



OFFICER REPORT TO COUNCIL

AMENDMENT TO ARTICLE 4

KEY ISSUE/DECISION:

To amend the Constitution to allow for the in-year election of a Chairman and Vice-Chairman.

BACKGROUND:

1. The Local Government Act 1972 requires that the election of a chairman shall be the first business transacted at the annual meeting of a principal council. Accordingly, Article 4 of the Council's Constitution provides for the Chairman and Vice Chairman of the Council to be elected by the Council annually.
2. In order to ensure that the Council always has a Chairman in place, there is a need to amend the Articles to allow for the in-year election of a Chairman and/or Vice-Chairman if required, and the suggested amendment is set out in **Annex A**, with the amendment shown in italics.
3. As the Council is required by legislation to elect a chairman at its annual meeting, where an in-year election takes place the appointment will stand until the next annual meeting of the Council. This is also reflected in the amended wording in the Annex.

RECOMMENDATIONS:

- A. That Council approves the amendment of Article 4.03 of the County Council's Constitution regarding the arrangements for Chairing the Council to include the following wording:
'In the event of an in-year vacancy in either role, an election will be held for a replacement to serve until the next Annual General Meeting of the Council.'
- B. That once approved, these changes be incorporated into the Council's Constitution and published on the Council's website.

Lead/Contact Officers:

Katie Booth, Democratic Services Lead Manager.

Sources/background papers:

None.

ARTICLE 4 – THE COUNCIL

4.03 Chairing the Council

The Chairman and Vice-Chairman of the Council will be elected by the Council annually. Both appointments will be subject to a valid enhanced criminal records check. *In the event of an in-year vacancy in either role, an election will be held for a replacement to serve until the next Annual General Meeting of the Council.*

The Chairman will uphold and promote the purposes of the Constitution and interpret the Constitution when necessary.

The Chairman will preside over the meetings of the County Council. The Chairman will fulfil a range of ceremonial and public functions as the civic leader of the Council and act as the principal spokesman for the Council in this capacity. In both of these roles the Chairman will act on behalf of the whole Council and in a non-partisan manner.

The Vice-Chairman of the Council will fulfil the role of the Chairman in his/her absence.