

PROPOSALS FOR CHANGE TO EXECUTIVE ARRANGEMENTS

This document sets out Wirral Metropolitan Borough Council's proposals for changing its executive arrangements as required by the Local Government and Public Involvement in Health Act 2007 (2007 Act).

The proposals have been drawn up after consultation as required by the Local Government Act 2000 (as amended by the 2007 Act).

1. FORM OF EXECUTIVE

The Council proposes to adopt the "new style" Leader and Cabinet (England) form of executive (the "Executive").

2. EXECUTIVE STRUCTURE

- 2.1 The Executive will consist of the Leader of the Council and between 2 and 9 other councillors ("Executive Members") appointed by the Leader of the Council.
- 2.2 The Leader of the Council will be elected at the Annual Meeting of the Council following elections in May 2010 and will (subject to paragraph 2.3 below) hold office until his/her term as Councillor expires.
- 2.3 The Council may by resolution remove the appointed Leader of the Council from office. If such a resolution is passed, Council will elect a new Leader of the Council at the same meeting or a subsequent meeting of Council.
- 2.4 The Leader of the Council will determine the portfolios of the Executive Members and also which executive functions will be discharged by:
 - a. the Executive;
 - b. an individual Executive Members;
 - c. a committee of the Executive Members; or
 - c. an officer of the Council.
- 2.5 The Leader of the Council may appoint one of the Executive Members to be his/her deputy (the "Deputy Leader of the Council").
- 2.6 The Leader of the Council may remove any Executive Member from the Executive and appoint another councillor.
- 2.7 The existing arrangement regarding the Council's Overview and Scrutiny Board & Committees and other Council committees and panels will remain unchanged and continue under the Executive.

3. RESPONSIBILITY FOR FUNCTIONS

Local Choice Functions

Responsibility for functions specified in regulations under Section 13(3) (b) of the Local Government Act 2000 (known as “local choice functions”) will remain unchanged from the current allocation between the Council and the executive.

However it is possible, subject to any statutory limitations, for the Council prior to the change in executive arrangements to alter the allocation of these functions. The local choice functions are set out in Part 3 Table 1 of the Council’s Constitution.

Constitution Amendments

Constitutional amendments will be required to implement the “new style” Leader and Cabinet (England) form of executive as detailed in paragraph 2 above.

Following the Extraordinary Meeting of Council on 21 December 2009, Council’s approval will be sought to amend the Constitution in order to give effect to the proposals set herein.

The key amendments that will be made shall relate to the following parts of the Constitution:

PART	
2	Article 2
	Article 7
	Article 12 - 13
	Article 15
	Article 16 – Schedule 1
3	Table 3
	Table 4 – Schedules 1-5
4	As necessary
5	As necessary
6	Members’ Allowances Scheme
Any other ancillary amendments required to give effect to the preferred model of governance	

4. CONTINUOUS IMPROVEMENT

In drawing up these proposals, the Council has considered the extent to which the proposals, if implemented, would be likely to assist in securing continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

The "new style" Leader and Cabinet (England) form of executive is considered:

- a. to provide strong leadership and effective decision making;
- b. more cost effective to implement given that the Council is currently operating a form of 'leader with cabinet' model of executive arrangement; and
- c. in the Council's opinion likely to provide best value to the inhabitants of Wirral.

5. TIMETABLE & TRANSITIONAL ARRANGEMENTS

The Council is required to set up a timetable for the implementation of the proposals and to provide details of any transitional arrangements which are necessary for the implementation.

Timetable

The timetable is outlined as follows:

- 9 November 2009 Cabinet recommends to Council its preferred governance model together with the relevant proposals.
- 14 December 2009 Council gives consideration to the recommendations of Cabinet and determines its preferred governance model together with the relevant proposals.
- 21 December 2009 Council resolves to adopt and formally confirm the new governance arrangements and proposals.
- May 2010 Implementation of new governance arrangements and proposals to take effect three days after the date when the local elections are held.

Transitional Arrangements

With regard to the transitional arrangements, the Council is not in any way prohibited from continuing to operate its current "old-style" Leader and Cabinet Model which will expire three days after the date when the 2010 local elections are held.

The Council will therefore continue to operate this model in accordance with the Constitution until the new 'leader and cabinet' model replaces it.