

DIRECTLY ELECTED MAYOR PROCESS

EXECUTIVE MEMBER: Councillor Elaine Woodburn
LEAD OFFICER: Paul Walker, Chief Executive
REPORT AUTHOR: Lindsay Tomlinson

WHY HAS THIS REPORT COME TO EXECUTIVE?

To update the Executive on progress made on the transition to the elected mayor model and to seek authority for the Leader to set up a Constitution Working Group.

RECOMMENDATIONS: Executive is asked to:

- 1. Note progress made on the transition to the elected mayor model**
- 2. Agree that the Leader, in consultation with the Leader of the main political opposition group, be authorised to set up a Constitution Working Group**
- 3. Note the appointments to the Independent Remuneration Panel and agree that a fee of £300 per annum, plus travel allowances, be paid to the Independent Remuneration Panel members**

1. Background and Current Position

- 1.1 On 22 May the electorate of Copeland voted for a shift to the elected mayoral of governance for the Borough. Legislative amendments have allowed for the deferral for the election of the first elected mayor of Copeland to 7th May 2015, to coincide with the Parliamentary, Borough and Parish elections taking place on that date.
- 1.2 An officer group comprising members of the Corporate Leadership Team has been set up to oversee the work that needs to be undertaken in the lead up to the introduction of the elected mayor.

2 LGA Briefing and Visits

- 2.1 The Local Government Association is providing support and guidance to the Council during the transition. To date three events have taken place:
 - An all-member briefing held on 13th October 2014, attended by around 25 elected members who met with the Mayor of Bedford plus two other member peers who have experience of supporting elected mayors
 - A visit to Bedford Borough Council on 20th October 2014 to meet with their senior management team, Mayor and their elected members who experienced the transition to the mayoral model in 2002.

- A visit to Mansfield District Council on 13th November 2014 to meet with their Deputy Mayor, senior management team and elected members.
- 2.2 The questions and answers from these events have been documented along with a note of the type of support Copeland members have said that would like to see in the transition to the elected mayor model. This and other useful information will be published to a dedicated area of the Council's website so that elected members, officers and residents can be kept informed.
- 2.3 The LGA will continue to work with the Council in developing and providing support for elected members and staff in line with the suggestions and comments made by members at the briefing session on 20 October, and as identified subsequently.

3 Independent Remuneration Panel

- 3.1 The IRP, along with its usual role of recommending a member allowance scheme will also be tasked with recommending an indicative salary for the elected mayor (this is because the number of executive members and the level of their delegated powers will not be known until the mayor has taken office).
- 3.2 The previous IRP members had all stepped down from the Panel and so a recruitment exercise was undertaken. Adverts and editorial pieces were placed in local newspapers and the IRP members from neighbouring authorities were approached to gauge interest.
- 3.3 Legislation and guidance states that IRP members must be independent of the Council, therefore no-one who has been an elected member or officer of the council within the preceding five years is eligible. They should also be free of any political influence and capable of coming to a reasoned and unbiased recommendation. The criteria for the IRP members was set so as to ensure that the process and the panel members themselves could be free from criticism of bias.
- 3.4 Four IRP candidates were shortlisted and interviewed by a panel consisting of Cllr Graham Sunderland, in his capacity as Chairman of the Member Allowances Working Group, plus the two Independent Persons for Audit and Governance, Mr M Bonner and Mr A Payne. Following their recommendations three appointments have been made by the Chief Executive, in line with the delegation authorised by Council at its meeting on 19th June 2014.
- 3.5 In discussing the IRP process with neighbouring authorities it has become apparent that a number of them pay a small fee to their IRP members in the region of £300 per annum, along with the usual travel allowances. As the likelihood of shared panels is increasing given the difficulty generally in recruiting appropriately qualified and skilled volunteers to such roles it is recommended that the Copeland Borough Council IRP members be paid a sum of £300 per annum for their work, plus travel expenses.

4 Constitutional Implications

- 4.1 The transition to the mayoral model will require a number of amendments to the council's Constitution, for example the scheme of delegations and the Council and Executive procedures. There will also be a need to review the Overview and Scrutiny function to ensure that it is sufficiently robust to provide an effective challenge to the mayor and executive.
- 4.2 It is proposed that the Leader, in consultation with the Leader of the main political opposition group, be authorised to set up a Constitution Working Group to work through the amendments needed to the Council's Constitution and governance procedures, and that its recommendations will be presented to Full Council.

5. STATUTORY OFFICER COMMENTS

- 4.1 The Monitoring Officer's comments are: Included in the report
- 4.2 The Section 151 Officer's comments are: There will be sufficient revenue resource to pay this necessary cost, estimated at £1,000 pa.
- 4.3 EIA Comment: We will continue to promote equalities within our work and within the resources available whether we are directly delivering or working in partnership with our partners and communities.

5. RESOURCE REQUIREMENTS

The LGA support is free of charge. There will be some costs to the Council in terms of officer time to provide support in the lead up to the implementation of the elected mayor model. There is a resource requirement for the cost of the IRP work which will be met from the current budget provision.

List of Appendices:

Appendix A – Questions and answers from LGA briefing and visits, October/November 2014

List of Background Documents:

None

ELECTED MAYOR BRIEFING/VISITS

OCTOBER AND NOVEMBER 2014

QUESTIONS/DISCUSSION THEMES

- Salary setting process

There is a Council decision in place that IRP will recommend to February 2015 Council meeting an indicative salary so that candidates have an idea of the salary range; salary may be dependent on number of Executive members

- IRP process – need to ensure independence

Independent selection panel has been set up and strict criteria set for applicants to ensure independence

- How much will things change, does it depend on who the mayor is?

Yes, experience of other authorities is that a lot depends on who the mayor is.

- Worries that we could end up with an undemocratic dictatorship

Ultimately the mayor is powerful and is answerable to the electorate; there will be an important role for Overview and Scrutiny in providing an effective challenge

- What powers will the mayor have, and what will be the responsibility of Council?

The main role for Council under an elected mayor model is setting the budget and major policy framework. If Council wishes to reject the Mayor's initial proposals it needs a simple majority and the Mayor must then re-submit revised proposals. If Council wishes to amend or reject these revised proposals it must gain the support of a two thirds majority of those members present and voting.

- Does the authority need to retain a Chief Executive?

The Council must by law have a Head of Paid Service; this is a statutory role required under the Local Govt and Housing Act 1989. The Head of Paid Services also acts as the Council's Electoral Registration Officer and Returning Officer. All Councils that operate the mayoral model have retained a chief executive although the title may be slightly different (eg Managing Director). The Mayor gives political leadership, however it is important that there is also professional leadership through the Chief Executive.

- How do we monitor performance and ensure statutory services are provided?

This is an important role for non executive members in terms of providing effective scrutiny and challenge to the decisions taken by the Mayor and Executive; and ultimately if the Council fails to deliver statutory services then central government will step in.

- Overview and Scrutiny needs to be more effective and challenging under the mayoral model – how can we achieve this?

Part of the preparatory work to be undertaken is to look at the role of overview and scrutiny and ensure that it is robust and effective; officers and members will be looking for advice and support from the LGA and from other authorities with an elected mayor

- Elected Mayor v. Ceremonial Mayor – who does what?

The Council's Constitution will be amended to determine how the ceremonial and civic roles will be carried out under an elected mayor. Some elected mayors choose to share the civic functions with the ceremonial mayor. Some authorities with an elected mayor have changed the title of the civic mayor to Chairman of the Council.

- Do the Executive members need to be councillors?

Yes, the Executive members, including the Deputy Mayor, must be councillors of the authority

- How does the relationship with the Chief Executive work?

The Chief Executive will provide professional leadership and advice to the elected mayor; a good working relationship is vital

- Political advisor role and salary

The elected mayor is entitled to appoint a political advisor; the appointment terminates when the mayor's term of office ends. Such roles in other authorities receive a salary of around £35,000 (FTE).

- What difference does a mayor bring to an authority?

An elected mayor will not bring any additional funding to Copeland and will not have any additional powers to a Leader. However, other authorities have found that having an elected mayor can help raise the profile of the authority, giving it a stronger voice when it comes to negotiating and lobbying which in turn may help to encourage inward investment to the area.

- What support is there for elected mayors in terms of mentoring?

There is support available from the Local Government Association (LGA) via member peers, and other elected mayors are a valuable source of help and support to each other.

SUGGESTIONS FOR FUTURE DEVELOPMENT SESSIONS

How to make Scrutiny more meaningful under the Mayoral model

Options for the Constitution

Developing a rationale for the new Mayor to explain the Council's position and inform decisions

Training needs for members/induction programme

Media engagement, communicating the role of the Mayor and expectations

Who will do what under the Mayoral model?

Exploring implications for member/officer relationships

How the Council's relationship with the community will change