

COUNCIL

29 JULY 2010

CHANGES TO EXECUTIVE ARRANGEMENTS

Portfolio Holder: Councillor Rodney Chambers, Leader of the Council

Report from: Deborah Upton, Assistant Director Housing and Corporate Services

Author: Julie Keith, Head of Democratic Services

Summary

The purpose of this report is to advise the Council of the outcome of public consultation on new executive arrangements and seek a decision on which of the two available options the Council wishes to propose.

1. Budget and Policy Framework

1.1 The report deals with the requirement in the Local Government and Public Involvement in Health Act 2007 (LGPIHA) for the Council to draw up proposals for a new leadership model. The choice is between an indirectly elected leader, appointed for a four year term, who then appoints councillors to the executive and a directly elected Mayor with a four year term who appoints an executive. This will generate some changes to the Council's Constitution with effect from May 2011.

2. Background

2.1 The Local Government and Public Involvement in Health Act 2007 requires all Councils operating executive arrangements to opt for a new leadership model. The choice is between:

- An indirectly elected leader, appointed for a four year term, who then appoints councillors to the executive or
- A directly elected Mayor with a four year term who then appoints the executive.

2.2 The last day the Council can continue to operate its current arrangements is the third day following the 2011 local elections but it must pass a resolution deciding on the form of its new executive arrangements before 31 December 2010.

- 2.3 Before drawing up formal proposals for new arrangements the Council “must take reasonable steps to consult the local government electors for, and other interested persons” in the Council’s area.
- 2.4 The Council then has to draw up its formal proposal and advertise the proposed new executive arrangements in a local newspaper and make copies available at the civic offices for inspection by the public.
- 2.5 Finally a special meeting of the Council must be convened before 31 December 2010 to pass a resolution adopting new executive arrangements. The resolution has to be advertised with implementation of the new executive arrangements taking place three days after the May 2011 elections.
- 2.6 On 4 March 2010 the Council agreed a timetable for this process involving public consultation between March and June, drawing up of a formal proposal at this Council meeting and a special Council meeting to adopt a new executive arrangement on 25 November, immediately before the ordinary Council meeting on that date (minute no. 644(B)/2010).
- 2.7 The Council decided not to express a preference for one or other of the options in March and agreed that consultation should take place primarily through a survey of the Medway Citizens Panel – which as the panel is representative of Medway’s community will give a representative view, whilst additionally inviting comments from residents through an article in Medway Matters and information on the Council’s website inviting feedback through an on-line survey. As part of the consultation exercise the Council decided to seek views on whether the Council should include a provision in its Constitution which allows for the removal of the Leader by resolution of the Council. Information about the consultation was also provided as a press release to all local media on 10 May 2010 resulting in a news story in The Medway News.

3. Outcome of consultation

- 3.1 The explanatory material and questions posed in the consultation exercise are attached at Appendix 2 to this report. All Group Leaders were fully consulted on the content and format of this material together with the article in Medway Matters. The article signposted readers to the more detailed information on the Council’s website and also offered the option of sending a written response to the Head of Democratic Services. Appendix 3 summarises the results of the consultation and a selection of comments received as part of the feedback.
- 3.2 718 members of the citizens panel responded (a 50% response rate). Of those, 33.7% were in favour of the leader/cabinet model and 29.9% were in favour of the elected mayor model. 36.4% had no preference. Overall this topic has not generated great public interest. A very low level (78) of additional comments have been received, representing 0.04% of the local government electorate in Medway. Of those 18 were in favour of the leader/cabinet model and 59 in favour of the elected mayor model.
- 3.3 The public consultation has not identified clear public desire for change to current arrangements, with the representative survey indicating marginal

support for the leader/cabinet model.

- 3.4 Of those respondents who expressed a preference for a Leader and Cabinet, 94.23% expressed the view that the Council should include provision to enable removal of the Leader by resolution during the four-year term. 1.54% expressed the view that the Council should not include this provision with the remaining 4.23% either not providing a preference or response.

4. Drawing up proposals and next steps

- 4.1 Now that the Council has concluded the consultation on the options for new executive arrangements it must draw up proposals for change, taking into account the extent to which, if implemented, the proposal is likely to assist in securing continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. Appendix 4 sets out a draft proposal for an indirectly elected Leader and Cabinet and appendix 5 sets out a draft proposal for a directly elected Mayor model.
- 4.2 Details of which functions are to be the responsibility of the executive and which are not to be their responsibility must be included in the proposal. Currently, Chapter 3 – responsibility for functions, in the Council's constitution, sets out the responsibility for functions. These are divided by between the executive and Council. In both cases, some functions are subject to onward delegations to employees. In addition, the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) provides additional direction as to the responsibilities for functions between the executive and Council. There is no reason to make any changes at this stage as the current arrangements have been approved by the Council and work well.
- 4.3 The proposals must be advertised in a local newspaper and copies made available at the civic offices before the Council formally adopts a new executive arrangement on 25 November.
- 4.4 Depending on which option is selected by the Council some changes will be required to the Constitution and these will be recommended to the Council at its meeting on 25 November. The election of an Executive Leader would take place at the Annual Council meeting after the local elections in May 2011 or alternatively a directly elected Mayor would be elected at the Council elections in May 2011.

5. Risk management

- 5.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community. The risks associated with this constitutional issue are set out below:

Risk	Description	Action to avoid or mitigate risk
The Council fails to meet the statutory timescale for resolving to adopt new governance arrangements	The Secretary of State will intervene and impose the Leader/Cabinet system if the Council fails to pass a resolution before 31 December 2010	The Council has already agreed a planned timescale for meeting the statutory deadline including a clearly defined period of public consultation
Unbudgeted expenditure in 2011/12 for election of a Mayor if the Council opts for this model of governance	If the Council chooses to move to a Mayoral system of governance the election of a Mayor would have to take place at the same time as the local elections in May 2011	By planning ahead the Council will have a clear idea of which model it wishes to adopt by July and, if necessary, the potential cost of a Mayoral election can be factored into the preparations for setting the Council's 2011/2012 budget.

6. Consultation

- 6.1 This report deals with constitutional changes that are a matter for the full Council. The Monitoring Officer is therefore reporting the matter directly to the Council. The Council agreed the process for public consultation at its meeting on 4 March 2010, the outcome of which is summarised above in paragraph 3.

7. Financial and legal implications

- 7.1 The legislative framework for the required changes to the Council's executive arrangements are contained in the Local Government and Public Involvement in Health Act 2007 and summarised in the body of the report.
- 7.2 There are separate provisions under the Local Government Act 2000 requiring local authorities to draw up proposals which include an elected Mayor (and hold a referendum on those proposals) where a valid petition signed by at least 5% of local electors is received.
- 7.3 Since the Council last considered this matter a new coalition Government has been formed. The Coalition, in its programme for Government, has published a five-year programme which states it will create directly elected Mayors in the 12 largest English Cities and also allow Councils to return to the Committee system should they wish to do so. However in recent advice to a neighbouring local authority, Communities and Local Government (CLG) has stated these changes will require legislation and in the short term, local authorities required to change governance arrangements under the Local Government and Public Involvement in Health Act 2007 remain under a statutory duty to act in accordance with these provisions.

- 7.4 This advice has been reinforced in a letter to Council Leaders from Grant Shapps MP, Minister for Housing and Local Government on 7 July 2010 stating that although the Government also intends to remove the necessity to elect a Leader for four years, requirements for Councils to adopt a new governance model from May 2011 remain in force, i.e. the Council is required to make a decision on either of the proposed models by 31 December 2010. The letter is attached at Appendix 1.
- 7.5 The Minister also asks local authorities to take account of the current financial climate and to incur only minimal expenditure on consultation with local government electors and other interested parties on new governance models.
- 7.6 The cost of public consultation on new executive arrangements in Medway has been contained within existing budgets although there will be some unbudgeted expenditure associated with publication of subsequent statutory notices.
- 7.7 There would be significant additional costs associated with the organisation of the local elections in 2011 if the Council adopted the mayoral system of governance but these would be mitigated by the action set out in the risk analysis. The costs would need to be reflected in the Council's 2011/12 budget.

8. Recommendations

- 8.1 The Council is asked to determine whether to draw up proposals either:
- (i) for an indirectly elected Leader, appointed for a four year term, who then appoints councillors to the Executive or,
 - (ii) a directly elected Mayor with a four year term who appoints an executive and
 - (iii) in so doing, to determine at this stage not to make any changes to the allocation of functions between the executive and Council as set out in the Council's Constitution.
- 8.2 The Council is asked to decide if it would wish to include provision in the Constitution which allows for removal of the Leader by resolution of the Council, if it draws up a proposal for an indirectly elected Leader.
- 8.3 The Council is asked to delegate authority to the Assistant Director, Housing and Corporate Services, to draw up and publish the Council's proposal in an appropriate format to meet the requirements of the Local Government and Public Involvement in Health 2007 Act based on either:
- (i) the draft Leader and Cabinet proposals (appendix 4 to the report) or
 - (ii) the draft directly elected Mayor proposals (appendix 5 to the report).

Lead officer contact

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Appendices

Appendix 1 – Letter from Grant Shapps MP, Minister for Housing and Local Government, to Council Leaders 7 July 2010

Appendix 2 – Consultation material – changes to executive arrangements

Appendix 3 – Summary of outcome of consultation

Appendix 4 – Draft proposals – Leader and Cabinet model

Appendix 5 – Draft proposals – Directly Elected Mayor model.

Background papers

Local Government and Public Involvement in Health Act 2007

New Council Constitutions – A summary of the ELG Research Findings published by DCLG October 2006

Report to Full Council 4 March 2010 – item 11B

Report of Citizens Panel April 2010

Online Survey June 2010

Consultation responses – held by the Head of Democratic Services.



Leaders of Non-Metropolitan District Councils
in England

The Rt Hon Grant Shapps MP
Minister for Housing and Local Government

**Department for Communities and Local
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7 July 2010

Dear Leader

Requirement to consult under the Local Government and Public Involvement in Health Act 2007

I am writing to you about the requirements on your council to adopt a new governance model from May 2011, and before doing so to consult your local electorate and interested parties in the area. Whilst it is for each council to decide how it will meet these requirements, I would wish to highlight the Government's view that councils need not incur any significant expenditure on these requirements, and our expectation in today's circumstances that all councils will pursue this at minimal cost.

These requirements are in the Local Government and Public Involvement in Health Act 2007 and necessarily remain in force unless or until that Act is repealed by fresh primary legislation. It is our intention to do this. For your council the requirements mean that you must resolve by 31 December 2010 to move to either the new leader and cabinet model or mayor and cabinet model, and before so resolving you must take reasonable steps to consult the local electorate and other interested parties in your council's area.

In considering how to approach these requirements you will wish to have regard to the circumstances of today, including both the priority of cutting out all wasteful spending and the Government's commitments to allow councils to return to the committee system, should they wish to, and on elected mayors. We also intend to remove the necessity to elect a leader for four years. We intend to provide for these commitments in our Localism Bill to be introduced later in this Parliamentary session. This may mean that any governance model you adopt in May 2011 may be further changed within a year or so. Your decisions about consultation will also be taken in the context of the greater transparency and openness agenda which I am confident you will be putting in place throughout your council.

Accordingly, the case is strong for any consultation now about future governance arrangements to be the minimal cost option. It will be for each council to decide, but in our view no more than a small newspaper advert/article or press release on your website may be proportionate and right in these circumstances.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Grant Shapps', written in a cursive style.

GRANT SHAPPS MP

Appendix 2

CONSULTATION MATERIAL - CHANGES TO EXECUTIVE ARRANGEMENTS

All local authorities have to adopt executive arrangements which determine how executive decision-making takes place within the Council.

Currently, each year Medway Council's 55 elected Councillors elect a Leader. The Leader then appoints up to nine other councillors to form a Cabinet. The Cabinet is collectively responsible for recommending an overall budget and the policies that make up the Council's policy framework to the Full Council. The Cabinet then delivers and implements the budget and policies that have been decided by the Full Council and is also the focus for forming partnerships with other key organisations to address local needs. The Leader and Cabinet are held to account by Overview and Scrutiny Committees which are made up of Councillors from all the political groups represented on the Council. The Mayor chairs Full Council meetings and has a traditional ceremonial role.

Under the Local Government and Public Involvement in Health Act 2007, local authorities have to reconsider their decision-making arrangements. As a result, Medway Council is required to consider two alternative options for how executive decision-making by Councillors should operate from May 2011.

The two options now available to the Council are:

Option A: Leader and Cabinet

This is similar to the current arrangements, where Full Council elects a Councillor to become the Leader. However under the new law the Leader would be elected for a period of four years instead of just one. Again, as at present, the Leader would appoint up to nine Councillors who would act as Cabinet members. As now, the Leader would decide on the size of the Cabinet and appoint Cabinet members as well as deciding their portfolios of responsibility and the extent to which each Cabinet member could make decisions on an individual basis. The Leader would appoint a Deputy Leader who would also serve a four-year term. Other Councillors would continue to scrutinise the decisions of the Leader and Cabinet and undertake in-depth reviews into topics of local concern.

The Council could also make provision in its constitution for removal of the Leader by resolution.

Option B: Directly elected Mayor and Cabinet

The Mayor would be directly elected by voters in Medway, at the same time as they elect the other Councillors, to serve for a period of four years. The Mayor would then choose a Cabinet of not more than nine Councillors. The remaining elected Councillors would continue to have a role on the Council's Overview and Scrutiny Committees and to hold the directly elected Mayor and Cabinet to account. The Mayor would appoint a Deputy Mayor who would also serve a four-year term. The Council would have to decide whether to continue to have a traditional, civic and ceremonial Mayor and, if so, the position would have to be given another name to differentiate the political Mayor's role from the ceremonial Mayor. Alternatively, the directly elected Mayor could carry out civic and ceremonial functions.

There is no provision for the removal of a directly elected Mayor during the four-year term of office.

The following table directly compares how each of the options differ:

Leader and Cabinet Executives compared with Elected Mayor and Cabinet Executives

	Leader and Cabinet	Elected Mayor and Cabinet
Status	As now, the leader would be elected by the Council in May 2011 from among the 55 Councillors who are elected to serve on Medway Council	The mayor is not a councillor but is directly elected by Medway voters.
Term of office	The leader's term of office would start on the day of his or her election as leader and ends four years later on the day of the post-election annual Council meeting.	The term of office of an elected mayor is expressly said to be four years.
Discharge of functions	The leader may discharge executive functions or may arrange for their discharge by: the cabinet, a member of the cabinet, a committee of the cabinet or an employee of the Council.	The mayor may discharge executive functions or may arrange for their discharge by: the cabinet, a member of the cabinet, a committee of the cabinet or an officer of the authority.
Appointment of Cabinet	The Council's constitution must provide for the leader to determine the number of councillors appointed to the Cabinet but this must be no less than two and no more than ten.	The constitution must provide for the mayor to determine the number of councillors appointed to the Cabinet but this must be no less than two and no more than ten.
Deputy	The leader must appoint a deputy leader, who will hold office as such until the end of the leader's term of office unless he or she resigns as deputy leader, ceases to be a member of the Council, or is removed by the leader. If the office of deputy leader is vacant, the leader must appoint one .	The mayor must appoint a deputy mayor, who will hold office as such until the end of the mayor's term of office unless he or she resigns as deputy mayor, ceases to be a member of the authority, or is removed by the elected mayor. If the office of deputy mayor is vacant, the mayor must appoint one.

	Leader and Cabinet	Elected Mayor and Cabinet
Provisions if unable to act	If the leader is unable to act or the office of leader is vacant, the deputy leader must act in his or her place. If neither the leader nor the deputy leader is able to act, the cabinet must act in the leader's place or arrange for a member of the cabinet to do so.	If the elected mayor is unable to act or the office of elected mayor is vacant, the deputy mayor must act in his or her place. If neither the mayor nor the deputy mayor is able to act, the cabinet must act in the mayor's place or arrange for a member of the cabinet to do so.
Removal	A local authority's constitution may provide for the council to remove the leader by resolution.	No provision.
Appointment of assistants	In the Leader and Cabinet model, there is not a direct equivalent to the power for the Secretary of State to provide for the appointment of a person to provide assistance to an elected mayor. However, the Local Government and Housing Act 1989 contains provisions for the appointment of assistants by political groups.	The Secretary of State may by regulations make provision for or in connection with the appointment of a person to provide assistance to an elected mayor. The (Elected Mayor and Mayor's Assistant) (England) Regulations 2002 have been made to provide for this.
Civic and ceremonial duties	The Council would be entitled to retain a civic and ceremonial Mayor who would chair meetings of the full Council.	The Council could decide to disestablish the position of a civic and ceremonial Mayor. The directly elected Mayor would decide to what extent he or she would wish to perform civic and ceremonial functions. A Councillor would have to be appointed to chair Council meetings if the traditional position of civic and ceremonial Mayor was disestablished

The Council has to consult with local people before deciding which option to propose and will not make a final decision about its future arrangements until a Council meeting on 25 November 2010. This is your opportunity to express an opinion as to which option the Council should adopt.

1) Please tell us which of the two options for how the Council could be run in the future you think would be best for Medway?

OPTION A:
LEADER AND CABINET **Go to Q2**

OPTION B:
DIRECTLY ELECTED MAYOR AND CABINET **Go to Q3**

I do not have a preference **Go to Q3**

2) If you have expressed a preference for a Leader and Cabinet, do you think the Council should include provision to enable removal of the Leader by resolution during the four-year term?

Yes

No

3 If you have any other comments you would like to make on this issue, please do so below:

Appendix 3

NEW EXECUTIVE ARRANGMENTS – SUMMARY OF OUTCOME OF CONSULTATION

Citizens Panel

There were 718 responses received in total which represents 50 % of the total membership of the Panel:

	Indirectly elected Leader	Directly Elected Mayor	No preference (including those who disagreed with both options)/No response	Those who favour provision for removal of Leader by Council
No of responses	242	215	261	227*
%	33.7%	29.9%	36.4%	93.8%*

*There were 242 responses to this question

On-line survey and written responses received in response to article in Medway Matters

There were 78 responses received in total which represents 0.04% of the local government electorate in Medway (please note that one respondent indicated that he wished to formally register his opposition to either proposal):

	Indirectly elected Leader	Directly Elected Mayor	No preference (including those who disagreed with both options)/No response	Those who favour provision for removal of Leader by Council
No of responses	18	59	1	18*
%	23.08%	75.64%	1.28%	100%*

*There were 18 responses to this question

Selection of reasons and comments received from those in favour of an indirectly elected Leader

- Requires less change
- Therefore easier and cheaper to adopt
- Councillors are in a better position to elect a Leader than the public as they would be aware of individual's strengths and weaknesses and the attributes required of a Leader
- Directly elected Mayor could undermine the democratic process and result in conflict between the functions of the Mayor and the majority party group
- Directly elected mayor represents unnecessary layer that could not be removed
- Public have insufficient knowledge of the role to elect the best Mayor
- Extra costs of mayoral option eg "more costly and bureaucratic", "very expensive" and increased costs in both administration and other ancillary costs
- I feel that the Leader and Cabinet option has more stability and will give a more productive and positive approach to the running of Council business.

Selection of reasons and comments received from those in favour of directly elected Mayor

- A more democratic option
- Would help residents feel more involved and empowered
- Mayor would be directly accountable to voters
- Easily identifiable and because of direct accountability may have more interest and concern for views of electorate
- Mayor would have greater prestige and operational freedom and may be separate from anyone political party
- A recognisable high profile figure would encourage civic pride
- Leader model has potential to prevent new individuals from joining the Cabinet e.g. "it seems to me that our current civic leaders are the same little group of people who reshuffle themselves from time to time"
- We have had over ten years' experience of a directly elected Mayor in London. In my view it has worked extremely well. I am certain it is right that there is no provision for the Council to remove a directly elected Mayor, and that this is a strength. It means that the democratic connection between the Mayor and the electorate is undamaged.
- I consider that there must be the greatest link between the Council and the public in all areas. At present, very often the Council seems remote and distant, making decisions that do not represent the view of the public. Whilst a directly elected Mayor does not mean this will improve it does seem to be a better way forward.

Selection of general comments

- There should be provision for the Council to remove the Mayor or Leader from office
- The whole Council should be able to choose the Cabinet – otherwise the Leader could fill it with his cronies
- Whoever leads should be honest and educated and elected by people who are the community
- Both models appear to invest a huge amount of power in very few people – brings the purpose of overview and scrutiny members into question
- Selected option should be economical, provide political transparency, enable voices to be heard and be responsive to a diverse community
- Medway should not have an elected Mayor, but neither do I like local government by diktat of the council cabinet. Members of all parties, or not parties at all, should sit on the council committees
- There should be provision for removing said Mayor if they are not up to the job.
- The election of a Mayor, accompanied by an increase in necessary staff, would just be another financial burden on hard-pressed residents.
- This survey has not been advertised widely enough. Please remedy this quickly or extend the consultation
- Needs to be better advertised. I don't know anyone who was aware consultation was happening.
- Some real publicity of this vote/decision process would be welcome, or have the Council already made up their minds.
- It would be nice to have a ceremonial mayor in the same lines as now, a elected mayor as he or she will be busy running the council he or she would not have the time to carry out ceremonial duties as well therefore the two roles should be separate

Appendix 4 – Draft proposals – Leader and Cabinet Model

DRAFT NOTICE

New executive arrangements – the Council's proposals

Medway Council, in accordance with the requirements of section 33E of the Local Government Act 2000, has drawn up the following proposals for changes to its governance arrangements with effect from May 2011.

At its meeting on 29 July 2010, the Council indicated that its preferred model is the new-style Leader and Cabinet form of Executive, in accordance with section 11 of the Local Government Act 2000.

Before drawing up proposals for the change in governance arrangements, the Council undertook a consultation exercise to gather the views of local people on the choice of the executive model and the outcome of this was reported to Council on 29 July 2010.

In drawing up these proposals, the Council has considered the extent to which the proposals, if implemented, would be likely to assist in securing continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

The proposals will be considered at an Extraordinary Council meeting on 25 November 2010. The key features of the proposals are:

1. Under the new arrangements, the Leader will be elected by the Council at its Annual Meeting on 25 May 2011, after the local government elections on 5 May 2011. The Leader will hold office for a four year term unless he or she resigns or ceases to be a Councillor.
2. The Leader will be responsible for appointing the Deputy Leader. Unless he or she resigns or ceases to be a Councillor they hold this office for the term of the Leader.
3. The Leader may, if he or she thinks fit, remove the Deputy Leader from office.
4. The Leader will be responsible for appointing the other Executive Members, subject to the statutory maximum of ten, and for determining their Portfolios.
5. The Council may, by resolution, remove the Leader during his or her four year term of office.
6. The allocation of local choice functions between the Executive and the Council will continue as set out in the Council's current Constitution.
7. The Council will be asked to agree the detailed changes to the Constitution on 25 November 2010 to give effect to these proposals.

The proposals will come into effect on the third day after the local government elections on 5 May 2011. In terms of transitional arrangements for the implementation of the proposals, the existing form of Leader and Cabinet Executive arrangements will continue in operation until the third day after the 2011 local government election. The necessary amendments to the Council's constitution, to give effect to the changes, will be made in preparation for implementation following the 2011 local government elections, and agreed by Council on 25 November 2010.

Timetable

August 2010 – proposals publicised in accordance with legislation.

25 November 2010 – report to an Extraordinary Council meeting outlining response to the publicity, seeking a resolution to move to new executive arrangements and to amend the constitution to give effect to the proposed changes.

May 2011 – new form of Executive shall operate on the third day after the local government elections.

Neil Davies
Chief Executive
Medway Council

Dated:

Appendix 5 – Draft proposals – Directly elected Mayor Model

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New executive arrangements – the Council's proposals

Medway Council, in accordance with the requirements of section 33E of the Local Government Act 2000, has drawn up the following proposals for changes to its governance arrangements with effect from May 2011.

At its meeting on 29 July 2010, the Council indicated that its preferred model is the Directly Elected Mayor and Cabinet form of Executive, in accordance with section 11 of the Local Government Act 2000.

Before drawing up proposals for the change in governance arrangements, the Council undertook a consultation exercise to gather the views of local people on the choice of the executive model and the outcome of this was reported to Council on 29 July 2010.

In drawing up these proposals, the Council has considered the extent to which the proposals, if implemented, would be likely to assist in securing continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

The proposals will be considered at an Extraordinary Council meeting on 25 November 2010. The key features of the proposals are:

1. Under the new arrangements, the Mayor will be elected by the holding of a local election on 5 May 2011. The Mayor will hold office for a four year term.
2. The Mayor will be responsible for appointing the Deputy Leader. Unless he or she resigns or ceases to be a Councillor they hold this office for the term of the Leader.
3. The Mayor may, if he or she thinks fit, remove the Deputy Leader from office.
4. The Mayor will be responsible for appointing the other Executive Members, subject to the statutory maximum of ten, and for determining their Portfolios.
5. The allocation of local choice functions between the Executive and the Council will continue as set out in the Council's current Constitution.
6. The Council will be asked to agree the detailed changes to the Constitution on 25 November 2010 to give effect to these proposals.

The proposals will come into effect on the third day after the local government elections on 5 May 2011. In terms of transitional arrangements for the implementation of the proposals, the existing form of Leader and Cabinet Executive arrangements will continue in operation until the third day after the 2011 local government election. The necessary amendments to the Council's constitution, to give effect to the changes, will be made in preparation for implementation following the 2011 local government elections, and agreed by Council on 25 November 2010.

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May 2011 – new form of Executive shall operate on the third day after the local government elections.

Neil Davies
Chief Executive
Medway Council

Dated: