



REPORT TO:	ANNUAL MEETING OF THE COUNCIL
DATE:	16 MAY 2022
SUBJECT:	DEMOCRATIC ARRANGEMENTS 2022/23
KEY DECISION:	NO
PORTFOLIO HOLDER:	N/A
REPORT AUTHOR:	MONITORING OFFICER
WARD(S) AFFECTED:	NONE
EXEMPT REPORT?	NO

SUMMARY

- (1) To approve a programme of ordinary meetings of Council and Committees and note those of Cabinet for the Council Municipal Year 2022/23 (Appendix A) and grant delegated authority to the Chief Executive in consultation with the relevant Chairman to amend meeting dates or cancel meetings as necessary, subject to compliance with any constitutional requirements where an agenda has already been published.
- (2) To note the Cabinet appointments and allocation of portfolios for 2022/23 (Appendix B – Cabinet appointments submitted for information purposes only)
- (3) To consider the following appointments for the 2022/23 Municipal Year:
 - (a) Membership of Committees (including provision for substitutes where applicable) (Appendix C)
 - (b) Appointment of Chairman and Vice-Chairman of Committees (Appendix D)
 - (c) Appointments to external organisations (Appendix E)
- (4) To consider granting a dispensation to Councillor Alan Bell for non-attendance at meetings on the grounds of ill health
- (5) To consider the re-appointment of the members of the Independent Remuneration Panel

RECOMMENDATIONS

That the Council:

1. Approves the Programme of Ordinary Council and Committee Meetings and notes those of Cabinet for the Council Municipal Year 2022/23 submitted as set out in Appendix A to this report and grants delegated authority to the Chief Executive in consultation with the relevant Chairman to amend meeting dates or cancel meetings as necessary subject to compliance with any constitutional requirements where an agenda has already been published.
2. Notes the appointment of the Cabinet and allocation of portfolios as set out in Appendix B.
3. Approves the membership of the Committees and arrangements for substitutes in accordance with the nominations received at the Annual Meeting of the Council as set out in Appendix C. 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. Appoints Members to serve as the Council's representatives on those external organisations where the Council is the appointing body (set out in Appendix E).
6. Grants a dispensation to Councillor Alan Bell for non-attendance at meetings on the grounds of ill-health for the remainder of this Council's term of office ending on 8 May 2023.
7. Re-appoints the members of the Independent Remuneration Panel for the following periods: Mr Tim Booth for 2 years until the AGM in May 2024; Mr John Price for 3 years until the AGM in 2025 and Mr. Simon Sperring for 4 years until the AGM in May 2026.

REASONS FOR RECOMMENDATIONS

To establish a democratic decision making process for the municipal year 2022/23 in accordance with the provisions set out in the Council's Constitution.

OTHER OPTIONS CONSIDERED

Not to approve the Programme of Meetings and Membership of Committees and not to appoint the Chairmen and Vice-Chairmen of Committees and representatives to external organisations.

REPORT

1. Introduction

1.1 Members are requested to make the appropriate determinations regarding the Programme of Meetings and appointments for the Municipal Year 2022/23. Further information in each case is set out below.

2. Programme of Meetings 2022/23

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

- To facilitate a decision making process for external funding bids it has been necessary to revise the draft schedule previously circulated by changing some meeting dates in June and July for the scrutiny committees, Cabinet and Council and adding meetings of Cabinet and Council in July.
- 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 a Call-In Notice is not received 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. Cabinet Appointments and Allocations of Portfolios

3.1 In accordance with the Executive Arrangements adopted by the Council, the Leader has to be formally appointed by the Council for a period of four years at the beginning of each Council term, or if a vacancy arises during that time be appointed for the remainder of the Council term. The Leader then appoints Members to serve on the Cabinet and allocates portfolios as set out in Appendix B of the report, which is submitted for information purposes only. **(Appendix B to follow).**

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

4.1 A list of nominations for the Committees (including named substitutes where appropriate) as put forward by the respective Group Leaders, is set out at **Appendix C.**

4.2 In accordance with the Memorandum of Agreement for the South and East Lincolnshire Councils Partnership, a Chief Officers Employment Panel and Chief Officers Employment Appeals Panel has been included in the constitution of committees for 2022/23. Also included for information is the Independent Panel comprising of the Independent Persons appointed by the three Councils.

4.5 **The Council is recommended to approve the membership of Committees for 2022/2023. 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.**

4.6 Licensing / Regulatory and Appeals Committee. The membership of the two committees is identical so that continuity can be achieved. 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, where practicable to do so. 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 (13 members each). Professional advice is that substitution should not be permitted on Licensing Committees. Recent case law also suggests that members of the Executive should not sit on a Committee that discharges 2003 licensing functions.

4.7 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.”

It is recommended that there be named substitutes for the Audit and Governance Committee as Members are required to undertake specific training prior to sitting on the Committee.

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.

5. Appointment of Chairmen and Vice-Chairmen

5.1 A list of the nominations for the positions of Chairmen and Vice-Chairmen of Committees is attached at **Appendix D**.

5.2 Members are reminded that District Audit has previously recommended that at least one Chairmanship of the Scrutiny Committees should be allocated to an opposition group member.

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 2022/23 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, i.e. BTAC, Councillor Development Group and International Links Committee.

6. Appointments to External Organisations

6.1 All Members of the Council, via the Political Group Leaders or individually, have been invited to indicate their interest in being considered for annual appointment/ re-appointment as the Council’s representative on the various external organisations on which the Borough Council is represented.

- 6.2 Expressions of interest received to date in the appointments reserved for Full Council are set out in **Appendix E**.
- 6.3 The Council is recommended to appoint representatives to serve on the external organisations listed in Appendix E; such appointments to hold good only whilst they remain Members of the Council, until the next Annual Meeting of the Council, or until the appointment of their successors.**

7. Dispensation

- 7.1 Due to on-going health issues Councillor Alan Bell has been unable to attend meetings for a number of months. Council is asked to consider granting a dispensation for non-attendance in accordance with Section 85 of the Local Government Act 1972, for the remainder of this Council's term of office, ending on 8 May 2023.

8. Re-appointment to the Independent Remuneration Panel

- 8.1 In accordance with the Local Authorities Members Allowances (England) Regulations 2003 the Council is required to establish and maintain an Independent Remuneration Panel for the purpose of making recommendations on appropriate levels of remuneration under the Members Allowance Scheme.
- 8.2 The appointments to the existing panel have now expired and Council is asked to consider re-appointing the previous members to the Independent Remuneration Panel for a staggered period to maintain continuity of experience and knowledge.

FINANCIAL IMPLICATIONS

None.

LEGAL IMPLICATIONS

To meet the provisions of the Local Government Act 1972, the Local Authorities Members Allowances (England) Regulations 2003 and the Council's Constitution.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None.

EQUALITY AND SAFEGUARDING IMPLICATIONS

None.

OTHER IMPLICATIONS

None.

CONSULTATION

Chief Executive

Group Leaders

APPENDICES

Appendices are listed below and attached to the back of the report: -

APPENDIX A	Programme of Meetings 2022/23
APPENDIX B	Cabinet Membership and Portfolios 2022/23
APPENDIX C	Membership of Committees 2022/23
APPENDIX D	Chairmen and Vice-Chairmen of Committees 2022/23
APPENDIX E	Appointments to External Organisations 2022/23

BACKGROUND PAPERS

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT

A report on this item has not been previously considered by a Council body.

REPORT APPROVAL

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Approved for publication:	N/A