

**SUPPLEMENTARY REPORT**  
**THE CONSTITUTION – UPDATES**

**Executive Summary**

It was announced at the Executive on 12 September 2024 that the Deputy Leader of the Council, Councillor Will Forster, would be stepping down from his role as Deputy Leader and from his position on the Executive. Councillor Greentree has been appointed to the Executive and a report appears elsewhere on this agenda setting out the implications for the membership of Committees (Agenda Item 12 – Appointments to Committees 2024-25).

The Leader has appointed Councillor Dale Roberts and Councillor Ellen Nicholson as Deputy Leaders of the Council.

To accord with the legislation (the [Local Government Act 2000](#), Schedule A1 – Executive Arrangements in England), minor consequential amendments to the current Constitution will be necessary as a result of the decision to appoint two Deputy Leaders.

The Council is asked to delegate authority to the Monitoring Officer to make the necessary changes to the Constitution. It is proposed that the changes are made in consultation with the Leader of the Council.

**Recommendations**

The Council is requested to:

**RESOLVE That** authority be delegated to the Monitoring Officer in consultation with the Leader of the Council to make any necessary minor amendments to the Constitution arising from the decision to appoint two Deputy Leaders.

The Council has authority to determine the recommendation above.

- Background Papers:** [Local Government Act 2000](#), Schedule A1 – Executive Arrangements in England
  
- Reporting Person:** Kuldip Channa, Principal Solicitor  
Email: [Kuldip.channa@woking.gov.uk](mailto:Kuldip.channa@woking.gov.uk), Extn 3036
  
- Contact Person:** Frank Jeffrey, Head of Democratic Services  
Email: [frank.jeffrey@woking.gov.uk](mailto:frank.jeffrey@woking.gov.uk), Extn 3012
  
- Portfolio Holder:** Councillor Ann-Marie Barker, Leader of the Council  
Email: [cllrann-marie.barker@woking.gov.uk](mailto:cllrann-marie.barker@woking.gov.uk)
  
- Date Published:** 25 September 2024

## Supplementary Report – The Constitution – Updates

### 1.0 Introduction

- 1.1 The Leader of the Council has appointed both Councillor Dale Roberts and Councillor Ellen Nicholson as Deputy Leaders of the Council following the decision of Councillor Will Forster to step down from the Executive and the role of Deputy Leader.
- 1.1 The Local Government Act 2000 states that
- “2(3) The executive arrangements must include provision which requires the executive leader to appoint one of the members of the executive to be the executive leader's deputy (referred to in this paragraph as the deputy executive leader).” and
- “2(7) If for any reason the executive leader is unable to act or the office of executive leader is vacant, the deputy executive leader must act in the executive leader's place.”
- 1.2 To meet the provisions of the Local Government Act 2000, it is proposed that the Constitution is amended to provide clarity for those occasions where two (or more) Deputy Leaders of the Council are appointed.
- 1.3 It should be noted that the approach of appointing two or more Deputy Leaders is not precluded by the Local Government Act 2000 and that a number of Local Authorities have appointed two or more Deputy Leaders

### 2.0 Amendments to the Constitution

- 2.1 The Constitution currently refers to the single role of Deputy Leader of the Council. Minor amendments will need to be made to several sections within the Constitution to ensure the wording allows for one or more Deputy Leaders. It is proposed that these changes are made by the Monitoring Officer in consultation with the Leader of the Council.

### 3.0 Implications

#### Legal

- 3.1 Except where delegated by Council as indicated at paragraph 3.1 variations to the Constitution may only be made by Full Council.
- 3.2 Under Section 9P of the Local Government Act 2000, the Council must prepare a constitution and keep it up to date. It must be available to the public and, under the Local Government Transparency Code 2015, be published on the Council's website. The proposed changes in this report will bring parts of the Constitution up to date to comply with the legislation.

#### Resources (including finance)

- 3.3 There are no resource implications arising from this report.

#### Equalities

- 3.4 There are no equality implications arising from this report.

#### Risk (Corporate Governance)

- 3.5 There are no risk implications arising from this report.

## **Supplementary Report – The Constitution – Updates**

### **4.0 Engagement and Consultation**

4.1 The Leader of the Council and Lead Officers have been consulted on the proposals.

REPORT ENDS