

South Lakeland District Council
Council
Wednesday 19th May 2021
Appointment of the Leader of the Council

Portfolio:	N/A
Report from:	Monitoring Officer
Report Author:	Linda Fisher – Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Wards:	(All Wards);
Forward Plan:	N/A

1.0 Expected Outcome

- 1.1 To note Councillor Archibald's resignation as Leader of the Council effective following the completion of the Leaders Announcement's item at the Annual Meeting on the 19th May 2021 and to agree to appoint a new Leader of the Council with effect from the Annual Meeting 19th May 2021.

2.0 Recommendation

2.1 To agree to the amendment to the Councils constitution to provide at Part 4. 1. (1.1) (f) as follows to replace the existing wording "elect the Leader (in the year in which the current Leaders term of office expires) with "elects a Leader if so required" and in Part 4. 2. to insert a new (m)" elects a Leader if so required". To insert the following, a new Part 2. 7.12 "The election of a Leader will take place at the Annual or Ordinary Council Meeting".

2.2 In accordance with Part 2, Article 7.03 and 7.08 of the Constitution:-

2.2.1 The Council notes Councillor Giles Archibald's resignation as Leader of the Council, with effect from the completion of the Leaders Announcements item at the Annual Meeting on the 19th May 2021;

2.1.2 The Council today elects a new Leader of the Council to take effect from 19th May 2021 and for the balance of his or her term of office as a Councillor in accordance with Part 2 Article 7.08 of the Constitution.

3.0 Background and Proposals

- 3.1 Pursuant to Part 2, Article 7 of the Councils Constitution at the Annual Meeting on the 22nd May 2018 Councillor Archibald was elected as Leader of the Council until the Annual General Meeting 2022 (or up to the end of his term of office as a Member, whichever is the shorter).

- 3.2 The Leader of the Council holds Office until he/she:

(i) resigns from office; or
(ii) ceases to be or is disqualified from being a Councillor; or
(iii) is removed from office by a resolution of Council. (Notice to remove the Leader must be in accordance with the requirements of the Constitution).

- 3.3 In the event of the post of Leader of the Council becoming vacant for any of the

reasons stated in 3.2 above, where the Leader departs from office mid term the newly elected Leader will automatically hold office , once elected , for the balance of his/ her term of office as a Councillor. (Article 7.08)

3.4 Cllr Archibald has confirmed that he wishes to resign from the office of Leader after a period of carrying out the role for 5 years, this to be effective following the completion of the Leaders Announcements Item on the Annual Meeting agenda.

3.5 Council is being asked to make changes to the Council's Constitution so that the election of Leader referenced in Part 2 Article 7 of the can be at the Annual Meeting or the Ordinary Meeting of the Council and this is as required.

4.0 Consultation

4.1 There has been no consultation on this report.

5.0 Alternative Options

5.1 There are no alternative options to those contained within the report.

6.0 Links to Council Priorities

6.1 The position of Leader is instrumental in the delivery of the Council priorities.

7.0 Implications

Financial, Resources and Procurement

7.1 There are no finance or resource implications arising from this report.

Human Resources

7.2 Not applicable

Legal

7.3 There are no legal implications arising from the report.

Health, Social, Economic and Environmental.

7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment? No

7.5 If you have not completed an Impact Assessment, please explain your reasons: There are no issues arising from the report.

Equality and Diversity

7.6 Have you completed an Equality Impact Analysis? No

7.7 If you have not completed an Impact Assessment, please explain your reasons: There are no issues arising from this report.

Risk

Risk	Consequence	Controls required
To not appoint a Leader would leave a gap in strong Corporate Governance.	Instability, poor Governance and reputational impact.	The report requests that Council appoints a new Leader.

Contact Officers

Monitoringofficer@southlakeland.gov.uk

Linda.Fisher@southlakeland.gov.uk

Tracking Information

Signed off by	Date sent	Date Signed off
Legal Services	10/05/2021	10/05/2021
Section 151 Officer	10/05/2021	10/05/2021

Monitoring Officer	Report author	Report author
CMT	10/05/2021	10/05/2021

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	10/05/2021
Committee Chairman	10/05/2021
Portfolio Holder	N/A
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	19/05/2021