

ANNUAL MEETING OF MEDWAY COUNCIL

24 MAY 2023

ELECTION OF LEADER 2023-2027

Report from: Neil Davies, Chief Executive

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Summary

This report requests the Council to elect a Leader of the Council for a four-year period in accordance with Article 7 of the Council's Constitution.

The Council is also asked to agree the Council side delegations to officers.

1. Budget and policy framework

- 1.1. The election of a Leader of the Council is a matter for all councillors at the Annual Meeting of the Council following on from the ordinary election of all Councillors.
- 1.2. The Leader must appoint one Member of the Council to be his/her deputy.
- 1.3. The Leader may make arrangements to delegate some matters to the Cabinet, a Cabinet Committee, individual Cabinet Members or to employees.
- 1.4. The Cabinet will consist of the Leader together with not less than two but not more than nine other Members of the Council appointed by the Leader, including the Deputy Leader.

2. Background

- 2.1. Councillor Jarrett was elected as Leader of the Council at the Annual Council meeting held on 22 May 2019 for a four year term until the day of the Annual Meeting of the Council following the ordinary election of all Councillors, i.e. 24 May 2023. Therefore, it is now necessary to elect a new Leader of the Council at this meeting.

2.2. The new composition of the Council is set out below:

Group	Number of councillors	Proportionality %
Labour and Co-operative Group	33	55.932
Conservative Group	22	37.288
Independent Group	3	5.085
Independent Member	1	1.695
Total	59	100

2.3. The Council has adopted the Leader and Cabinet form of executive, the key features of which are set out below:

- Under these arrangements, the Leader will be elected by the Council at its Annual Meeting in 2023, after the local government elections on 4 May 2023. The Leader will hold office for a four year term unless he or she resigns or ceases to be a Councillor.
- The Leader will be responsible for appointing the Deputy Leader. Unless he or she resigns or ceases to be a Councillor the Deputy Leader will hold this office for the term of the Leader.
- The Leader may, if he or she thinks fit, remove the Deputy Leader from office.
- The Leader will be responsible for appointing not less than two but not more than nine (including the Deputy Leader) members to the executive, and for determining their Portfolios.
- The Council may, by resolution, remove the Leader during his or her four-year term of office.
- The allocation of local choice functions between the Executive and the Council will continue as set out in the Council's current Constitution.

2.4. At the Annual Meeting of the Council, the Leader, once elected, is required to present to the Council a written record of delegations made by him/her for inclusion in the Council's scheme of delegation as Chapter 3 to the constitution.

2.5. The majority group will be proposing the nomination of the Leader of the Council. Nominations from other Members can also be put forward. If other Members are to be proposed as Leader of the Council, a list of proposed Cabinet Members and their proposed portfolios must also be submitted for approval.

2.6. Once elected, the Leader of the Council will appoint the Deputy Leader and determine the membership of the Cabinet, including their details, the allocation of portfolios to each of the Cabinet Members for inclusion in Chapter 3 of the Constitution and the names of any Cabinet Members appointed to any joint committees exercising executive functions for the

forthcoming year, as set out in Appendix A to the report (to follow). The Council's scheme of delegation of executive functions from the Leader and Cabinet will also be determined by the Leader as set out in Appendix B to the report.

- 2.7. In addition, the Council has to agree the delegation of any non-executive functions to officers. The scheme of delegations to officers is also set out in Appendix B to the report (which also includes the current executive function delegations).

3. Risk management

- 3.1. There are no risk management implications arising from this report.

4. Financial implications

- 4.1. There are no financial implications arising from this report.

5. Legal implications

- 5.1. The Local Government Act 2000, as amended by the Localism Act 2011, requires local authorities to operate one of three forms of governance. This Council has resolved to operate executive arrangements with a Leader and Cabinet with a four-year term of office for the Leader.

6. Recommendations

- 6.1. The Council is asked:

- i) To elect a Leader of the Council for a four year term until the day of the next Annual Meeting of the Full Council following the ordinary election of all Councillors;
- ii) To note the details of those appointed by the Leader to serve as Deputy Leader and Members of the Cabinet and the extent of their individual portfolios as set out in Appendix A to the report;
- iii) To note the appointments and nominations to executive bodies as set out in section F of Appendix C to agenda item 8 (Establishment of Committees, Appointments and Schedule of Meetings 2023/24);
- iv) To agree to the delegation of non-executive functions to officers as set out in Appendix B to the report.

Lead officer contact

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Appendices

Appendix A - Appointment details (to follow)

Appendix B - Employee delegation scheme

Background papers

None