

Report to the Full Council



15 May 2025

Wards: ALL

Appointment to Outside Organisations

Report of the Director of Legal Services and Partnerships

This item is not exempt  
Therefore exempt reasons are not applicable

1. Purpose of the Report and Summary

1.1 The purpose of this report is to present to Council the Outside Bodies to which appointments are made on an annual basis.

2. Recommendations

2.1 That Council consider the schedule of Outside Body Appointments and approve appointments to ensure that roles are filled in accordance with the guidance within this report.

3. Reasons for Recommendations

3.1 To ensure that the Council is fulfilling its obligation to appoint members to organisations which require Council appointees.

4. Key Organisational Impacts

4.1 The report details the places available to the Council for nominations to outside bodies.

4.2 Equalities Impact Assessment

There are no direct equalities impacts.

5. Consultation

5.1 These are appointments to be made at Annual Council from among the membership of Council.

6. Background

- 6.1 The Constitution provides at Section 8.1.12 that at the Annual Meeting of Council appointments are made by Council to Outside Bodies. Details of appointments and the governance documents relating to such outside bodies are recorded upon the Committee website to enable elected members to better understand the role and responsibilities associated with such appointments.<sup>1</sup>
- 6.2 Article 3.12 paragraph 10 of the Constitution provides that, between Annual Council meetings, the Leader of Council may discharge the local choice function to appoint any individual to any body other than the authority and revoke any existing appointments, following consultation with political Group Leaders. However, in the alternative, the Constitution retains the power at Council Procedure Rule 10.1.14 for such an appointment to be made at an ordinary Council meeting on a motion without notice from the floor of the Chamber.

7. Issues for Consideration

- 7.1 The list of Outside Bodies at Appendix 1 has been organised into a form that reflects the breakdown of those bodies and the ordinary arrangements that would be expected to be followed when Council is making an appointment. These are:
- (a) **Trusts to which the Council makes appointments.** These have been categorised as follows:
- a. Town Twinning – where a Trust has been established to promote activity between the city and a place with which the city has been twinned. This is ordinarily closely associated with the civic role of Council.
  - b. Trusts established by donors for the relief of Poverty and Hardship. Such trusts have arisen historically where the Council has been asked by donors to facilitate the management of the trust through its Councillors or to contribute Councillors to assist with the management of the trust pursuant to powers codified in s 139(2) of the Local Government Act 1972 which provides an express power “to accept, hold and administer charitable gifts for the benefit of the inhabitants of their area”. Where the Council is the sole Trustee (for example the Ferens Trust) the function is ordinarily managed through the Trustee Committee of the Council, as an executive function. To promote a consistent approach the Chair of the Trustee Committee will ordinarily be appointed as one of the Trustees in circumstances where the Council

---

<sup>1</sup> [CMIS > Outside Body Appointment \(hullcc.gov.uk\)](http://hullcc.gov.uk)

contributes members. However, in some instances, the Trust Deed has required that the Lord Mayor be an ex officio Trustee, and where this is a requirement this is referenced.

- c. Trusts for the promotion of Education and Learning. Again, these are trusts where a donor has created a fund and requested the Council to provide trustees for that fund. Where a Trust has a focus upon young people the Councillor fulfilling the role of Portfolio Holder for Children's Services has been ordinarily appointed as one of the Trustees. Two trusts in this category do not relate specifically to children, the James Reckitt Library Endowment Trust and the William Wilberforce Lecture Trust.
  - i. The James Reckitt Library Trust was originally established by a significant donation in 1893 to the Hull Corporation pursuant to apply the powers codified in s139(2) of the Local Government Act 1972 "to accept, hold and administer charitable gifts for the benefit of the inhabitants of their area". Until 2008, the revenue from the capital in the Trust was applied by the Council to the James Reckitt Library. With the sale of the library, the Charities Commission determined that there should be a 'cy-près' scheme established through which the Council Trustees were reduced to 2 of the 5 available places and the trust structured to support the provision of public libraries in the city of Hull, subject to the funds not being applied in place of statutory obligations for which the Council is responsible, but complement those obligations.
  - ii. The William Wilberforce Lecture Trust was established in partnership with the University of Hull to facilitate the delivery of annual public lectures by significant international figures upon the themes of freedom, democracy and human rights.
- d. Awards – where a donor has provided a cup to be awarded each year.

**(b) Housing Trusts/Associations –**

- a. Trusts established by donors historically to establish almshouses with a requirement for Council Trustees, accommodation for the armed forces and Housing Associations where the Council has been instrumental in their creation. The original deed establishing the Housing Association will have identified the need for a Council Trustee.

- b. Housing Association involvement at the Board level has arisen where the Council were the original sponsor for the establishment of a Housing Association. However, Housing Associations are subject to external regulation and the governance arrangements relating to such trusts limit the terms of office to two terms. The Housing Association will invest in the training of appointed Trustees and expect the appointed Trustee to remain with them for the term of appointment of four years.
- (c) **Community Development Centres** – These are community centres which are operated by companies which are charities established with the Council’s direct involvement, from buildings on land in the freehold ownership of the Council. As the companies are charities, the structure requires that, to ensure that the company is not treated as a “regulated company” (that is a company controlled by, or under the influence of a local authority), the Council Trustees must exercise less than 20% of the votes. Ordinarily, local Ward Members are appointed to these companies as directors.
- (d) **Local Authority Sponsored Charitable Companies** – These are companies where the Council has been instrumental in their creation and establishment as a charitable company. Continuing funding through a sponsorship agreement is provided by the Council which supports their status as National Portfolio Organisation Status with the Arts Council. They have a key role in supporting visitor destination activity in the local economy in support of the objective of establishing the city as a Visitor Destination. Accordingly, there is a close alignment with the Portfolio Holder responsible for the city as a Visitor Destination. As charitable companies, the Council’s representation is limited to less than 20% of the votes.
- (e) **Wholly External Bodies** – These are organisations with which the Council has an indirect relationship in that some of their functions/responsibilities and/or activity may take place within the city or have an impact on the city. The bodies within this category are the Hull Bid and The Hull and East Yorkshire Combined Authority. The Hull BID: is an organisation through which organisations with premises in the city centre have collectively determined through a referendum to enhance local business rates through the raising of a precept to improve the management of the city centre. The close alignment with investment in the city centre has meant that this position is ordinarily held by the Cabinet Member with the Regeneration Portfolio.

The Hull and East Yorkshire Combined Authority: the recently established Mayoral Combined Authority for the Hull and East Yorkshire area is the devolved body which allows powers and funding to come from Westminster to our region. The Combined Authority enables Hull City Council and East Riding

of Yorkshire Council to work together under the leadership of a directly elected mayor over the geographical area on devolved areas such as transport, housing, economic development and skills. It is a requirement of the Hull and East Yorkshire Combined Authority Order that each constituent Council to appoint Constituent members to the Combined Authority. The various roles including Executive appointments – for which there is a requirement to nominate two members and two members to act as substitute members, Overview and Scrutiny – for which members must not be a Combined Authority Member or a Member of the Executive of the constituent council, and Audit and Governance. These appointments enable the Council to contribute to decision making and oversight of the Combined Authority by selecting those members best placed to deliver against the requirements of the role. The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (the 2017 Order) sets out the required arrangements for the establishment of a Scrutiny and an Audit Committee for the Combined Authority and the framework within which Scrutiny members are to be appointed.

- (f) **Policy Influence and Development** - The Local Government Association membership encompasses representation from all parties on the Council.
- (g) **Sports Associations/Partnerships** - These predominantly relate to activity across the Humber where there is a common interest in leisure investment being planned in a manner that is complementary across the sub-region. Consequently, the Portfolio Holder responsible for Leisure Service provision will ordinarily undertake these roles.
- (h) **Local Authority Controlled Companies** – These are companies that are treated in law as “in-house” companies, subject to the control and direction of the local authority. Directors are appointed, in accordance with the memorandum and articles of each company, from among Councillors, Officers and/or Independent Non-Executive Directors, where such directors may bring particular skills that enhance the ability to offer constructive and independent challenge and scrutiny. There is an overarching requirement to comply with guidance within the UK Procurement Rules which require that a contracting authority exercises “**a control similar to that which it exercises over its own departments**” through “**decisive influence over both the strategic objectives and significant decisions of the controlled company**”. Consequently, to effect control of the company in a form that is compliant with Regulation 12 of the PCRs, there is a necessity for comparable “decisive influence over both the strategic objective objectives and significant decisions” of the Company

comparable to that which the Executive exercises in relation to Council departments.

- (i) **Joint Venture** – These organisations have been procured or established by the Council, ordinarily consequent upon a tender process. The tender will have required that a company be established to take forward the proposal and that the joint venture partners (i.e. the successful tenderer and the Council) be represented thereon to take forward the objects established for the organisation as the basis for the tender. The company may have a strategic impact on a key asset within the city (e.g. the Fruit Market LLP) or be a vehicle for procurement (e.g. Esteem)
- (j) **Joint Working** – These are areas of activity where there exists cross-border strategic activity, ordinarily these arrangements will be associated with the relevant Portfolio Holder. There is one new organisation that has been created in year, the Humber Freeport Company Ltd, for which the Director of Regeneration is proposed as the Council's Director.
- (k) **Integrated Care System/Health and Care appointments** – There are a series of Health and Social Care System appointments undertaken by the Portfolio Holder with responsibility for Adult Social Care. The creation of the Hull Health and Care Joint Committee is now included separately in the list of Joint Committees as an Executive Joint Committee.

## 8. Options and Risk Assessment

- 8.1 Council makes appointments to vacant positions at Annual Council. Existing appointments can be revoked and appointees replaced, however, consideration needs to be given to the impact on the organisation to which the appointment is made, particularly where there has been investment by that organisation in training and development for the role on the basis of an anticipated term of appointment.
- 8.2 Appointments have to be made in accordance with the governance document of the organisation to which an appointment is made, published on the Council's website. Ordinarily, appointments will be, and required to be, from among the membership of Council, however, in some instances the Council may appoint, or be obliged to appoint, persons who are not Councillors to the roles (e.g. The Deep).

## 9. Comments of the Monitoring Officer( Director of Legal Services & Partnerships)

- 9.1 The Director is the author of this report and the rationale relevant to any of the appointments is articulated in the body of the report. [IA]

10. Comments of the Section 151 Officer (Director of Finance and Transformation)

10.1 The Section 151 Officer notes the report and has no further comments. (SM)

11. Comments of the Assistant Director OD & HR and compliance with the Equality Duty

11.1 There are no staffing or equalities issues arising from this decision. KH

12. Comments of Overview and Scrutiny

12.1 This report has not been subject to pre-decision scrutiny. Ref: Sc8757 [MK].

Director of Legal Services and Partnerships

Contact Officer: Ian Anderson Telephone No.: 613500

Officer Interests: **The author is appointed by Council as a Director of Hull Esteem Consortium LEP Ltd**

Background Documents: - [CMIS > Outside Body Appointment \(hullcc.gov.uk\)](http://hullcc.gov.uk)

### Implications Matrix

**This section must be completed and you must ensure that you have fully considered all potential implications**

This matrix provides a simple check list for the things you need to have considered within your report

If there are no implications please state

I have informed and sought advice from HR, Legal, Finance, Overview and Scrutiny and the Climate Change Advisor and any other key stakeholders i.e. Portfolio Holder, relevant Ward Members etc prior to submitting this report for official comments	Yes
I have considered whether this report requests a decision that is outside the Budget and Policy Framework approved by Council	Yes
Value for money considerations have been accounted for within the report	Yes
The report is approved by the relevant City Manager	Yes
I have included any procurement/commercial issues/implications within the report	Yes
I have considered the potential media interest in this report and liaised with the Media Team to ensure that they are briefed to respond to media interest.	Yes
I have included any equalities and diversity implications within the report and where necessary I have completed an Equalities Impact Assessment and the outcomes are included within the report	Yes
Any Health and Safety implications are included within the report	Yes
Any human rights implications are included within the report	Yes
I have included any community safety implications and paid regard to Section 17 of the Crime and Disorder Act within the report	Yes
I have liaised with the Climate Change Advisor and any environmental and climate	Yes

OFFICIAL

change issues/sustainability implications are included within the report	
I have included information about how this report contributes to the City Plan/ Area priorities within the report	Yes
I have considered the impact on air quality, carried out an appropriate assessment and included any resulting actions or opportunities necessary to improve air quality in the report.	Yes