

<b>COUNCIL</b>	AGENDA ITEM No. 8 (iii) (a)
<b>13 October 2010</b>	<b>PUBLIC REPORT</b>

**NEW EXECUTIVE ARRANGEMENTS UNDER THE LOCAL GOVERNMENT & PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

<b>R E C O M M E N D A T I O N S</b>
<b>FROM : Solicitor of the Council (with endorsement of Cabinet)</b>
That Council:  1. Agrees to adopt the “new style” leader and cabinet model under Part 3 of the Local Government & Public Involvement in Health Act 2007

**1. PURPOSE AND REASON FOR REPORT**

1.1 The Local Government & Public Involvement in Health Act 2007 requires the Council to make changes to its Executive Arrangements by no later than 31<sup>st</sup> December 2010.

**2. BACKGROUND & CONSULTATION**

2.1 This matter was previously reported to Council on 14<sup>th</sup> July, and considered at the adjourned meeting on 26<sup>th</sup> July 2010.

2.2 The Local Government & Public Involvement in Health Act requires the Council to change its executive arrangements from its current leader and cabinet executive because that model is abolished under the 2007 Act, and transitional arrangements do not allow it to be continued beyond May 2011.

2.3 Under the 2007 Act, the Council must choose one of two models:

- elected mayor and cabinet; or
- “new style” leader and executive.

The principal difference between the arrangements currently operated by Peterborough City Council and the new style cabinet and executive model is that the leader would be elected for a 4 year term instead of the current one year.

2.4 When Council last considered this matter, a letter had been received indicating that the government intended to make further changes to executive arrangements, and that though Councils were still required to adopt one of the 2 models permitted by the 2007 Act, and were still required to consult before making a decision, that consultation should be minimal.

2.5 On 26<sup>th</sup> July 2010 Council agreed to carry out a limited public consultation using its website, prior to the matter being reported back to Council.

- 2.6 On 20<sup>th</sup> September 2010 Communities Minister Andrew Stunell made a formal announcement that the government intended to allow Councils to choose their system of governance, which would allow a return to the committee system which existed prior to the Local Government Act 2000 should they wish to do so. Details will be in the Localism Bill expected in November 2010, and the legislation is expected to be in force by November 2011. The Council is therefore required to decide whether to adopt the elected mayor and cabinet model, or the new style leader and cabinet model, with effect from May 2011. Any model adopted may potentially be changed again under new legislation expected in November 2011.
- 2.7 Cabinet considered this matter at its meeting on 29<sup>th</sup> September 2010 and supported the adoption of the new style leader and cabinet model. It rejected the alternative model of elected mayor and cabinet because the Council would need to incur the cost of holding an election for the position of elected mayor. Also, a mayor would be elected for a period of 4 years and this may limit the Council's ability to take advantage of additional changes to executive arrangements which are anticipated in the Government's Localism Bill.
- 2.8 In making this decision, the Cabinet took into consideration the views of those who had responded to the consultation. At that time the response to the consultation was that 36 preferred the elected mayor and cabinet model, and 22 wanted a strong leader and cabinet model. The Cabinet respected the views of those who had responded, but took into consideration that this was a very small percentage of the total electorate (less than 1%) and felt that the better option was the strong leader and cabinet model for the reasons set out in paragraph 2.7 above.
- 2.9 The public consultation ended on 30<sup>th</sup> September 2010. The updated responses are that 25 respondents preferred a directly elected mayor and cabinet, and 43 preferred the strong leader and cabinet. This remains less than 1% of the total electorate of 124,710

### **3 IMPLICATIONS**

#### **3.1 LEGAL**

These are set out in the body of the report

#### **3.2 FINANCIAL**

The strong leader and executive model can be adopted without cost. The directly elected mayor and cabinet model would require an election, which would take place on the same day as the city council elections and the parliamentary referendum. Additional polling clerks would be needed for the larger stations, and the count for the Mayoral referendum would be held on the Friday. It is assumed that the Friday count would be held at the Town Hall with no additional costs for venue. If the person elected as Mayor was also elected as a city councillor at the same time, he or she would have to step down creating a vacancy, which would then necessitate a by election for the vacant local council seat. By-election costs shown below are based on an average ward with 4 polling stations.

The Cabinet Office would expect us to split the costs of polling stations between all elections/referendums being held on the same day reducing the amount that we could claim for the cost of the referendum. This means that we may only be able to claim a percentage of the cost of running the polling stations.

Estimated costs of adopting the directly elected Mayor and Cabinet model are therefore potentially:

Ballot paper costs:	£ 7,300
Postal votes:	£ 19,000
Postal vote opening:	£ 3,600
Poll cards:	£ 2,200
Postage:	£ 30,000
Additional poll clerks:	£ 3,900
Additional ballot boxes:	£ 5,000
Referendum claim Reduction	: £ 20,000
Friday Count:	£ 4,500
By-election:	£ 8,000
TOTAL:	£103,500

#### **4. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Report to Council 14th July 2010 agenda item 7(iii)( c)

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