

**BOSTON BOROUGH COUNCIL**

**REPORT TO FULL COUNCIL  
21 MAY 2007  
(Adjourned to 24 May 2007)**

**SUBJECT: DEMOCRATIC ARRANGEMENTS**

**REPORT BY: HEAD OF LEGAL & DEMOCRATIC SERVICES AND  
MONITORING OFFICER**

**Reason for Report:**

- (1) To approve a programme of ordinary meetings of Cabinet, Committees and Panels for the Council Municipal year 2007/2008 (Appendix A)
- (2) To consider the following appointments for the 2007/2008 Municipal Year :-
  - (a) Appointment of Leader, Deputy Leader of the Council and Members of the Cabinet.
  - (b) Membership of Committees (including provision for substitutes where applicable)
  - (c) Appointment of Chairmen and Vice-Chairmen of Committees.
  - (d) Extension of existing terms of appointment for appointees to the Standards Committee.
  - (e) Deferral of appointments to external organisations.

**Recommendation(s):**

**That the Council –**

- \*\*\*
- (1) Approves the Programme of Ordinary Meetings submitted as Appendix A to this report.
  - (2) Approves the appointment of Leader and Deputy Leader of the Council and membership of the Cabinet in accordance with the nominations received at the Annual Meeting of the Council. Such appointees to hold office whilst they remain Members of the Council, until the next Annual Meeting of the Council, or until the appointment of their successors;
  - (3) Approves the membership of the Committees and Working Groups and arrangements for substitutes in accordance with the nominations received at the Annual Meeting of the Council. Such appointees to hold office whilst they remain Members of the Council, until the next Annual Meeting of the Council, or until the appointment of their successors;

- (4) Appoints Chairmen and Vice-Chairmen of Committees in accordance with the nominations received at the Annual Meeting of the Council. Such appointees to hold office whilst they remain Members of the Council, until the next Annual Meeting of the Council, or until the appointment of their successors;
- (5) Confirms the extension of the existing appointments to the Standards Committee until the annual meeting of the Council in May 2008, or until the appointment of successors.
- (6) Defers the appointment of Members to serve on external bodies until the completion of the on-going review process.

## Implications:

**Where the implications of any of the below mentioned matters are discussed in the report the relevant paragraph number of the report is shown**

Personnel .....	N/A
Environmental.....	N/A
Community Safety and Cohesion	N/A

## 1 Introduction

- 1.1 Members are requested to make the appropriate determinations regarding the Programme of Meetings and appointments for the Municipal Year 2007/08. Further information in each case is set out below.

## 2 Programme of Meetings 2007/2008

- 2.1 When considering the Programme, Members should note the following:-

- That although **Call-In Meetings** have been included in the Programme of Meetings so that Members will be aware of when they may occur, **these meetings will only take place if a Call-In Notice is submitted within the timescale specified in the Constitution.** In the event that no Call-In Notice is received Members will be advised by letter that the scheduled meeting will not take place.
- It may be necessary during the course of the year to add special meetings or to make amendments to the Programme. Such amendments will be kept to a minimum.

- \*\*\* 2.2 **The Council is recommended to approve the Programme of Ordinary Meetings as set out in APPENDIX A attached to this report.**

### **3 Appointment of Leader & Deputy Leader of the Council and Membership of the Cabinet**

- 3.1 A schedule of nominations for appointments to the positions of Leader and Deputy Leader of the Council, together with the membership of the Cabinet and the arrangements for portfolio holders, notified prior to the Council meeting will be circulated at the meeting and further nominations can be made at the meeting itself.
- 3.2 **The Council is recommended to approve the appointment of Leader and Deputy Leader of the Council and membership of the Cabinet in accordance with the Council's determination on the size of Cabinet and in accordance with nominations received at the Annual Meeting of the Council; such appointees to hold office whilst they remain Members of the Council, until the next Annual Meeting of the Council, or until the appointment of their successors.**

### **4 Membership of Committees and Panels (with named substitutes where appropriate)**

- 4.1 A list of nominations for the Committees and Panels (including named substitutes where appropriate) as put forward by the respective Group Leaders, will be circulated at the meeting.
- 4.2 **The Council is recommended to approve the membership of Committees and Panels for 2007/2008. Where appropriate the proposed allocation and distribution of seats complies with the political balance requirements of the Local Government and Housing Act 1989. In other cases the allocation of seats is governed by the Constitution or Council resolution.**
- 4.3 **Licensing / Regulatory and Appeals Committee.** The membership of the two committees is identical so that continuity can be achieved. However, provision has been made in the Members Allowance Scheme for a separate Chairman and Vice Chairman to be appointed. Members should note that the Regulatory Committee will meet approximately four times per year and, for the convenience of Members, will meet on the rising of the Licensing Committee. No substitutes are to be allowed on either Committee. Although no substitutes are permitted on either of these committees, this constraint is reflected in the size of both committees (15 members each).
- 4.4 The Constitution provides for **substitutes** (where applicable) as follows:-
- “For the Planning Committee, the Council will appoint the same number of named substitutes in respect of each political group as that group holds ordinary seats on those committees, up to a maximum of 2.
- Open substitution will be permitted in the case of other Member groups and bodies (i.e. committees, panels, consultative committees and working groups) provided the appropriate form is completed prior to the meeting.

Substitute Councillors will not be permitted for meetings of the Cabinet and Standards Committee.”

4.5 Professional advice is that substitution should not be permitted on Licensing Committees.

## **5 Appointment of Chairmen and Vice-Chairmen**

5.1 A list of the nominations for the positions of Chairmen and Vice-Chairmen of Committees will be circulated at the meeting and further nominations can be made at the meeting itself.

5.2 Members are reminded that District Audit has previously recommended that at least one Chairmanship of the scrutiny boards should be allocated to an opposition group member. The IDeA Peer Review Team and CPA Inspection Team also stressed the need for greater engagement with opposition councillors.

5.3 This arrangement is reflected in the Scrutiny and Policy Development Protocol agreed by Council , which states:

“Where a majority group (or coalition) controls the Council, the Chairman of the Overview and Scrutiny Committee should be from an opposition group.”

**5.4 The Council is recommended to appoint Chairmen and Vice-Chairmen of Committees for 2007/2008 in accordance with the nominations received at the Annual Meeting of the Council; to hold office until the next Annual Meeting of the Council, or until the appointment of their successors.**

5.5 The remainder of the appointments of Chairmen and Vice Chairmen will be made at the first meeting of the appropriate committee, e.g. BTAC, JCC, Standards Committee.

## **6 Confirmation of Extension of Terms of Office for Existing Appointees to the Standards Committee**

6.1 The Constitution requires the Council to appoint two Parish Members and three Independent Lay Members to the Standards Committee, one of the Independent Lay Members to serve as Chairman and one as Vice-Chairman.

6.2 The existing Independent Lay Members are Dennis Bambridge (Chairman) and Philippa Wookey (Vice-Chairman). There is one vacancy for an Independent Lay Member. The existing Parish Members are Councillor David Smith and Councillor Sally Parker.

6.3 Extension of the existing appointments would allow a level of continuity within the Committee and the continuation of the development of expertise.

6.4 It is recommended that the terms of office for the existing appointments be extended until May 2008.

## **7. Appointments to External Organisations**

- 7.1 The former Overview and Scrutiny Committee raised concerns regarding the number of external bodies to which the Council appointed representatives, and requested that a review be undertaken as it had become increasingly difficult to find elected Members who were willing to serve on external bodies due to their Council and other commitments.
- 7.2 The Way Forward Group subsequently considered the matter, and agreed that a review should be undertaken relating to the importance of each external organisation, and that clarification be sought from the charitable organisations in relation to the responsibilities of the Council in making such appointments.
- 7.3 It was also agreed that appointments to external organisations should be linked with the Council's corporate objectives.
- 7.4 The review was commenced in February 2007, with Members being asked to give their views on the relevance or benefit to the Council of each organisation to which they were appointed and whether they felt such appointments were worth continuing.
- 7.5 The analysis of the comments received, and the exercise to link appointments with the corporate objectives has yet to be finalised, and it is therefore recommended that all appointments to external organisations be deferred until the process has been completed.

## **8. Financial Implications**

- 8.1 Costs will be met from existing budgets.

## **9. Legal and Policy Implications**

- 9.1 It is a legal requirement that at least one Parish Member must be present when matters relating to Parish Councils or their Members are being considered by the Standards Committee.

## **10. Risk Management Implications**

- 10.1 Extension of the existing appointments would minimise risks by allowing the continuation of the development of expertise.

## **Consultations**

Monitoring Officer  
Head of Strategy

**Reference:** AGM/24.05.07/APPOINTMENTS/224

---

No background papers under Section 100D of the Local Government Act, 1972 were used in the preparation of this report.