

# Cheltenham Borough Council

## Council – 20 February 2023

### Council Order of Precedence - Nominations for Mayor Elect and Deputy Mayor Elect

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**Accountable member:**

Leader, Councillor Rowena Hay

**Accountable officer:**

Chief Executive, Gareth Edmundson

**Accountable scrutiny committee:**

n/a

**Ward(s) affected:**

None directly

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**Key/Significant Decision:**

No

**Executive summary:**

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 15 May 2023. 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.

Councillor Matt Babbage has served as Deputy Mayor since last year's Annual Council Meeting and Members will be asked to elect him as Mayor at this year's Annual Meeting.

The Members shown towards 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 2023-24.

Councillor Paul Baker has indicated a willingness to put his name forward as Deputy Mayor subject to no other eligible councillor wishing to do so.

## Recommendations:

### That Council:

1. **Note the Order of Precedence in Appendix 2**
  2. **That Councillor Matt Babbage be put to the Annual Council Meeting for election as Mayor for the Municipal year 2023–2024**
  3. **That Councillor Paul Baker be put to the Annual Council Meeting for election as Deputy Mayor for the Municipal year 2023-2024**
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## 1. Implications

### 1.1. Financial implications

The allowances for Mayor and Deputy Mayor have been included in the budget for 2023-24.

**Signed off by:** Gemma Bell, [gemma.bell@cheltenham.gov.uk](mailto:gemma.bell@cheltenham.gov.uk)

### 1.2. 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 chair and vice-chair)

**Signed off by:** One Legal, [legal.services@onelegal.org.uk](mailto:legal.services@onelegal.org.uk)

### 1.3. HR implications

None.

**Signed off by:** Julie McCarthy, [julie.mccarthy@publicagroup.uk](mailto:julie.mccarthy@publicagroup.uk)

### 1.4. 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.

**Signed off by:** Laura Tapping, [laura.tapping@cheltenham.gov.uk](mailto:laura.tapping@cheltenham.gov.uk)

### 1.5. Property/asset implications

None

**Signed off by:** Gemma Bell, [gemma.bell@cheltenham.gov.uk](mailto:gemma.bell@cheltenham.gov.uk)

## **1.6. Corporate policy framework implications**

The Mayor and Deputy Mayor promote the corporate and community objectives in carrying out their role as civic heads.

**Signed off by:** Ann Wolstencroft, [ann.wolstencroft@cheltenham.gov.uk](mailto:ann.wolstencroft@cheltenham.gov.uk)

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## **2. Promoting equality and reducing discrimination**

N/A

## **3. Performance management – monitoring and review**

N/A

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## **4. Background**

- 4.1** 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.
- 4.2** 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.
- 4.3** 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 three years' service prior to becoming Deputy Mayor

## **5. Reasons for recommendations**

- 5.1.** The Council's Constitution provides that the Mayor and Deputy Mayor shall be elected at the Annual Council Meeting.
- 5.2.** 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.
- 5.3.** 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.

## **6. Alternative options considered**

- 6.1** Some councillors with longer service may formally decline to have their names put forward for the position of Deputy Mayor.

## **7. Consultation and feedback**

**7.1** Not applicable.

**8. Key risks**

8.1 N/A

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**Report author:**

Bev Thomas, Democratic Services Team Leader

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**Appendices:**

- i. Rules relating to order of Precedence of Members
- ii. 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 31<sup>st</sup> 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.