

Dear Councillor

Explanation of “Strong Leader” and Cabinet Model

This note is to assist Councillors in understanding proceedings at the Annual Council Meeting on 25 May 2011.

The Constitution of Lewes District Council sets the framework for how the Council and its representatives (Councillors and officers) carry out all of their business.

The District Council’s current Constitution is based on a Leader and Cabinet model. Until the local elections in May 2011 the Council had a Cabinet consisting of a Leader and 8 Councillors, all of whom were appointed by full Council.

There has been a change in the law which requires the Council to move to what is known as the “Strong Leader” and Cabinet model. The law gave the Council some discretion as to when it had to move to this new model but the law required the Council to start operating the new model no later than the May 2011 local elections. This Council decided that it would not start operating the new Strong Leader model until it had to do so, i.e. immediately following the May 2011 elections.

The Council must now start operating the Strong Leader model as a matter of law. The provisions of the law override any conflicting provision set out in the Council’s Constitution.

Item 7 on the Council agenda is “Election of the Leader of the Council”. As a matter of law the Leader is elected by full Council. The Leader is elected for a 4 year term.

Item 8 on the Council agenda is “Appointments”. Item 8(a) deals with appointments to Cabinet. Under the Strong Leader model the person elected as Leader of the Council personally has the power to:

- decide the number of Councillors in the Cabinet (subject to a minimum of two and a maximum of nine, not including the Leader)
- decide who those Councillors should be
- decide the content of the portfolios to be held by those Councillors

Councillors who are appointed to the Cabinet by the Leader are known as Lead Councillors.

Under the Strong Leader model the person elected as Leader of the Council personally holds all the decision-making powers which, prior to May 2011, were vested in the Cabinet as a whole. It is a matter of discretion for the new Leader whether s/he exercises those powers personally or delegates them. The Leader may delegate his/her powers to:

- the Cabinet
- a Lead Councillor on the Cabinet
- a committee of the Cabinet, or
- an officer

When Item 8(a) on the Agenda is reached the Chair of the Council will invite the newly elected Leader of the Council to announce who s/he is appointing as Lead Councillors on the Cabinet and their respective portfolios.

Following the Annual Meeting the Leader will instruct the Corporate Head – Legal & Democratic Services, as to the precise way in which s/he wishes to delegate his/her powers, (if at all), and the Corporate Head – Legal & Democratic Services will circulate details of that scheme of delegation to all Councillors. The Corporate Head – Legal & Democratic Services will ensure that the scheme of delegation is then incorporated within the Council's Constitution.

Items 8 (b) and (c) on the Agenda relate to appointments to committees and bodies *other than* Cabinet. These are appointments which are to be decided by full Council as opposed to the Leader.

If you have any questions about the Strong Leader model, Council procedure or the content of this briefing note please do not hesitate to contact me.

Yours Sincerely

Catherine Knight

Corporate Head – Legal & Democratic Services
catherine.knight@lewes.gov.uk
(01273) 484118