

OPEN

**Council**

**15 May 2024**

**Election of a Leader of the Council and Deputy Leader  
of the Council 2024/25**

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

**Report Reference No: C/01/24-25**

**Ward(s) Affected: All Wards**

**Purpose of Report**

- 1 To secure as resolution of Council to elect a Leader of the Council and a Deputy Leader of the Council for the municipal year 2023/24.

**Executive Summary**

- 2 The Constitution states that the functions of full Council include the election of the Leader of the Council and the Deputy Leader of the Council.
- 3 The role of the Leader of the Council is not a formal legal role, but he or she is, in practice, the political head of the Council.

**RECOMMENDATIONS**

That Council

- 1 elects a Leader of the Council for the municipal year 2024/25.
- 2 elects a Deputy Leader of the Council for the municipal year 2024/25.

## Background

- 4 The Annual General Meeting of the Council is required to elect a Councillor to be the Leader of the Council and a Councillor to be the Deputy Leader of the Council for that municipal year.
- 5 The Councillors appointed will hold these offices until:
  - (a) The next Annual Meeting of the Council
  - (b) The Leader or Deputy Leader resigns from the office; or
  - (c) The Leader or Deputy Leader is no longer a Councillor; or
  - (d) The Leader or Deputy Leader is removed from the office by resolution of the Council.
- 6 The role of the Leader of the Council is not a formal legal role, but they are in practice the political head of the Council, and the Member with greatest responsibility for driving forward the board policies of the Council.
- 7 The Council expects that the Leader will:
  - be the political (rather than ceremonial) leader of the Council, for the benefit of all the Borough's communities - its citizens, taxpayers, businesses, public bodies and other public authorities;
  - lead and work with the Council, particularly the Chairs of its Committees and Sub-Committees:
    - in the development of the Council's vision for the future, policy framework, budgets and strategies;
    - in overseeing service delivery and the implementation of policies approved by the Council;
  - represent and pursue the interests of the Council in the community and at international, national and regional levels;
  - Serve as Chair of the Corporate Policy Committee;
  - fulfil the role of Leader at full Council;
  - lead in providing policy direction and guidance to the Chief Executive and Chief Officers;
  - meet regularly to progress the Council's objectives with Committee Chairs, the Chief Executive and Chief Officers, Leaders of other political groups on the Council, partner organisations, stakeholders, community representatives, government representatives, local Members of Parliament etc.

- 8 The Leader shall be recognised in the following ways:
- Chair Corporate Policy Committee: the Leader shall be appointed at the Council's Annual Meeting as Chair of the Council's Corporate Policy Committee.
  - Attend and speak at any meeting of a Committee or Sub-Committee of the Council, provided that they will only be entitled to vote if appointed as a voting member of that Committee or Sub-Committee.
  - Be available to respond to questions at Full Council meetings.
  - Establish policy direction, and the Council's priorities, and to facilitate discussion thereon.
  - Be principal ambassador for the Borough and the Council (recognising the role of the Mayor).
  - Represent the Council on external bodies, as considered appropriate, and to make decisions and vote on behalf of the Council at meetings of such bodies.
  - Be involved in arrangements around major emergencies. The Leader and Deputy Leader must be informed if an emergency is likely to take place or has been declared under the Council's emergency planning or business continuity procedures.
  - Promote and uphold high standards of ethical conduct by Members and the Council's equalities policies.
- 9 The Deputy Leader may be appointed as the Vice Chair of the Corporate Policy Committee.
- 10 The Deputy Leader is empowered to act in place of the Leader.
- 11 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.
- 12 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.

### **Reasons for Recommendations**

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

### **Other Options Considered**

- 14 Whilst the Council could choose not to elect a Leader or Deputy Leader, to do so would be contrary to the assumptions made in the Council's Constitution that it will do so.

## Implications and Comments

### *Monitoring Officer/Legal*

- 15 Under the Council's Constitution, appointment of the Leader and Deputy, can only be done via a decision of full Council as set out in the Constitution.
- 16 As the Council operates a Committee system, the Leader 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 a Leader and each Leader will hold the most significant elected Member role within the Council. The Council's Leader will be the political/elected head, the focus for policy direction and community development and the chief advocate and ambassador for the Borough.
- 18 Under the Committee system of governance, the Deputy Leader has no formal legal powers and duties vested in them under the Local Government Act 1972 or the Local Government Act 2000.

### *Section 151 Officer/Finance*

- 19 The positions of Leader and Deputy Leader of the Council receive a special responsibility allowance.

### *Policy*

- 20 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*

- 21 There are no direct implications for equality.

### *Human Resources*

- 22 There are no direct HR implications.

### *Risk Management*

- 23 There is no evident risk associated with the election of a Leader and Deputy Leader of the Council.

*Rural Communities*

24 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)*

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

*Public Health*

26 There are no direct implications for public health.

*Climate Change*

27 There are no implications relating to climate change.

<b>Access to Information</b>	
Contact Officer:	Brian Reed Head of Democratic Services and Governance brian.reed@cheshireeast.gov.uk
Appendices:	None
Background Papers:	<a href="#">Role-of-Leader-and-Deputy-Leader-Council-15-December-2021.pdf (cheshireeast.gov.uk)</a>