

Decision Report – Leader Decision

Forward Plan Reference: N/A

Decision Date – July 2024

Key Decision – no



Reallocation of the role – Lead Member for Public Health, Equalities and Diversity

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. This decision included the appointment of Cllr Adam Dance to the role of Lead Member for Public Health, Equalities and Diversity. Cllr Dance requested a temporary leave of absence from his role for the period 23 May – 5 July 2024 as he advised the Leader that he was a prospective parliamentary candidate for the forthcoming General Election on 4 July.
- 1.3 Having been elected as the MP for Yeovil in July 2024, Cllr Dance subsequently advised of his resignation from the Somerset Council Executive (Lead Member for Public Health, Equalities role).
- 1.4 For the period 23 May 2024 – 5 July 2024, the Leader of the Council reallocated the role and associated responsibilities of Lead Member for Public Health, Equalities and Diversity to himself, this decision proposes this reallocation continues indefinitely.

2. Recommendation

That the Leader of the Council allocates the role and responsibilities of the post of Lead Member for Equalities, Diversity and Public Health to himself.

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.

3.2 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.

4. Other Options Considered

4.1 The only other alternative is for the Lead Member role to sit vacant. This option has been discounted due to the significance, portfolio and responsibilities of the role. Therefore the proposed temporary reallocation of the role as set out in this report reflects the Leader of the Council's wishes and also supports 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 a small positive financial implication as there will be a reduction in Special Responsibility Allowance (SRA) payments (as any member, including the Leader, can only be paid one SRA regardless of the number of positions they are appointed to which qualify for an SRA payment).

7.2 The proposals seek to mitigate the key governance risks of leaving the Lead Member role 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 in Health 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.

Legislation sets out those functions of the 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 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 | 09.07.24 |
| Finance & Procurement | Jason Vaughan | 12.07.24 |
| Workforce | Dawn Betteridge | N/A |
| Asset Management | Oliver Woodhams | N/A |
| Executive Director / Senior Manager | Alyn Jones | 15.07.24 |
| Strategy & Performance | Alyn Jones | 15.07.24 |
| Executive Lead Member | Cllr Bill Revans | 11.07.24 |
| | Cllr Liz Leyshon | 12.07.24 |
| Consulted: | | |
| Local Division Members | | N/A |
| Opposition Spokesperson | Cllr David Fothergill | On publication |
| Scrutiny Chair | All for information | On publication |