

Meeting **COUNCIL**
Portfolio Area Members' Services
Date **14 DECEMBER 2022**



NEW LEADER OF THE COUNCIL'S TERM OF OFFICE

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1 PURPOSE

- 1.1 To recommend to Council a revised term of office for the new Leader of the Council (to take effect from 1 January 2023).

2 RECOMMENDATIONS

- 2.1 That, subject to the postholder being re-elected as a councillor or being removed from office, the new Leader of the Council be appointed to take up office on 1 January 2023 until the Annual Council meeting in May 2026 (a term of approximately 3 years and 5 months), and that thereafter the four-year term of office for the Leader be re-commenced, as set out in the Council's Constitution.

3 BACKGROUND

- 3.1 Article 4.2 of the Council's Constitution states that only Council will exercise the function of "Electing the Leader for a 4 year term or removing that person from office". This is reinforced by Article 7.3 of the Constitution, which states that "The Leader of the Council is appointed at the relevant Annual Council meeting for a four year term unless he or she is removed from office, or is disqualified or ceases to be a Councillor". Standing Order 4 of the Rules of Procedure contained in the Constitution states that "The Leader's term of office is four years, subject to the postholder being re-elected as a councillor (if necessary) or being removed from office".

- 3.2 The Leader’s four-year term of office was first adopted by the Council in 2007 in response to the “Strong Leader” model introduced by the Local Government & Public Involvement Act 2007.
- 3.3 The four-year term of office of the existing Leader of the Council (Baroness Taylor of Stevenage) expires at the Annual Council meeting on 24 May 2023. However, as Members will be aware, Baroness Taylor will be stepping down as Leader of the Council on 31 December 2022.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 Two options have been identified in respect of the term of office of the new Leader of the Council as follows:
- Option 1 – appoint a new Leader to take office from 1 January 2023 for a period of approximately 3 and a half years until the Annual Council Meeting in May 2026, following which the four-year term of office will recommence (Note: Under the terms of the Local Government & Public Involvement Act 2007, which introduced the four-year term “Strong Leader” model, the Council cannot appoint a Leader for more than 4 years); or
 - Option 2 – appoint a new Leader to “complete” the four-year term of the existing Leader, and then go through the appointment process again for Annual Council on 24 May 2023 to elect a Leader for the next four-year term (May 2023 – May 2027).
- 4.2 It is recommended that Option 1 above is approved by the Council, in order to provide continuity and to negate the need for a further appointment process in May 2023 (subject, of course, to the postholder being re-elected as a councillor or being removed from office).

5 IMPLICATIONS

Financial Implications

- 5.1 There are no direct financial implications.

Legal Implications

- 5.2 Contained in report.

BACKGROUND DOCUMENTS

- BD1 Local Government & Public Involvement Act 2007.