



Bournemouth, Christchurch and Poole Shadow Authority

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Report Subject	Designation of Interim Statutory Officers
Meeting date	6 June 2018
Report Author	Saskia DeVries, Head of HR, Bournemouth & Poole
Contributors	Members of the Governance Task and Finish Group – Cllrs Nicola Greene (Chair), Haines, Flagg, Broadhead and Walton, Cllrs Potter and Crawford substituted at various points.
Status	Public
Classification	For decision
Executive summary	The report sets out the recommendations of the Joint Committee regarding designation of interim statutory officers as required by the Structural Changes Order.
Recommendations	1. The Shadow Authority designates the following officers as interim statutory officers of the Shadow Authority: Interim Head of Paid Service – Jane Portman Interim Monitoring Officer – Tanya Coulter Interim Chief Finance Officer/Section 151 Officer – Adam Richens

	<p>2. The Shadow Authority designates the interim head of paid service to be the returning officer pursuant Paragraph 13(8) of the Structural Changes Order.</p> <p>3. The Shadow Authority shall designate its main office for the purposes of the legal requirement to do so as the main office of the interim head of paid service.</p> <p>4. The Shadow Authority designates its interim Monitoring Officer to be its Data Protection Officer pursuant to the General Data Protection Regulations.</p>
Reason for Recommendations	<p>To ensure the Shadow Authority is properly constituted in accordance with the provisions of the Structural Changes Order and the local government legal framework and can undertake the functions for which it will be legally responsible.</p> <p>The Structural Changes Order provides that the Shadow Authority must designate an officer of the existing borough councils to undertake each of the roles set out in the recommendation above. These officers will undertake the statutory responsibilities until the Authority appoints permanent officers to take on these statutory roles.</p>

Background detail

1. The Structural Changes Order requires the Shadow Authority to designate on an interim basis an officer of one of the existing councils to be the Shadow Authority's Head of Paid Service; Chief Finance Officer (section 151 officer) and Monitoring Officer. These designations continue until such time as there are permanent appointments to such statutory roles by the Shadow Authority or new Council.
2. In light of the need to undertake this work in such a short time, the Head of HR for Bournemouth and Poole councils, following consultation with the Programme Board, asked each of the existing statutory officers in each council for expressions of interest in the designated roles.
3. Following this process, expressions of interest were submitted. There are no other expressions of interest and the recommendation to the Shadow Authority is that it designates the officers as set out above.

4. There is a requirement to designate a returning officer for the Shadow Authority. Although this is not required at its first meeting, it seems appropriate that this be undertaken now and that this role be designated to the interim head of paid service. This will ensure that during preparation for the elections in 2019 the Authority has a statutorily designated post, albeit on an interim basis pending permanent appointment in due course.
5. A “main office” for the Shadow Authority will need to be identified for the purposes of formal publication of notices of meetings in accordance with legal requirements. It is recommended that the main office is that occupied by the interim designated Head of Paid Service for the Shadow Authority. Publication of notices would still take place at the other offices of the councils, and on-line, however there is a requirement to identify in law a main office for the Authority.
6. The General Data Protection Regulations require organisations to appoint a Data Protection Officer, and to ensure immediate compliance with the Regulations in this respect it is recommended that the designated interim Monitoring Officer assume this role on an interim basis.

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Report Subject	Political Balance of the Shadow Authority and Nominations
Meeting date	6 June 2018
Report Author	Tanya Coulter, Monitoring Officer, Bournemouth & Poole
Status	Public
Classification	For decision
Executive summary	<p>The Shadow Authority is asked to:</p> <ul style="list-style-type: none">• approve the political balance and the proposed allocation of seats.• confirm the nominations for the Executive Committee as nominated by Bournemouth, Christchurch and Poole constituent authorities.• approve the nominations for the following bodies:<ul style="list-style-type: none">○ Overview and Scrutiny Committee○ Standards Committee○ Senior Appointments Committee
Recommendations	<p>That the Shadow Authority:</p> <ol style="list-style-type: none">a. approves the political balance of the Shadow Authority as set out in this Report.b. approves the allocation of seats for Committees as set out in this Report.c. confirms the nominations for the Executive Committee, as nominated by Bournemouth, Christchurch and Poole constituent authorities detailed in paragraph 3.

	d. Appoints members to the Overview and Scrutiny Committee, Standards Committee and Senior Appointments Committee further to the report to be tabled at the meeting.
Reason for Recommendations	To ensure compliance with the Local Government and Housing Act 1989 and associated Regulations in approving the political balance of the Shadow Authority and the allocation of seats together with any other associated issues.

Background detail

1. The Local Government and Housing Act 1989 and associated Regulations set out the methodology and key principles to be applied when an authority appoints members to committees. In summary this ensures that committees reflect the political balance of the authority. The authority must approve its political balance before appointing to committees. The political balance calculation is based upon membership of political groups as defined by the Regulations. The percentage is calculated on the basis of total group membership as a percentage of the total number of seats in the authority. Currently the balance of the shadow authority is as follows:

Group	No. of Seats	% of total of Seats
Conservatives	88	70.4
Liberal Democrats	8	6.4
Poole People, Green & Independent	6	4.8

Note – There are 23 Councillors (including twin hatters) who are not aligned to political groups on the shadow authority – this would equate to 0.8% for each individual Councillor.

2. Set out below is the proposed allocation of seats to the political groups. The following principles are contained within Section 15 of the Local Government and Housing Act 1989, and applied in order:
 - a. Not all the seats on a committee are allocated to the same political group.
 - b. Where a group has a majority of seats on the Authority it should have the majority of seats on each committee.
 - c. The third rule provides that, without being inconsistent with the first two rules, the number of seats allocated to each political group on all the Committees taken together be as near as possible proportionate to their proportion of seats as a proportion of the authority as a whole

- d. Finally, so far as is consistent with the above each group should be allocated seats on each committee to reflect their proportion of seats on the authority.

Group	Overview & Scrutiny Committee (15)	Standards Committee (5)	Senior Appointments Committee (7)
Conservatives	11	4	5
Liberal Democrats	1	0	1
Poole People, Green & Independent	1	0	0

Note – In light of those Councillors not aligned to a political group there are 2 seats on the Overview and Scrutiny Committee, 1 seat on the Standards Committee and 1 seat on the Senior Appointments Committee that require allocation. It is proposed that these seats be allocated to members of the Authority who are not members of a political group and that the Authority consider nominations from this pool of members.

Nominations for the Executive Committee

3. The Shadow Authority is advised of the following for the Executive Committee as nominated by Bournemouth, Christchurch and Poole constituent authorities:

Councillor	Authority
John Beesley	Bournemouth
Philip Broadhead	Bournemouth
John Challinor	Poole
Blair Crawford	Bournemouth
Anne Filer	Bournemouth
David Flagg	Christchurch
Mike Greene	Bournemouth
Nicola Greene	Bournemouth
May Haines	Poole
Trish Jamieson	Christchurch
Jane Kelly	Bournemouth
Robert Lawton	Bournemouth
Ian Potter	Poole
Karen Rampton	Poole
Janet Walton	Poole
Mike White	Poole

Nominations for the Overview and Scrutiny Committee, Standards Committee and Senior Appointments Committee

4. The nominations for Committees based on the political balance of the Shadow Authority will be tabled at the meeting on 6 June 2018. The Group Leaders will propose the nominations for the seats allocated to each Group in accordance with the political balance arrangements as set out above. The remainder of seats will be considered pursuant to nominations proposed at the meeting.

Background papers – none