

TRAFFORD COUNCIL

Report to: Extraordinary Meeting of the Council
Date: 4 January 2023
Report for: Decision
Report of: Monitoring Officer and Director of Legal and Governance

Report Title

APPOINTMENT OF LEADER AND MEMBERSHIP OF THE EXECUTIVE

Summary

To accept nominations and elect a new Leader of the Council following the election, as the Member of Parliament for the Stretford and Urmston Constituency, and subsequent resignation of the previous Leader, Councillor Andrew Western.

The new Leader is also requested to confirm the continuation in post of the Deputy Leader and make any consequential changes to the composition of the Executive Cabinet.

Recommendation(s)

Council is requested to:

1. Accept nominations and elect a new Leader of the Council;
2. Note the term of office for the new Leader of the Council;
3. Note that the new Leader re-affirms that the Executive shall comprise the new Leader of the Council plus 9 councillors;
4. Note any consequential changes to the membership of the Executive; and
5. Authorise the Director of Legal and Governance to make any necessary amendments to the Constitution arising as a result of the new 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 new 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 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 will be notified at the Annual Meeting of the Council.

- 2.5 Councillor Tom Ross is nominated as the new Leader of the Council and his term of office is until May 2025, subject to an all-out election being called in May 2023. In electing a Leader of the Council, the Council is asked to note this variable to the term of office.
- 2.6 Subject to his appointment as Leader, Councillor Tom Ross proposes to re-affirm the Executive Member as Deputy Leader with power to act in the Leader's absence.
- 2.7 He is also proposing to re-affirm that his Executive shall comprise 9 Executive Members and will indicate whether another Member shall be appointed to the Finance and Governance portfolio that he vacates. 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.