

Date of meeting: 28 April 2025

Title of Report: **Referendum for Proposed Alternative Executive Governance Arrangements**

Lead Strategic Director: Tracey Lee (Chief Executive)

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Your Reference: Referendum 2025

Key Decision: No

Confidentiality: Part I - Official

## Purpose of Report

The Council has received a valid petition seeking a referendum on whether the Council should change its form of governance from a Leader and Cabinet model to a Mayor and Cabinet model, led by an elected mayor who is elected by voters for the area which the Council serves.

This report sets out the procedures that the Council needs to follow before and after holding the referendum in accordance with the relevant Regulations.

## Recommendations and Reasons

1. Note the position concerning receipt of a valid petition, and the consequential process prescribed by legislation for a referendum to be held on 17 July 2025.

*Reason: to comply with the requirements of Regulation 16 of the Local Authorities (Referendums) (Petitions) (England) Regulations 2011*

2. Agree that the following matters will remain in place until they can be reconsidered at the first meeting of the Council after the referendum in the event of a vote in favour of a Directly Elected Mayor:

- 2.1 The current arrangements for the (local choice) functions specified in regulations under section 9D (3) (B) of the Local Government Act 2000 which are to be the responsibility of the executive;

*Reason: to comply with the requirements of Section 9D(3)(B) of the Local Government Act 2000*

- 2.2 The current arrangements for Overview and Scrutiny

*Reason: to comply with the requirements of Section 9MA and 9MB of the Local Government Act 2000*

- 2.3 Whether the Directly Elected Mayor is to hold the Royal Charter title

*Reason: to comply with the requirements of Section 9HF of the Local Government Act 2000*

- 2.4 The title by which the Directly Elected Mayor is to be known in the event the two roles are to remain separate

*Reason: to comply with the requirements of Section 9HF of the Local Government Act 2000*

- 2.5 The length of the first term of office of the Directly Elected Mayor

*Reason: to comply with the requirements of regulation 4 of the Local Authorities (Elected Mayors) (Elections, Terms of Office and Casual Vacancies) (England) Regulations 2012*

3. Agree the draft proposals in Appendix B for the operation of executive arrangements based on a Directly Elected Mayor and Cabinet form of governance, should this model be implemented as a consequence of the outcome of the referendum.

*Reason: to comply with the requirements of Regulation 17(1) and (2) of the Local Authorities (Referendums) (Petitions) (England) Regulations 2011*

4. Note the draft Notice of Referendum and Information Statement to be published by the Proper Officer following approval by Council.

*Reason: to comply with the requirements of Regulation 17(1) and (2) of the Local Authorities (Referendums) (Petitions) (England) Regulations 2011*

5. Note that, in the event of a vote in favour of a change to the Directly Elected Mayor form of governance in the referendum, that Council's Independent Remuneration Panel be asked to make recommendations on the arrangements for remuneration that should apply to a Directly Elected Mayor Model and that the Panel's report and recommendations be submitted to the Council for determination before a mayoral election in May 2026.

*Reason: to comply with the requirements of Regulation 4(1) of the Local Authorities (Conduct of Referendums) (England) Regulations 2012.*

### **Alternative options considered and rejected**

1. To not hold a referendum. This option is rejected as it would be a breach of the relevant legislation.
2. To not make any proposals for the operation of executive arrangements based on a Directly Elected Mayor and Cabinet form of governance arrangements. This option is rejected as it would breach the relevant legislation.

### **Relevance to the Corporate Plan and/or the Plymouth Plan**

The Corporate Plan commits the Council to engaging with and listening to our residents, businesses, and communities. The Council's values include a commitment to Plymouth being a place where people can have their say about what is important to them. The recommendations of this report seek to deliver these commitments in respect of a key element of the Council's democratic arrangements.

### **Implications for the Medium Term Financial Plan and Resource Implications:**

As the referendum will not be held as a combined poll the full costs will have to be borne by the Council, and there is no scope for re-claiming any of these costs from any other source.

As reported at Full Council in February 2025, it is estimated that the costs arising from the referendum to be £0.410m. The budget has been identified from the Council's Working Balance.

In the event of an affirmative outcome in the referendum, the first Directly Elected Mayoral election would be held on the 7 May 2026 and will be combined with the local city council elections. There is no scope for this process and timescale to be varied by the Council.

### Financial Risks

If the Council moved to a Mayoral model of governance following the referendum, it would need to revise its Scheme of Members Allowances. The Scheme can only be agreed or amended by the Council itself, after taking into account the recommendations of the Independent Remuneration Panel that would have to be convened in the event of an affirmative outcome in the referendum.

The mayor's salary would be determined by the Council on the recommendation of the IRP, but benchmarking would indicate a figure of £75,000. There may well be other costs associated with a move to directly elected mayor, which have not been yet identified and may arise once the elected Mayor has taken office. In addition, the Elected Mayor may appoint one Assistant at a cost to the Council. Other Executive and Democratic Service resources may be allocated to support the delivery of Executive functions and responsibilities, included as part of the budget presented by the Elected Mayor each year in the budget setting process.

### Legal Implications

(Provided by Liz Bryant/LB)

As set out in the body of this report

### Carbon Footprint (Environmental) Implications:

N/A

### Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

*\* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

There is speculation that the Directly Elected Mayor form of executive arrangements for Principal Councils may be abolished as a result of the Government's English Devolution White Paper.

### Appendices

*\*Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing Report							
B	Draft Proposals for Future Governance under a Directly Elected Mayor including: <ul style="list-style-type: none"> <li>- Appendix 1 Future Decision Making</li> <li>- Appendix 2 Responsibility for Local Choice Functions</li> </ul>							

Fin	ITG.2 5.26.0 01	Leg	LS/00 0033 90/22 /LB/I 6/04/ 25	Mon Off	N/A	HR	N/A	Assets	N/A	Strat Proc	N/A
Originating Senior Leadership Team member: Tracey Lee (Chief Executive)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 16/04/2025											