

## Decision Report – Leader Decision

Forward Plan Reference: N/A

Decision Date – 18 December 2023

Key Decision – no



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### Leader's appointment to the Executive – Lead Member for Children, Families & Education and the Lead Member for Transport & Digital

Lead Member(s): Cllr Bill Revans – Leader of the Council and Lead Member for Governance & Communications

Lead Officer: Scott Wooldridge – Deputy Monitoring Officer and Interim Head of Governance & Democratic Services

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#### 1. Summary / Background

1.1 In line with legislation and the Council's Constitution, a number of appointments to key roles within the Council and to outside bodies are reserved to the Leader of the Council, Councillor (Cllr) Bill Revans. The Leader of the Council has authority to agree Executive appointments alongside a number of other key elected member appointments which form part of the executive functions of the Council.

1.2 The Leader took a decision on 24 May 2023 confirming Executive Member portfolios and appointing to Lead Member roles. Following the resignation of Cllr Tessa Munt (Lead Member for Children, Families and Education) and Cllr Mike Rigby (Lead Member for Transport and Digital) from 1 January 2024, this report sets out the Leader's proposed appointments to those two roles.

1.3 With effect from 1 January 2024, the Leader of the Council is proposing to appoint Cllr Heather Shearer as the Lead Member for Children, Families and Education and Cllr Richard Wilkins as the Lead Member for Transport and Digital.

1.4 The portfolio and allocation of responsibilities set out in the Leader's decision on 24 May 2023 for the two roles will remain unchanged.

1.5 Cllr Shearer's appointment to the Lead Member for Children, Families and Education role creates a consequential vacancy in the position that she currently holds of Associate Lead Member for Children's Social Care and SEND. The Leader of the Council has reviewed the Associate Lead Member roles and proposed revisions are set out in paragraph 3.5.

## 2. Recommendations

That the Leader of the Council, with effect from 1 January 2024:

### 2.1 Agrees the appointment of:

i) Cllr Heather Shearer to the role of Lead Member for Children, Families and Education; and

ii) Cllr Richard Wilkins to the role of Lead Member for Transport and Digital.

2.2 Agrees the changes to appointments to internal, outside and partnership bodies as set out in Appendix 1.

2.3 Agrees the revised Associate Lead Member functions and roles as set out in paragraph 3.5.

## 3. Reasons for recommendations

3.1 Somerset Council operates a Leader and Executive model of governance, under which the majority of functions that the Council undertakes are now the responsibility of a small number of councillors operating as an 'Executive'. The Leader of the Council has responsibility for agreeing the executive arrangements.

### Executive Membership, Executive Lead Member and Associate Lead Member Roles & Responsibilities

3.2 Legislation enables the Leader of the Council to appoint up to 9 other members to be members (known as Lead Members with specific areas of responsibility) of the Executive. As part of the Executive's membership, the Leader appoints the Deputy Leader of the Council.

3.3 The Leader of the Council has appointed a 10-member Executive. For clarity the Executive roles are:

- Leader of the Council and Lead Member for Governance & Communications
- Deputy Leader of the Council and Lead Member for Resources and Performance
- Lead Member for Children, Families & Education
- Lead Member for Adult Social Care
- Lead Member for Transport and Digital
- Lead Member for Public Health, Equalities and Diversity
- Lead Member for Transformation and Human Resources
- Lead Member for Environment and Climate Change
- Lead Member for Economic Development, Planning & Assets
- Lead Member for Communities, Housing and Culture

3.4 In the event that a Lead Member is unable to discharge their specific decision making functions for any reason (e.g. illness or holiday), the Leader (or in the Leader's absence or their inability to act – the Deputy Leader) may discharge those functions or decisions.

3.5 In addition to the Lead Members, the Leader of the Council also appointed 10 Associate Lead Members to support the Lead Members and provide resilience for the Executive arrangements. The Leader is proposing to reduce the number of Associate Lead Members (ALMs) and change some of the functions (as shown in red below) from 10 to 8 as follows:

- ALM for Adult Social Care and Housing – Cllr Fran Smith
- ALM for Culture and Leisure – Cllr Nicola Clark
- **ALM for Childrens Services and Education Strategy** – Cllr Jo Roundell Greene
- ALM for Localities (LCNs) and Public Health – Cllr Val Keitch
- **ALM for Performance & Communication** – Cllr Tom Deakin
- ALM for Business Strategy – Cllr David Woan
- ALM for Commercial Investment and Risk – Cllr Sarah Wakefield
- **ALM for Climate Change and Travel** – Cllr Oliver Patrick

#### **4. Other Options Considered**

4.1 The only other alternative is not to appoint to the two Lead Member roles and for those responsibilities to be held by the Leader, Deputy Leader or other Lead Members. That option has been discounted due to the significance, portfolios and responsibilities of these two roles. Therefore the proposed appointments to the two roles that are set out in this report reflect the Leader of the Council's wishes and also support the governance of the executive functions of the Council.

#### **5. Links to Council Plan and Medium-Term Financial Plan**

5.1 These recommendations seek to enable good governance for executive functions, effective management of the council's business and ultimately good outcomes for citizens and service users. These arrangements are intended to enhance the Council's ability to effectively pursue its vision as set out in the Council Plan.

5.2 The Executive arrangements of the Council are key elements within the Council's Constitution which is the key governance document of the Council and facilitate delivery of the Council Plan.

#### **6. Consultation and co-production**

6.1 This proposal has been discussed with all members of the Executive and the Monitoring Officer has been informed.

#### **7. Financial and Risk Implications**

7.1 This decision has no additional financial implications for this proposal as funding is already allocated for the Special Responsibility Allowances (SRA) for these two executive Lead Member roles. There will be minor SRA savings from the deletion of two Associate Lead Member roles and reallocation of functions between the remaining eight Associate Lead Members.

7.2 The proposals seek to mitigate the key governance risks of either not having these two Lead Member roles and the roles remaining vacant for a period of time.

#### **8. Legal and HR Implications**

8.1 Under the Local Government Act 2000 and Local Government and Public Involvement Act 2007, the Leader of the Council may appoint the Deputy Leader

and an Executive of his choosing, set the Executive portfolios and decide how executive functions are to be discharged. The size of the Executive (including the Leader of the Council) can be between 3 and 10 members of the Council.

Under Section 9P of the Local Government Act 2000, the Council is required to prepare and keep up to date a Constitution containing the standing orders of the Council and such other information as is required or desirable.

Legislation sets out those functions of the new Council which must not be the responsibility of the Executive and those functions which authorities may decide either to give to the Executive or not – these are referred to as “local choice functions”, other functions are, by default, the responsibility of the Executive. All non-executive functions are for the Council to approve, whereas all executive functions are for the Leader of the Council to approve.

8.2 There are no direct HR implications resulting from this decision.

## **9. Other Implications**

**9.1 Equalities Implications** - The Council's duty under Section 149 of the Equality Act 2010 is to have “due regard” to the matters set out in relation to equalities when considering and making decisions on the provision of services. Members must consider the effect that implementing a particular policy will have in relation to equality before making a decision. It is highlighted that the proportion of women in Lead Member and Associate Lead Member roles has increased to 55% compared to 45% for the 2017-2022 former Cabinet. No specific implications have been identified. An Equalities Impact Assessment is not considered necessary for this decision as there are no direct impacts.

**9.2 Community Safety, Climate Change & Sustainability, Health & Safety, Health & Well-Being and Social Value Implications** - There are no direct Community Safety implications resulting from this decision.

## **10. Scrutiny comments / recommendations:**

10.1 The proposed decision has not been considered by a Scrutiny Committee.

## **11. Background Papers**

- Council's Constitution

- Leader of Council – Appointment of Executive May 2023
- Local Government Acts 1972 and 2000

Report Sign-Off

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	08/12/2023
Finance & Procurement	Jason Vaughan	13/12/2023
Workforce	Dawn Betteridge	N/A
Asset Management	Oliver Woodhams	N/A
Executive Director / Senior Manager	Alyn Jones	12/12/2023
Strategy & Performance	Alyn Jones	12/12/2023
Executive Lead Member	Cllr Bill Revans and Cllr Liz Leyshon	14/12/23
<b>Consulted:</b>		
Local Division Members		N/A
Opposition Spokesperson	Cllr David Fothergill	On publication
Scrutiny Chair	Cllr Martin Dimery	On publication