



Council Leader and Cabinet or Directly Elected Mayor and Cabinet?

Have your say

What's this all about? A change in the law means we must change the way the Council is run. The Council has two options. It must adopt one of those options. Both options are different from the Council's current system.

It is important you let us know which of the two options you prefer. We want as many people as possible to let us know their opinion by completing and returning the consultation slip enclosed with this letter.

How is the Council run? At present, every four years local voters elect between one and three local Councillors to represent you on Stockton Borough Council. In total, 56 Councillors serve the Borough. Each year a Leader and Cabinet are elected by the 56 Councillors, by means of a simple majority of votes.

What are the two options?

Council Leader and Cabinet.

This option is similar to how the Council is run now. However, instead of a majority of the whole Council (all 56 Councillors) deciding who will be the Council Leader and which other Councillors will make up the Cabinet they will only decide who will be the Leader. The Leader would then remain in office for four years instead of one year.

The Council Leader will be able to appoint up to nine other Councillors including a Deputy Leader. Together they will form the Cabinet. A majority vote of the whole Council would be able to remove the Council Leader from office but would then have to appoint a new Leader. Local voters would not be able to remove the Council Leader from office during the four year term.

Directly elected Mayor and Cabinet.

With this option there would be a specific election for local government electors to directly elect an individual as Mayor. The Mayor would then remain in office for four years.

The directly elected Mayor will be able to appoint up to nine Councillors, including a Deputy Mayor. Together they will form the Cabinet. The whole Council would not be able to remove a directly elected Mayor from office, only local voters would be able to do so at the end of the four years.

The table overleaf gives a summary of the main differences between the two options.

How will we decide? We are asking all local government electors in the Borough of Stockton-on-Tees to give their views.

Following the evaluation of those views, we will consider the results when making the decision on how the Council is run in the future.

How can I give my views? Simply complete and return the consultation slip enclosed with this letter, and return it to us in the post-paid envelope before 29 July 2010. Your response will play an important part in helping decide how the Council will be run in the future.

To find out more: If you would like further information about the matters outlined in this letter, please email electoral@stockton.gov.uk or telephone Electoral Services, on 01642 526196.

Or you can get more information by looking at the frequently asked question page enclosed and on our website at www.stockton.gov.uk.



Stockton-on-Tees

BOROUGH COUNCIL

New Executive Arrangements

Summary of main differences between Stockton's current executive model and the two options under the Local Government and Public Involvement in Health Act 2007.

	Options available under the Local Government and Public Involvement in Health Act 2007		
	Current Leader and Cabinet Model	New Council Leader and Cabinet Model	Directly Elected Mayor and Cabinet Model
Appointment and term of office	Leader appointed by full Council annually by a simple majority of votes.	Leader appointed by full Council for a 4 year term (or until the expiry of the Leader's term of office as a councillor) by a simple majority of votes.	Elected directly by the electorate for a 4 year term.
Status	Leader is a member or councillor for all purposes.	Leader is a member or councillor for all purposes.	Directly Elected Mayor is not to be considered a member or councillor unless legislation indicates otherwise.
Removal	Leader can be removed by vote of no confidence by a simple majority of votes.	Councils can choose to adopt procedures which would allow the removal of the Leader from office during the 4 year period.	Cannot be removed during his/her term of office.
Executive Functions	Full council agrees the delegation of executive functions by a simple majority of votes.	All executive functions would be vested in the Leader who can then delegate.	All executive functions would be vested in the Mayor who can then delegate.
Appointment of Cabinet	Full council appoints the cabinet members by a simple majority of votes.	The Council appoints the Leader, by means of a simple majority vote, who then appoints his/her cabinet members and allocates responsibility.	Mayor appoints his/her cabinet members and allocates responsibility.
Deputy	No legal requirement to have a deputy leader.	Legal requirement to have a deputy leader - appointed by Leader.	Legal requirement to have a deputy Mayor - appointed by the Mayor.
Civic Mayor	Civic Mayor appointed by full Council annually by a simple majority of votes.	Civic Mayor appointed by full Council annually by a simple majority of votes.	The term Civic Mayor will no longer be able to be used. The person who undertakes civic duties and chairs full Council meetings will be called something else e.g. Chairman. The person concerned will be elected annually by full Council.

**Stockton-on-Tees Borough Council - New Council Leader System
(FAQs) Frequently Asked Questions**

New Style Council Leader Model

Q1 - Does the legislation allow for the Council Leader to be selected annually?

Answer: No - A Council leader will be voted in for a term of 4 years by the full Council. A simple majority of votes would suffice.

Q2 - What happens if the Council Leader, during their term of office, loses their seat in the Local Elections, would they retain their role as Leader?

Answer: No, a new Council Leader would need to be appointed by the full Council. A simple majority of votes would suffice.

Q3 - If there is a vote of no confidence in the Council Leader and the Council Leader is removed - is the new Council Leader appointed for a new term of 4 years or for the remainder of the term of the outgoing Leader?

Answer: They would be appointed for the remainder of the term of the outgoing Council Leader.

Q4 - What would happen if we disregarded the legislation and continued with our current model (old style Council Leader and Cabinet)?

Answer: To ignore the current legislation would be unlawful. The Monitoring Officer would be involved and a new model would be imposed on the Council by Government. This would be the new Council Leader and Cabinet model.

Q5 - If there was a change of political power in Stockton could the Council change the Leader to reflect this?

Answer: A Council Leader is voted in for a 4 year term, so only a vote of no confidence in full Council by a simple majority of votes or a major impropriety would remove him/her during their term.

Q6 - What number of votes are required to elect a new Council Leader?

Answer: A simple majority is required.

Q7 - What percentage of Councillors would need to vote in favour of a vote of no confidence in order to remove the Council Leader from office?

Answer: A simple majority is likely to be required to take a vote of no confidence in the Leader and for this vote to be carried.

Q8 - Does a new style Council Leader have to delegate executive functions?

Answer: No, but it would be very difficult for one person to carry out all executive functions.

Q9 - Who appoints the members of Cabinet?

Answer: The Council Leader will appoint his/her own cabinet members from existing councillors - up to a total of 9 cabinet members.

Q10 - Does the Council Leader have to appoint a deputy?

Answer: Yes, it is a legal requirement to appoint a deputy council leader.

Stockton-on-Tees Borough Council - Directly Elected Mayor System (FAQs) Frequently Asked Questions

Directly Elected Mayor Model

Q1 - How often does the legislation allow the Mayor to be elected?

Answer: The Mayor will be elected every 4 years.

Q2 - Can the Mayor be removed during their term of office?

Answer: No, they cannot be removed. Only local electors can remove a Mayor at the end of each 4 years.

Q3 - Can we retain the current old style Council Leader and Cabinet model at Stockton?

Answer: No, this would be contrary to the present legislation and would result in a new Council Leader and Cabinet model being imposed.

Q4 - What happens to a directly elected Mayor if, during their term of office, there is a change of political power at Stockton?

Answer: Nothing. The Mayor is elected for a four year term.

Q5 - How do executive powers have to be exercised by the directly elected Mayor?

Answer: The directly elected Mayor will determine how the Council's executive functions are exercised and who they are delegated to.

Q6 - Who appoints the Cabinet?

Answer: The directly elected Mayor will choose who the cabinet members are and what portfolios they will hold.

Q7 - Will the directly elected Mayor have a deputy?

Answer: Yes. It is a legal requirement for the directly elected Mayor to appoint a deputy.

Q8 - Is there still going to be a Civic Mayor when a directly elected Mayor is in place?

Answer: No. The person who undertakes civic duties and chairs full Council meetings cannot be called (Civic) Mayor. A new name/style will have to be adopted e.g. Chairman.



Consultation Slip



Please return before 5pm 29th July

Please mark a cross in one box

Council Leader and Cabinet	
Directly Elected Mayor and Cabinet	



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