

LONDON BOROUGH OF NEWHAM

REFERENDUM ON GOVERNANCE ARRANGEMENTS

NOTICE UNDER REGULATION 4 OF THE LOCAL AUTHORITIES (CONDUCT OF REFERENDUMS) (ENGLAND) REGULATIONS 2012 (the “2012 REGULATIONS”)

1. At a meeting on 21 October 2020, the London Borough of Newham **RESOLVED** under s9M of the Local Government Act 2000 that a referendum will be held on **6 May 2021** to decide the Council’s future governance arrangements
2. Proposals have been drawn up for local electors to have a choice between the current Mayor and Cabinet model of governance (“the Mayor and Cabinet Model”) and the Committee model of governance (“the Committee Model”).
3. A description of the main features of the Council’s proposals for the Committee Model is set out in a Notice published on 23rd December 2020 under s9MA of the Local Government Act 2000, which appears in the **Appendix** to this Notice.
4. If a majority of electors voting in the referendum choose the Committee Model, the change in governance will take effect on **9 May 2022**.
5. The referendum to be held on 6 May 2021 will be taken together with the Mayor of London and London Assembly Elections and a by-election for a councillor in the East Ham Central ward.
6. The question to be asked in the referendum will be:

How would you like the London Borough of Newham to be run?

By a mayor who is elected by voters. This is how the council is run now.

Or

By one or more committees made up of elected councillors. This would be a change from how the council is run now.

7. The referendum will be conducted in accordance with procedures similar to those used at local government elections and, where applicable, the 2012 Regulations.
8. The referendum expenses limit that will apply in relation to the referendum, to the expenses incurred for referendum purposes has been calculated as follows:

£2,362 + (5.9p x 223,111 (i.e. the number of local government electors in the London Borough of Newham) = **£15,525.50**.

9. Expenses incurred “for referendum purposes” means (a) in connection with the conduct or management of any campaign conducted with a view to promoting or procuring a particular outcome in relation to the question to be asked in the referendum; or (b) otherwise, in connection with promoting or procuring any such outcome.¹
10. The proposals for the Committee Model which appear in the **Appendix** below are available for inspection at the Stratford Library 3 The Grove, London E15 1EL and East Ham Library 328 Barking Road, London E6 2RT from 9.00am to 5pm Monday to Saturday and at the Newham Dockside building 1000 Dockside Road E16 2QU Monday to Friday 10am to 3pm. Bank and public holidays are excluded. Inspection rights may also be interrupted by emergency or other building closures.
11. The proposals may also be viewed at any time [on the Council's website](#)
12. Copies of the proposals are available free of charge by emailing elections@newham.gov.uk or by telephoning 0203 373 1928.

Althea Loderick

Proper Officer for the London Borough of Newham

10 February 2021

¹ **IMPORTANT NOTE:** Regulations 6 and 7 and Schedule 2 of the 2012 Regulations contain detailed provisions for the regulation of expenditure by individuals or bodies in relation to a referendum. Individuals or bodies are solely responsible for their compliance with the regulations and may commit a criminal offence by incurring expenses exceeding the referendum expenses limit. The Director of Public Prosecutions is the prosecuting authority for any offences under the 2012 Regulations and information that may disclose an offence should be submitted to the DPP. There are no provisions for the registration of campaigns or the submission of expenses returns. The Council cannot advise whether or not an individual or body is acting in compliance with these provisions and expense accounts are not submitted to the Council. This footnote is for information only. If you have any doubts or concerns, you are recommended to seek independent advice, e.g. you can visit [the electoral commission's website](#)

APPENDIX – PUBLIC NOTICE PUBLISHED ON 23RD DECEMBER 2020 UNDER S9MA OF THE LOCAL GOVERNMENT ACT 2000

London Borough of Newham Notice under s.9MA of the Local Government Act 2000 Proposals for the Committee Model of Governance

Introduction

1. On 6th May 2021, the Council will hold a referendum of local electors to determine the future governance model for the London Borough of Newham. Local electors will have a choice between the current Mayor and Cabinet model of governance (the "Mayor and Cabinet Model") and the Committee model of governance (the "Committee Model"). If a majority of electors voting in the referendum choose the Committee Model, it will become the Council's model of governance from May 2022.

2. The Committee Model means that the Full Council of 66 councillors will be the sovereign decision making body for the discharge of all the Council's powers and duties from safeguarding to parking, except for those powers that are required by law to be delegated to individual officers or committees. Full Council may make decisions itself but will mainly delegate its powers to committees of councillors or to officers.

3. This notice sets out the Council's Proposals for the main features of the Committee Model from May 2022. The size and appointments to committees will be made at the Annual Council meeting held after the 2022 elections.

Powers of Full Council

4. Full Council will be Newham's strategic decision-making body making decisions such as:

4.1 Approval of the annual budget and setting the Council tax;

4.2 Approval or adoption of a plan or strategy for the control of the local authority's borrowing, investments or capital expenditure, or for determining the authority's minimum revenue provision;

4.3 Approval of the Council's policy framework of decisions reserved to it by law including the Development Plan and policies under licensing and gambling legislation;

4.4 Approval of the Council's non-statutory plan for the delivery of the Council's policies and strategies (known as the "Corporate Plan");

4.5 Approval of key governance policies and decisions including adoption of the Council's Constitution, electoral matters, the Members' Allowance Scheme, Annual Pay Policy and byelaws.

4.6 Establishment of / and appointment to committees, including chairs of committees;

4.7 Appointment of the Leader and Deputy Leader of the Council;

4.8 Appointment of the Mayor and Deputy Mayor;

4.9 Appointment and dismissal of the Head of Paid Service (Chief Executive); and

4.10 Approve the scheme of delegation of powers to officers

5. To determine all other matters reserved by law only for Full Council decision¹.

Delegation to Committees

6. Full Council may delegate powers to one or more committees. The Council proposes to establish the following committees. It should be noted that under the Local Government Act 1972 the Council may exercise a power, even where it has delegated the power to a committee or officer.

Policy and Resources Committee

7. This Committee will be responsible for corporate policy and financial matters including:

7.1 Corporate financial management to ensure delivery

of the budget set by Full Council in any year, including the agreement of all financial plans and policies for revenue and capital not reserved to Full Council;

7.2 Recommendation of the budget, council tax and financial decisions to Full Council;

7.3 Formulating or preparing plans, policies and strategies for adoption by Full Council;

7.4 Corporate services including but not limited to finance, employment and human resources (including chief officer appointments through the appointment of sub-committees), legal services, procurement, emergency planning and equalities;

7.5 Entering into a partnership, contract or agreement with another council or third party where the decision directly affects more than one Council service;

7.6 Approval of financial decisions with a total estimated value of £2M or above, except where expressly delegated to other committees by Full Council or to officers;

7.7 Discharging duties and powers not reserved to Full Council and not expressly delegated to another committee or officer, except where prevented by law or the Constitution from doing so.

7.8 To make urgent decisions delegated to a Themed Committee, i.e. those decisions delegated to a Themed Committee where it is in the Council's interests to make the decision before the next scheduled meeting of the Themed Committee.

8. The committee will be chaired by the Leader of the Council and will be able to establish sub-committees and delegate powers to officers.

Themed Committees

9. The Council proposes to establish and delegate power to a number of committees, which will be responsible for major service areas. It is initially proposed to align the committees to the Council's corporate structure and so establish the following committees.

Committee	Areas of Delegated Authority
Children, Young People & Education	All services currently within the Children & Young People's and Brighter Futures directorates including: <ul style="list-style-type: none"> • Children's social care; • Education and schools; • Brighter futures and youth services.
Environment & Sustainable Transport	All services currently within the Environment & Sustainable Transport directorate including: <ul style="list-style-type: none"> • Highways and parking • Enforcement • Licensing
Inclusive Economy & Housing	All services currently within the Inclusive Economy and Housing directorate including: <ul style="list-style-type: none"> • Planning • Housing • Regeneration
Adults & Health	All services currently within Adults and Health directorate including: <ul style="list-style-type: none"> • Adult Social Care • Public Health • Leisure services • All other health powers

10. The Committees will have delegated power in respect of the delivery and oversight of services and policies within their service areas.

11. Committees will be able to establish sub-committees

and delegate powers to officers.

Regulatory, Governance & Statutory committees

12. The Council's current delegation of regulatory and governance powers to committees will continue in their current form. This includes the retention of the following committees in their current form (as set out in the Council's Constitution).

12.1 Strategic Development Committee (major planning applications)

12.2 Local Development Committee (minor applications)

12.3 Licensing Committee (for all licensing and gambling functions, save those reserved to Council or delegated to officers)

12.4 Audit Committee

12.5 Standards Advisory Committee

12.6 Pensions Committee

13. The Council will maintain committees established under statute in their current form, including but not limited to the Health & Wellbeing Board.

Local Committees

14. To promote resident engagement and involvement in decision-making, the Council proposes to establish a system of "local committees" based on ward or multi-ward geographical areas with a membership of the relevant ward councillors. The Council may delegate powers to the committees for the benefit of the Local Committee's area or residents.

Overview & Scrutiny

15. Under the Committee Model, the Council may appoint an overview and scrutiny committee in respect of its own services². The Council is only required by law to discharge scrutiny functions in respect of health (Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013); crime and disorder (s19 of the Police and Justice Act 2006) and flood risk management (Part 1 of the Flood and Water Management Act 2010) functions. The Council has the power to appoint one or more overview and scrutiny committees.

16. The Council proposes to appoint an Overview and Scrutiny Committee to undertake the statutory functions set out in paragraph 15 and to undertake "task and finish" reviews at the request of the Policy & Resources Committee or a Themed Committee.

Joint Arrangements & Health & Well Being

17. It is proposed that the Council's established joint committee arrangements, which are mostly in a London setting, be carried forward into a Committee Model.

18. The Council will continue to have a Health & Wellbeing Board but will review its membership in 2022 due to the loss of the mayor and cabinet roles that currently sit on the Board.

Officer Scheme of Delegation

19. It is proposed that the current Scheme of Delegation to officers agreed by the Executive and Full Council is approved and maintained to ensure continuity of service provision but will be reviewed.

Commencement

20. If the referendum on 6 May 2021 results in a majority vote in favour of the Committee Model, a further report will be presented to Council setting out the necessary transitional arrangements. The change in governance will take effect on 9 May 2022.

Inspection

21. Copies of this notice are available for inspection by members of the public at the Stratford Library 3 The Grove, London E15 1EL and East Ham Library 328 Barking Road, London E6 2RT from 9.00am to 5pm Monday to Saturday and at the Newham Docks building 1000 Dockside Road E16 2QU Monday to Friday 10am to 3pm. These dates exclude bank and public holidays.

¹ From the elections in May 2022, the Local Government Boundary Commission for England has recommended to Parliament that there will be 66 councillors in Newham, an increase of 6 councillors.

² Under the Committee Model, the Council will have a mayor who will perform a civic role only and not the executive role of the current directly elected mayor.

³ Local Authorities (Committee System) (England) Regulations 2012/1020 reg.3

⁴ s91A of the Local Government Act 2000