

# **MAIDSTONE BOROUGH COUNCIL**

## **COUNCIL**

**2 MARCH 2016**

### **REPORT OF THE DEMOCRACY COMMITTEE HELD ON 28 JANUARY 2016**

#### **MAYORALTY AND CIVIC CEREMONY REVIEW**

##### **1. Issue for Decision**

1.1 On 28 January 2016 the Democracy Committee considered a report on the Mayoralty and Civic Ceremony Review which had taken place between September 2015 and January 2016.

1.2 The review looked at:

- The Mayoralty Budget;
- The selection process for the election and appointment of Mayor and Deputy Mayor;
- Expectations of the Mayoralty and in-role support/development; and,
- The ceremonial requirements of the Mayor making event.

This reference specifically focusses on the selection process for the election and appointment of the Mayor and Deputy Mayor.

1.3 An extract from the current process for the selection of Mayor and Deputy Mayor (**Appendix A**) came into effect during the municipal year 2006/07, which implemented selection by order of seniority. This system lists Councillors by the date at which they became a Member of the Council, and prioritises those who have served for the longest time. The longest serving – or most senior - Councillor is asked whether they would like to become the Deputy Mayor. If they refuse, the next most senior Councillor is asked, and if he/she refuses this continues until a Councillor is found who is prepared to stand.

1.4 At Maidstone Borough a Councillor serves as the Deputy Mayor for a year, and then is nominated to be Mayor the following year. An additional criteria applied to selection is that a Member cannot have previously served as Mayor, and therefore Members can only serve as Mayor once.

1.5 Prior to 2006/07 each political Group took its turn in appointing its nomination for Mayor. This was based on a four yearly cycle between four political groups.

1.6 Under this system each group had the same number of opportunities to nominate a Councillor. In practice this meant that Members of the larger party groups would have less opportunity to become Mayor than Members

of the smaller groups. This also led to the possibility that newly elected or inexperienced Members of smaller groups could become Mayor, over longer serving or more experienced Members of larger groups.

- 1.7 Members have expressed concern regarding less experienced Members becoming Mayor. This is because one of the main duties of the Mayor is to chair Council. Because of the procedural complexity of Council, informal feedback from Members has indicated that it is considered beneficial for the Mayor to have had previous experience of chairing a committee.
- 1.8 The Working Group considered several alternatives to the current method of selection, including advertising and seeking applications in order to appoint according to a person description for the role. However it was felt that any form of selection could introduce political considerations into a role which should be apolitical.
- 1.9 Members discussed the need for the process to be clear and straightforward, so that it could be used at short notice in the instance in which a Deputy Mayor loses his/her seat at election. Under these circumstances a new appointment would have to be made in the short time between the election and the Annual Meeting.

1.10 Summary comparing current selection process and past process

<b>Selection by seniority (post 2006)</b>	<b>Selection via yearly circulation between Groups (pre 2006)</b>
<p><b>Pros:</b></p> <p>Prioritises experience</p> <p>Non-partisan selection process</p>	<p><b>Pros:</b></p> <p>Allows group to put forward most suitable nominee</p> <p>Non-partisan selection process</p>
<p><b>Cons:</b></p> <p>Due to bar on having previously held the office of Mayor, less experienced Members can become Mayor</p>	<p><b>Cons:</b></p> <p>Due to difference between party sizes and equal circulation between groups, less experienced Members can become Mayor</p>

Summary of conclusions regarding the selection process

- 1.11 The Democracy Committee recommend that the order of seniority method of selection be retained with the following amendments:
  - That a Member becomes eligible for nomination once they have served as a Councillor for at least six years;
  - That a Member may serve as Mayor more than once in exceptional circumstances. These being that there are no other eligible Councillors,

or that no other eligible Councillors are prepared to stand for nomination. Where there is more than one Member who meets this criteria, priority will be given to the Councillor who has served as Mayor the least number of times previously in the first instance. Should this not resolve the situation lots will be drawn.

- The time at which a newly elected Councillor signs their declaration of office be recorded for the purposes of deciding a tie break between Councillors of equal seniority; and
- The method of drawing lots be used to decide between two Councillors of equal seniority until such time as all Councillors have signed a declaration of office and have a time recorded for this.

1.12 The proposed amendments have been made to the protocol to guide Councillors when electing the Mayor/appointing the Deputy Mayor and order of seniority of Councillors at **Appendix B**, marked with tracked changes and summarised below:

Paragraph	Proposed Amendment
3	A Councillor shall be considered eligible for nomination when he/she is the most Senior Councillor at the Council (as set out in the order of seniority by length of service of Councillors) who wishes to take up that office, has served for a minimum of six years and who has under normal circumstances not previously held that office. On becoming eligible he/she should be appointed to the position of Deputy Mayor (or Mayor and Deputy if there are exceptional circumstances).
4	A Councillor can serve as Mayor more than once in exceptional circumstances, these being that there are no other Councillors who meet the eligibility criteria, or no other eligible Councillors who are prepared to stand. Where there is more than one Councillor who is eligible under these exceptional circumstances, priority will be given to the Councillor who has held the post of Mayor the least number of times. Where there continues to be more than one eligible Councillor, lots will be drawn.

## **2. RECOMMENDATION MADE**

2.1 That Council agree the amendments to the Protocol to guide Councillors when electing the Mayor and Appointing the Deputy Mayor and the Order of Seniority of Councillors as set out in 1.11 above and as shown in **Appendix B** to this reference.

### **3. REASON FOR RECOMMENDATION**

- 3.1 The Democracy Committee recommend this course of action to Council as it retains the positive qualities of the order of seniority process, but also ensures that the nominee for Mayor has a reasonable amount of experience as a Councillor. Allowing Councillors to serve as Mayor more than once in the exceptional circumstances builds resilience into the process.
- 3.2 This recommendation is also made as it has been formulated using evidence gathered from a wide range of witnesses, including a number of former Mayors, and addresses concerns raised by current Councillors.

### **4. ALTERNATIVES CONSIDERED AND WHY NOT RECOMMENDED**

- 4.1 Members considered not recommending the recommendations of the working group. This was not recommended as the review of the Mayoralty was requested by Members to address concerns and add value to the process and role.

### **5. APPENDICES**

- 5.1 **Appendix A** – An extract from the current process for the selection of Mayor and Deputy Mayor.
- 5.2 **Appendix B** – An extract from the current process for the selection of Mayor and Deputy Mayor with recommended amendments shown as tracked changes.