

OPEN

Council

27 February 2024

Election of Deputy Leader of the Council

Report of: Director of Governance and Compliance (Monitoring Officer)

Report Reference No: C/15/23-24

Ward(s) Affected: All Wards

Purpose of Report

- 1 To secure a resolution of Council to elect a Deputy Leader of the Council.

Executive Summary

- 2 The Constitution confirms, in Chapter 2 Part 3 that one of the functions of full Council is to elect the Deputy Leader of the Council.
- 3 Following the announcement by Councillor Craig Browne that he will be standing down as the Deputy Leader of the Council, full Council is required to elect a new Deputy Leader of the Council, this to take effect from 1 March 2023.

RECOMMENDATIONS

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| (1) That Council elects a Deputy Leader of the Council. |
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Background

- 4 Council is required to elect a Councillor to be the Deputy Leader of the Council following the announcement by Councillor Craig Browne that he will be standing down as the Deputy Leader of the Council.

- 5 The Councillor appointed will hold this office until:
 - (a) The next Annual Meeting of the Council; or
 - (b) The Deputy Leader resigns from the office; or
 - (c) The Deputy Leader is no longer a Councillor; or
 - (d) The Deputy Leader is removed from the office by resolution of the Council.
- 6 The Deputy Leader may be appointed as the Vice Chair of the Corporate Policy Committee of the Council.
- 7 The Deputy Leader is empowered to act in place of the Leader.
- 8 The Deputy Leader is empowered to represent the Council on any external body, as agreed with the Leader, and to make decisions and vote on behalf of the Council at meetings of such bodies.
- 9 Involvement in Major Emergencies: the Leader and Deputy Leader must be informed if an emergency is likely or has been declared under the Council's emergency planning or business continuity procedures.
- 10 Chapter 2, Part 3 of the Council's Constitution states that: *Nominations to the Council's Committees, Sub-Committees and decision-making bodies, and changes to such nominations, including nominations to Chairs and Vice-Chairs, shall be notified by the Council's Group Leaders or Group Administrators in writing or by email to the Head of Democratic Services and Governance and shall thereafter be published on the Council's website.*
- 11 Therefore, any changes to Chairs, Vice Chairs and nominations to committees which might be associated with the Deputy Leader's decision to stand-down from that office, will be subject to separate notification to officers. A separate process also applies to appointments to outside organisations etc.

Consultation and Engagement

- 12 No consultation has taken place.

Reasons for Recommendations

- 13 To ensure that the Council elects a Deputy Leader.

Other Options Considered

- 14 No other options considered.

- 15 A Deputy Leader of the Council is required to be appointed in case anything happens which would prevent the Leader of the Council from performing their duties as Leader.

Implications and Comments

Monitoring Officer/Legal

- 16 As the Council operates a committee system, the Deputy Leader of the Council has no formal legal powers and duties vested in them under the Local Government Act 1972, or the Local Government Act 2000.
- 17 However, in practice, all local authorities need to appoint to this office, and the appointee will hold one of the significant elected Member roles within the Council.

Section 151 Officer/Finance

- 18 There are no direct financial implications. The position of Deputy Leader of the Council receives a special responsibly allowance.

Policy

- 19 There are no direct policy implications.

An open and enabling organisation.

Ensure that there is transparency in all aspects of council decision making.

Equality, Diversity and Inclusion

- 20 There are no direct implications for equality.

Human Resources

- 21 There are no direct human resources implications.

Risk Management

- 22 Failure to comply with legislation would leave the Council open to legal challenge.

Rural Communities

- 23 There are no direct implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

24 There are no direct implications for children and young people.

Public Health

25 There are no direct implications for public health.

Climate Change

26 There are no implications relating to climate change.

Access to Information	
Contact Officer:	Brian Reed, Head of Democratic Services and Governance brian.reed@cheshireeast.gov.uk
Appendices:	None
Background Papers:	Role-of-Leader-and-Deputy-Leader-Council