

**To the Chair and Members of the
ELECTIONS & DEMOCRATIC STRUCTURES COMMITTEE**

**SUCCESSION ARRANGEMENTS FOR SELECTION OF THE CHAIR AND VICE CHAIR
OF THE COUNCIL**

EXECUTIVE SUMMARY

1. This report examines existing practice with regard to the selection of the Chair and Vice Chair of the Council each year and poses options for improvement to attempt to identify an agreed successor sufficiently in advance of the Council Annual Meeting to enable a dignified inauguration ceremony and invitation of guests as well as ensuring full induction and training can be provided prior to assuming the role.

RECOMMENDATION

2. The Committee is asked to consider the options presented within paragraph 6 of the report regarding the scope for reaching consensus on an agreed mechanism for nominations for the positions of Chair and Vice Chair of the Council in future and determine whether it wishes to recommend a favoured option to full Council.

BACKGROUND

3. The Council at its Annual Meeting, is required to elect the Chair and Vice Chair of the Council for the forthcoming municipal year and does so by simple majority of Members present and voting. Over the last two to three years, a consensus has not been reached between the political groups prior to the meeting of an agreed nominee for notification to Officers to enable arrangements to be put in place for the inauguration ceremony and banquet and ball in the evening. This has caused practical difficulties in being unable to invite family and guests, there being no certainty in who will be elected to the position and contested votes at the commencement of the meeting adds to a poorer reflection on the Council and the way in which it conducts its business.
4. A more dignified approach would be desirable in reaching agreement between the political groups in sufficient time to allow an agreed nominee to receive an induction and insight into the role of Chair and as a Borough representative for Civic related engagements. This would enable Officers to prepare an induction process and provide a smoother transition in advising the Chair and Vice Chair elect of what to expect in the year ahead in chairing Council meetings and undertaking Civic and Ceremonial engagements. In addition, this will allow for arrangements to be made for family and guests to be invited to the inauguration ceremony at the Annual meeting and the evening banquet and ball, thus avoiding the embarrassments that have been caused in the recent past and will portray the image of the Authority in a more positive light.
5. The advent of the Authority being a hung Council with no majority overall controlling

group has exacerbated the current situation where no consensus has been reached sufficiently in advance of the Council AGM.

OPTIONS CONSIDERED

6. In considering options for improvement, the Civic Office have consulted with a range of other Authorities to determine other mechanisms or practices that are used elsewhere and 3 options are set out below. Each of these options are based on the selection process for the Vice Chair and assume that the Vice Chair will automatically assume the position of Chair the following year having gained 12 months experience in deputising for the Chair and familiarising themselves with all the requirements of the role.

In Consulting with other Authorities and their local custom and practices, it is very common amongst many that the Vice Chair automatically becomes Chair in the following year and cross party support upholds this tradition and party political considerations are put aside. This is because the role of Chair is seen as being neutral, the incumbent being the 'conscience of the Council' and a greater recognition given to the level of service and contribution given to the Borough in recent years has been a prevailing factor considered to be important by many Authorities in choosing who should undertake the role. Therefore, if this principle is supported, the selection process each year is then performed in relation to the choice of a Vice Chair only.

6.1 OPTION 1 – NO PRIOR AGREEMENT (STATUS QUO)

Some Authorities, Doncaster included have in recent years had 'round the table' discussions with political Group Leaders informally prior to the Annual Council meeting to attempt to reach consensus on the nomination of both the Chair and Vice Chair, to enable these nominees to be simply ratified at the meeting. For the reasons outlined in paragraphs 3, 4 & 5 above, consensus has not been achieved prior to the meeting in recent years, thus leading to a more embarrassing and less dignified approach. This option is therefore perceived to be the least satisfactory.

6.2 OPTION 2 – LENGTH OF SERVICE

The Council could decide that there needed to be a minimum level of service as a Councillor having a sufficient knowledge of the Council and the Town to properly undertake the role. This could include a requirement for a nominee to be in at least his/her second full term of office as a Councillor. This means that a nominee will have at least 5 years service as a Councillor prior to nomination. Under this option, each year in March the longest serving Councillor will automatically be the nominee to serve as Vice Chair unless that Councillor has previously served as Chair or Vice Chair. Where in any year more than one Councillor satisfies the criterion as longest serving Councillor lots will be drawn to secure the nomination for the forthcoming municipal year. If the longest serving Councillor decides that they do not wish their name to go forward as nominee to the Annual Meeting, the next longest serving and so on will be chosen until a successful nominee is identified who wishes to take up the nomination. If a Councillor decides that their nomination should not be put forward, this does not give rise to a break in the particular Councillors length of service for nomination purposes or preclude that Councillor from being considered for nomination in future years. Under this option the Vice Chair nominee who is chosen as Vice Chair based on length of service, automatically becomes Chair of Council in the following municipal year.

6.3 OPTION 3 – A FORM OF PROPORTIONAL ALLOCATION

Some Authorities operate a points based form of proportional allocation. This model has been adopted by Preston, Medway, Milton Keynes and Kirklees Councils. The application of this model in Doncaster would be based on the following rationale: -

- (i) A quotient basis is determined with each political group having six or more Members being regarded as a single entity and all other groups containing less than six Members or Independent Members not affiliated to any political group being added together in an 'others group'. This aims to create a degree of fairness for the smaller groups who would not otherwise qualify for a nominee for a large number of years. The Council's current political make up is:

Labour	25
Alliance of Independent Members (AIM)	12
Liberal Democrats	11
Conservatives	9
Community Group	3
Independents (not affiliated to a Group)	3

The Mayor (as an Independent Member of the Council) has been omitted from the calculation, as an elected Mayor is prevented by legislation from being the Chair or Vice-Chair of the Council.

- (ii) The selection procedure determines the formula allocating the Vice Chair to the largest group and discounting six from the relevant group each time the Vice Chair was allocated to that group. In terms of strengths less than six, these would come into the equation when no group had a strength of six left to be allocated. A quotient of 6 being applied in Doncaster is based on the rationale of the current provision within the Council's Members Allowances Scheme that a Group Leader is entitled to an allowance if his/her Group contains 6 or more Members. The application of this formula to the membership created the following:

TABLE 1

Group	Current Political Balance	Col 1	Col 2	Col 3	Col 4	Col 5
Labour	25	6	6	6	6	1
Alliance of Independent Members	12	6	6	0	0	0
Liberal Democrat	11	6	0	0	0	5
Conservative	9	6	0	0	0	3
Community Group & Others (Independents)	6	6	0	0	0	0
	63					

Reading this table vertically through columns 1 to 5 produces an initial allocation table of:

TABLE 2

Year 1 – 09/10	Labour
Year 2 – 10/11	Alliance of Independent Members
Year 3 – 11/12	Liberal Democrat
Year 4 – 12/13	Conservative
Year 5 – 13/14	Community Group/Independents
Year 6 – 14/15	Labour
Year 7 – 15/16	Alliance of Independent Members
Year 8 – 16/17	Labour
Year 9 – 17/18	Labour
Year 10 – 18/19	Liberal Democrat

- (iii) On each occasion when the numerical strengths of the groups (i.e. the political composition) on the Council change, following an election or by-election, Table 1 will be recalculated and the allocation in Table 2 amended to reflect the recalculation. Small changes would make little difference to the tables, whereas a larger change would be likely to have an immediate effect.
- (iv) The offer of Vice Chair would be made in March each year to the respective political group and would be for the Group themselves to choose its nominee, with the calculation in Tables 1 and 2 being undertaken during February. If the nominated Member was defeated at an election held in May of that year, it would be for the nominating group to propose a replacement at the Annual Council Meeting.
- (v) In relation to the strengths in the Table 1, a residual figure of 4 or 5 should be regarded as a whole 6 but 1, 2 or 3 should not. In that event, the 1, 2 or 3 would be carried forward to the new calculation that would take place after the allocation in Table 1 was exhausted. In effect, this model provides a projected proportional allocation for the following 10 years, but is recalculated and adjusted annually taking into account the fluctuating political composition of the Council.
- (vi) Similarly to Option 2 above, this option could have incorporated into it the requirement for a Groups nominee to have a level of experience and be at least in their second term of office as a Councillor (minimum of 5 years service) and be entitled to be nominated for a second time, having previously served as Chair or Vice Chair. This model also assumes the Vice Chair assuming the position of Chair in the following municipal year.

- (vii) A variation to this approach is set out in Tables 3 and 4 below. This variation treats each political group as an entity and the remaining Independent Members (collectively) as an entity as opposed to them being added together in an 'others' group. The cumulative effect of this is shown in Table 4 and the Community Group/Independents as separate entities over the ten year projected timescale would not be allocated the Vice-Chair position. Consequently, in Year 10 (2018/19) the allocation would roll over to fall for determination in the following year's calculation. This is because the value '3' shown in column 5 of Table 3 is not regarded as a whole 6 and would thus be carried forward to the new calculation.

TABLE 3

Group	Current Political Balance	Col 1	Col 2	Col 3	Col 4	Col 5
Labour	25	6	6	6	6	1
Alliance of Independent Members	12	6	6	0	0	0
Liberal Democrat	11	6	0	0	0	5
Conservative	9	6	0	0	0	3
Community Group	3	0	0	0	0	3
Independent Members	3	0	0	0	0	3
	63					

TABLE 4

Year 1 – 09/10	Labour
Year 2 – 10/11	Alliance of Independent Members
Year 3 – 11/12	Liberal Democrat
Year 4 – 12/13	Conservative
Year 5 – 13/14	Labour
Year 6 – 14/15	Alliance of Independent Members
Year 7 – 15/16	Labour
Year 8 – 16/17	Labour
Year 9 – 17/18	Liberal Democrat
Year 10 – 18/19	To be determined under next annual calculation.

IMPACT ON THE COUNCIL'S KEY OBJECTIVES

7. This report has no direct impact on the Council's key objectives. Indirectly, consensus in political groups agreeing a mechanism for agreeing future nominations for Chair and Vice Chair of the Council will demonstrate effective governance arrangements and improve the Council's public perception.

RISKS & ASSUMPTIONS

8. The Council by law must resolve to appoint a Chair and Vice Chair at its Annual meeting. There is no prescriptive formula in achieving this other than the requirement for successful nominees to be appointed by a simple majority of Members present and voting at the meeting. The Council is currently a hung Council and consensus needs to be reached amongst the political groups on proposing nominees. Where an Authority has a controlling majority group, this process is relatively more straightforward in that it will have the ability for its preferred nominations to be carried. In the absence of this in Doncaster, the options proposed in this report, present the Committee with alternatives that could be supported for recommendation to the Council which may assist the Council in preparation for the Council Annual Meeting on 19 June, and to agree an approach for subsequent years. However, the change in the composition of the Council over time, may also impact upon the options this report puts forward.

LEGAL IMPLICATIONS

9. The legal implications are described in the body of this report.

FINANCIAL IMPLICATIONS

10. There are no financial implications arising from the Options put forward in this report.

CONSULTATION

11. Group Leaders are consulted each year following the elections in May in an attempt to broker consensus in securing nominations for the position of Chair and Vice Chair and to aid a dignified inauguration and allow preparations to be made. Group Leaders at their monthly meeting with the Managing Director on 6 February, 2009, reiterated their desire to explore the options set out in this report and reach agreement on a way forward.

BACKGROUND PAPERS

Consultation responses from other Authorities via the National Association of Civic Officers (NACO).

REPORT AUTHOR & CONTRIBUTORS

Kay Bennett, Civic Office Manager
Direct Dial: (01302) 734011
E-Mail: kay.bennett@doncaster.gov.uk

Simon Oldham, Democratic Services and Member Support Manager
Direct Dial: (01302) 736707
E-mail: simon.oldham@doncaster.gov.uk

Paul Evans
Acting Director of Resources