

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting6th August 2009

1. Title of Item/Report

New Executive Arrangements

2. Record of the Decision

Cabinet considered a report that outlined the provisions regarding new executive arrangements contained within the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act").

The Council must by 8 May 2011 adopt one of the following specific executive models:-

- Directly Elected Mayor and cabinet, or
- Council Leader and cabinet.

It was explained that the 2007 Act set out certain requirements which had to be satisfied should a Local Authority wish to change its governance arrangements. Members were provided with details of those requirements as they related to undertaking consultation and holding or not holding a referendum.

Members noted action that had already been undertaken to facilitate compliance with the 2007 Act.

Cabinet noted the suggested/necessary next steps to be taken:

- Consultation would take place with local government electors and other interested parties. Details of the form this would take was provided to Members in appendix 1 to the report. It was suggested that Officers work up and finalise the specific details in consultation with Cabinet Members.
- The outcome of the consultation would be evaluated and, subject to that outcome, a preferred or chosen executive model would be agreed and proposals for change, based on that model, would be drawn up.
- When approved, the proposals for change, which would indicate that they were subject to approval in a referendum, would be submitted to

the Secretary of State.

- After the proposals had been submitted to the Secretary of State, a notice would be published, as soon as possible, in the local press. The notice would contain the details required by regulation 4 of the 2007 Regulations eg a description of the main features of the proposals and of the outline fall-back proposals (in this instance, this means the Council's existing executive arrangements); when and where the proposals could be inspected; that a referendum was to be held and the date when polling was to take place.
- The notice should be published fewer than 56 days (excluding Saturdays, Sundays and Bank Holidays) before the referendum date, otherwise a second notice would be required to be published in the local press no earlier than 55 days and not later than 28 days before the date of the referendum
- Publication of the notice of referendum must take place no later than the twenty fifth day before the date of the referendum.
- Notice of the poll had to be given no later than the sixth day before the day of the referendum.
- Polling would take place between 7.00 am and 10.00 pm on the day of the referendum.
- the count would take place on the following day after 9.00 am.
- The proceedings of the referendum would be governed by the Local Government Referendum Rules contained in the 2007 Regulations (Schedule 3).

A timetable /project plan for the implementation processs was provided to members at appendix 2 to the report.

RECOMMENDED to Council that:-

1. the proposed next steps referred to at paragraphs 32 to 41 and the timetable/project plan at Appendix 2 of the report, together with the consultation outlined at Appendix 1, be agreed.
2. the Chief Executive be authorised to finalise the details and arrangements outlined at Appendix 1 and, if required, to vary the timetable and project plan at Appendix 2, in consultation with Cabinet Members.

3. a further report be submitted to Cabinet regarding the outcome of the consultation and the proposals for change to be the subject of a referendum, together with the arrangements for the referendum.

4. the costs of the consultation process and referendum be met from corporate balances.

3. Reasons for the Decision

To agree the procedure for complying with the requirements of the 2007 Act and to ensure that there was appropriate consultation with local government electors and other interested parties.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not applicable

7. Date and Time by which Call In must be executed

Not applicable

Proper Officer
10 August 2009