

### 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 "directly elected mayor and cabinet" form of executive (the "Mayor Executive").

#### 2. EXECUTIVE STRUCTURE

- 2.1 The Mayor Executive will consist of the Mayor and between 2 and 9 other councillors ("Mayor Executive Members") appointed by the Mayor.
- 2.2 The mayor will be elected by Wirral local government electors in May 2010 and will hold office for a period of 4 years (the 'Elected Mayor').
- 2.3 The Elected Mayor is not a Councillor. He or she does not have an electoral Ward to represent and would work full time as an Elected Mayor.
- 2.4 The Elected Mayor would be in addition to the sixty six councillors who currently sit on the Council.
- 2.5 The Council would not be able to remove the Elected Mayor as is the case in the "new style Leader and Cabinet (England)" form of executive.
- 2.6 The Elected Mayor would be responsible for all executive functions.
- 2.7 The Elected Mayor must also appoint a Deputy Mayor who will hold office until the end of the directly elected Mayor's term.
- 2.8 The Deputy Mayor can, however, be removed and replaced by the directly Elected Mayor.
- 2.9 The Elected Mayor would determine the portfolios of the Mayor Executive Members and also which executive functions will be discharged by:
  - a. the Mayor Executive;
  - b. an individual Mayor Executive Members;
  - c. a committee of the Mayor Executive Members; or
  - c. an officer of the Council.

- 2.10 Save for changes required for legal reasons, the existing arrangements regarding the Council's Overview and Scrutiny Board & Committees and other Council committees and panels will remain unchanged and continue under the Mayor Executive.
- 2.11 Other councillors would have the same functions as at present.
- 2.12 The Elected Mayor will hold the title of 'Mayor' and may lead the Council and carry out ceremonial functions; or the Council may decide to keep its 'ceremonial' Mayor as well. If the Council decides to keep the 'ceremonial' Mayor, he/she will normally be given a new title.
- 2.13 The Elected Mayor would be reliant upon the Council to pass the Annual Budget and other major policy and strategic framework plans specified in the Constitution and would need to work with Councillors to ensure that these are approved.

### 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 "directly elected mayor and cabinet" form of executive (the "Mayor 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:

<b>PART</b>	
1	
2	Article 1 – 4
	Article 7
	Article 12 - 13
	Article 15
	Article 16 – Schedule 1
3	Table 2 - 34
4	As necessary
5	As necessary
6	As necessary
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 ““directly elected mayor and cabinet” form of executive is considered:

- a. to provide strong leadership and effective decision making;
- b. to have significant status as a directly elected figure with a mandate endorsed by the majority of the Wirral electorate;
- c. although more costly to implement given that the Council is currently operating a form of ‘leader with cabinet’ model of executive arrangement, it is considered that the benefits associated with this model of governance outweigh the cost implications; and
- d. 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:

- 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 'directly elected mayor' governance model replaces it.