

APPENDIX 2 to Corporate O&S Report – 2 February 2016

Motions Submitted to Council

In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution

Motion 2

Submitted by Councillor Hebb

“Thurrock is an area which is thirsty for regeneration, and needs political stability to attract investment. It therefore needs to demonstrate a more stable; consistent; lower-cost governance system.

Following a number of years of being in No Overall Control (NOC) Thurrock Council resolves to investigate and implement a move to a Four Yearly Election model”.

Monitoring Officer Comments:

Before 2008, the process of changing the electoral cycle involved seeking the approval of the Secretary of State.

The Local Government and Public Involvement in Health Act 2007 gave Councils the opportunity to decide this issue themselves, subject to certain restrictions as to when whole-Council elections could take place.

The Localism Act 2011 amended the provisions of the 2007 Act to give greater ability to Councils to decide which year the system of whole-Council elections could be introduced.

The 2007 Act sets out the steps that would need to be taken to move to whole- Council elections. The Council would be required to undertake a public consultation exercise on the proposed change. The legislation does not specify the type of consultation that should be carried out or how long the consultation process should take.

However, the good practice guidance on consultation exercises suggests that a 12 week consultation period would be appropriate.

Following the conclusion of the consultation period, if it is decided to move to all-out elections, an Extraordinary Council meeting will be needed to pass a resolution to change to whole-Council elections.

There is a requirement that the resolution must be passed “by a majority of at least two thirds of the Members voting on it” (Section 33 (3)(b) of the 2007 Act). The resolution would need to specify the year the elections would first be held.

If, at the Extraordinary Council meeting, it is decided to move to whole-Council elections, then as soon as reasonably practicable, an explanatory document has to be produced setting out details of the new electoral arrangements. In addition, the Electoral Commission would need to be advised that the Council has passed a resolution to change to all-out elections.

Section 151 Officer Comments:

The subject of this motion has previously been considered by Overview and Scrutiny with the report demonstrating that a four yearly model did reduce the overall cost over the four year period. The total amount is difficult to estimate with any accuracy as it depends on whether there are any by-elections, timing of other elections, etc. However, the Overview and Scrutiny report did provide an estimated saving of £380,000 over the period 2015-2020 as an indication.

Is the above motion within the remit of Council to approve?

Yes