

COUNCIL MEETING – 16TH DECEMBER 2010

Extract from the Minutes of the Constitution Committee Meeting on 18th November 2010

32 NEW EXECUTIVE ARRANGEMENTS

The Committee considered the outcome of a public consultation exercise on options for future executive arrangements for Cheshire East Council.

The Local Government and Public Involvement in Health Act 2007 required local authorities to choose one of two new models of executive leadership: either a directly-elected Mayor with a Cabinet, or a strong Leader and Cabinet. The period of office of either a Mayor or a Leader was to be for four years. The change in executive arrangements had to come into effect from May 2011, and the Council had to pass a resolution giving effect to the change by 31st December 2010.

Guidance had recently been issued in the form of a letter from the Minister for Housing and Local Government. This indicated that whilst the statutory requirement to follow the consultation process had to be adhered to, Councils were encouraged not to incur any significant expenditure in doing so.

At the last meeting, the Committee resolved that a public consultation exercise be undertaken between 1st October and 12th November 2010, by way of an article and press release via the Council's website, on the options for future executive arrangements for Cheshire East Council, the consultation to make reference to the advice received from the Minister for Housing and Local Government. The result of the consultation exercise would be reported to the Constitution Committee on 18th November 2010 with a view to making a recommendation to Council on 16th December 2010.

The results of the Consultation were set out in Appendix 3 to the report. There was no clear outcome in favour of either option with responses weighted against a directly-elected Mayor.

Members were advised that the legislation was likely to be repealed through the Localism Bill, but not before the Council was required to make an appropriate resolution. Communities Minister Andrew Stunell had announced that under the Localism Bill the Government would let councils decide, in consultation with local people, what system was best for their community, whether that be a Mayor or Leader and Cabinet or a Committee system.

RESOLVED

That

- (1) the outcome of the public consultation exercise undertaken between 1st October and 12th November 2010 on the options for future executive arrangements for Cheshire East Council be noted;

- (2) Council be recommended to adopt the new Strong Leader and Cabinet model of governance, to be brought into effect at the beginning of the next municipal year subject to any subsequent amending legislation;
- (3) Council be asked to authorise the Borough Solicitor to amend the Constitution as necessary to give effect to the decision of Council; and
- (4) those who had responded to the public consultation exercise be notified of the Council's decision at the appropriate time.