

REFERENDUM ON GOVERNANCE ARRANGEMENTS

ALTERNATIVE GOVERNANCE ARRANGEMENTS (DESCRIPTION AND REQUIREMENTS FOR IMPLEMENTATION)

REFERENDUM TO BE HELD ON 5 MAY, 2016

**North Tyneside Council
Quadrant
The Silverlink North
North Tyneside
Tyne and Wear
NE27 0BY**

INTRODUCTION

At a meeting held on 21 January 2016, the Council of the Borough of North Tyneside resolved in accordance with the provisions of Section 9M of the Local Government Act 2000 to hold a Referendum asking the voters in the Borough of North Tyneside whether they wish to change the governance arrangements of the Authority.

The Referendum will be held on 5 May 2016 at the same time as the local elections for the election of Councillors to the Council and the election of the Police and Crime Commissioner for the Northumbria Police Area.

The Referendum will ask the voters of North Tyneside the following question:

“How would you like North Tyneside Council to be run?

- a) By a Mayor who is elected by voters. This is how the Council is run now.

OR

- b) By one or more committees made up of elected councillors. This would be a change from how the Council is run now”

The Authority must make available details of the option available as the alternative to the current Mayor and Cabinet governance arrangements together with the transitional arrangements that would operate until the new arrangements commence, if the Referendum approves a change.

The Referendum result must be considered by the Full Council at an Extraordinary Meeting of the Council within 28 days of the date of the Referendum. The Full Council may not pass a resolution which makes a change to the Authority's governance arrangements unless the result of the Referendum is to support that change.

If a change in governance arrangements is not approved by the Referendum the Authority will continue with the Elected Mayor and Cabinet Model of governance and a further Mayoral election will take place on 4 May, 2017.

OPTION TO OPERATE A COMMITTEE SYSTEM

Should the outcome of the Referendum support the option to operate a committee system of governance, the Authority would adopt a new Constitution detailing amongst other matters the Committee Structure of the Authority, the Terms of Reference of the Committees, and the Officer Delegation Scheme.

A Committee system would operate in accordance with the Local Authorities (Committee System) (England) Regulations, 2012 with the 60 elected Members of the Council appointed to Committees at the Annual Meeting to be held in May, 2017.

The Regulations state that the following functions must be discharged by the Full Council:

- (a) the approval or adoption of a plan of strategy comprising; the Annual Library Plan (in accordance with any requirement by the Secretary of State), Children and Young People's Plan, the Community Safety Plan, Plans and alterations which together comprise the Development Plan, Statement of Licensing Policy (Gambling).
- (b) the approval or adoption of a plan or strategy for the control of the Authority's borrowing, investment or capital expenditure, or for determining the Authority's minimum revenue provision;
- (c) the approval for the purpose of submission to the Secretary of State or any Minister of the Crown any plan or strategy referred to in sub-paragraph (a) or (b) above;
- (d) the making of a Members Allowance Scheme;
- (e) the function of making a request to the Local Government Boundary Commission for England under Section 57 (Request Single Member Electoral Areas) of the Local Democracy, Economic Development and Construction Act 2009 for single Member electoral areas;
- (f) the passing of a resolution to change a scheme for elections under Section 32(1), 37(1) or 39(1) (Resolutions for Schemes of Elections) of the Local Government and Public Involvement in Health Act, 2007;
- (g) the function of making an Order giving effect to recommendations made in a Community Governance Review under Section 86 (Reorganisation of Community Governance) of the Local Government and Public Involvement in Health Act, 2007; and
- (h) the function of permitting a co-opted member of an Overview and Scrutiny Committee of the Authority to vote at meetings of the Committee.

The Authority would also have a number of other committees and sub-committees dealing with regulatory matters such as planning, licensing, audit and ethical standards within the Authority including Member Code of Conduct complaints . The Full Council could delegate its functions, where appropriate, to its committees, who could in turn delegate functions to a sub-committee appointed by them.

The Full Council may also delegate functions, where appropriate, to its Officers. Details of the functions delegated to Officers will be set out in a revised Officer Delegation Scheme. The Officer Delegation Scheme is a part of the Authority's Constitution.

The Authority is required to have a Health and Wellbeing Board. This Board has certain functions which are not subject to Full Council approval. By way of example, the Health and Wellbeing Board has as its main statutory functions the preparation of a Joint Strategic Needs Assessment (JSNA), preparing a health and wellbeing strategy and encouraging co-operation and joint working in the provision of health and social care services.

Certain functions are the responsibility of the Statutory Officers of the Authority. For example the Head of Paid Service, the Monitoring Officer, Chief Finance Officer and the Director of Children's and Adult Services. The exercise of these functions is the personal responsibility of the relevant officer.

The Authority could, but is not required to, have an Overview and Scrutiny Committee. It could retain such a committee if it chooses to do so but it would be required to ensure that arrangements are in place to scrutinise health, community safety and flood prevention. Details of any Overview and Scrutiny arrangements that the Authority may put in place would be set out in the new Constitution.

TRANSITIONAL ARRANGEMENTS

Should the outcome of the Referendum support the option for the operation of a committee system of governance, the current Elected Mayor would retire from office at midnight on 7 May 2017. From that point until such a time as the Leader of the Council and the committees of the Authority are appointed at the Annual Meeting of the Council, the Authority's Chief Executive would be authorised to discharge any necessary functions.

EXPECTED TIMETABLE WITH RESPECT TO IMPLEMENTATION OF A CHANGE IN GOVERNANCE ARRANGEMENTS

Should the outcome of the Referendum support the option to operate a committee system of governance, the following implementation timetable would apply:

1. Not later than 14 June, 2016 an Extraordinary meeting of the Full Council would be held to report the result of the Referendum. The Full Council meeting passes a Resolution to change the Authority's Governance Arrangements from the current Elected Mayor and Cabinet model of governance to the Committee System model of governance.
2. At midnight on 7 May, 2017 the current Elected Mayor would retire. The new governance arrangements would also commence at that time.
3. On or around 11 May, 2017 an Annual Council meeting would be held to:
 - a) appoint the Chair and Deputy Chair of the Council;
 - b) appoint the Leader of the Council;
 - c) approve the Constitution and Committee Structure;
 - d) appoint Chairs and Deputy Chairs of Committees; and

e) determine appointments to Outside Bodies.

Vivienne M. Geary
Head of Law and Governance
Quadrant
The Silverlink North
North Tyneside
Tyne and Wear
NE27 0BY

10 February 2016.