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| Title of Report: | Stronger Leader and Cabinet Model – Outcomes of Consultation |
| Report to be considered by: | Council |
| Date of Meeting: | 9 December 2010 |
| Forward Plan Ref: | C2003 |

Purpose of Report: To advise Members of the outcome of the consultation undertaken by Democratic Services on the Stronger Leader and Cabinet Model.

Recommended Action: For Members to note the consultation, and adopt the Stronger Leader Model.

Reason for decision to be taken: West Berkshire Council is required by law to consult local residents. The Council is also required by new legislation to adopt this policy.

Other options considered: The option of a Mayor and Cabinet system was discussed in 2001/2002, but this was decided against.

Key background documentation: Local Government Public Involvement in Health Act 2007

The proposals will also help achieve the following Council Plan Theme:
 CPT12 - Including Everyone

| Portfolio Member Details | |
|---------------------------------------------|----------------------------------------------|
| Name & Telephone No.: | Councillor Graham Jones - Tel (01235) 762744 |
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| Date Portfolio Member agreed report: | 12 October 2010 |

| Contact Officer Details | |
|--------------------------------|------------------------------------|
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Implications

Policy: There are Implications if the Stronger Leader Model is not adopted, due to the current system no longer being valid come the next election.

Financial: None

Personnel: None

Legal/Procurement: To ensure compliance with the Local Government and Public Involvement in Health Act 2007 the subsequent direction from government.

Property: None

Risk Management: None

Equalities Impact Assessment: Stage 1 completed, not needed to progress further.

| Is this item subject to call-in? | Yes: <input type="checkbox"/> | No: <input checked="" type="checkbox"/> |
|------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------------------|
| If not subject to call-in please put a cross in the appropriate box: | | |
| The item is due to be referred to Council for final approval | <input checked="" type="checkbox"/> | |
| Delays in implementation could have serious financial implications for the Council | <input type="checkbox"/> | |
| Delays in implementation could compromise the Council's position | <input type="checkbox"/> | |
| Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months | <input type="checkbox"/> | |
| Item is Urgent Key Decision | <input type="checkbox"/> | |

Executive Report

1. Introduction

- 1.1 On 29 July 2010 Council agreed to undertake a consultation exercise with residents, partnerships and parish councils in regard to specific parts of the Council's Governance arrangements. This arose from the legal requirement in the Local Government and Public Involvement in Health Act 2007 which stated from May 2011 that unitary authorities and county councils will only be able to have one of two forms of governance - the Strong Leader Model or the Elected Mayor Model. The Elected Mayor Model was discounted at a West Berkshire council full Council meeting in 2001/2002.
- 1.2 The Council's view, following the July 2010 meeting, was that the Strong Leader model is the preferred because option because:
- a) The Strong Leader and Executive/Cabinet Model preserves the links with the councillors and representation of wards in the present political system;
 - b) The Elected Mayor Model introduces the prospect of personality into local politics which although it may be conducive to city government is less appropriate in a rural district such as West Berkshire;
 - c) A Strong Leader can be removed by the Council during the term of four years and this is an important constitutional safeguard.
- 1.3 The consultation proceeded as planned and the Council consulted the following groups in the following ways:
- a) The Strong Leader Model report was available on the Council's website;
 - b) The consultation was placed onto the Council's consultation website, and the website address was issued in "A Great Place to Live";
 - c) Letters were sent out to all Parish Councils asking for their feedback;
 - d) The Local Strategic Partnership Management Board were also asked for their feedback.

2. Key Issues

- 2.1 Six residents responded. Four of the responders requested keeping the system as it was and two wished to change to the Strong Leader Model.
- 2.2 Nine of the Parish Councils in the district responded, six wished to keep the current system as it is, whereas two understood the requirement from Central Government to change the system and voted for the Strong Leader Model. Newbury Town Council did not deliver any comments, apart from that it was not in their interest to comment. Responses are set out in Appendix A to this report.
- 2.3 The Local Strategic Partnership Management Board had no comments in respect of the Strong Leader Model.

- 2.4 In comparison to feedback received by other Councils, the level of response received in West Berkshire Council was average. Birmingham City Council had 0 responses; Spelthorne had 9, whereas Surrey County Council had 158 responses.
- 2.5 Given that such a small percentage of people responded to the Consultation it could be speculated that more people understood the position that the Council found itself in and accepted the Council's view that the Strong Leader Model was to be preferred. Alternatively, it may be that the issue did not engage residents.

3. Options Analysis

The current government in, *The Coalition: Our Programme for Government* signalled that it would allow local authorities to return to the committee system should they wish to do so. A report has been considered and agreed by the Governance and Audit Committee concerning the establishment of a working group to decide and discuss ways of future governance for West Berkshire. The outcome of the working group may therefore impact on the future Governance arrangements of the Council and therefore the model dopted.

The Mayoral System is not an option due to it being ruled out previously, and staying with the current system is also not an option.

4. Conclusion

- 4.1 The response to this consultation exercise produced relatively few responses, however, whilst two members of the public and two Parish councils supported the current system of electing the Leader on an annual basis; all Members supported moving to the new system of electing the Leader on a four yearly basis in accordance with the Local Government Public Involvement in Health Act 2007.

Appendices

Appendix A – Consultation Feedback.

Consultees

Local Stakeholders: Parish Councils, Residents & West Berkshire Partnership Board

Officers Consulted: Corporate Board

Trade Union: N/A

Appendix A

| Who | Method | Comments |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| District Councillors | Members unanimously agreed to support the Strong Leader Model (SLM) at Council on 29/7/10, and agreed for it to go to Consultation. | None |
| West Berkshire Partnership | 9 th September WBP meeting – informed board of changes and the choices. Asked for their comments. | Made a comment regarding the adoption of the mayoral system. It was explained this was not an option. |
| Parish Councillors | Written letter, send them the information of the strong leader model – explain it is law etc, give them web address to take part in consultation. | Heard back from 9 Parish Councils. 8 Gave opinions. Most saw no benefit to change, and that the current arrangement was satisfactory. Greenham made comments about returning to committee system. 2 Parish Council's wished to adopt Strong Leader model. |
| Residents | Put onto West Berkshire Council website, article in magazine. | Dispatched last week of August and first week of September. 6 residents replied via consultation, 4 were for keeping the system as it was, 2 were for the Strong Leader model. |