

REPORT TO: Executive Board

DATE: 2 December 2010

REPORTING OFFICER: Strategic Director – Resources

SUBJECT: Review of the Council's Governance Arrangements

WARDS: Borough Wide

1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to complete the final stage in the process of adopting the Council's new model of governance in accordance with the Local Government and Public Involvement in Health Act 2007.

2.0 RECOMMENDATIONS:

- (1) That Executive Board recommend to Council that the Leader with Cabinet model of governance, as contained in the proposals attached as Appendix 1, be adopted with effect from the third day after the ordinary election of Councillors in May 2011; and**
- (2) That Council incorporate a provision in the Constitution allowing for the removal of the Leader by resolution**

3.0 BACKGROUND

3.1 Part 2 of the Local Government Act 2000 introduced a new decision-making framework, which required the majority of local authorities to put in place executive arrangements involving the creation and operation of one of three different forms of executive.

3.2 Section 62 of the Local Government and Public Involvement in Health Act 2007 amended the provision of the Local Government Act 2000, compelling local authorities to adopt one of two new governance models – either a 'new style' Leader and cabinet executive or a Mayor and cabinet executive

3.3 At its meeting on 20 October 2010, following a formal public consultation process, the Council agreed proposals outlining the Leader and Cabinet Executive as its preferred governance model, which are attached as Appendix 1. Members also considered the option to incorporate a provision in the Constitution to allow for the removal of the Leader by resolution prior to the expiry of his or her term of office. Since then, the proposals have been published on the Council's

website as required. There have been no representations following this process.

- 3.4 In accordance with the Act, the Council is now required to resolve formally that the new model of governance, as set out in the proposals, be adopted with effect from the third day after the ordinary election of Councillors in May 2011.

4.0 POLICY IMPLICATIONS

- 4.1 There are no policy implications associated with this report.

5.0 OTHER IMPLICATIONS

- 5.1 There are no other implications associated with this report.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

None

6.2 Employment, Learning and Skills in Halton

None

6.3 A Healthy Halton

None

6.4 A Safer Halton

None

6.5 Halton's Urban Renewal

None

7.0 RISK ANALYSIS

- 7.1. The Council must ensure that it has an appropriate governance framework in place to comply with the new requirements. Failure to do this could have potentially significant consequences for the Authority in relation to external assessments and public confidence.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 There are no Equality and Diversity issues associated with this report.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Local Government and Public Involvement in Health Act 2007	Legal Services, Municipal Building Kingsway Widnes	Christine Lawley or Mark Reaney

APPENDIX 1

THE COUNCIL'S PROPOSED GOVERNANCE ARRANGEMENTS

Leader with Cabinet

The Leader and Cabinet Executive (England) model is very similar to the Council's current arrangements in that the Leader is appointed by the remaining Councillors at a full Council meeting. This appointment will be for a term of office which lasts until the Annual Meeting after the Leader's normal day of retirement as a Councillor (although, in certain circumstances, the term of office could end before this statutory period). The Leader will then appoint his/her own Cabinet and decide the Cabinet Members' areas of responsibility.

Provision will be made in the Constitution to deal with the circumstances such as the Leader wishing to retire or step down, political change, or the Council wishing to remove the Leader from office.