

Subject: Governance Model and decision making arrangements consultation:
- Executive arrangements
- Frequency of elections
- Numbers of ward councillors

Status: For Publication

Report to: Policy Scrutiny
Council

Date: 9th November 2010
15th December 2010

Report of: Director of Business

Portfolio Holder: Finance and Resources

Key Decision: No – Council decision

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

- 1.1 To inform members of the results of the consultation and to enable a recommendation to be made to Council regarding the preferred option for Executive Arrangements, in addition to the frequency of elections and numbers of councillors per ward review.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities:-

- Delivering quality Services to our customers
- Delivering regeneration across the Borough
- Encouraging healthy and respectful communities
- Keeping our Borough clean, green and safe
- Promoting the Borough
- Providing value for money services

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- The duty to review governance arrangements is a statutory requirement and a formal decision is required by 31st December 2010 with implementation following the elections in May 2011.
- Frequency of elections can only be reviewed in 2010 for implementation in May 2011, and can not be reviewed again until 2014 for implementation in 2015. A formal resolution is required by 31st

December 2010 if there are to be any changes to the current frequency of elections arrangements.

- Any changes to the number of councillors per ward would require the Local Government Boundary Commission for England to undertake a review.

4. BACKGROUND AND OPTIONS

4.1 The Local Government and Public Involvement in Health Act 2007 requires the Council to review its governance arrangements. The Council must resolve by 31st December 2010 what these arrangements will be following consultation with the local electorate.

4.2 In addition to this requirement the 2007 Act also gave Council's the option to review the frequency of elections and the numbers of councillors per ward. A requirement of the review was to undertake public consultation, therefore a consultation period was held which included all three items.

4.3 The consultation period was set up in for August/October and feedback could be returned via the web site or using paper based methods and forms were available at the One Stop Shop. Posters were added to the Neighbourhood Notice Boards, community groups were sent information and an advert was placed on the Council web site to inform of the consultation and allow an online response to be given. Whitworth Town Council were also informed and Town Councillors were encouraged to respond individually.

4.4 Consultation responses were collated into a report for members to consider which is attached at **Appendix A**.

4.5 Executive Arrangements:

Two options were available for consideration in relation to Executive Arrangements:

Option 1 – Leader and Cabinet Executive Model

The key features of the Leader and Cabinet Executive model are:

- The Leader to be elected for a four-year term instead of annually – the election will take place at the first meeting of Annual Council following the District Council Elections.
- Two or more (up to a maximum of nine) councillors of the authority must be appointed to the Cabinet Executive by the Leader.
- The Leader is responsible for the allocation and discharge of all executive functions, in the same way that a Council Mayor can under the Mayor and Cabinet Executive model.
- The Leader can discharge any function of the executive, or determine whether the Cabinet, officers or Council committees can discharge executive functions.
- The Leader can be removed from office by a resolution of full Council, but only if the Constitution so allows.

Option 2 – Mayor and Cabinet Executive Model

The key features of the Mayor and Cabinet Executive model are:

- The Mayor is directly elected by the local electorate for a four year term.
- Two or more (up to a maximum of nine) councillors of the authority must be appointed to the Cabinet Executive by the Mayor.
- The elected Mayor cannot chair meetings of full Council (this is the responsibility of the Ceremonial Mayor/Chairman).
- The Mayor is responsible for all executive decisions of the authority.
- The Mayor can discharge any function of the executive, or determine whether the Cabinet, officers or Council committees can discharge executive functions.
- The Mayor cannot be removed by a resolution of full Council during their period of office.

4.6 Frequency of elections:

The Council has the option to remain with the current system or change to whole council elections. It can only consider elections by halves or elections by thirds if this was the previous arrangement. As the Council currently has elections in thirds it can only decide whether to stay with the current arrangement or change to whole council elections. If the Council decides to make changes to the frequency of election it must pass a resolution by 31st December 2010 and implement the changes by May 2011. After 2010 frequency of elections cannot be reviewed again until 2014.

Option 1 – Whole Council Elections

Often referred to as “all out elections”. This would mean that once every 4 years all councillors would be up for election. This would reduce the cost of the election process since the local elections would only take place once every 4 years instead of 3 times every 4 years.

Option 2 – Elections by Thirds

This is the current system which is in operation whereby elections take place in 3 years out of every 4 and one third of councillors are up for election in each of those 3 years. This option would mean no change to the current system and the way in which councillors are elected.

4.7 Numbers of councillors per ward:

The Council has the option to remain with the current system or reduce the number of elected members per ward to either two member wards or one member wards. Any recommendation to change the number of councillors per ward would require the Local Government Boundary Commission for England to undertake a review.

Option 1 – One member wards

This option would mean that there would only be 14 councillors in the Borough, one in each ward.

Option 2 – Two member wards

This option would mean that there would be 28 councillors, two in each ward. This option would only be available if the Council moved to whole council elections (as elections in thirds can only be done if the total number of councillors is divisible by 3).

Option 3 – Same number of members per ward

This would mean staying with 36 councillors and having 8 wards with 3 councillors and 6 wards with 2 councillors.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

- 5.1 With regard to Executive Arrangements there are no significant financial differences in either of the two options as it assumed that the current Member Allowances budget would be redistributed.
- 5.2 With regard to frequency of elections it is estimated that £23.7k pa could be saved.
- 5.3 With regard to the number of members per ward and based on Members current basic allowance of £3.3k pa and assuming no variation to the special allowances budget:
- Option 1 would save £73k pa
 - Option 2 would save £26k pa

6. MONITORING OFFICER

- 6.1 A number of Councils are currently looking at the feasibility of cutting the number of its councillors. The Boundary Committee for England would need to approve any change in wards or boundaries so even if this proposal was agreed the effects wouldn't take effect for up to 2 years.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

- 7.1 No HR implications.

8. CONCLUSION

- 8.1 The purpose of the report is to enable members to review the Council's Executive Arrangements following public consultation and make a formal decision as required by the Local Government and Public Involvement in Health Act 2007.
- 8.2 To also enable members to review and make a decision on the frequency of elections and the number of Councillors per ward following public consultation feedback.

9. RECOMMENDATION(S)

9.1 That Members review the Council's Executive Arrangements following public consultation and recommend one of the following options to Council:

Option 1 – Leader and Cabinet Executive Model

Option 2 - Mayor and Cabinet Executive Model

9.2 That members review the frequency of elections following public consultation and recommend one of the following options to Council:

Option 1 – Whole Council Elections

Option 2 – Elections by Thirds

9.3 That members review the numbers of councillors per ward following public consultation and recommend one of the following options to Council:

Option 1 – One member wards - be recommended to the Local Government Boundary Commission for England.

Option 2 – Two member wards - be recommended to the Local Government Boundary Commission for England.

Option 3 – Same number of members per ward

9.4 That members recommend that any constitutional changes required be delegated to the Director of Business in consultation with the Portfolio Holder.

10. CONSULTATION CARRIED OUT

10.1 Portfolio Holder, Cabinet, Councillors, Management Team, Officers and members of the public.

11. COMMUNITY IMPACT ASSESSMENT

Is a Community Impact Assessment required Yes

Is a Community Impact Assessment attached Yes

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

Is a Biodiversity Impact Assessment attached No

Contact Officer	
Name	Carolyn Sharples
Position	Committee and Member Services Manager
Service / Team	Committee and Member Services
Telephone	01706 252422
Email address	carolynsharples@rossendalebc.gov.uk
Background Papers	
Document	Place of Inspection
Local Government and Public Involvement in Health Act 2007	http://www.opsi.gov.uk/acts/acts2007/ukpga_20070028_en_6#pt3