

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
COUNCIL**

14th FEBRUARY 2020

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE AND CHIEF
DIGITAL OFFICER**

MRS K JONES

**CHANGES TO EXECUTIVE GOVERNANCE ARRANGEMENTS IN
PRINCIPAL COUNCILS – WELSH GOVERNMENT CONSULTATION
DOCUMENT**

Matter for Information

Wards Affected: All wards

Purpose of Report

1. To bring the Welsh Government's consultation document – "Changes to executive governance arrangements in principal councils" to the attention of all Members of Council.

Background

2. Under current legislation, the executive governance arrangements of principal councils (of which Neath Port Talbot County Borough Council is one) can be changed to a model with an elected mayor taking responsibility for the discharge of executive functions. An elected mayor would have the right to appoint a new cabinet and might choose to replace the cabinet, which was in place before they were elected.

3. The executive governance arrangements of a principal council can be changed in the following ways:

- Part 4 of the Local Government (Wales) Measure 2011 enables a principal council to draw up proposals to vary or replace their executive governance arrangements and to approve them by means of a resolution;
- The Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001, made under section 34 of the Local Government Act 2000, enable electors within a principal council area to petition for a change in their principal council's executive governance arrangements;
- The Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001 also enable the Welsh Ministers to direct a principal council to hold a referendum on whether they should operate executive arrangements involving an elected mayor and cabinet; and
- Section 36 of the Local Government Act 2000 enables the Welsh Ministers to make an order requiring every principal council or every principal council falling within any description of authority specified in the order to hold a referendum on whether they should operate executive arrangements involving an elected mayor and cabinet.

4. All four methods require approval in a referendum if either the existing form of executive or proposed form of executive is a mayor and cabinet executive.

5. The Welsh Government have recently produced a consultation document entitled "Changes to executive governance arrangements in principal councils" which aims to make potential changes to these requirements. The precise elements being set out in Appendix 1 to this report. In summary these include:

- Possible changes to the way councils can change to and from an elected mayor by introducing a deadline of eighteen months before the next set of ordinary elections for petitions, resolutions, orders and regulations to change the executive governance arrangements of a principal council
- The introduction of a provision which ensures that when the executive governance arrangements of a principal council

have been changed, that same arrangement must be used for at least the next two electoral cycles

- the acceptance of electronic petitions to hold a referendum to change executive arrangements and their publication on council's website in addition to publication in a newspaper
- number of electorate required to trigger a referendum (currently 10% in Wales)

Financial Appraisal

6. No implications.

Integrated Impact Assessment

7. There is no requirement to undertake an Integrated Impact Assessment as this report is for information purposes.

Valleys Communities Impact

8. No implications.

Workforce Impact

9. No implications.

Legal Impact

10. No implications. In the event that any changes are to be implemented, legislation will have to be passed by Welsh Government to allow for such amendments to be made.

Risk Management

11. No implications.

Consultation

12. There is no requirement under the Constitution for external consultation on this item.

Recommendation

13. That Members note the enclosed consultation document – “Changes to executive governance arrangements in principal councils” and the consultation deadline of 27th February 2020.

Reason for Proposed Decision

14. This is a matter for information therefore no decision is required.

Implementation of Decision

15. This is a matter for information therefore no decision is required.

Appendix 1 – Welsh Government – Consultation Document – Changes to executive governance arrangements in principal councils.

List of Background Papers

None

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