

TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 23 May 2018
Report for: Decision
Report of: Chief Executive

Report Title

LEADER OF THE COUNCIL

Summary

To elect the Leader of the Council and note that the Leader will appoint the Deputy Leader, decide the composition of the Executive and appoint the Membership of the Executive.

Recommendation(s)

Council is requested to:

1. note the intended resignation of Councillor Sean Anstee as Leader of the Council with effect from 23 May 2018
2. elect a Leader of the Council.

Contact person for access to background papers and further information:

Name: Peter Forrester
Extension: 1815

Background Papers: None

1.0 Background

- 1.1 At its meeting on 2 December 2009, the Council approved a new style 'strong' Leader and Cabinet model of executive leadership, in accordance with the Local Government and Health Act 2007. The Act required changes to the leadership of Councils giving only two options, both of which place all executive powers in the hands of one individual, who, in the normal course of events, will serve an uninterrupted 4 year term. The Council's new Executive Arrangements came into operation on 6 May 2010.

2.0 Leader and Cabinet (Executive)

- 2.1 Under this model the Council generally appoints the Leader for a fixed term of office of 4 years. The Leader then appoints an Executive but also determines the size of the Executive (within the statutory minimum and maximum of 3 and 10 (including the Leader)). Under these Executive arrangements provision must be made for the appointment of a Deputy Leader with power to act in the Leader's absence. Again the Deputy Leader is appointed (and may also be removed) by the Leader.
- 2.2 The term of office of the Leader is from the date of election as Leader to the first annual meeting after their normal day of retirement as a councillor i.e. up to 4 years. Thus, a Leader needing to seek re-election as a councillor before the end of the maximum 4 year term will be elected for a shorter term.
- 2.3 The Council includes provisions in its Constitution whereby the Council may remove the Leader from office at any time. The Council's Constitution states that the Leader shall hold office until:
- (a) (s)he resigns from the office; or
 - (b) (s)he is disqualified from being a councillor; or
 - (c) (s)he is no longer a councillor; or
 - (d) the first Annual Meeting after their normal day of retirement as a councillor save that the Council may by resolution remove the Leader from office at an earlier date.

3.0 Resignation of Leader

- 3.1 Councillor Sean Anstee was appointed as Leader of the Council on 25 May 2016 for a period of four years (until May 2020). Councillor Anstee has indicated that he wishes to resign from the office on the 23 May 2018 and therefore the Annual Meeting needs to appoint a replacement as Leader.
- 3.2 I have received one nomination for the position of Leader of Councillor Andrew Western. Councillor Western was last elected onto the Council in May 2015 and if elected to the position would serve until 2019, subject to the provisions of the constitution outlined above.

4.0 Deputy Leader and Executive

- 4.1 The Leader is vested with all the authority's executive functions, initially holding all the Council's executive functions under their personal control. It is then for him/her to choose whether to exercise some or all of these functions personally or to make arrangements for their discharge by the executive, a committee of the executive, by an individual member of the executive, or by officers and these arrangements are generally notified at the Annual Meeting of the Council.

- 4.2 The constitution states that the Leader of the Council shall appoint an Executive Member as Deputy Leader with power to act in the Leader's absence.
- 4.3 Executive members are appointed by the Leader of the Council (including the executive member appointed as Deputy Leader) and they hold office until:
- (a) they resign from office; or
 - (b) (s)he is disqualified from being a councillor; or
 - (c) they are no longer councillors; or
 - (d) the Annual General Meeting following the meeting at which they are appointed to the Executive save that the Leader of the Council may remove them from office either individually or collectively at an earlier date.
- 4.4 If elected as Leader. Councillor Western has indicated that he would intend to appoint a further 9 Members to sit on the Executive. Details of his proposals for the Deputy Leader position and the composition of the Executive are set out in a separate report. The Executive Scheme of Delegation is also set out in a separate report.

5.0 Recommendations

- 5.1 Council is requested to:
- 1. note the intended resignation of Councillor Sean Anstee as Leader of the Council with effect from 23 May 2018
 - 2. elect a Leader of the Council.