

**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:** 9<sup>th</sup> November 2010  
15<sup>th</sup> December 2010

**Report of:** Director of Business

**Portfolio**

**Holder:** Finance and Resources

**Key Decision:** Yes

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 formal decision to be made regarding the preferred option for Executive Arrangements, in addition to the consideration of the feedback on 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 31<sup>st</sup> 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 31<sup>st</sup> 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 31<sup>st</sup> 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 Transitional Arrangements and Timescales**

When making the decision on the Executive Arrangements the Council must decide what the transitional arrangements and timescales will be.

4.7 If Option 1 was recommended the Council would need to agree that the current arrangements would remain in force until the third day after the election (8<sup>th</sup> May 2011), whereby the transitional arrangements would take effect until the Leader was elected at the Annual Meeting. The transitional arrangements would be for the existing Leader to continue in office until the Annual Meeting in 2011 with the powers and responsibilities of the new style Leader, irrespective of whether they have been re-elected to the Council. If the Leader no longer commands the support of a majority, the Leader will only exercise their powers in consultation with the Leader of the Majority Group and in agreement with the Council's Chief Executive.

4.8 If Option 2 was recommended the Council would need to agree that the current arrangements would remain in force until the third day after the elections (8<sup>th</sup> May 2011), whereby the new arrangements would take effect following the election of a Mayor.

#### **4.9 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 31<sup>st</sup> 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 – No change**

This would mean remaining with the current system of elections in 3 years out of every 4 and one third of councillors being up for election in each of those 3 years.

#### **4.10 Numbers of councillors per ward:**

The Council has the option to review the number of elected members per ward to either two member wards or one member wards, or to make no decision at the present time and remain with the existing numbers of councillors per ward. 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 – No change**

This would mean staying with 36 councillors (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 £24.5k 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 The Council must review its governance arrangements and resolve by 31<sup>st</sup> December 2010 what these arrangements will be.
- 6.2 If the Council decides to make changes to the frequency of elections, a decision must be made by 31<sup>st</sup> December 2010 and the changes implemented in May 2011.
- 6.3 A number of Councils are currently looking at the feasibility of cutting the number of its councillors. The Local Government Boundary Commission 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 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 Governance Arrangements and agree one of the following options:

**Option 1 - the Mayor and Cabinet Executive Model** - in addition to the transitional arrangements and timescales as detailed at 4.7

**Option 2 - the Leader and Cabinet Executive Model** - in addition to the transitional arrangements and timescales as detailed at 4.8

9.2 That members review the frequency of elections and agree one of the following options:

**Option 1 – Whole Council Elections**

**Option 2 – No change**

9.3 That members review the numbers of councillors per ward and agree one of the following options:

**Option 1 – One member wards**

**Option 2 – Two member wards**

**Option 3 – No change**

9.4 That any changes required to the Constitution in relation to the decisions at 9.1 – 9.3 be delegated to the Director of Business in consultation with the Portfolio Holder.

## 10. CONSULTATION CARRIED OUT

10.1 Portfolio Holder, Policy Scrutiny, Whitworth Town Council, community groups, managers, officers and members of the public.

10.2 The Policy Scrutiny Committee considered the consultation feedback on 9<sup>th</sup> November and made the following recommendations to Council:

1. **Executive Arrangements**

Option 1 The Leader and Cabinet Executive Model.

2. **Frequency of Elections**

Option 2 – Elections by thirds, but with further discussions to be held at Full Council.



## Governance Model and Decision Making Arrangements Consultation Responses

Response Number	Preferred Model		Reasons for Choice	Preferred Elections Frequency Option		Reasons for Choice	Preferred Number of Members per Ward Option			Reasons for Choice
	Leader and Cabinet	Mayor and Cabinet		Whole Council	Thirds		One member wards	Two member wards	Same provision as present	
1	√		Feel this would be the best option, do not really want an elected Mayor.	√		Reduce the frequency of elections and therefore some of the costs.	√			Rossendale has too many Councillors for its size and could operate fine with one per ward and this would assist in saving costs.
2		√	-	√		-		√		-
3	√			√		Saving money and is it necessary to have so many?	√			Too many councillors already.
4	√		Would not want an elected Mayor, as it could end up being anyone with no real knowledge of the role.	√		Would save money.		√		There are too many Councillors in Rossendale, but only one per ward would not be enough, so 2 is preferable.

Totals for Preferred Model	Leader and Cabinet	Mayor and Cabinet	Totals for Preferred Elections Frequency	Whole Council	Thirds	Totals for Preferred Number of Members per Ward Option	One member wards	Two member wards	Same provision as present	
	3	1		4	0		2	2	0	