer will seek nominations for the appointment from either the Chief Executive where the appointment is an officer or, for councillor appointments, as follows:
  - 2.1.1 Nominations to Key Strategic Partnerships will be made by the Executive
  - 2.1.2 Nominations to Community Partnerships will be made by the Executive or Community Panels where Executive have made delegations
- 2.2 All appointments are subject to annual change unless otherwise stated in the Constitution of the external body. Each appointment (including in-year replacements) runs for the municipal year, ending at the next Annual Council Meeting.
- 2.3 Appointment to a vacancy occurring during the municipal year will be made either by Council or the Executive as it occurs.