



REPORT TO:	ANNUAL MEETING OF THE COUNCIL
DATE:	22 MAY 2023
SUBJECT:	DEMOCRATIC ARRANGEMENTS 2023/24
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 2023/24 (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 consider the following appointments for the 2023/24 Municipal Year:
  - (a) Appointment of Chairman and Vice-Chairman of Committees (Appendix B)
  - (b) Membership of Committees (including provision for substitutes where applicable) (Appendix C )
- (3) To appoint Members to serve as the Council's representatives on external organisations. (Appendix D)

## RECOMMENDATIONS

That the Council:

1. Approves the Programme of Ordinary Council and Committee Meetings and notes those of Cabinet for the Council Municipal Year 2023/24 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. 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.
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 Members to serve as the Council's representatives on those external organisations where the Council is the appointing body and that the Council terminate any external body Directorships where an elected member is not re-elected. (Appendix D).

#### **REASONS FOR RECOMMENDATIONS**

To establish a democratic decision making process for the municipal year 2023/24 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 2023/24. Further information in each case is set out below.

##### **2. Boston Borough Council Schedule of Meetings 2023/24**

- 2.1 A draft Schedule of meetings for the 2023/24 Municipal Year is attached at Appendix A to this report. This has been circulated for review to relevant members and officers. Members are asked to approve the programme of Ordinary meetings of Council, and to note the proposed dates of meetings of the Cabinet and Committees, for the Council Municipal Year 2023/24.

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

- 3.1 A list of the nominations for the positions of Chairmen and Vice-Chairmen of Committees is attached at Appendix B.
- 3.2 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.

- 3.3 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.”
- 3.4 The Council is recommended to appoint Chairmen and Vice-Chairmen of Committees for 2023/24 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 as set out in Appendix B of this report
- 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 The Council is recommended to approve the membership of Committees for 2023/24 as set out in APPENDIX C to this report.
- 4.3 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.
- 4.4 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.
- 4.5 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.”
- 4.6 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. The Chairman shall be a member of the Council serving on the Audit and Governance Committee but not a member of the Cabinet.
- 4.7 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.
- 4.8 Substitute Councillors will not be permitted for meetings of the Cabinet.
- 5. Appointments to External Organisations**
- 5.1 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.
- 5.2 Expressions of interest received to date in the appointments reserved for Full Council are set out in Appendix D.

5.3 The Council is recommended to appoint representatives to serve on the external organisations listed in Appendix D; 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 term ends (unless the appointment of a lay member). It is also recommended that the Council terminate any external body Directorships where an elected member is not re-elected.

**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, the Local Government and Housing Act 1989 and the Local Government (Committee and Political Group) Regulations 1990.

**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 2023/24
APPENDIX B	Chairmen and Vice-Chairmen of Committees 2023/24
APPENDIX C	Membership of Committees 2023/24

APPENDIX D	Appointments to Representatives to serve on External Organisations 2023/24
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<p><b>BACKGROUND PAPERS</b></p> <p>No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.</p>
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<b>CHRONOLOGICAL HISTORY OF THIS REPORT</b>
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A report on this item has not been previously considered by a Council body.
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<b>REPORT APPROVAL</b>
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Approved for publication:	N/A