

<b>REPORT TO:</b>		Council	
<b>DATE:</b>		18 May 2023	
<b>REPORT AUTHOR:</b>		Executive Director (Legal and Democratic Services)	
<b>TITLE OF REPORT:</b>		<b>APPOINTMENT OF COUNCIL LEADER, 2023/24 TO 2026/27</b>	
<b>EXEMPT REPORT (Local Government Act 1972, Schedule 12A)</b>	<b>No</b>	Not applicable	
<b>KEY DECISION:</b>	<b>No</b>	If yes, date of publication:	n/a

## 1. **Purpose of Report and Decision required**

- 1.1 Council is asked to appoint the Leader of the Council for a four-year term, from this meeting until the Council's Annual Meeting in 2027.

## 2. **Reasons for Recommendations and Background**

- 2.1 In December 2010, the Council adopted the Leader and Cabinet Executive (England) Model, in accordance with the Local Government and Public Involvement in Health Act 2007. This took effect from 9th May 2011.
- 2.2 Under this arrangement, Council elects the Leader for a four-year term. The Localism Act 2011 subsequently took out the specification for the Leader to be elected for a four-year term, leaving the duration of tenure to local choice. It is recommended that the Leader will continue with a four-year term.
- 2.3 The Leader is responsible for –
- determining the size of the Cabinet (3 or more to a maximum of 10, including the Leader)
  - appointing the members of the Cabinet
  - allocating portfolios or areas of responsibility to the various Cabinet Members
  - allocating decision-making powers to the Cabinet and to individual Cabinet Members, and
  - removing and replacing Cabinet Members.
- 2.4 In addition, the Leader is responsible for determining the Council's executive functions and its scheme of delegation for executive functions. Council will still approve a scheme of delegation to officers for non-executive functions (to be considered later in the agenda).

- 2.5 The Leader must also nominate a Deputy Leader, who will exercise the Leader's powers if the Leader is unable to act, or the post becomes vacant.
- 2.6 Council is therefore requested to elect a Leader in accordance with these arrangements.

### **3. Alternative Options considered and Reasons for Rejection**

- 3.1 The Council must comply with legislation and therefore does not have the option to do nothing or take an alternative course of action

### **4. Consultations**

- 4.1 Prior consultation was not necessary; this is a decision for the Council to take.

### **5. Implications**

<b>Financial implications (including any future financial commitments for the Council)</b>	None identified
<b>Legal and human rights implications</b>	This process complies with the Localism Act 2011.
<b>Assessment of risk</b>	None identified
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	None identified

### **6. Local Government (Access to Information) Act 1985: List of Background Papers**

- 6.1 HBC Constitution  
Localism Act 2011  
Report to AGM, 24<sup>th</sup> May 2011 – Appointment of Leader

### **7. Freedom of Information**

- 7.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.