

Report of	Meeting	Date
Chief Executive (Introduced by the Leader of the Council)	Full Council	13 April 2010

EXECUTIVE AND ELECTORAL ARRANGEMENTS – REVIEW

PURPOSE OF REPORT

1. To report to members the results of the Consultation Exercise, that sought the views of residents as to the proposed Executive and Electoral Arrangements, and ended on 31 March 2010.
2. To invite members to consider Executive arrangements and to adopt either, a Strong Leader and Cabinet arrangement or an Elected Mayor and Cabinet arrangement.
3. To invite members to consider Electoral arrangements and to either continue with elections by thirds or move to all out elections.

RECOMMENDATION(S)

4. 4.1 That based on the results of the consultation the Council be recommended to adopt the Strong Leader with Cabinet arrangement to be effective from May 2011.
- 4.2 That based on the results of the consultation the Council continue to hold local elections by thirds.

EXECUTIVE SUMMARY OF REPORT

5. The Local Government Act 2000 and Local Government and Public Involvement in Health Act 2007 require the Authority to consider their Executive and Electoral Arrangements. The Authority has to resolve to adopt either a strong leader and cabinet or an elected mayor and cabinet; and consider whether to retain the current electoral arrangements or to move to all out elections.
6. There is a requirement to consult the electorate for Chorley Borough to establish their views on the proposed arrangements.
7. The consultation exercise responses indicate a higher level of support for ‘a new style “strong leader” and cabinet executive’ than for a ‘directly elected mayor and cabinet’ model. Respondents also showed greater support in favour of election by thirds as opposed to the introduction of out elections for all wards once every four years.
8. The resolutions must be passed by 31 December 2010.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

8. It is a legal requirement to pass the necessary resolutions by 31 December 2010.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9. There are no alternatives, the Authority is obliged by statute to pass the necessary resolutions.

CORPORATE PRIORITIES

10. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities	X	Ensure Chorley Borough Council is a performing organization	X

BACKGROUND

11. Parts 2 and 3 of the Local Government and Public Involvement in Health Act 2007 require all Local Authorities to consider and pass resolutions concerning their executive and electoral arrangements.
12. Authorities are required to consider whether they wish to have either:-
- (a) A Strong Leader and Cabinet Executive; or
 - (b) An Elected Mayor and Cabinet Executive.⁽¹⁾
13. They are further required to consider whether the Authority wishes to either maintain their current electoral arrangements, for Chorley this is elections by thirds, or change to all out elections.⁽²⁾
14. As part of the decision making process relating to the executive arrangements, Local Authorities are required to consult the local government electors in the authorities area before drawing up proposals for the resolution.⁽³⁾ However, there is only a requirement to consult electors on the electoral arrangements if it is intended to change them.⁽⁴⁾ The Council decided however to consult on this in any event to establish public opinion.
15. The Act requires that the resolution must be passed by District Councils by 31 December 2010.⁽⁵⁾

CONSULTATION PROCESS

16. The following exercises have been undertaken in the Consultation
- Direct Approach to all Citizen Panel Members
 - Web-Based questionnaire
 - Direct Approach to Parish Councils
 - Advertising in Local Press

17. In addition all comments and representations received by the Council relating to the consultation will be considered.

EXECUTIVE REFORM

Strong Leader and Cabinet

18. This model is defined in the 2007 Act as an executive consisting of:-

- (a) a councillor of the authority elected as leader of the executive by the authority; and
- (b) two or more councillors of the authority appointed to the executive by the executive leader.

19. Other key features of the model include the following: -

- the executive leader makes the arrangements for the discharge (e.g. by officers) of the functions which (under regulations) are the responsibility of the executive.
- the leader is elected at a post election annual meeting
- the leader's term of office is for the remainder of his term as a councillor a period of up to four years, but the executive arrangements may include provision for the Council to remove the leader by resolution before then.
- the executive leader must have the power to be able to determine the number of councillors which may be appointed to the executive (although this must be at least two, but cannot exceed 9 unless the Secretary of State increases the maximum in regulations)
- a deputy executive leader must be appointed by the executive leader, and the deputy will hold office until the end of the term of office of the executive leader (although the deputy may be removed by the executive leader at any time but, if so, there would have to be a replacement).
- The position of ceremonial mayor would be retained.

Elected Mayor and Cabinet

20. As indicated this remains the same as the Model introduced by the 2000 Act. It is defined as an executive consisting of:-

- (a) an elected mayor of the authority; and
- (b) two or more councillors of the authority appointed to the executive by the elected mayor.

21. Other key features of the Model include the following:-

- the term of office of an elected mayor is four years and the executive arrangements cannot include provision for the Council to remove the elected mayor
- the mayor is elected on the ordinary day of elections (eg 5 May 2011 is the next relevant election date for Chorley's purposes)
- the elected mayor makes the arrangements for the discharge of the authority's executive functions (i.e. who is to discharge those functions - the elected mayor, the

executive, another member of the executive, a committee of the executive, or an officer of the authority)

- the elected mayor must be able to determine the number of councillors who may be appointed to the executive (subject to the statutory minimum (2) and maximum (9) unless the Secretary of State increases the maximum permitted)
- the elected mayor has to appoint one of the members of the executive to be his deputy. The deputy mayor, unless he resigns or ceases to be a member of the authority, will hold office until the end of the term of office of the elected mayor (although the deputy mayor may be removed by the elected mayor at any time, but if so, another person must be appointed in his place)
- the mayor would be elected directly by the whole electorate every four years, unlike the Leader an elected Mayor would NOT represent a ward.
- the position of ceremonial mayor would be retained although the name of the position would have to change.

ELECTORAL REFORM

Current Position

22. Chorley Council presently has elections by thirds on a 4 year cycle.
23. For each of the first 3 years one third of the Council Seats are up for election. When elected each Councillor serves for a period of 4 years. In the 4th year of the cycle County Council elections are undertaken.

Alternative – All Out Elections

24. The alternative model means that Chorley Council would have elections once every 4 years with all Council Seats being up for election.

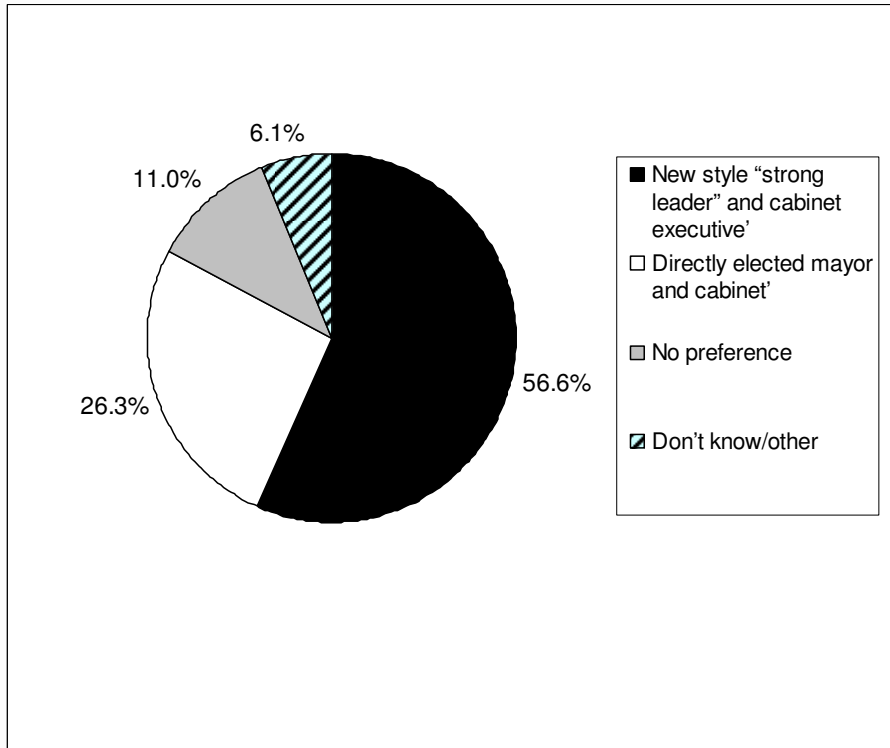
- (1) Local Government and Public Involvement in Health Act 2007 section 62
- (2) Local Government and Public Involvement in Health Act 2007 part 2
- (3) Local Government Act 2000 section 25
- (4) Local Government Act 2000 section 33
- (5) Local Government Act 2000 section 330 (O)

RESULTS OF THE CONSULTATION

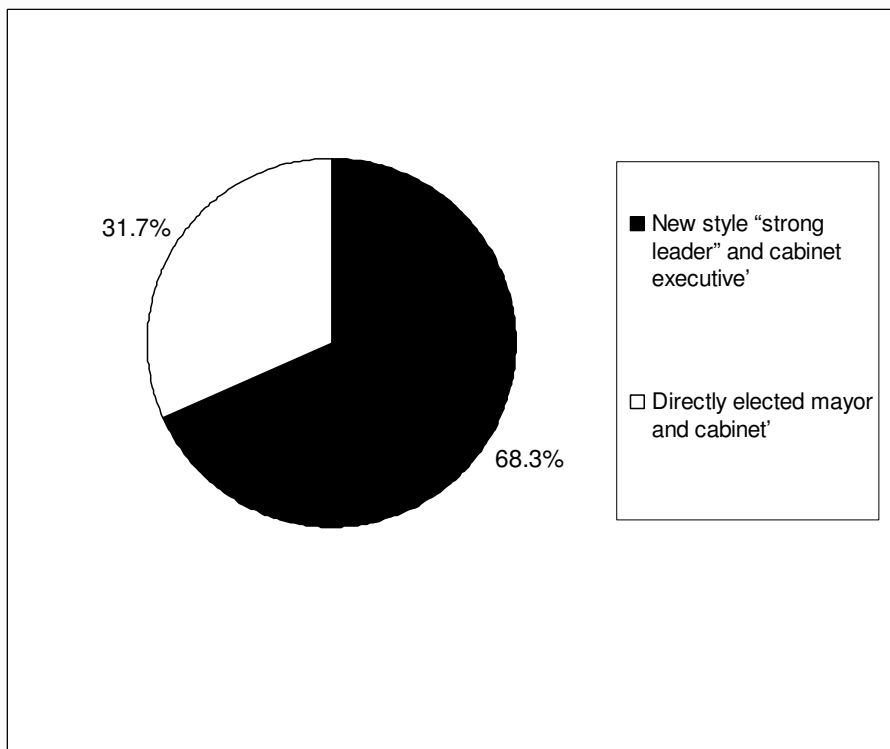
25. As identified above the Council adopted a multi-layered approach to the consultation. Responses were received through a web-based questionnaire, from paper-based consultation packs and letters received from the public following advertising in the local press. A separate postal consultation of the 1100 Citizen Panel Members was undertaken to gain further insight into wider public opinion as similar consultation exercises in other areas had received low response levels.
26. In total 437 residents responded to the consultation, the results of which are set out below. Note: the numbers below may not total 437 as some residents only wished to provide a response or comment on one of the choices and not both.

EXECUTIVE ARRANGEMENTS

27. When the combined consultations are considered 56.6% of residents (241) favoured 'Option 1 – a new style "strong leader" and cabinet executive' 26.3% (112) were in favour of 'Option 2 – a directly elected mayor and cabinet'. The remaining 17.1% (26) expressed 'no preference' or 'don't know' or 'other'.

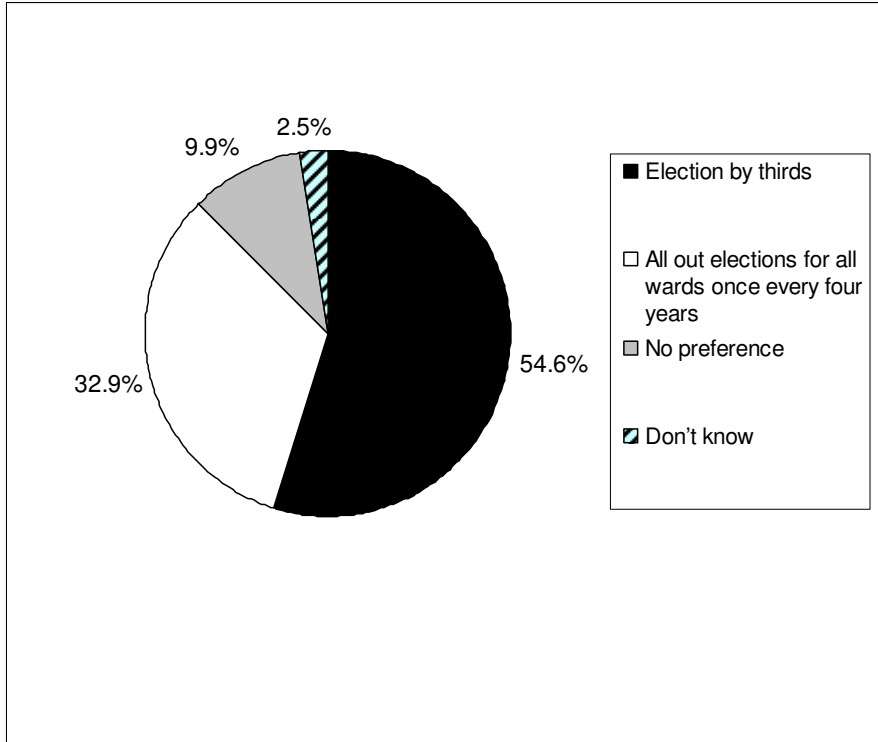


28. Of those who made a positive selection (i.e. excluding no preference/don't know /other responses); 68.3% of residents favoured 'Option 1 – a new style "strong leader" and cabinet executive' and 31.7% were in favour of 'Option 2 – a directly elected mayor and cabinet'.

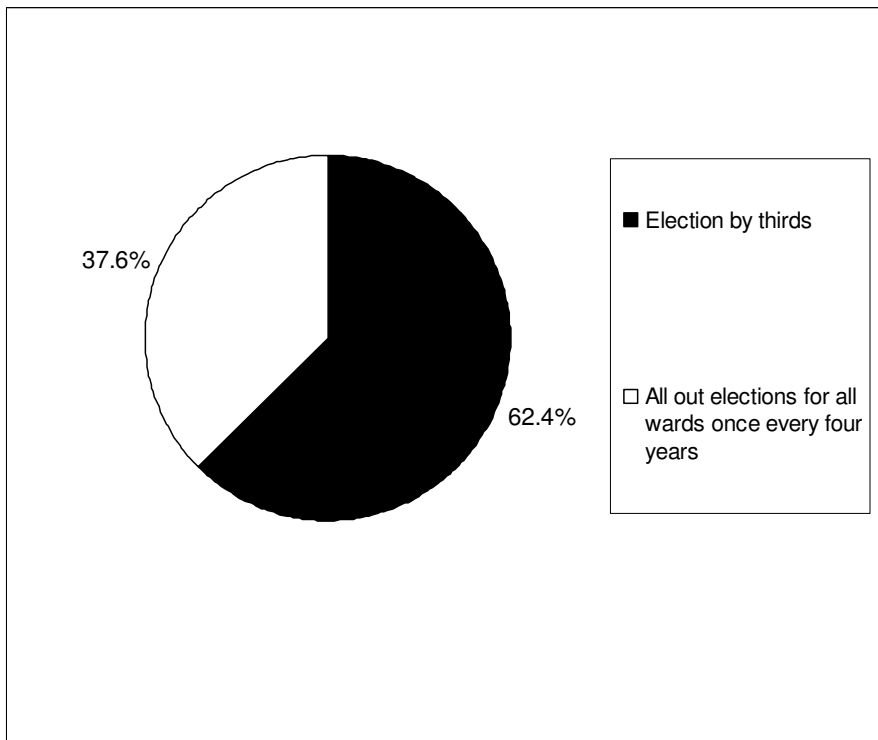


ELECTORAL ARRANGEMENTS

29. When the combined consultations are considered of 54.6% of residents (237) favoured retention of election by thirds while 32.9% (143) were in favour introducing all out elections for all wards once every four years. The remaining 12.4% (54) expressed 'no preference' or 'don't know'.



30. Of those who made a positive selection 62.4% of residents favoured election by thirds while 37.6% were in favour introducing all out elections for all wards once every four years.



IMPLICATIONS OF REPORT

40. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	X	No significant implications in this area	

COMMENTS OF THE MONITORING OFFICER

41. It is a legal requirement to have resolved to adopt one of the proposed model executive arrangements and whether to retain existing electoral arrangements or to change to all out elections by 31 December 2010. The required consultation has been undertaken and members are, subject to any requests for additional information, in a position to make the necessary resolutions.

DONNA HALL
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Chris Moister / David Wilkinson	5160	1 April 2010	***