

Cheltenham Borough Council
Council – 21 February 2022
Council Order of Precedence

Accountable member	Leader, Councillor Rowena Hay
Accountable officer	Chief Executive, Gareth Edmundson
Accountable scrutiny committee	n/a
Ward(s) affected	None directly
Significant Decision	No
Executive summary	<p>In accordance with the requirements of the Constitution, the Council will be asked to elect its Mayor and Deputy for the forthcoming Council year at its annual meeting on the 16th May 2022. In this respect the Council, as in previous years, has maintained an Order of Precedence for fulfilling these ceremonial roles which recognises the length of service a Councillor has provided to the communities of Cheltenham. The Order of Precedence is attached at Appendix 1.</p> <p>The final confirmation of the Councillors proposed to take up these roles will not be known until the results of the local elections in May are declared and so, at present, the Council is asked to note the Order of Precedence and the proposed post holders will be appointed after the results of the May elections.</p>
Recommendations	<p>That Council note</p> <p>The Order of Precedence in Appendix 2</p>

Financial implications	The allowances for Mayor and Deputy Mayor have been included in the budget for 2022/23. Contact officer: Gemma Bell, gemma.bell@cheltenham.gov.uk
Legal implications	Whilst the authority 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 Mayor and Deputy Mayor (Council chairman and vice-chairman). Contact officer: One Legal – legal.services@onelegal.org.uk
HR implications (including learning and organisational development)	None Contact officer: Julie McCarthy, julie.mccarthy@publicagroup.uk
Key risks	None
Corporate and community plan Implications	The Mayor and Deputy Mayor promote the corporate and community objectives in carrying out their role as civic heads.
Environmental and climate change implications	There are no direct implications; however, the Mayor and Deputy Mayor will have a role to play in promoting the council's commitment to becoming a net zero carbon council and borough by 2030, and supporting the emerging Climate Emergency Action Plan: Pathway to Net Zero. Contact officer: Laura Tapping@cheltenham.gov.uk

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 and are set out in Appendix J in the Council's Constitution.
- 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 and Deputy Mayor shall be elected 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 Some councillors with longer service may formally decline to have their names put forward for the position of Deputy Mayor.

4. Consultation and feedback

- 4.1 Not applicable.

Report author	Contact officer: Bev Thomas, Democratic Services Team Leader Beverly.Thomas@cheltenham.gov.uk, 01242 264246
Appendices	<ol style="list-style-type: none">1. Rules relating to order of Precedence of Members2. Order of Precedence
Background information	Council 14 April 2003 and 17 March 2008

THE RULES RELATING TO THE ORDER OF PRECEDENCE OF MEMBERS

1. The Chief Executive (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 Chief Executive , 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 31st December in any year the Chief Executive (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 Chief Executive is unwilling or unable to accept the nomination, the Chief Executive (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 Chief Executive 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 Chief Executive 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 Chief Executive, following consultation with the Monitoring Officer, and in consultation with the Group Leaders.