

 Council 1 December 2010		Agenda Item No. 13
Title	Leadership Model	
For further information about this report please contact	Graham Leach, Senior Committee Services Officer & Deputy Monitoring Officer	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	
Date and meeting when issue was last considered and relevant minute number	Executive 26 May 2010 – Minute 3 Council 14 July 2010 – Minute 23	
Background Papers	Local Government and Public Involvement in Health Act 2007	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	287

Officer/Councillor Approval		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant Deputy Chief Executive, Head of Service, Finance, Monitoring Officer and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		
Head of Service		
CMT		
Section 151 Officer		
Monitoring officer	3/11/2010	Andrew Jones
Finance		Mike Snow
Portfolio Holder(s)		
Consultation Undertaken		
In accordance with the legislation an advert was placed in a local newspaper and comments invited. All Parish & Town Councils and Community Forums within the District were notified and their comments invited. The consultation was also advertised on the Council's website with an online poll available for people to express their preferred choice.		
Final Decision?	Yes	
Suggested next steps (if not final decision please set out below)		

1. **SUMMARY**

- 1.1 The report details the outcome of the public consultation on the preferred Leadership model that has to take effect for the Council from 5 May 2011.

2. **RECOMMENDATION**

- 2.1 This Council adopts the "new-style" Leader and Cabinet executive model to commence after its elections May 2011 and from that time Constitution be amended to enable:
- A Leader be appointed by the Council from among its elected councillors for a four year period;
 - The Leader must decide either to carry out the Council's executive functions or delegate executive functions to the Cabinet (that shall be known as the Executive), its members or Council officers;
 - Two but no more than nine Councillors be appointed to the Executive by the Leader (the Executive shall comprise of no more than ten members including the Leader); and
 - The Leader ceases to hold the position of Leader:
 - (i) at the Annual meeting after their 4 year period expires;
 - (ii) when the Council removes them from the position (which can be at any time);
 - (iii) they resign from the position;
 - (iv) they are suspended from being a councillor (although they can resume the position at the end of the suspension); or
 - (v) or they cease to be a Councillor.

3. **REASONS FOR THE RECOMMENDATION**

- 3.1 Under the Local Government and Public Involvement in Health Act 2007 the Council has to adopt either "new-style" Leader and Cabinet or Elected Mayor and Cabinet. The Council had agreed at its meeting in July 2010 that its preferred option would be "new-style" Leader and Cabinet and consultation was undertaken on this basis. There was a favourable response to the 'new-style' Leader and Cabinet model and no written support for the Elected Mayor and Cabinet approach.

4. **ALTERNATIVE OPTION CONSIDERED**

- 4.1 The Council could decide to follow the Elected Mayor and Cabinet option but this would require a referendum of the District before the local elections in may to establish if there was or was not support for this model. If this was favourable there would be a further election in May 2011 to elect the Mayor along with 46 Warwick District Councillors.

5. **BUDGETARY FRAMEWORK**

- 5.1 There would be no additional cost of the "new-style" Leader and Cabinet model unless the Leader decided to appoint nine additional members to the Executive and therefore there would be an increase in Special Responsibility Allowances paid by this authority. The Elected Mayor model would require a referendum before May 2011 which would be at a cost to this authority in the region of £125,000. There would also be a further cost of running a Mayoral election in addition to the Council election in May 2011 along with a need to revise the Members' Allowances scheme to consider the revised responsibilities.

6. **POLICY FRAMEWORK**

- 6.1 The Council is required to amend its executive leadership model by law and has undertaken the consultation required by the legislative guidance. The consultation undertaken enables the Council to maintain its values of openness and transparency in its decision making.

7. **BACKGROUND**

- 7.1 New legislation requires Warwick District Council to adopt a new governance model for its executive leadership model. This has to take effect from the Council elections in May 2011.
- 7.2 This can be either a "new style" Leader and Cabinet or an elected Mayor and Cabinet. An overview of these two approaches is set out below:

A "new-style" Leader and Cabinet executive involves:

- A Leader be appointed by the Council from among its elected councillors for a four year period;
- The Leader must decide either to carry out the Council's executive functions or delegate executive functions to the Executive, its members or Council officers;
- Two but no more than nine Councillors be appointed to the Executive by the Leader (the Executive shall comprise of no more than ten members including the Leader); and
- The Leader ceases to hold the position of Leader:
 - (i) at the Annual meeting after their 4 year period expires;
 - (ii) when the Council removes them from the position (which can be at any time);
 - (iii) they resign from the position;
 - (iv) they are suspended from being a councillor (although they can resume the position at the end of the suspension); or
 - (v) or they cease to be a Councillor.

An elected Mayor and Cabinet executive involves:

- A Mayor is directly elected by the electorate for a four year period;
- Proposals to adopt this model are subject to a public referendum;
- At least two Councillors must be appointed to the Executive by the Mayor;
- The Mayor must decide either to carry out the Council's executive functions or delegate executive functions to the Executive, its members or Council officers;
- A Mayor cannot be removed during their term of office, however they could resign.

- 7.3 The consultation period ran from 1 August 2010 – 22 October 2010. As part of this there was an online poll on the website. Less weight needs to be applied to this because it was open to any person responding. 53 votes were cast and the results of which were:

- "New-style" Leader and Cabinet model - 29 votes
- Elected Mayor and Cabinet model - 24 votes

- 7.4 Responses to the consultation were received from Kenilworth Town Council, Old Milverton & Blackdown Joint Parish Council, Norton Lindsey Parish Council, Whitnash Town Council and Lapworth Parish Council all of which preferred the

"new-style" Leader and Cabinet model. In addition Old Milverton & Blackdown expressed the opinion that they would prefer to keep the current arrangements but appreciated that we could not.

- 7.6 There were five representations about the consultation received from members of the public which are summarised below:
1. One requested that no matter which option is chosen the title of Mayor should not be used and that the title of Leader is not high profile enough. Therefore perhaps using the title of District Mayor;
 2. One disagreeing with both options because the Cabinet and Leader model would see the Leader of the Council appointing who he favoured to the role and then the Leader could appoint some of his compatriots to the Cabinet. They objected to the Elected Mayor because of what has happened in Stoke on Trent. The individual also requested that a copy of the proposals to be sent all households in Warwick District;
 3. One requested a public presentation about the proposals for members of the public to attend to enable them to have a greater understanding of the proposals and therefore provide a more informed response;
 4. One who believed the two options did not provide a choice and the current style of Leadership was a joke with the proposed options providing the same system with different names. The individual also passed comments about the abilities of the Executive model stating that they have run up huge debts but provided unnamed examples from the North of England; and
 5. One resident disagreed with the models proposed because the current system only served to distance the voters from the decisions so that the voters views cannot be registered; and therefore the best solution would be to return to the Committee systems.