

**REPORT TO THE SCRUTINY PANEL for PEOPLE
24th NOVEMBER 2011**

Status: For discussion
Title: The role of, and resources allocated to, the Chairman of the Council
Originator: Beth Murgatroyd, Democratic Services Manager
Richard Ellis, Corporate Services Manager
Where from: Scrutiny Commission
Where to next: Subject to Recommendation(s)

Objective: This report will examine the role of the Council's Chairman and the adequacy of the resources allocated to this function.

1. Outcome sought from Panel

- 1.1 To comment on the role of the Chairman and the adequacy of the resources allocated to support the role.

2 Background

- 2.1 Harborough District Council annually elects a Chair and Vice-Chair to the Office of Chairman. Harborough District Council's Constitution defines the primary role and purpose of the Chairman of Council as follows:

"The Chairman of Council and in their absence, the Vice-Chairman will have the following primary roles:

- a) First Citizen, the Chairman of the Council shall take precedence (i.e. shall be the first citizen of the District of Harborough;
- b) Promotion of the Council, the Chairman will promote the Council as a whole and act as a focal point for the community;
- c) Ceremonial matters, the Council will decide what civic and ceremonial duties the Chairman will carry out; and
- d) Chairing meetings of the Council, the Chairman will preside over meetings of the Council (except where the Constitution may provide otherwise).

- 2.2 Apart from the traditional constitutional duty of chairing the meetings of Full Council, the bulk of the Chairman's duties consist of the "First Citizen" function of representing the Council. This "First Citizen" role is often viewed in the wider context of representing the District as a whole both within the District and further afield, meeting employers, public bodies, voluntary organisations,

and other bodies. It is this “First Citizen” role that is the most demanding in terms of financial resources.

- 2.3 The primary statutory role of the Chairman of the Council is to preside over meetings of the Council. Legally, Section 3(1) of the Local Government Act 1972 requires a District Council to elect a Chairman annually (who shall have precedence in the District, but not so as prejudicially to affect Her Majesty's royal prerogative - S3(2)). A member of the executive may not be elected as chairman - S.3(1A). In addition the Act states "during his term of office, the Chairman shall continue to be a member of the Council, notwithstanding the provisions of the 1972 Act relating to the retirement of councillors". This means that, following District Council elections, the outgoing Chairman may preside at an Annual General meeting of the Council even where he is not re-elected as a Councillor.
- 2.4 The Chairman shall, unless he resigns or becomes disqualified, continue in office until his successor becomes entitled to act as chairman – in other words he cannot be removed during his term by resolution of the Council. The Chairman may be paid such allowance to enable him to meet the expenses of his office as the Council think reasonable.
- 2.5 Although the Chairman of the Council is usually a member of a political party themselves, when they take on the official role of Chairman they agree to be apolitical for the year. This is because the Chairman of the Council is expected to be the ‘balancer’ in council meetings and ensure all political parties are represented equally. In the event of a tied vote the Chairman will, by local political convention, use their vote to maintain the status quo, though this is not formalised in the Council’s Constitution. It is also important to note that when it comes to ward related business, the Chairman has no enhanced decision making powers – they voice their opinion like any other Councillor.
- 2.6 The Chairman of the Council has for many years been seen as the main figurehead of the Authority who attends civic and ceremonial engagements on behalf of the Council, both within the District and further afield. At Harborough District Council this role has remained virtually unchanged since local government re-organisation.
- 2.7 The Chairman and Vice-Chairman’s Protocol (Part 5 Constitution) is attached at Appendix A. This sets out the role of the Chairman and Vice-Chairman, including job descriptions.
- 2.7 The primary civic functions currently undertaken are Annual Council, Civic Service, Civic Reception and Carol Service. In addition to these key events the Chairman and Vice Chairman are invited to attend numerous other events to represent the Council in their ‘First Citizen’ role. During 2010/11 the Chairman and Vice Chairman attended a total of 132 such events (111 Chair, 21 Vice-Chair). Invitations to a further 57 were turned down. Figures from 2006/7 to date are attached at Appendix B for comparison.
- 3.0 Resources and Finances

3.1 The direct budget for Chairman and Vice-Chairman is set out in Appendix C.

3.1 The current Chair has 10 hours per week of officer administrative support, dealing with all civic function requests, acknowledgements, correspondence and arrangements, including being responsible for co-ordinating and arranging council sponsored civic events and any Royal visits or national civic events. Where events require additional support this has to be found from within existing resources.

3 Points for discussion

3.1 The Panel is asked to consider whether the role of Chairman as currently defined is still appropriate for the Council.

3.2 The Panel is asked to consider whether it considers the budgetary provision is sufficient to support the role as currently defined

3.3 The Panel is asked to consider whether it wishes to make any recommendations for change to the role and associated budget.

4 Equality Impact Assessment Implications/Outcomes (attach completed EIA)

4.1 An Equality Impact Assessment (EIA) will be undertaken in the light of any substantive changes to the role of Chairman.

5 Impact on Communities

5.1 The Chairman promotes the Council as a whole and acts as a focal point for the community.

6 Legal Issues

6.1 None associated with this report.

7 Resource Issues

7.1 Resources allocated to the role are limited both in terms of the budgetary provision and staff time.

7.2 The budget allocated to the role has been looked at previously and will need to be considered in light of the current budgetary processes moving forward.

8 Community Safety Implications

8.1 None associated with this report.

9 Carbon Management Implications

9.1 There are carbon management implications arising from travel to and from civic engagements.

10 Risk Management Implications

10.1 None associated with this report.

11 Consultation

11.1 Previous Chairmen have been invited to attend the meeting to assist the panel with their deliberations.

12 Background Papers

12.1 **Summary Budget Information (See Appendix C)**

12.2 **HDC Constitution - Chairman's Protocol (See Appendix A)**

Previous report(s):

19th March 2009 – Scrutiny Panel for People

Information Issued Under Sensitive Issue Procedure: N

Appendices: *list any appendices here including title and filename in brackets (e.g. Performance Data 2010 (perfdata.doc)).*

A. Extract from HDC Constitution (Part 5)

B. Summary of Chairman's activities

C Summary Budget Information (Compulsory)

B

Number of Functions Attended - Chairman

Chair	2011-12	2010-11	2009-10	2008-09	2007-08	2006-07
May	2	4	4	7	2	2
June	10	9	9	20	6	17
July	8	15	9	14	9	7
August	3	7	0	9	6	6
September	8	16	12	25	16	11
October		11	9	20	13	7
November		14	4	20	12	9
December		9	13	13	12	9
January		3	4	7	3	3
February		6	8	4	10	7
March		11	8	13	8	13
April		3	14	15	10	6
May		3	3	6	5	2
Total	31	111	97	173	112	99

Number of Functions Attended – Vice-Chairman

Vice	2011-12	2010-11	2009-10	2008-09	2007-08	2006-07
May	0	0	0	0	0	0
June	4	2	2	3	4	1
July	1	2	4	0	1	1
August	0	1	1	0	2	0
September	0	4	5	2	4	2
October		0	5	2	3	2
November		2	3	1	5	2
December		4	1	1	2	1
January		1	1	0	1	0
February		1	1	0	1	0
March		2	1	2	2	0
April		2	2	0	3	0
May		0	0	0	2	0
Total	5	21	26	11	30	9

Number of Functions Attended – Chairman and Vice Chairman

Chair/Vice	2011-12	2010-11	2009-10	2008-09	2007-08	2006-07
May	2	4	4	7	2	2
June	14	11	12	23	10	18
July	9	17	13	14	10	8
August	3	8	1	9	8	6
September	8	20	17	27	20	13
October		11	14	22	16	9
November		16	7	21	17	11
December		13	14	14	14	10
January		4	4	7	4	3
February		7	7	4	11	7
March		13	8	15	10	13
April		5	16	15	13	6
May		3	2	6	7	2
Total	36	132	119	184	142	108

Number of Invitations Turned Down

Refusals	2010-11	2009-10	2008-09	2007-08	2006-07
May	2	4	1	1	1
June	6	8	2	1	0
July	5	4	5	1	0
August	3	3	0	0	2
September	11	11	2	7	3
October	8	8	5	5	5
November	5	6	8	2	5
December	5	8	7	5	5
January	6	1	5	1	5
February	2	1	4	2	7
March	4	5	0	1	14
April	0	6	0	7	6
May	0	1	0	3	1
Total	57	66	39	36	54

C

Members Allowances & Expenses

10072

Budget Holder: K Mehta

	Account Code	Account Description	2011/12 Approved Budget
Direct Expenditure	DJL	Chairman's Allowance	4,500
	DJM	Vice-Chairman's Allowance	1,200
	DJS	Chairman's Office Transport Allowance	6,800
	DJW	Chairman's Office Civic Expenditure	4,200