

Council

Date of Meeting:	18 May 2022
Report Title:	Election of Leader of the Council
Report of:	Jane Burns, Executive Director Corporate Services
Ward(s) Affected:	All

1. Purpose of Report

- 1.1 To secure a resolution of Council to elect a Leader of the Council for the municipal year 2022/23.

2. Executive Summary

- 2.1 The Constitution states that one of the functions of full Council is to elect the Leader of the Council. 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.

3. Recommendation

- 3.1. That Council elects a Leader of the Council for the municipal year 2022/23.

4. Reason for Recommendation

- 4.1 To ensure that the Council elects a Leader.

5. Other Options Considered

- 5.1 No other options considered.

6. Background

- 6.1 The Annual Meeting of Council is required to elect the Leader of the Council for the forthcoming municipal year.
- 6.2 The Councillor appointed will hold this office until:

- (a) The next Annual Meeting of the Council; or
- (b) The Leader resigns from the office; or
- (c) The Leader is no longer a Councillor; or
- (d) The Leader is removed from the office by resolution of the Council requiring a simple majority.

6.3 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, and the Member with greatest responsibility for driving forward the broad policies of the Council.

6.4 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;
- lead and work with the Council, particularly the Chairs of its Committees and Sub-Committees, 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;
- act as Chair of the Corporate Policy Committee, fulfil the role of Leader at full Council meetings and carry out as necessary the other functions
- 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.

3.5 The Leader shall be recognised in the following ways: -

- Chairing Corporate Policy Committee: the Leader shall be appointed at the Council's Annual Meeting as Chair of the Council's Corporate Committee.
- Right to attend and speak at any meeting of a Committee or Sub-Committee of the Council, provided that he or she will only be entitled to vote if appointed as a voting member of that Committee or Sub-Committee.

- Duty to be available for Questions: permit any Member of the Council to ask questions of the Leader and Deputy Leader at full Council meetings.
- The establishment of policy direction and the Council's priorities and the facilitation of discussion thereon.
- To be principal ambassador for the Borough and the Council (recognising the role of the Mayor).
- To represent the Council on any external body, as considered appropriate, and to make decisions and vote on behalf of the Council at meetings of such bodies.
- 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.
- To promote and uphold high standards of ethical conduct by Members and the Council's equalities policies.

7. Implications of the Recommendations

7.1 Legal Implications

7.1.1 As the Council operates a Committee system, the Leader has no formal legal powers and duties vested in him or her under the Local Government Act 1972 or the Local Government Act 2000.

7.1.2 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.

7.2 Finance Implications

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

7.2 Policy Implications

7.3.1 There are no direct policy implications.

7.4 Equality Implications

7.4.1 There are no direct implications for equality.

7.5 Human Resources Implications

7.5.1 There are no direct human resources implications.

7.6 Risk Management Implications

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

7.7 Rural Communities Implications

7.7.1 There are no direct implications for rural communities.

7.8 Implications for Children & Young People/Cared for Children

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

7.9 Public Health Implications

7.9.1 There are no direct implications for public health.

7.10 Climate Change Implications

7.10.1 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