

TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 26 May 2021
Report for: Decision
Report of: Monitoring Officer / Director of Legal and Governance

Report Title

LEADER OF THE COUNCIL AND EXECUTIVE ARRANGEMENTS

Summary

To note that the Leader of the Council's term of office continues and that for the 2022/23 Municipal Year, 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. Note that Councillor Andrew Western continues as the Leader of the Council until the expiry of his term of office in May 2023.
2. Note that the Leader of the Council has determined that the Executive shall comprise himself plus 9 councillors.
3. Note the appointment of the Deputy Leader and the appointed Membership of the Executive for 2022/23, as agreed by the Leader of the Council and set out in Appendix 1 to the report.
4. 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.
5. 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).
6. 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.
- 1.2 Councillor Andrew Western was elected Leader of the Council at the Annual Meeting of Council on 22 May 2019 for a fixed term of office to the first Annual Meeting of the Council after his normal day of retirement as a councillor in May 2023. Each year the Leader will appoint the Deputy Leader, decide the composition of the Executive Cabinet and appoint the Membership of the Cabinet.

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 Leader of the Council shall appoint an Executive Member as Deputy Leader with power to act in the Leader's absence. The deputy appointment is set out in the Appendix
- 2.6 The Leader of the Council also proposes to appoint 9 Executive Members and these are also 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 Lead Member for Education

- 3.1 The Leader has designated a specific role for an additional Non-Executive Member to support the work of the Executive. A Lead Member with special responsibility for Education will be responsible for championing all aspects of education across the council. The Lead member will provide advice and support to the Portfolio Holder for Children's Social Care in fulfilling their responsibilities in relation to Education and undertake certain activities on their behalf.
- 3.2 In supporting the Executive Member for Children's Social Care in their role, the Lead Member for Education will be able to attend Executive meetings, however, the Lead Member will not have any decision-making powers.

4.0 Shadow Cabinet

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

- 4.2 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 2022/23**

<u>Councillor</u>	<u>PORTFOLIO</u>
Andrew Western	Leader of the Council
Catherine Hynes (Deputy Leader)	Children's Services (with all statutory children's responsibilities)
Karina Carter	Adult Social Care
Aidan Williams	Climate Change and Transport Strategy
Jo Harding	Communities and Partnerships (with responsibility for Poverty Strategy)
Liz Patel	Economy and Regeneration
Stephen Adshead	Environmental Services
Tom Ross	Finance and Governance
Jane Slater	Health, Wellbeing and Equalities
James Wright	Housing and Neighbourhoods

Non-Executive Portfolio

Adele New	Lead Member for Education
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