

TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 24 May 2023
Report for: Decision
Report of: Monitoring Officer / Director of Legal and Governance

Report Title

LEADER OF THE COUNCIL AND EXECUTIVE ARRANGEMENTS

Summary

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

The main opposition group are entitled to form a Shadow Cabinet and elect Members with shadow responsibility for the Executive portfolio areas.

Recommendation(s)

The Council is requested to:

1. Elect a Leader of the Council and note the term of office and
 - note that the Leader proposes that the Executive shall comprise the Leader of the Council plus 9 councillors
 - note that the Leader proposes to appoint the membership of the Executive, including the appointment of a Deputy Leader as set out in the Appendix 1 to the report.
2. Note the role of the Lead Member for Education, as detailed in the report and the appointment made by the Leader of the Council, as set out in appendix 1 to the report.
3. To note the members of the Opposition Shadow Executive, as set out in Appendix 2 to the report (confirmation of these appointments will follow separately).
4. Authorise the Director of Legal and Governance to make any amendments necessary to the Constitution as a result of these arrangements.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

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 Executive Arrangements came into operation on 6 May 2010.

2.0 New Style Leader and Cabinet

2.1 Under this model the Council appoints the Leader for a fixed term of office of 4 years. The Leader then appoints a Cabinet but also determines the size of the Cabinet (within the statutory minimum and maximum of 3 and 10). 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 (if the Council did not include such provision for the mid term removal of the Leader, the Leader would remain in office for their full term). 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.

2.4 The Leader will be 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 these functions personally or to decide for their discharge by the executive, a committee of

the executive, by an individual member of the executive, or by officers and these will be notified at the Annual Meeting of the Council.

- 2.5 The current Leader of the Council, Councillor Tom Ross' term of office ended in May this year due to the all-out "election" and he was re-elected as a Member of Council. Council is therefore required to formally elect him as Leader of the Council for a new term of office until the Annual Meeting in 2024, the year in which he would need to seek re-election as a Councillor.
- 2.6 Subject to his reappointment as Leader, Councillor Tom Ross proposes to appoint an Executive Member as Deputy Leader with power to act in the Leader's absence. Details of the proposed deputy are as set out in the Appendix
- 2.7 He is also proposing to appoint 9 Executive Members and these are set out in the Appendix. Executive Members appointed by the Leader of the Council (including the Executive Member appointed as Deputy Leader) shall 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.

3.0 Shadow Cabinet

- 3.1 The main opposition group are entitled to form a Shadow Cabinet and elect Members with shadow responsibility for the Executive portfolio areas.
- 3.2 Shadow Executive arrangements should reflect the composition of the Council's Executive, thus:
 - (a) the Shadow Executive must be composed of identical portfolio areas; and
 - (b) the number of Members appointed to the Shadow Executive (including the Members appointed as Leader and Deputy Leader) must be equal to or less than the number of Members appointed to the Executive.

**EXECUTIVE
PORTFOLIOS 2023/24**

<u>Councillor</u>	<u>PORTFOLIO</u>
Tom Ross	Leader of the Council
Catherine Hynes (Deputy Leader)	Leisure, Arts, Culture and Heritage
Karina Carter	Children and Young People
Aidan Williams	Climate Change
Rose Thompson	Communities and Safety
Liz Patel	Economy and Regeneration
Joanne Harding	Finance, Change and Governance
Jane Slater	Health and Care
Stephen Adshead	Highways, Environmental and Traded Services
James Wright	Housing and Advice