

Report

Council



Part 1

Date: 11 September 2018

Subject **Mayoralty**

Purpose To present a revised protocol for deferring nominations to the Mayoralty, as recommended by the Democratic Services Committee.

Author Democracy and Communication Manager

Ward General

Summary In February 2017, the Democratic Services Committee reviewed and recommended a new protocol to manage deferrals of nominations for the office of Mayor. This protocol was first put into practice at the Council meeting in January 2018, when it was requested that the protocol be referred back to the Committee for further consideration.

A further report was presented to Democratic Services Committee on 24 May 2018 and a revised protocol was agreed for recommendation to Council.

Proposal **To agree the revised protocol for deferrals of mayoral nominations.**

Action by Democracy and Communication Manager

Timetable Immediate

Background

In February 2017, the Democratic Services Committee reviewed and recommended a new protocol to manage deferrals of nominations for the office of Mayor. This protocol was first put into practice at the Council meeting in January 2018, when it was requested that the protocol be referred back to the Committee for further consideration.

A further report was presented to Democratic Services Committee on 24 May 2018 and the revised protocol below has been updated in line with the Committee's discussions and recommendations:

Revised Protocol – Mayoral Nominations

1. Newport City Council's method of selecting the Mayor is fair and balanced and determined exclusively on seniority. What this means is that the longest serving member on the Council who has not served as the Mayor will be nominated to serve as Mayor, irrespective of which political party he or she represents.
2. In January of each year an individual is formally nominated to serve as Mayor by full Council.
3. The first in line for the nomination is required to confirm their wish to take up the nomination of Mayor for the forthcoming year by the end of October in the preceding year, at the latest. Any Member not confirming their decision by this deadline loses their right to be nominated.
4. From time to time the prospective incoming Mayor may need to defer their election as Mayor for personal reasons. Any member can defer their mayoral nomination for a period of 12 months in exceptional circumstances provided there are good reasons for doing so. The Member would not be expected to provide any personal information, but they should declare in writing that there are exceptional reasons for the deferral.
5. Any Member who wishes to defer for longer than 12 months on the grounds of exceptional circumstances must provide reasons for the request, and the matter will be referred to full Council for consideration. The reason does not need to be released to the public. The maximum timeframe for such a deferral is the last year of the term of office of the current council.
6. In an election year, should the nominated individual fail to retain his or her seat then the Mayoralty would fall to the next in line, according to seniority. An individual could be re-elected to the Council following an absence and, on strict seniority rules would qualify as Mayor in the year of his or her election. However by that time the Council will have already made a nomination for the coming year and in such circumstances the person already nominated by the Council will become Mayor in the election year and the re-elected member will take his other place according to seniority in the following year. Any agreed deferrals will then be extended for a further period of time.

Financial Summary

There are no financial implications for the Council

Risks

Not applicable.

Links to Council Policies and Priorities

The proposals are intended to strengthen existing arrangements and provide clarity to elected members and the public.

Proposal

To adopt a protocol and include in the constitution to clarify an existing informal arrangement and provide clarity to elected members and the public

Comments of Chief Financial Officer

There are no financial implications

Comments of Monitoring Officer

The Mayor has both a constitutional role, as Chair of the Council, and a civic and ceremonial role in accordance with the prerogative rights granted under Royal Charter. In accordance with Section 23 of the Local Government Act 1972, the election of the Chair is the first item of business transacted at the Council Annual General Meeting in May and the decision is taken by a simple majority of votes cast. Prior to 2017, the custom and practice had always been to nominate the Mayor for the forthcoming municipal year, based on seniority, and for that appointment to be formalised unanimously at the subsequent AGM. It had also been accepted practice that prospective Mayors could defer their term of office by up to 12 months, for personal reasons, but for no longer.

In February 2017, Democratic Services Committee recommended that these arrangements should be formalised and a written protocol was subsequently adopted by the Council for the appointment of the mayor, which has been incorporated within the Constitution. Legally, a decision to appoint the civic Mayor as the statutory Chair of Council can only be taken at the AGM in May and, therefore, it is not possible to fetter or pre-empt this decision but, following the adoption of this formal protocol, only the Mayor-elect is nominated and the legal decision becomes a formality

The adopted protocol makes specific provision for an election year, where the nominated Mayor may not be re-elected or where a new Member is re-elected to the Council, following a period of absence, and has seniority because of previous service. The adopted protocol now provides that, where the nominated Member is not re-elected, then the next senior Member is then nominated and appointed at the AGM. Where a Member is re-elected who has greater seniority the appointment of the previous nominee is still confirmed and the newly elected Member takes his/her turn in the following Mayoral year.

Following a Council decision in January 2018, to agree a deferral of more than 12 months, it was agreed to refer the protocol back to Democratic Services Committee for further review. This review has been concluded and the Committee are recommending some minor changes to the protocol. Firstly, there should be a strict timescale for taking up the nomination, to avoid delays and inconvenience for others on the seniority list, and it is suggested that the deadline should be the preceding October. Secondly, it is recommended that there should still be good reasons for the 12 month deferral and it should not be as of right. The revised protocol also confirms that the maximum deferral that can be agreed by Council should be for the period of the current term. Otherwise, the protocol remains the same.

Comments of Head of People and Business Change

There are no staffing, performance or policy issues arising from the report. It offers a pragmatic solution to a series of potential issues within the current Constitutional arrangements under certain circumstances.

Scrutiny Committees

This is a matter for consideration by the Democratic Services Committee.

Equalities Impact Assessment and the Equalities Act 2010

Equalities Impact Assessment is not required.

Children and Families (Wales) Measure

No issues in this report relate directly to Children and Young People

Wellbeing of Future Generations (Wales) Act 2015

Not applicable for this report

Crime and Disorder Act 1998

Not applicable for this report

Consultation

As set out above.

Background Papers

None

Dated: 4 September 2018