

Committee Name and Date of Committee Meeting

Council – 22 May 2024

Report Title

Election of the Leader of the Council

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

The purpose of this report is to consider the election of the Leader of the Council in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007.

Recommendations

1. That an appointment be made to the position of Leader of the Council, in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 and the Council's Constitution.

List of Appendices Included

None

Background Papers

The Council's Constitution

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

Yes

Exempt from the Press and Public

No

Election of the Leader of the Council

1. Background

- 1.1 In accordance with the Local Government and Public Involvement in Health Act 2007, under the system of governance used by Rotherham Metropolitan Borough Council, it is a requirement to elect an Executive Leader of the Council for a four-year term of office in alignment to election cycles.
- 1.2 The Council adopted a Leader and Cabinet form of Executive. The Executive will carry out all of the Authority's functions that are not the responsibility of any other part of the Authority, whether by law or under the Constitution.
- 1.3 At the Council meeting of 27 February 2019, it was resolved that the Leader will be a councillor elected to the position of Leader by the Council at its annual meeting for a term of four years, to be coterminous with the electoral cycle of whole Council elections.
- 1.4 However, in 2020 as a result of the Coronavirus Pandemic, the Government postponed the elections until 2021 and extended the term of office for councillors by a year. It was therefore agreed that the term of office for the Leader would be for three years only (May 2021 – May 2024) in order to realign with the electoral cycle.
- 1.5 The term of office for the elected Leader would therefore be May 2024 – May 2028.

2. Key Issues

- 2.1 The Authority's Constitution further provides that the elected Leader will hold office until the day of the first annual meeting of the Council held after the expiry of their term of office as a councillor following the elections.
- 2.2 There is therefore a requirement at today's Annual Council meeting that the office of Leader is filled for a four year period.
- 2.3 The political balance of the Council is presently:

Labour	33
Conservative	13
Liberal Democrats	3
Non-aligned	10

- 2.4 It is for the Council to decide who to appoint as the Leader from amongst its Members, but it is a legislative requirement that a Leader be appointed.

3. Options considered and recommended proposal

- 3.1 The Council is required to appoint a Leader, in accordance with the Local Government and Public Involvement in Health Act 2007 and the provisions of the Authority's Constitution. It is recommended that an appointment be made to the position of Leader of the Council.

3.2 No other options were considered as this is a statutory requirement and the Constitution states that:

The Leader will be a councillor elected to the position of Leader by the Council at its annual meeting for a term of four years, or until the day of the first annual meeting of the Council held after the expiry of their term of office as a councillor if the latter is a shorter period. He or she will hold office until:

- he or she resigns from the office; or
- he or she is no longer a councillor; or
- he or she is removed from office by resolution of the Council, whereupon his or her term of office as leader shall end on the day of that Council meeting.

4.0 Consultation on proposal

4.1 There was no consultation on this report.

5.0 Timetable and Accountability for Implementing this Decision

5.1 Subject to the decision of the Council, the appointment of a Leader will be effective immediately for a period of four years or until the date of the Annual Council meeting following the expiry of their term of office whichever is the shorter period.

6. Financial and Procurement Advice and Implications

6.1 There are no financial or procurement implications arising from this report.

7.0 Legal Advice and Implications

7.1 The Council is required to comply with the provisions within its own constitution and those within the Local Government and Public Involvement in Health Act 2007. The recommendation to appoint a Leader ensure compliance.

8.0 Human Resources Advice and Implications

8.1 There are no Human Resource implications associated with this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no implications for children and young people or vulnerable adults arising from this report.

10. Equalities and Human Rights Advice and Implications

10.1 There are no equalities or human rights implications arising from this report.

11. Implications for CO₂ Emissions and Climate Change

11.1 There are no implications for CO₂ Emissions and Climate Change arising from this report.

12. Implications for Partners

12.1 There are no implications for partners arising from this report.

13. Risks and Mitigation

13.1 The recommendations within this report are proposed to mitigate risks associated with governance.

Accountable Officer(s)

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