

THE CHARTER TRUSTEES FOR POOLE



Report subject	Charter Trustee Handbook - Arrangements for Selection and Election to Office
Meeting date	22 June 2022
Status	Public Report
Executive summary	The Charter Trustees are asked to consider amendments to the handbook relating to the selection and election of civic offices and the establishment of a Civic Working Group to consider and make recommendations on matters before the Trustees.
Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) the Selection and Election to Office procedures as amended and as set out in Appendix 1 to this report, be approved;</p> <p>(b) a Civic Working Group with the membership and remit as set out in paragraphs 9 and 10 to this report be established.</p>
Reason for recommendations	The amendments to the handbook seek to provide clarity and remove ambiguity in relation to the process for the selection and election of the offices of Mayor, Deputy Mayor and Sheriff.
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Report Authors	Richard Jones, Head of Democratic Services
Wards	Council-wide
Classification	For Decision

Background

1. The Charter Trustees adopted Standing Orders and a Handbook in April 2019 upon establishment. It is not proposed to undertake a full review of the Handbook at this time, although this may be desirable in due course now that the Charter Trustee is more established. Paragraph 9 of this report explores options for such a wider review.

Selection and Election to Office

2. The handbook sets out the arrangements for selecting and subsequently electing Charter Trustees to the offices of Mayor, Deputy Mayor and Sheriff. The existing

arrangements have been extracted as an appendix to this report with proposed changes shown with track changes.

3. The procedures include arrangements for both mid-term annual meetings and for the annual meeting in the year of ordinary elections.
4. A review of the historic records shows that the former Borough of Poole confirmed the Mayor Elect and Sheriff Elect at a meeting of the Council held in February of each year. This was considered under exempt information so the detail is limited but the public minute does identify the nominees. What is clear from this information is that without fail for this period, full Council confirmed that the Mayor Elect for the subsequent year would be the incumbent Sheriff thus establishing this tradition. There may of course been historic occasions when this progression from Sheriff to Mayor Elect did not occur at the February meeting but this would have no doubt arisen following an exceptional reason.
5. From the research, when changes did occur with regards to the subsequent appointment of Mayor, this always occurred at the Annual Mayor Making meeting. However, there were always exceptional circumstances on each occasion. Disregarding these exceptions, the Sheriff Elect was always confirmed as Sheriff, the Sheriff from the preceding year became Mayor, and the Mayor from the preceding year became Deputy Mayor.
6. The arrangements in place for the Charter Trustees seek to maintain the traditions of the former Borough of Poole for the transition from Sheriff to Mayor and Mayor to Deputy Mayor. The ballot for Sheriff elect being the only vacancy requiring appointment in an ordinary year. Of course, should any exceptional circumstances occur (for example an incumbent Sheriff indicate that they did not wish to take up the position of Mayor in the subsequent year) then nominations for this position and a subsequent ballot would take place.
7. It is accepted, however, that the existing arrangements could provide for additional arrangements at the meeting of the Charter Trustees held each year in late January to formally determine the Mayor Elect, Deputy Mayor Elect, as well as the Sheriff Elect for the subsequent year.

Establishment of Civic Working Group

8. The first three years of the Charter Trustees have been challenging for a number of reasons, not least the impact of the pandemic on the core functions and civic events. A number of regulatory requirements which were not anticipated in 2019 have also been a draw on the limited resources. The establishment of working groups to focus on these specific issues has proved extremely beneficial but there have been many issues which have proved difficult to progress at full Charter Trustee meetings.
9. The establishment of a standing Civic Working Group with a prescribed membership and broad remit would be advantageous to initially consider matters raised by Charter Trustees and other third parties, help shape the direction of travel and where appropriate make recommendations to the full Charter Trustee meetings. This could include the consideration of wider reviews of the handbook and standing orders.
10. The membership of the Civic Working Group is proposed to be:-
 - The current Mayor
 - The current Deputy Mayor
 - The current Sheriff
 - Up to two past Mayor's who are existing Trustees

- Honorary Clerk
- Head of Democratic Services and / or Deputy Head of Democratic Services
- Civic Team support

11. The Civic Working Group should meet approximately four times per year.

Summary of financial implications

12. There are no financial implications arising from this report.

Summary of legal implications

13. The Charter Trustees are required to elect the Mayor, Deputy Mayor and Sheriff at the annual meeting each year. The proposed arrangements comply with the Regulations relating to the Charter Trustees.

Summary of human resources implications

14. There are no human resource implications arising from this report.

Summary of sustainability impact

15. There are no sustainability implications arising from this report

Summary of public health implications

16. There are no public health implications arising from this report.

Summary of equality implications

17. There are no equality implications arising from this report.

Summary of risk assessment

18. There are no specific risks arising from this report.

Background papers

None

Appendices

Appendix 1 – Extract of Existing Handbook – Selection and Election to Office

Selection and Election to Office

SELECTION AND ELECTION TO OFFICE

This draft procedure for discussion is intended to apply to the filling of any office of the Charter Trustees. Each Charter Trustee may determine the order in which office-holders progress from one office to another in subsequent years.

Selection

The principal objective of the selection procedure should be to reach agreement between all trustees to ensure that the formal decision at the Annual Meeting of the Charter Trustees is unanimous. It is recognised that this cannot, unfortunately, always be achieved, however, the dignity of the Office of Mayor, Deputy Mayor and Sheriff is likely to be impaired by any public disagreement on such a matter at the Annual Meeting.

Whatever procedure is adopted, the following points are important to bear in mind:-

- The selection of a new office-holder should ordinarily be made in good time before the Annual Meeting to allow the person selected sufficient time to make adequate preparations for their year of office.
- If the person selected is subsequently defeated at the polls in an election year, a fresh selection will have to be made in the very short time between election day and the Annual Meeting of the Charter Trustees.

At all stages it should be quite clear that until the formal election at the Annual Meeting, all that is being done is to select the person who will be proposed to fill the office in question. This is because the only occasions when the appointment to office of Mayor, Deputy Mayor or other designation can be considered are:-

- (i) at the Annual Meeting of the Charter Trustees; or
- (ii) when filling a casual vacancy in the office in question.

The procedure for selection of office-holder elect is set out below.

SELECTION OF THE CHARTER MAYOR, DEPUTY MAYOR ELECT AND SHERIFF

Procedure (in a non-election year)

Each year all Charter Trustees who are eligible to fill the office are invited to indicate whether they are willing to be considered by the Charter Trustees for the Office of Sheriff for the following Municipal Year.

The invitation is sent out at the end of November/beginning of December with a return period of at least 21 days, avoiding the Christmas and New Year period.

If there is more than one candidate, the Clerk to the Charter Trustee informs each candidate of any other names submitted and any candidate who wishes to do so may withdraw at that stage.

If there is more than one candidate then remaining, a ballot will be held. If the result of the ballot does not show a clear majority for any one candidate, the ballot will be repeated as often as necessary.

Where the Charter Trustee decides to schedule additional meetings, the result of the ballot shall be reported to the next ordinary meeting for the appointment of the Office-Elect/Designate. Where there is no ordinary meeting scheduled, the result of the ballot shall be reported electronically to all Charter Trustees. Of course, the formal appointment takes place at the Annual Meeting.

The Charter Trustees shall confirm at their meeting in late January the names of those Trustees who shall be designated Mayor Elect, Deputy Mayor Elect and Sheriff Elect. Except in exceptional circumstances and in line with the traditions of the office, the Sheriff from the preceding year shall become Mayor Elect, and the Mayor from the preceding year shall be designated Deputy Mayor Elect.

Procedure (in a year of ordinary elections)

In the event that any or all of the Office-Elect/Designate are not returned at the elections, then the selection procedure outlined above shall be commenced as soon as practicably possible following the elections.

Due to the time-constraints, the period permitted for the return of nominations shall be reduced to not exceed 14 days. Where there is more than one candidate, the same withdrawal and ballot process will be held. The result of the ballot shall be reported electronically to all Charter Trustees.

No trustee member may stand in a ballot for more than one office. Failure to withdraw all but one nomination in the permitted time will result in the automatic withdrawal of all nominations.