

CHESHIRE EAST COUNCIL

Report to Council

Date of Meeting: 16th May 2012

Report of: Borough Solicitor

Title: Election of Leader of the Council

1.0 Purpose of Report

1.1 To elect a Leader of the Council for a four year term of office.

2.0 Decision Required

That Council elects a Leader of the Council for a four year term of office.

3.0 Legal Implications

3.1 In accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 the Council resolved to adopt the “Strong Leader” and Cabinet model of executive arrangements.

4.0 Risk Assessment

4.1 Failure to comply with the Act would leave the Council open to legal challenge.

5.0 Background

5.1 At its meeting held on 16th December 2010 the Council resolved that the Strong Leader and Cabinet model of governance be adopted by the Council and this was brought into effect at the beginning of May 2011. The Constitution was amended accordingly and states:-

The Leader will hold office for a period of four years from the date he/she is elected to that office by the Council or until

- he/she resigns from the office of Leader;
- he/she becomes ineligible to be a Member of the Council, either for a specific period, or indefinitely;
- he/she ceases to be a Councillor;
- he/she is removed from office by a no confidence resolution of the Council requiring a simple majority, in respect of which the motion has been fully set out in the agenda for the meeting.

5.2 At its meeting held on 18th May 2011 Councillor Wesley Fitzgerald was appointed as Leader of the Council for a four year term of office. Councillor Fitzgerald has,

since then, given notice of his intention to cease to be Leader of the Council at the end of the 2011/12 Municipal Year.

- 5.3 Council is invited to elect a Leader of the Council for the statutory four year term of office.
- 5.4 In accordance with the Cabinet Procedure Rules the Leader will also be invited to present to Council information about executive functions in the forthcoming year including details of those members appointed to Cabinet. This will be dealt with under item 14 of the agenda.

For further information:

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Background Documents: None