

**SPECIAL COUNCIL
9 JUNE 2021**

MUNICIPAL APPOINTMENTS 2021/22

**Responsible Director – Ian Williams,
Chief Executive**

SUMMARY REPORT

Purpose of the Report

1. To confirm and approve the appointments required for the 2021/22 Municipal Year.

Recommendation

2. That: for the municipal year 2021/2022, Members -
 - (a) confirm and approve the appointment of Members to the offices and committees, as set out in Appendix 1;
 - (b) note the appointment of Cabinet Members made by the Leader and their respective Portfolios, as set out in the Appendix 1,
 - (c) Confirm and approve the nominations of Members to the other bodies, as set out in Appendix 2
 - (d) Confirm and approve the schedule of meetings of Council as set out in Appendix 3
3. That: any consequential changes be made to the Council's Constitution.

Reasons

4.
 - (a) To enable the appointments to offices, committees and external bodies to be confirmed and approved
 - (b) To enable Council and its committees to discharge their functions and responsibilities for the municipal year 2021/22.

**Ian Williams
Chief Executive**

Background Papers

No background papers were used in the preparation of the report.

S17 Crime and Disorder	The appointment of Councillors to the roles and responsibilities set out, will enable them to contribute to the prevention of crime and disorder
Health and Well Being	The appointment of Councillors to the roles and responsibilities set out, will enable them to contribute to the health and well-being of the people of the Borough.
Carbon Impact and Climate Change	The appointment of Councillors, to the roles and responsibilities set out, will enable them to consider carbon impact and climate change.
Diversity	The report does not directly contribute to diversity, however the appointments of Councillors to the roles and responsibilities set out, will enable them to consider diversity in their work.
Wards Affected	This report does not immediately affect any wards within the Borough.
Groups Affected	This report does not have any direct impact on the groups, but appointment of Councillors to the roles and responsibilities set out is likely to have an impact.
Budget and Policy Framework	The appointment of Councillors will enable any Budget and Policy Framework issues to be considered when making decisions.
Key Decision	This is a non Executive decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	The report contributes to the delivery of the objectives of the community strategy in a number of ways through the involvement of Councillors in the roles and responsibilities set out in the report.
Efficiency	There are no direct efficiencies to the Council
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

Annual Council

5. Annual Council met on the 20 May 2021 and made decisions to appoint a Mayor and Deputy Mayor, and to appoint Members to Council Committees and to nominate Members to serve on outside bodies.
6. A potential procedural issue has been identified which could lead to the decisions made by Annual Council to be subsequently challenged.
7. While the agenda for Annual Council was sent out the week before the meeting the reports were not ready to be sent out until lunchtime on Thursday 20 May. As we did not comply with the required notice – there is a risk that that decisions made could be challenged because of procedural non-compliance.
8. This is essentially a risk of challenge along the lines that Annual Council was not lawfully competent to make decisions. The main risk is about appointments to Council committees - that the Committees of Council were improperly constituted and that any decisions made by the Committees could be challenged as being invalid on that basis.
9. In order to address this issue, Members are being asked to confirm their approval of the matters decided at Annual Council

Council Offices and Committees

10. Appendix 1 of this report, lists the Offices and Council's Committees and Joint Committees, together with the Members being put forward to for those appointments.
11. The political balance on some of the Counting Committees has changed as a result of the by elections that were held on Thursday 6 May 2021.
12. Also included within the list, for information purposes only, are details of Cabinet Members and their respective Portfolios. The appointment of a Member to Cabinet is a decision for the Leader of the Council.

Outside Bodies

13. Appendix 2 of this report sets out details of appointments that are made by Council to other bodies, which have, for ease of reference, been listed in alphabetical order.
14. In accordance with this Council's Constitution, all other appointments to outside bodies will be made by Cabinet.

Meetings of Council for Municipal year 2021/2022

15. Appendix 3 sets out the schedule of meetings of Council for the year.

Outcome of Consultation

16. No formal consultation, other than with the political groups, was undertaken on the issues contained within the report.