



# B O S T O N

## BOROUGH COUNCIL

REPORT TO:	ANNUAL MEETING OF THE COUNCIL
DATE:	15 MAY 2017
SUBJECT:	DEMOCRATIC ARRANGEMENTS 2017/18
PORTFOLIO HOLDER:	N/A
REPORT AUTHOR:	CHIEF EXECUTIVE
EXEMPT REPORT?	NO

### SUMMARY

- (1) To approve a programme of ordinary meetings of Council, Cabinet and Committees for the Council Municipal Year 2017/18 (Appendix A)
- (2) To appoint the Leader of the Council and note the Cabinet appointments and allocation of portfolios for 2017/18 (Appendix B)
- (3) To consider the following appointments for the 2017/18 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)

### RECOMMENDATIONS

That the Council:

1. Approves the Programme of Ordinary Meetings submitted as set out in Appendix A to this report;
2. Appoints the Leader of the Council and 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. 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. Grants delegated authority to the Monitoring Officer to finalise the arrangements for the operation of the BTAC Planning Sub Committee and amend the Constitution accordingly.
5. 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;

6. 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) 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.

## **REASONS FOR RECOMMENDATIONS**

To establish a democratic decision making process for the municipal year 2017/18 in accordance with the provisions set out in the Council's Constitution.

## **ALTERNATIVES 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 2017/18. Further information in each case is set out below.

### **2. Programme of Meetings 2017/2018**

- 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 a Call-In Notice is not received the scheduled meeting will not take place.
- BTAC has agreed to hold monthly meetings from May 2017 and set up a planning sub-committee to consider major planning applications within the BTAC area. For diary planning purposes, the dates for the sub-committee meetings are included in the Programme of Meetings, but will only be held when activated by the call-in process. It is recommended that the Monitoring Officer be granted delegated authority to finalise the arrangements for the operation of the BTAC planning sub-committee and amend the Constitution accordingly.

- 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 and Cabinet and Allocation of Portfolios**

- 3.1 Following the resignation of Councillor Peter Bedford as Leader and in accordance with the Executive Arrangements adopted by the Council, a new Leader has to be formally appointed by the Council. 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 attached at **Appendix C.**
- 4.2 **The Council is recommended to approve the membership of Committees for 2017/2018. 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. 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 (12 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.
- 4.6 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** 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 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 **It should be noted that two nominations have been submitted for the positions of Chairman of the Planning Committee and Vice-Chairman of the Corporate and Community Committee respectively, which will need to be voted on separately.**
- 5.5 **The Council is recommended to appoint Chairmen and Vice-Chairmen of Committees for 2017/18 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.**
- 5.6 The remainder of the appointments of Chairmen and Vice Chairmen will be made at the first meeting of the appropriate committee, i.e. BTAC and the Councillor Development Group.

## **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 are set out in **Appendix E**. Members are asked to note that appointments to outside bodies shown in BOLD on the schedule are reserved to Cabinet although non-executive Members may put their names forward for appointment. All other appointments are for Council to determine.
- 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.**

**FINANCIAL IMPLICATIONS**

None.

**LEGAL IMPLICATIONS**

To meet the provisions as set out in the Council's Constitution.

**ANY OTHER IMPLICATIONS**

None.

**CONSULTATION**

Monitoring Officer  
Group Leaders

**APPENDICES**

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

APPENDIX A	Programme of Meetings 2017/18
*APPENDIX B	Cabinet Membership and allocation of Portfolios
*APPENDIX C	Membership of Committees 2017/18
*APPENDIX D	Chairmen and Vice-Chairmen of Committees 2017/18
*APPENDIX E	Appointments to External Organisations 2017/18

**Updated versions of \*Appendices B, C, D and E may be circulated at the AGM on 15 May 2017.**

**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.