

**Cheltenham Borough Council**  
**Council – 11 February 2011**  
**Appointment of Mayor and Deputy Mayor 2011-12**

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| <b>Accountable member</b>             | <b>Cabinet Member Corporate Services, Councillor Colin Hay</b>  |
| <b>Accountable officer</b>            | <b>Chief Executive, Andrew North</b>  |
| <b>Accountable scrutiny committee</b> | <b>n/a</b>  |
| <b>Ward(s) affected</b>               | <b>All</b>  |
| <b>Significant Decision</b>           | <b>No</b>   |
| <b>Executive summary</b>              | <p>Councillor Barbara Driver has served as Deputy Mayor since last year's Annual Council Meeting and Members will be asked to elect her as Mayor at this year's Annual Meeting.</p> <p>The Members shown as 1 – 6 at the head of the Order of Precedence in Appendix 2 have been approached to ascertain if they are willing and able to have their name put forward for appointment as Deputy Mayor for 2011-2012. Councillor Duncan Smith indicated a willingness to put his name forward as Deputy Mayor subject to no other eligible councillor wishing to do so.</p> |
| <b>Recommendations</b>                | <b>Council note the Order of Precedence in Appendix 2 and that Councillor Barbara Driver and Councillor Duncan Smith will be put to the Annual Council Meeting for election as Mayor and Deputy Mayor respectively for the municipal year 2011-2012.</b>  |

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| <b>Financial implications</b>  | <p>The allowances for Mayor and Deputy Mayor have been included in the budget proposals for 2011/12.</p> <p><b>Contact officer: Mark Sheldon, mark.sheldon@cheltenham.gov.uk, 01242 264123</b></p>  |
| <b>Legal implications</b>  | <p>Whilst the Council operates the Rules Relating To Order Of Precedence Of Members as a local convention, the Council has final discretion as to which members it appoints as its chairman and vice-chairman.</p> <p><b>Contact officer: Peter Lewis, <a href="mailto:peter.lewis@tewkesbury.gov.uk">peter.lewis@tewkesbury.gov.uk</a>, 01684 272012</b></p> |
| <b>HR implications (including learning and organisational development)</b> | <p>None</p> <p><b>Contact officer: Amanda Attfield, Amanda.attfield@cheltenham.gov.uk, 01242 26 4186</b></p>  |

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| <b>Key risks</b>                                 | None   |
| <b>Corporate and community plan Implications</b> | The Mayor and Deputy Mayor promote the corporate and community objectives in carrying out their role as civic heads. |
| Environmental and climate change implications    | None   |

## 1. Background

- 1.1 The rules relating to order of precedence of Members were amended by Council on 17 March 2008 and are attached as Appendix 1.
- 1.2 As part of that change it was agreed that once a councillor has achieved the office of Mayor they should remain at the bottom of the Order of Precedence in date order and should not be eligible to hold the office again unless all those above them on the Order of Precedence have chosen not to accept the honour or do not qualify for selection.
- 1.3 In addition it was agreed that a member would not be eligible for consideration as Mayor unless they had a minimum of four years service prior to taking up office and a minimum of 3 years service prior to becoming Deputy Mayor.

## 2. Reasons for recommendations

- 2.1 The Council's Constitution provides that the Mayor shall be elected and the Deputy Mayor appointed annually at the Annual Council Meeting.
- 2.2 The Constitution also provides that in order to assist the Council the Chief Executive will maintain a list of members (called the "Order of Precedence") showing members' total service on the authority and, if appropriate their period of service since they served the Borough as its Mayor. This list is attached as Appendix 2.
- 2.3 Whilst the Council must formally make these appointments at the Annual Council Meeting, in accordance with the Constitution, the Order of Precedence is presented to the first Council meeting in the calendar year.

## 3. Alternative options considered

- 3.1 All the councillors with more service than Councillor Smith formally declined to have their names put forward for the position of Deputy Mayor.

## 4. Consultation and feedback

- 4.1 Not applicable

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| <b>Report author</b>          | <b>Contact officer:</b> Rosalind Reeves, Democratic Services Manager<br>Rosalind.reeves@cheltenham.gov.uk, 01242 774937 |
| <b>Appendices</b>             | 1. Rules relating to order of Precedence of Members<br>2. Order of Precedence   |
| <b>Background information</b> | n/a   |

## THE RULES RELATING TO THE ORDER OF PRECEDENCE OF MEMBERS

1. The Head of Paid Service (or the Monitoring Officer on his or her behalf) will maintain a list of all members showing their precedence in terms of:
  - their service on Cheltenham Borough Council,

and this list will be referred to as "The Order of Precedence". It is only of relevance in the determination of the succession of the posts of Mayor and Deputy Mayor.
2. To be eligible for consideration as Mayor a member must have had a minimum of four years service prior to taking up office.
3. To be eligible for consideration as Deputy Mayor a member must have had a minimum of three years service prior to taking up office.
4. The Deputy Mayor appointed to serve as such in a particular municipal year will be elected Mayor for the following municipal year provided he or she is willing, and remains eligible, to accept that office.
5. If the Deputy Mayor is unwilling or ineligible to accept nomination as Mayor, the nomination will be offered by the Head of Paid Service, following consultation with the Monitoring Officer, to members in accordance with The Order of Precedence until a member is able to accept the nomination.
6. Not later than 31<sup>st</sup> December in any year the Head of Paid Service (or the Monitoring Officer on his or her behalf) will approach the member at the head of The Order of Precedence (other than the Deputy Mayor) to ascertain if he or she is willing to accept nomination as Deputy Mayor for the next municipal year.
7. If the member approached by, or on behalf of, the Head of Paid Service is unwilling or unable to accept the nomination, the Head of Paid Service (or the Monitoring Officer on his or her behalf) will approach members in accordance with The Order of Precedence until a member is able to accept the nomination.
 

The Head of Paid Service will inform the Council of the member's willingness to accept nomination at its first ordinary meeting in the new calendar year.
8. The fact that a member approached by, or on behalf of, the Head of Paid Service is unwilling or unable to accept nomination as Deputy Mayor for a particular municipal year, shall not prevent that member being approached again in accordance with The Order of Precedence.
9. Where members have equal periods of service, a member with unbroken service on Cheltenham Borough Council will take precedence over a member with broken service.
10. Members who have served the borough as Mayor will be moved to the bottom of the Order of Precedence and will only be considered for selection if no other member is interested in taking on the position of Deputy Mayor/Mayor or is eligible to do so.

11. The precedence between members who notwithstanding paragraph 9 have equal periods of service on Cheltenham Borough Council shall be decided by lot conducted prior to the first ordinary meeting of the Council following municipal elections.
12. Any questions arising as to the application of these rules shall be determined by the Head of Paid Service, following consultation with the Monitoring Officer, and in consultation with the Group Leaders.