

**ANNUAL COUNCIL
4 JUNE 2020**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL, MEMBERS OF THE CABINET AND DEPUTY EXECUTIVE MEMBERS FOR 2020/21

REPORT OF THE DEMOCRATIC SERVICES MANAGER

COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL / BUILD THRIVING AND RESILIENT COMMUNITIES / RESPOND TO CHALLENGES TO THE ENVIRONMENT / ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY / SUPPORT THE DELIVERY OF GOOD QUALITY AND AFFORDABLE HOMES

1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform the Council of the Leader's appointment of members of the Cabinet for 2020/21.

2. RECOMMENDATIONS

- 2.1 That it be noted that Councillor Paul Clark be appointed as the Deputy Leader of the Council for the Civic Year 2020/21.
- 2.2 That the Members to be appointed as Executive Members of the Cabinet for 2020/21 and the areas for which they will be responsible as detailed in Appendix A be noted.
- 2.3 That the Members to be appointed as Deputy Executive Members for 2020/21 and the areas for which they will act as Deputy Executive Member as detailed at Appendix A be noted.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To comply with the provisions of the Local Government Act 2000 and Sections 4.8.1 (vii), 5.2, 5.3.4 and 5.6 of the Council's Constitution.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 The Leader of the Council will inform the Council of the appointment of the Deputy Leader of the Council and Cabinet Members for 2020/21.

5.2 The Leader will inform the Council of the appointment of Deputy Executive Members for 2020/21.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 As required as one of the choices of political model set out in the Local Government Act 2000, North Hertfordshire District Council has adopted a Leader and Cabinet form of executive governance.

8. RELEVANT CONSIDERATIONS

8.1 Under Section 5.2 of the Council's Constitution, it is set out that the Cabinet will consist of:

“5.2.1 the Leader of the Council (the “Leader”); and

5.2.2 at least two but not more than nine (or other parameters set by legislation) Councillors appointed to the Cabinet as Executive Members by the Leader.”

8.2 Under Section 4.8.1 of the Council's Constitution, it is set out that Annual Council will:

(vii) note the number of Members to be appointed to the Cabinet and the appointment those Members;

8.3 Under Section 5.6 of the Council's Constitution, it is set out that:

“in a joint administration a ‘deputy’ to an Executive portfolio holder may be appointed. That deputy will be invited to attend relevant meetings of the Executive (formal or informal) where executive functions are discussed, give their opinion and for this to be taken into account by the Executive decision maker or Cabinet, although they are not formally part of the Cabinet Executive nor an Executive decision maker. This does not apply to the Deputy Leader who is appointed to acts as per section 5.4. Functions of Cabinet”

8.4 Appendix A to the report sets out the Leader's appointments to the Cabinet Executive Member positions for 2020/21 and the appointment of Deputy Executive Members for the same period.

8.5 In accordance with Section 5.3.4 of the Council's Constitution, it is also required that “within two weeks of being elected as Leader, the Leader will submit to the Proper Officer a Cabinet Scheme of Delegations setting out the responsibilities and delegated authority of each member of the Cabinet and any other delegation of any Executive Function the Leader chooses to make.”

8.6 At the Annual Council meeting in 2019 the Leader was appointed for a four year term until May 2023. Due to the Covid-19 pandemic and the resulting Coronavirus Act 2020, there being no District Council elections, 5.3.4 of the Council's Constitution was fulfilled in 2019. However, the Leader has been consulted as to whether there will be any changes to delegations.

9. LEGAL IMPLICATIONS

9.1 Section 5.2 of the Council's Constitution sets out that the Cabinet will consist of:

“5.2.1 the Leader of the Council (the “Leader”); and

5.2.2 at least two but not more than nine (or other parameters set by legislation) Councillors appointed to the Cabinet as Executive Members by the Leader.”

9.2 Section 4.8.1(vii) of the Council's Constitution states that Annual Council will:

“note the number of Members to be appointed to the Cabinet and the appointment those Members”

9.3 Section 5.3.4 of the Council's Constitution sets out that:

“Within two weeks of being elected as Leader the Leader will submit to the Proper Officer a Cabinet Scheme of Delegations setting out the responsibilities and delegated authority of each member of the Cabinet and any other delegation of any Executive Function the Leader chooses to make.

9.4 Section 5.6 of the Council's Constitution sets out that:

“in a joint administration a ‘deputy’ to an Executive portfolio holder may be appointed. That deputy will be invited to attend relevant meetings of the Executive (formal or informal) where executive functions are discussed, give their opinion and for this to be taken into account by the Executive decision maker or Cabinet, although they are not formally part of the Cabinet Executive nor an Executive decision maker. This does not apply to the Deputy Leader who is appointed to acts as per section 5.4.Functions of Cabinet

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications arising directly from this report

11. RISK IMPLICATIONS

11.1 There are no direct risk implications arising from this report.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are no direct equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and “go local” policy do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

15.1 There are no human resource implications.

16. APPENDICES

16.1 Appendix A – Appointment of Members of the Cabinet (Including Deputy Executive Members)

17. CONTACT OFFICERS

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18. BACKGROUND PAPERS

18.1 None.