

**Notice of Motion 2:  
Changes to the Constitution and Appointments of Members  
Proposed by: Councillor Denham**

Following the elections on 5 May, the Council has been returned to a position of no overall control. This Motion proposes certain amendments to the Constitution and consequential appointments of Members to reflect power-sharing arrangements which are considered appropriate to the resulting political composition of the Council.

The Group Leaders Protocol stipulates that it should be reviewed every time that the political balance of the Council changes.

The amendments proposed to the Articles and Group Leaders Protocol are set out in Appendix 1 and 2 to this Motion. In summary the purpose of the amendments is:

- (1) To ensure that, when there is no overall control, the Leader of the Council is appointed solely on a basis of a vote of Council, and to remove the qualifying requirement that the Leader should be appointed from the largest Political Group on the Council;
- (2) To ensure that, when there is no overall control, the Deputy Leader of the Council is appointed solely on the basis of a vote of Council and to remove the qualifying requirement that the Deputy Leader should be appointed from the second largest Political Group on the Council;
- (3) To ensure that appointments of Chairs and Vice Chairs of Committee are fairly shared across all Political Groups in accordance with political balance allocations;
- (4) To ensure that each Political Group has the opportunity, by rotation, to nominate for the Mayoralty, retaining the existing principle that ordinarily the Deputy Mayor will become the Mayor the following year.

**Therefore, Council agrees that, with immediate effect:**

1. The Articles, Part 2 of the Constitution, be amended in the terms set out in Appendix 1, so as to remove the requirement for the Leader and Deputy Leader to come from the two largest political groups respectively;
2. The Group Leaders Protocol, Part 15 of the Constitution, be amended in the terms set out in Appendix 2, to reflect the new political balance of the Council;
3. The Monitoring Officer is instructed to make any consequential amendments to the Constitution to give effect to these decisions;
4. The Council now proceed to appoint the Leader and Deputy Leader, the Deputy Mayor and the Members to Committees in accordance with these new arrangements.

## **Appendix 1: Proposed changes to Articles**

### ARTICLE 6A - THE LEADER AND DEPUTY LEADER OF THE COUNCIL (NO OVERALL POLITICAL CONTROL)

#### THE LEADER OF THE COUNCIL (NO OVERALL POLITICAL CONTROL)

##### 6.1A Appointment of the Leader of the Council

In circumstances of no overall political control, the Council will elect a Leader of the Council on an annual basis at its Annual Meeting ~~drawn from the largest political group on the Council and who is elected to the position of Leader of the Council. Where the two largest political groups on the Council have the same number of seats on the Council then two councillors (one from each of the two largest political groups) are to be elected as co-leader.~~

##### 6.2A Term of Office

In circumstances of no overall political control, the Leader of the Council will hold office until:- (a) they resign from the office; or (b) they are suspended from being a Councillor or (c) they are no longer a Councillor; ~~or (d) the two largest political groups control the same number of seats on the Council, in which case a co-leader will be elected in accordance with Article 6.1A;~~ or (d) for one year from the date of election, save that they may be removed from office at an earlier date by resolution of the Council.

#### THE DEPUTY LEADER OF THE COUNCIL (NO OVERALL POLITICAL CONTROL)

##### 6.3 Election of the Deputy Leader of the Council

In circumstances of no overall political control, the Council will elect a Deputy Leader of the Council on an annual basis at its Annual Meeting ~~will be a Councillor drawn from a different the second largest group on the Council and who is elected to the position of Deputy Leader of the Council. Where the Council appoints a co-leader in accordance with Article 6.1A, then the Council shall not elect a Deputy Leader of the Council.~~

##### 6.4 Term of Office

In circumstances of no overall political control, the Deputy Leader of the Council will hold office until:- (a) they resign from the office; or (b) they are suspended from being a Councillor or (c) they are no longer a Councillor; ~~or (d) the two largest political groups control the same number of seats on the Council, in which case a co-leader will be elected in accordance with Article 6.1A;~~ or (d) for one year from the date of election, save that they may be removed from office at an earlier date by resolution of the Council.

## **Appendix 2: Proposed Changes to Group Leaders Protocol**

### 2. The Leader of the Council

2.1 The Leader of the Council will be appointed annually by Council.

2.2 The Leader of the Council will represent the Council at the Worcestershire Leaders' Board, the Local Enterprise Partnership and other external partnerships and boards.

~~2.3 When the Council is in overall political control, the Leader shall be appointed from the largest Political Group.~~

~~2.4 When there is no overall political control, the Leader shall be appointed from the largest Political Group. Where the two largest political groups on the Council have the same number of seats on the Council then two councillors (one from each of the two largest political groups) are to be elected as Co-Leader.~~

### 3. Deputy Leader of the Council

3.1 The Deputy Leader of the Council will be appointed annually by Council.

3.2 In the event that the Leader of the Council is unable to attend or chair any external body as Leader, then the Deputy will chair or attend instead.

~~3.3 When the Council is in overall political control, the Deputy Leader will be appointed from the largest Political Group.~~

~~3.3 When there is no overall political control, the Deputy Leader will be appointed from a different Political Group to the Leader~~

~~When a Co-Leader arrangement has been agreed, there will be no Deputy Leader.~~

### 4. Chairs and Vice Chairs of Committees

4.1 The Chairs and Vice Chairs of all Committees shall be equally responsible for agenda setting for their Committee, with equal access to Officers and information; all other members of a Committee may request that an item is included on the agenda of the Committee; statutory officers have the right to put an item on the agenda of any Committee.

~~4.2 When the Council is in overall political control, The Chairs and Vice Chairs of Committees will be appointed annually by Council in accordance with the following principles:~~

~~The Chair of any Committee shall be appointed from the largest Political Group; There shall be two Vice Chairs of the Policy and Resources Committee, each from different parties and different to the party from where the Chair is appointed; The Vice Chairs of the Policy and Regulatory Committees may be shared between the Political Groups other than the largest Political Group.~~

~~4.3 Where there is no overall political control, the Chair and Vice Chairs of~~

~~Committees will be appointed annually by Council in accordance with the following principles:~~

~~The Chair and Vice Chair of each Committee will be from different Political Groups;~~

~~Each Committee shall have one Vice Chair except for Policy and Resources Committee which shall have two, appointed from the second and third largest Political Groups;~~

~~The Policy Committees shall be paired so that the Chair and Vice Chair is distributed in proportion to the size of each of the Political Groups;~~

~~The Regulatory Committees shall be paired so that the Chair and Vice Chair is distributed in proportion to the size of each of the Political Groups.~~

## 5. The Mayor and Deputy Mayor

5.1 The Mayor and Deputy Mayor shall be appointed in accordance with the following principles:

~~The Mayoralty shall rotate on an annual basis such that each political group shall have, by rotation, a right of first refusal to nominate to the appointment of Mayor: between the largest Political Group and the other Political Groups, so that the largest Political Group has the Mayoralty every other year;~~

The Mayor and the Deputy Mayor shall not be from the same Political Group;

The Mayor should normally have served at least one full term of office as a councillor;

The Mayor should normally have served as the Deputy Mayor in the preceding year;

The Mayor and Deputy Mayor must be willing to undertake the duties of Mayor and Deputy Mayor;

Where there is more than one eligible candidate for appointment as Mayor or Deputy Mayor, the appointment will be ~~based on seniority in terms of number of years served as a councillor.~~ made by Annual Council.

**Proposed by: Councillor Denham**