



ANNUAL COUNCIL: 15 MAY 2024

Report of: Chief Executive

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SUBJECT: ELECTION OF THE LEADER AND DEPUTY LEADER OF THE COUNCIL AND 'PROPER OFFICER PROVISIONS AND SCHEMES OF DELEGATION'

Borough-wide interest

1.0 PURPOSE OF THE REPORT

1.1 To elect the Leader of the Council and a Deputy Leader of the Council for the municipal year 2024/25.

2.0 RECOMMENDATIONS

2.1 That a Councillor be elected as the Leader of the Council for the Municipal Year 2024/25.

2.2 That a Councillor be elected as Deputy Leader of the Council for the Municipal Year 2024/25.

2.3 That the Role and Powers of the Leader and Deputy Leader of the Council, attached as an Appendix to the report, be endorsed.

2.4 That the 'Proper Officer Provisions and Scheme of Delegation to Chief Officers', be confirmed.

3.0 BACKGROUND

3.1 The Annual Meeting of the Council is required to appoint a Councillor to be the Leader of the Council and a Councillor to be the Deputy Leader of the Council for that municipal year.

3.2 As the Council operates a Committee system, the Leader has no formal legal powers and duties vested in him or her under the Local Government Act 1972 or the Local Government Act 2000. However, in practice, all local authorities need to appoint a Leader and each Leader will hold the most significant elected Member role within the Council. The Council's Leader will be the political/elected head, the

focus for policy direction and community development and the chief advocate and ambassador for the Borough.

- 3.3 Under the Committee system of governance, the Deputy Leader has no formal legal powers and duties vested in him or her under the Local Government Act 1972 or the Local Government Act 2000.
- 3.4 The Councillors appointed will hold these offices until:
 - (a) The next Annual Meeting of the Council; or
 - (b) The Leader or Deputy Leader resigns from the office; or
 - (c) The Leader or Deputy Leader is no longer a Councillor; or
 - (d) The Leader or Deputy Leader is removed from the office by resolution of the Council.
- 3.5 The Deputy Leader is empowered to act in place of the Leader and may be appointed as the Vice Chairman of the Policy & Resources Committee of the Council.
- 3.6 The Deputy Leader is empowered to represent the Council on any external body, as agreed with the Leader, and to make decisions and vote on behalf of the Council at meetings of such bodies.
- 3.7 Involvement in Major Emergencies: the Leader and Deputy Leader must be informed if an emergency is likely or has been declared under the Council's emergency planning or business continuity procedures.
- 3.8 The Council should therefore elect a Leader and Deputy of the Council until the day of the next Annual Meeting. The election will be by direct ballot. If there is more than one nomination, an election will take place. 1 vote in favour for 1 nominated person. If there are more than two people nominated and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

4.0 FINANCIAL IMPLICATIONS

- 4.1 Appropriate resources are in place to provide support for the new political management system. The Leader and Deputy Leader receive a Special Responsibility Allowance, as approved at the budget Council meeting held in February.

5.0 SUSTAINABILITY IMPLICATIONS

- 5.1 The Local Government Act 2000 and supporting legislation and guidance requires the Council to maintain a Constitution setting out the working rules and procedures of the Council.

6.0 RISK ASSESSMENT

6.1 There is no evident risk associated with the election of a Leader and Deputy Leader of the Council.

7.0 HEALTH AND WELLBEING IMPLICATIONS

7.1 There are no health and wellbeing implications arising from this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices:

1. Role and Powers of the Leader & Deputy Leader of the Council
2. Proper Officer Provisions and Scheme of Delegation to Chief Officers: [Constitution - West Lancashire Borough Council \(westlancs.gov.uk\)](https://www.westlancs.gov.uk)