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To: Members of the Council

Date: 24 November 2012

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Dear Councillor

COUNCIL - THURSDAY 24TH NOVEMBER, 2011

I refer to the agenda for the above meeting and now enclose the following report(s) which were unavailable when the agenda was printed.

Agenda No.	Item
6.	Questions Raised by Members of the Council (Pages 85 - 86) Schedule attached

Yours sincerely,

M. CARNEY

Chief Executive

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COUNCIL – 24 NOVEMBER 2011

ITEM 6 - QUESTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

Question from Councillor Hands to the Cabinet Member – Performance, Governance and Commissioning – Councillor Brodie-Browne

“In light of the recent passage of the Localism Bill, which provides for the possible reconsideration by Local Authorities of the present Cabinet Model of Governance, will the Cabinet Member suggest a timetable for the consideration of a possible return to a full committee system?”

Response from the Cabinet Member – Performance, Governance and Commissioning

The Localism Act 2011 amends the Local Government Act 2000 and includes the following permitted forms of governance for local authorities in England -

- executive arrangements
 - (i) a directly elected Mayor who appoints two or more councillors of the authority to the Executive or
 - (ii) an executive leader, elected by full Council who appoints two or more councillors of the authority to the Executive (both up to a maximum of 10 unless the Secretary of State publishes regulations to specify another maximum.
- a committee system (as described in Part 6 of the Local Government Act 1972), or
- other arrangements prescribed by regulations made by the Secretary of State as requested by a local authority.

Revised form of governance – the details and the issues arising

Members will be aware that this Council operates under an executive leader model. A full council resolution is required in order for the authority to make a change in its governance arrangements.

The Localism Act, includes the procedural arrangements for changing governance models. This includes publication of the new arrangements in one or more newspapers and producing documentation on the new arrangements for inspection.

In order to introduce a degree of certainty for an authority there is a 5 year "stability period" i.e. . a council which passes a resolution to change its governance arrangements cannot pass another resolution to change until five years have elapsed, unless the second resolution has been approved in a referendum.

A referendum will be required for any change where the authority has adopted its present form of governance as a result of a previous referendum. The

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Secretary of State under regulations may direct a local authority to hold a referendum either on his/ her own volition, or following a public petition of at least 5% of local electors.

Consideration of Sefton's governance arrangements

The provisions within the Localism Act 2011 relating to governance arrangements have not yet been given a commencement date, indications from the Department for Communities and Local Government are that most measures will be in place for April 2012. Once the provisions are properly enacted the Council would then need to

- put in place the arrangements to consider a potential change
- should the Council be minded to change it must then follow the procedures laid down on the Act. There are no timeframes specified for publication or inspection at this stage.
- Following the completion of the procedures an appropriate resolution would then need to be made
- Only at this stage could necessary changes be planned and implemented.

Given the uncertainty around these issues it is impossible at this stage to suggest a timescale for consideration.

The Council's has a standing Working Party which has previously reviewed constitution and governance arrangements. This working party consists of the Cabinet Member for Performance, Commissioning and Governance and the party spokes. I intend that the working party should review the situation, in consultation with the Party Leaders, and prepare options for the Cabinet and subsequently the Council.