

This report will be made public on 13 March 2012

Folkestone

Hythe & Romney Marsh
Shepway District Council



www.shepway.gov.uk

Report number **A/11/24**

To: Council
Date: 21 March 2012
Status: Non-executive decision
Chief Executive: Alistair Stewart
Cabinet Member: Councillor Robert Bliss, Leader of the Council

Subject: Report of the Electoral Review Working Group

Summary: This report outlines the conclusions of the Electoral Review Working Group and sets out the proposed revised decision making arrangements that arise from the recommendations.

Reason for recommendations:

Council is invited to adopt the proposals contained in this report to form the basis of the submission to the Local Government Boundary Commission for England and to agree in principle the new ways of working if the LGBCE are agreeable to the proposals for a reduction in the number of councillors.

Recommendations:

1. To receive and note report A/11/24.
2. To support the submission of a proposal to the LGBCE incorporating the proposed new arrangements which demonstrate how the Council would operate with 30 members that is predominantly two member wards with flexibility to have single member wards where necessary according to current electorate size, future electorate projections and geographic considerations;
3. That the overall system of governance should continue to be the strong leader and cabinet model with independent overview and scrutiny;
4. To agree to implement the proposals contained in section 5 of this report, with effect from the 2012-13 municipal year namely:
 - a. That Audit and Compliance Committee be renamed Audit and Standards Committee with a membership of five;
 - b. That Personnel and Appointments Committee be renamed Personnel Committee with a membership of five.

1. INTRODUCTION

1.1 The Council considered the Leader's report on electoral review at its meeting on 23 November 2011, Report A/11/12 – (copy attached as Appendix 1) and resolved as follows:

1. To receive and note report A/11/12.
2. To commission from the informal group of councillors mentioned in paragraph 4.2 a preparatory report, research and consultation to look at introducing predominantly single member wards and reducing the number of councillors.
3. That the report's conclusions be submitted to a meeting of the General Purposes Committee before being reported to the next meeting of the Council on 22 February 2012.

1.2 The Electoral Review Working Group, which comprises Councillors Robert Bliss, David Monk, Alan Clifton-Holt, Keren Belcourt, Hugh Barker and George Bunting, met on four occasions: 14 December 2011, 17 January 2012, 6 February 2012 and 5 March 2012. This report summarises the evidence gathered, the options considered and discussed, and presents the recommendations of the working group. This report was submitted in draft form to the General Purposes Committee on 21 February 2012 and to the Constitutional Advisory Committee on 5 March 2012.

1.3 The Local Government Boundary Commission for England (LGBCE) expect authorities to demonstrate that their proposals are realistic and effective. The early adoption of some of these proposals would on the one hand give valuable experience for the authority and its members and on the other hand would demonstrate a deep commitment to the new arrangements. All early adoption matters have been referred to the Constitutional Arrangements Committee for consideration.

2. LGBCE FACTORS

2.1 The LGBCE ask local authorities to consider the following four factors when making a proposal on council size:

- The decision making process – what decisions, taken where, and how is it managed?
- Quasi-judicial processes – i.e. planning and licensing – what is the workload and how is it managed?
- The scrutiny process – what is scrutinised and how is the total scrutiny workload managed?
- The representative role of the elected member.

2.2 These factors were considered at the first meeting of the working group, where it was agreed that officers would undertake research to analyse likely workloads for a council with fewer councillors. The working group were invited at that stage to indicate the least number of members that would be a viable number for Shepway. The Group considered the range of 24-30 members and took the view that, pending research and data, that

a council size of 28-30 was likely to be the smallest viable option, preferably being 30.

3 RESEARCH AND EVIDENCE

- 3.1 Following the first meeting, officers undertook some desktop research in an attempt to identify potential authorities to investigate further. This included known efficient councils and also evidence gathered via a democratic services network. The summary of that information is attached as Appendix 2 to this report.
- 3.2 Based on this data officers undertook a visit to Eastbourne Borough Council (a council with 27 members) to discuss how their structure operated and to see whether lessons could be learned for the Shepway review. There are many similarities between the two authorities as well as significant differences as can be summarised below.

Similarities and differences between Shepway and Eastbourne	
Shepway District Council	Eastbourne Borough Council
Mixture of urban and rural areas	Largely urban
Almost entire area served by Town and Parish Councils	No parish councils exist
Population: 101,000 Electorate: 81,000	Population: 90,000 Electorate: 73,000
There are 22 wards with one, two or three members per ward	There are nine wards each with three members
Six county divisions	Nine county divisions, with boundaries matching ward boundaries

- 3.3 The following bullet points summarise the key elements of the Eastbourne democratic structures as they are currently operated:
- There is a Council of 27 councillors elected all out every 4 years: the Council meets five times a year in addition to the annual meeting
 - The current political balance is 15 Liberal Democrats and 12 Conservative, with a tendency for control to swing between the two political parties
 - There is a Cabinet of 6: the portfolios have been historically departmental but have more recently been moving towards a thematic structure based around established corporate priorities. The Cabinet meets 8 times per year.

- There is a single scrutiny (O&S) committee of 7 members (with four nominated substitutes) which meets 6 times per year. It considers standardised quarterly reports on performance issues, including financial reports, along with reports from sub-groups (see below). The chairman and vice-chairman are from the opposition group but the committee reflects proportional balance.
- The scrutiny committee sets up a number of small task and finish groups (typically comprising two councillors, one from each party, plus an officer) which meet in private and report back to scrutiny with their findings. These groups normally examine identified corporate projects.
- Their Development Control Committee comprises 8 members and meets every 4 weeks with similar levels of delegation to SDC.
- They have an Audit Committee of 6 members that meets quarterly.
- Their Licensing Committee has 13 members and meets 4 times per year. As with Shepway the majority of business is undertaken by the licensing sub-committees.
- They have a Standards Committee similar to SDC, which is the subject of review in the light of recent legislative change.
- They are evolving a system of neighbourhood forums – currently six but with the expectation that there will be one for each of the nine wards

3.4 Whilst the working group did not consider that the Eastbourne model should act as a blueprint for Shepway, the members did believe that there were some interesting lessons to be learned in terms of overall size and efficiency; especially in the use of councillors' time.

3.5 The working group identified at its first meeting that probably the single biggest area of committee activity for many district councillors was the work of the Development Control Committee. The working group was also concerned to investigate different models of delegation both within the council and also beyond, ie to town and parish councils. Officers reviewed the position and submitted the following evidence to the second meeting of the working group:

- A smaller Development Control Committee of eight members would be workable and is deemed highly preferable.
- A smaller committee provided the opportunity to have a greater "professionalisation" of members.
- Continuous development and training of members could be provided along the lines of licensing committee.
- If any delegation of planning is made to town/parish councils, then a detailed assessment of financial implications and logistics would be required to look at officer time, duties and appeals etc. Based on the

current number of planning applications, it is not considered a preferred option at present.

- The Localism Act will introduce significant impact on our work in this area and we are awaiting the detailed guidance from government before assessing the impact and devolution to communities involved.
- A three weekly cycle is preferred to maintain our 8 week target achievement.
- 93-94% of all decisions are taken under delegated authority which was in the middle of the range of delegated decisions by authorities in Kent. Most authorities operated similar levels of delegation and there didn't seem much scope or desire for further internal delegation.

3.6 The third area of research undertaken was a survey of councillors. This was undertaken online between 4-31 January 2012. The full results are attached as appendix 3 but the key findings can be summarised as follows:

- The overall response to the survey was 65.2%
- Of the respondents, 40% identified themselves as being on cabinet or chair of a committee and 60% were backbenchers
- On average, councillors in non cabinet or chair positions spend about 8 hours per week on council business whereas those holding cabinet or chairman positions spend an average of 16 hours per week on council business.
- Most councillors wish to spend more time with their constituents or with their local communities.
- The top three priorities for additional support, budgets permitting, were delegated ward budgets (75%), administrative support (43%), paperless committees (40%) and facilities for surgeries (36%).
- About two-thirds of councillors would prefer to have multi member wards or a mix of single member and multi member wards.

3.7 The working group had previously considered and dismissed the idea of returning to a committee system of governance, principally because the direct provision of services had reduced in number which in turn would have resulted in the need for just one or two committees. The group did not perceive an advantage in such an option nor did it consider the option of an executive mayor. At the request of the General Purposes Committee the working group examined further evidence in relation to alternative forms of democratic decision making, including the committee system and also the directly elected mayor model.

- 3.8 Prior to the Localism Act 2011 only authorities with populations of less than 85,000 could adopt a traditional committee system of governance. The Localism Act allows the following options in terms of decision making structures:-
- (a) A leader and cabinet executive;
 - (b) A mayor and cabinet executive;
 - (c) A committee system;
 - (d) Other arrangements approved by the Secretary of State.
- 3.9 The Act is clear that a local authority with committee based governance arrangements may appoint one or more committees as the authority's overview and scrutiny committee or committees. There is a specific requirement to review and scrutinise flood risk management functions and to carry out scrutiny of health and crime and disorder. The Secretary of State has power to make regulations about the function, composition and procedure for overview and scrutiny committees in a committee system. Regulations are not required in order to proceed with a change in governance arrangements.
- 3.10 The Secretary of State has power to approve alternative forms of governance arrangement on request from local authorities, provided that they demonstrate that the proposed arrangements would be an improvement on the current arrangements, that they would ensure efficient, transparent and accountable decision making and that they would be appropriate for all local authorities, or a particular type of local authority.
- 3.11 The debate in the House of Lords did focus on the role of overview and scrutiny committees in a committee system and there was cross party support for retaining a scrutiny role to both hold decision makers to account and to look forward at policy development. Baroness Hanham confirmed, "Nothing in these arrangements would stop a local authority from having scrutiny committees. If it has a committee system, it can have a scrutiny system running alongside those arrangements. Nothing here would put those arrangements under threat."
- 3.12 There are currently no authorities operating a committee system under the Localism Act provisions as yet, but a few do exist under the previous provisions. The vast majority are to be found in Scotland and Northern Ireland and whilst it is true that Scottish and Northern Ireland law is different, it was possible to identify some comparative information. The evidence discussed by the working group found that committee systems would result in the demand for similar numbers and types of meetings that exist under the current cabinet/scrutiny arrangements.
- 3.13 Having regard to the experience of other authorities and also having regard to the local circumstances in Shepway, if a committee structure were adopted, the working group agreed it would probably be along the following lines:
- Full Council
 - Policy and Resources Committee

- Development Control Committee
 - Licensing Committee (with sub-committees)
 - New standards arrangements in accordance with Localism Act
- 3.14 In this model, the group found that the Policy and Resources Committee could be a large and cumbersome body charged with considering and scrutinising all of the executive decisions. It would also have needed to meet frequently in order to deal with this workload.
- 3.15 Many academics have reviewed the value and benefit of different forms of governance. One of the more recent evaluations was undertaken by the Centre for Public Scrutiny and this was considered in full by the working group. In looking at this, the group considered how these, and other policy dimensions, are dealt with locally in Shepway and sought to establish whether:
- A committee system is likely to be more efficient?
 - A committee system is likely to be more accountable?
 - The financial and organisational cost of any transition from one system to another?
 - Do the public care what system of democratic decision making exists?
- 3.16 The final question was posed because in the past the public have shown little interest in the forms of governance adopted by the Council. For example, in 2010 the Council was required to consult on forms of governance. On that occasion only four people responded.
- 3.17 The Council could consider moving to a directly elected Mayor model, however a mayoral option can only be adopted by way of a binding referendum, through the following ways:
- triggered by the council following consultation with the public,
 - following a petition received and signed by five per cent of the electorate,
 - or in certain circumstances by the Secretary of State.
- 3.18 There is no evidence that there is an appetite for such an arrangement in Shepway and on 31 January 2002, it will be recalled that a referendum on whether to have a directly elected mayor was held in Shepway. The turnout was 36% with 11,357 (44%) voting for the proposal with 14,438 (56%) against. Across the whole of England the option has been rarely taken up. To do so would require the holding of a referendum which would be costly – the Government suggest that the cost of holding a referendum for a district council would be in the region of £140,000.

4. OPTIONS, CONCLUSIONS AND RECOMMENDATIONS

- 4.1 After reviewing that evidence on the best model of governance, the working group considered that the strong leader model with cabinet and separate scrutiny was appropriate to a district council like Shepway.

- 4.2 In considering and debating the evidence the working group took a view about overall council size. Members were not convinced that it would be viable to run Shepway District Council with fewer than 30 councillors, all of whom the group considered, should have clear and substantial roles in addition to their ward based constituency role.
- 4.3 The working group then considered whether they supported the return to a traditional committee structure which is now permitted by the Localism Act. The group took the pragmatic view, that if there was a return to such a structure there would be no justification to supporting a large number of committees given the fact that many services in Shepway are out sourced. In reality a modern committee structure for an efficient district council would require one or two service committees at most. Whilst there was some support for examining such a model the clear majority view was that an improved executive model made most sense at this time.
- 4.3 The working group then went on to consider the number and type of committees that an efficient democratic structure would need and took the view that a structure along the lines of that set out in Appendix 3 would meet the needs of the council. In summary the suggested structure can be summarised as follows:

Body/function	Number of councillors	Frequency of meetings	Comments
Council	30	4 plus annual meeting	To continue in much the same vein as present
Cabinet	6 [maximum but at Leader's discretion]	Monthly	Portfolios to be determined by Leader
Overview and Scrutiny	8	6	Overarching issues only including financial and performance review
Task and finish groups	2 per group	Ad hoc	Informal short life groups that dig deep into issues with relevant service heads. Probably 3-5 of these groups in any one year
Development Control Committee	8	3 weekly	To have the Cabinet Member with the planning portfolio on the standing membership and no other Cabinet members unless in a substitute capacity.

Licensing Committee and sub-committees	10 (legal minimum requirement)	Full committee up to 2 meetings pa; sub-committee as and when needed	Apart from size on main committee the current arrangements would continue
Audit and Standards Committee	5	Quarterly	Addition of new regime of standards responsibilities to current audit and compliance terms of reference.
Personnel Committee	5	Quarterly	Non executive and organisational responsibilities including new remuneration policy responsibilities. No more than 3 cabinet members allowed to serve.

4.4 These pilot proposals could provide substantial roles as follows:

- 3 - 10 as the number of Cabinet members as allocated by the Leader
- 1 Chairman of the Council
- 1 Vice-Chairman of Council
- 8 Overview and Scrutiny Committee members
- 7 Development Control members (8th member being from Cabinet)
- 6 of the 10 Licensing Committee members being “specialists” and providing core membership of sub-committees
- 5 members of the Audit and Standards Committee
- 2 members of the Personnel Committee (the other 3 members being cabinet members)

Total posts available (excluding cabinet posts) equates to 30 places

Further posts include:

- 5 members of Housing Appeals Committee (not met since 2007)
- 5 members of Constitutional Advisory Committee
- 5 members of Grants Advisory Committee
- 5 [may need to be reduced] members of Employment Appeals Sub-Committee
- 6 members of Joint Transportation Board
- 3 members of Joint Staff Consultative Forum
- 2 members on East Kent Joint Arrangements Committee
- 3 members on East Kent Joint Scrutiny Committee

- 4.5 In reaching their conclusions about the size of future committees the working group were aware that in addition to their ward based work with constituents, all councillors need to have a clear significant role and specialism within the council whether that be executive, regulatory, scrutiny or ceremonial. Generally speaking the Group were of the view that cabinet members should not dominate other democratic bodies which would mean that, for example, the Development Control Committee would normally have a maximum of one cabinet member in its membership. The above table demonstrates that with minimal overlap there would be a significant role for 30 councillors to perform.
- 4.6 The Working Group were aware that the Localism Act would generate further forms of democratic responsibility, but at this time it was not clear whether such responsibilities would fall on the district council to coordinate, or to the town and parish councils. Accordingly this proposal leaves that question open, but in general terms the group believe that a combination of 30 district councillors and town and parish councillors created a sufficient pool of democratically elected representatives to deliver on the aims of the Localism Act.
- 4.7 In terms of the councillors' representative role a council of 30 members would mean that each councillor would have an average of around 2,700 constituents. The working group considered that councillors could undertake their ward work with this number of constituents.
- 4.8 The Electoral Review Working Group therefore recommends to Council that, for the purposes of the submission to the Local Government Boundary Commission for England, the structure outlined in Appendix 4 be adopted as a future objective for this authority.

5. SUGGESTED CHANGES FOR THE FORTHCOMING MUNICIPAL YEAR

- 5.1 The Local Government Boundary Commission for England (LGBCE) expect authorities to demonstrate that their proposals are realistic and effective. Consideration will need to be given about possible early adoption, perhaps in a pilot form, of some of these proposals which would on the one hand give valuable experience for the authority and its members and on the other hand would demonstrate a deep commitment to the new arrangements.
- 5.2 However, some of the proposals need to be implemented for legal reasons at the earliest possible date. The following is therefore suggested to come into effect following the Council AGM in May 2012:

5.3 Audit and Standards Committee

- 5.3.1 Chapter 7 of The Localism Act 2011 radically overhauls the standards regime. Under the standards provisions of the Act, it is the government's intention to effect the abolition of the "Standards Board Regime" through the Localism Act 2011. This means that, under the standards provisions of the Act, Standards for England is to be abolished and the government has confirmed that this will take effect on the 31 March 2012.

- 5.3.2 There are likely to be transitional provisions ending on 1 July 2012, which means that any changes would not come about until this date and the existing structure is maintained until then.
- 5.3.3 The parish councils, at the meeting of the Shepway District and Parish Councils Joint Committee on the 15 December 2011 noted that the parishes would come under the new arrangements being prepared by the district council.
- 5.3.4 The Audit and Compliance Committee of the council, which meets three times per year, is currently responsible for reviewing financial statements, the authority's assurance statement, external auditor's reports, the work of internal audit, corporate governance arrangements and the Council's whistleblowing policy amongst its main functions. It is therefore proposed to establish a new committee entitled Audit and Standards to cover the previous work of Audit and Compliance Committee and the new standards regime. This new committee, made up of 5 members, will take effect from the May 2012 Council AGM with the standards element coming into effect following the transitional arrangements in 2012.

5.4 Personnel Committee

- 5.4.1 Section 40 of the Localism Act 2011 sets out new duties for the Council to prepare and agree pay policy statements. This responsibility falls in line with the existing terms of reference of the existing Personnel and Appointments Committee. The working group agreed with the suggestion of the Constitutional Advisory Committee that the name of the new committee could be simplified and there recommends its renaming as Personnel Committee. It is proposed that this takes effect from the Council AGM in May 2012 and has a membership of 5.

6. NEW WAYS OF WORKING

- 6.1 In addition the LGBCE expect councils to demonstrate how councillors will develop and deliver their representative role. Councillors might agree that a special working group be set up to look at this and their training needs. Before reporting to Cabinet, a report would be made to General Purposes Committee.
- 6.2 A further outstanding issue is the emergence of neighbourhood forums or equivalent. The full details of proposals contained within Localism Act are still to be developed, but there is no doubt that the neighbourhood planning proposals and other proposals for enhancing the role of the community will add to the role of district councillors and/or parish and town councillors.
- 6.3 Ward budgets: councillors have indicated in the survey that (resources permitting), they would wish to have ward budgets within their control. Officers will investigate the required financial implications and proper audit checks and the Leader will report back at a later date.

7. WARD PROPOSALS

7.1 At its meeting on 6 February 2012 the Working Group considered how 30 councillors would represent the District. The Working Group acknowledged that detailed boundary proposals would emerge from the review undertaken by the LGBCE but were keen to ensure any proposals for a reduction in councillors would be feasible and not lead to too large a geographical area. The Working Group noted that parish boundaries were generally regarded by the LGBCE as the building blocks for district council ward boundaries. The Working Group also noted that although the underlying assumption from the LGBCE was that single member wards would be predominant in a new structure, some councillors had indicated that they believed single member wards were not appropriate in all cases. Two member wards would be most necessary in the more built up areas whilst single member wards would cover small areas in terms of electorate much the same as they do at the moment. On balance, and having regard to the opinion of the General Purposes Committee, the working group agree that the new structure should, however, be based on predominantly two member wards.

7.2 Attached at Appendix 5 is a map which shows the District divided into four broad areas of:

- The Marsh
- Folkestone and Sandgate
- Hythe and north Hythe rural
- North Downs

Areas	Number of Councillors
Area 1 - current ward boundaries of Dymchurch and St Mary's Bay, Lydd, New Romney Coast, New Romney Town and Romney Marsh	6
Area 2 - current ward boundaries of Folkestone Cheriton, Folkestone East, Folkestone Foord, Folkestone Harbour, Folkestone Harvey Central, Folkestone Harvey West, Folkestone Morehall, Folkestone Park and Folkestone Sandgate	14
Area 3 - current ward boundaries of Hythe Central, Hythe East, Hythe West, Lympne and Stanford and Tolsford	6
Area 4 - current ward boundaries of Elham and Stelling Minnis, North Downs East and North Downs West	4

- Area 1, the Marsh, which would be represented by 6 councillors
- Area 2, Folkestone, which would be represented by 14 councillors
- Area 3, Hythe and north Hythe rural, which would be represented by 6 councillors
- Area 4, the North Downs, which would be represented by 4 councillors

- 7.3 Appendix 5 gives the breakdown of each existing ward and the total of all of those wards within the four broad areas in Shepway. Given the total number of seats being 30, the Sainte-Laguë method of distribution is used, which is how seats are distributed regionally in the UK for European Parliament and Westminster parliamentary boundary review purposes. This gives the number of seats for each area.
- 7.4 The figures used in the breakdown of seats to areas is intended to only be indicative and does not represent the sum total of the electorate or the actual four separate areas to be considered. It is intended as a guide and also does not take into account the five year growth figures, as per proposed planning in each of the wards which will be considered by the LGBCE, and therefore should be treated as a guide at this stage.
- 7.5 The parish council and meeting boundaries for the same four areas are shown on the map in Appendix 6. The new ward areas would not necessarily be based on existing district ward boundaries but would, wherever possible, not transcend different communities or existing parish boundaries which would be used as the building blocks for the new ward areas. Appendix 8 gives the number of electors in each parish area.

8. LEGAL, FINANCIAL AND OTHER POLICY MATTERS

8.1 Legal officer's comments (PJW)

Further Electoral Reviews are subject to the procedures and guidance produced by the Local Government Boundary Commission as established under the provisions of the Local Democracy, Economic Development and Construction Act 2009. The Commission has the power to commence an electoral review and implement the outcome by Statutory Instrument or order on the local authority area. The council will be required to comply with any request made by the LGBCE to support the review and to provide the necessary advice and support to their process.

The Council has a duty to comply with the provisions of the Local Government Acts (as amended) and associated legislation in providing effective and appropriate governance arrangements.

8.2 Finance officer's comments (SH)

Further to discussions with the author of the report, there will be a cost in respect of the boundary review for which no budget exists and there is currently no allowance for it within the Medium Term Financial Strategy. This cost will occur regardless of the decision taken, however agreement to the recommendations may require some of the costs to be met in the 2012/13 financial year.

Savings will accrue on an ongoing basis following elections in 2015 but are impossible to quantify at this stage as they are dependent upon the outcome of the deliberations of the Independent Remuneration Panel.

8.3 Diversities and equalities Implications (DJ)

All aspects of diversity and equality are covered within the report.

9. CONTACT OFFICER AND BACKGROUND DOCUMENTS

Councillors with any questions arising from this report should contact the following officer prior to the meeting:

Dylan Jeffrey, Democratic Services Manager
Telephone: 01303 853283
E-mail: dylan.jeffrey@shepway.gov.uk

The following background documents have been relied upon in the preparation of this report

Electoral Reviews: technical guidance (The Local Government Boundary Commission)

Appendices:

- Appendix 1: Report A/11/12 - Electoral review of the Council
- Appendix 2: Table of Council Size
- Appendix 3: results of Councillors Survey
- Appendix 4: Proposed Committee Structure
- Appendix 5: Indicative ward Boundaries
- Appendix 6: Existing parish Boundaries
- Appendix 7: Table of current ward sizes
- Appendix 8: Table of current parish sizes

This report will be made
public on 15 November
2011

APPENDIX 1

Folkestone

Hythe & Romney Marsh
Shepway District Council



Report number **A/11/12**

To:	Council
Date:	23 November 2011
Status:	Report of the Leader of the Council
Subject:	Electoral review of the Council

Summary: This report presents the rationale for seeking an electoral review of the council and sets out what the council should seek to achieve through it.

Reasons for recommendations:

Council is asked to agree the recommendations set out below to set in train the process for request that the Local Government Boundary Commission for England conduct an electoral review of the council.

Recommendations:

1. To receive and note report A/11/12.
2. To commission from the informal group of councillors mentioned in paragraph 4.2 a preparatory report, research and consultation to look at introducing predominately single member wards and reducing the number of councillors.
3. That the report's conclusions be submitted to the next meeting of the Council on 22 February 2011.

1. INTRODUCTION

- 1.1 This is my report as the Leader of the Council on the electoral review of the council that will be undertaken by the Local Government Boundary Commission for England (LGBCE) during the lifetime of this current council.
- 1.2 I am submitting this report not primarily as the executive leader responsible for the discharge and allocation of the executive functions of the council but as the leader of the council responsible for helping determine its future shape.
- 1.3 I have not, of course, acted in isolation and I have discussed the ideas set out in this report with my fellow councillors. In particular I discussed the proposals with Councillors Rory Love, Alan Clifton – Holt, David Monk, Malcolm Dearden, Keren Belcourt, Stuart Peall, Russell Tillson, Hugh Barker, Richard Pascoe, George Bunting, Peter Monk, Peter Gane and David Godfrey who are in broad agreement with the proposals.

2. THE FORTHCOMING ELECTORAL REVIEW

- 2.1 The LGBCE is responsible for, amongst other things, reviewing the electoral arrangements of local authorities; the number of councillors, the names, number and boundaries of wards and the number of councillors to be elected to each.
- 2.2 The last full local government electoral review of Shepway, conducted by the LGBCE, took place in 2000 and was published on 8 May 2001. This formed part of a periodic electoral review cycle for Kent which occurred approximately every ten years.
- 2.3 The 2001 full electoral review recommended that the number of wards was reduced from 25 to 22 and the number of councillors was reduced from 56 to 46. In addition new boundaries were created and new parish wards and changes to the number of councillors were also introduced for some parish councils such as Lympne.
- 2.4 In 2004, the rules were amended and the periodic electoral review was abolished. However new criteria were introduced for requiring a full electoral review in circumstances where:
 - More than 30% of a council's wards have an electoral imbalance of more than 10% from the average ratio (in Shepway 30% is 7 wards) and/or
 - One or more wards have an electoral imbalance of more than 30% and
 - The imbalance is unlikely to be corrected by foreseeable changes to the electorate with a reasonable period.
- 2.5 In addition, a council may request a full electoral review where they are seeking to:

- Have wards represented by two or three members reduced to single member wards and/or
 - Change the number of elected councillors and/or
 - Change electoral cycles e.g. from all out every four years to half or thirds elections and
 - See better electoral parity
- 2.6 The new electoral register figures will be published on 1 December 2011. Based on early projections, Shepway will have at least one ward with an electoral imbalance of more than 30% and will have 6-11 wards with an imbalance of more than 10%.
- 2.7 This means we will be subject of full electoral review by the LGBCE. Based on the current LGBCE projected timetable of work and ongoing discussions with the commissioner's office, the earliest a review would occur in Shepway would be 2013 for completion in 2014. This could potentially lead to a very short timescale for implementation of new wards, parish council areas and selection of candidates for elections due in 2015.
- 2.8 However, if the council made a submission based on the criteria for council's requests for a review, then this coupled with the triggers already achieved, could result in Shepway being moved up the list to have a review commenced sometime in 2012 for implementation in 2013. This would enable plenty of time for new arrangements to be in place for the 2015 elections.
- 2.9 It is my view that the council should request a review and be clear on what the council wants from the review. I firmly believe that we should set the agenda rather than have it forced on us.

3. OUTCOMES OF THE REVIEW

- 3.1 I think that the council should seek the following outcomes from any review. The proposals will be worked up by a group of members and will be the subject to the statutory procedures.
- 3.2 The outcomes that the council should seek are:-
- Predominately single member wards throughout the district and
 - A reduction in the number of elected members to 24 – 30.
- 3.3 Turning to the first issue. I consider that having a single member for each ward helps the electorate understand and engage with the council rather than having, as is the case now in some wards having two or three district councillors. Single member wards avoid potential confusion and helps place the ward member at the centre of his or her community. Although I recognise that the demographics and the geography of single member wards may result in two member wards.

- 3.4 On the second matter I take the view that it is right now for the council to seek a reduction in the council membership. The council now has had more than ten years' experience of operating the cabinet style of administration. The cabinet system inevitably means that more decisions are concentrated in fewer councillors and yet we operate with only ten fewer councillors than we did when the council operated the committee system.
- 3.5 In addition the council itself is changing. We have already outsourced street cleansing and housing management which were previously undertaken in – house and will shortly be putting out to contract the ICT provision and the parking enforcement section. In addition the cabinet has taken the decision to market test the grounds maintenance service. The recycling and waste service is already the subject of an external contract. A consequence of these developments is that the policies and operations of major services will be subject to contractual agreements. The council once it has let the contract will, subject to the terms being honored, let the contractor run the service.
- 3.5 Given this backdrop and looking at what decisions need to be taken and by whom I consider that leaving the number of members as it is is not sustainable.
- 3.6 A council of 24 - 30 could, I am sure make the decisions executive and non – executive and have a focused and powerful scrutiny function. I also think that the members could effectively represent their constituents.

4. THE WAY FORWARD

- 4.1 It is my recommendation that Council to request that a preparatory report, research and consultation is undertaken to look at introducing predominately single member wards and reducing the number of councillors.
- 4.2 It is also my recommendation that an informal group of councillors comprised of Councillors Alan Clifton – Holt, David Monk, Karen Belcourt, Hugh Barker, George Bunting and me, produce this report for submission to the next meeting of the council on 22 February 2012.

5. CONTACT AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact:

Councillor Robert Bliss, the Leader of the Council
Tel: 01303 853202
Email: robert.bliss@shepway.gov.uk

The following background documents have been relied upon in the preparation of this report:

None

APPENDIX 2

COUNCIL SIZE

The following table sets out some data in respect of some councils that are known to operate smaller structures.

Council	Size	Cabinet size	Scrutiny cttee 1	Scrutiny cttee 2	DC size	Other committees	Comments
Eastbourne (East Sussex)	27	6	7	-	8	Audit (6); licensing	6 neighbourhood forums
North Lincs	46	7	7	7	10	Third scrutiny body (7)	
Broxbourne (Herts)	38	6	13	-	13	Audit (4+ independent)	Planning and regulatory deals with planning and also licensing policy
Eastleigh (Hants)	44	8	11	11	-	Admin (6); audit (5); licensing, standards	5 area committees deal with planning
Hart (Hants)	35	6	11	-	19	2 planning sub-cttees; Audit (8); licensing; standards	
Purbeck (Dorset)	24/27	6 (policy group)	11	-	11	Audit (5); licensing; standards	Due to increase from 24 to 27.
West Somerset (Somerset)	28	7	9	-	15	Audit (7); licensing	4 area panels (liaison role)
Newcastle under Lyme (Staffs)	59	6	13	6	16	Many other committees	Small cabinet but rest is not efficient, reflecting large council size.
Uttlesford (Essex)	44	6	10	-	14	Licensing and environmental health (11); performance and audit (10)	2 area forums
Eden (Cumbria)	38	6	9	-	11	Licensing (10)	Cabinet members hold many "portfolio meetings" where they take decisions usually in public
Wychavon (Worcs)	45	7	11	-	15	Licensing (11)	

APPENDIX 3

SURVEY OF COUNCILLORS: FULL RESULTS

- 65.2% response equating to 30 out of 46 councillors
- 40% of the respondents were members of cabinet or chair of a committee
- 57% of respondents were also parish councillors
- 6.7% of respondents were also county councillors
- Over 67% of respondents were members of 2 committees or less

Time Spent on Council Business per week

	District Council	Parish Council
Attendance at Meetings	19% less than 1 hour 30% 1-2 hours 33% 2-4 hours 7% 5-7 hours 11% 8-15 hours	24% less than 1 hour 47% 1-2 hours 24% 2-4 hours 5% 5-7 hours
Reading or preparing for committees	19% less than 1 hour 18% 1-2 hours 44% 2-4 hours 7% 5-7 hours 12% 8-15 hours	29% less than 1 hour 38% 1-2 hours 24% 2-4 hours 9% 5-7 hours
Travel to and from council meetings	42% less than 1 hour 39% 1-2 hours 15% 2-4 hours 4% 5-7 hours	84% less than 1 hour 10% 1-2 hours 5% 2-4 hours
Formal outside functions or meetings with constituents	31% less than 1 hour 35% 1-2 hours 19% 2-4 hours 8% 5-7 hours 7% over 8 hours	42% less than 1 hour 42% 1-2 hours 11% 2-4 hours 5% over 5 hours
Training or other external meetings	64% less than 1 hour 24% 1-2 hours 8% 2-4 hours 4% 5+ hours	77% less than 1 hour 23% 1-2 hours
General engagement with constituents	11% less than 1 hour 44% 1-2 hours 26% 2-4 hours 19% over 4 hours	29% less than 1 hour 41% 1-2 hours 24% 2-4 hours 6% over 4 hours

More or less time on council business

Attending the council for meetings and committees

- 50% wanted to spend more time
- 6.7% wanted to spend less time
- 43.3% thought the time spent was about right

This is not necessarily a reflection of wanting to spend more time in committees but about spending more time on council premises for council business

Working directly with constituents

- 53.8% wanted to spend more time on this
- 11.5% wanted to spend less time on this
- 34.6% said it was about right

Working with the local community

- 56% wanted to spend more time on this
- 8% wanted to spend less time on this
- 36% said it was about right

If resources were available, the following were in their top three priorities of all respondents:

- 75% A delegated ward budget
(This was the top priority for over 39% and in the top two for 57%)
- 43% Administrative Support
- 40% Paperless Committees
- 36% Facilities to hold surgeries
- 35% Political Skills Training
- 29% Better Information on role as a councillor including more briefings
- 25% Better IT support
- 25% Media Training
- 18% Case Worker

When the results were weighted based on first, second or third preferences, they largely mirrored the overall top three priorities shown.

Favouring Multi member or Single member wards

- 60% favoured Multi member wards
- 33.3% favoured Single member wards
- 6.7% were not bothered

It was a stronger feeling amongst back bench councillors [37%] for single member wards.

APPENDIX 4

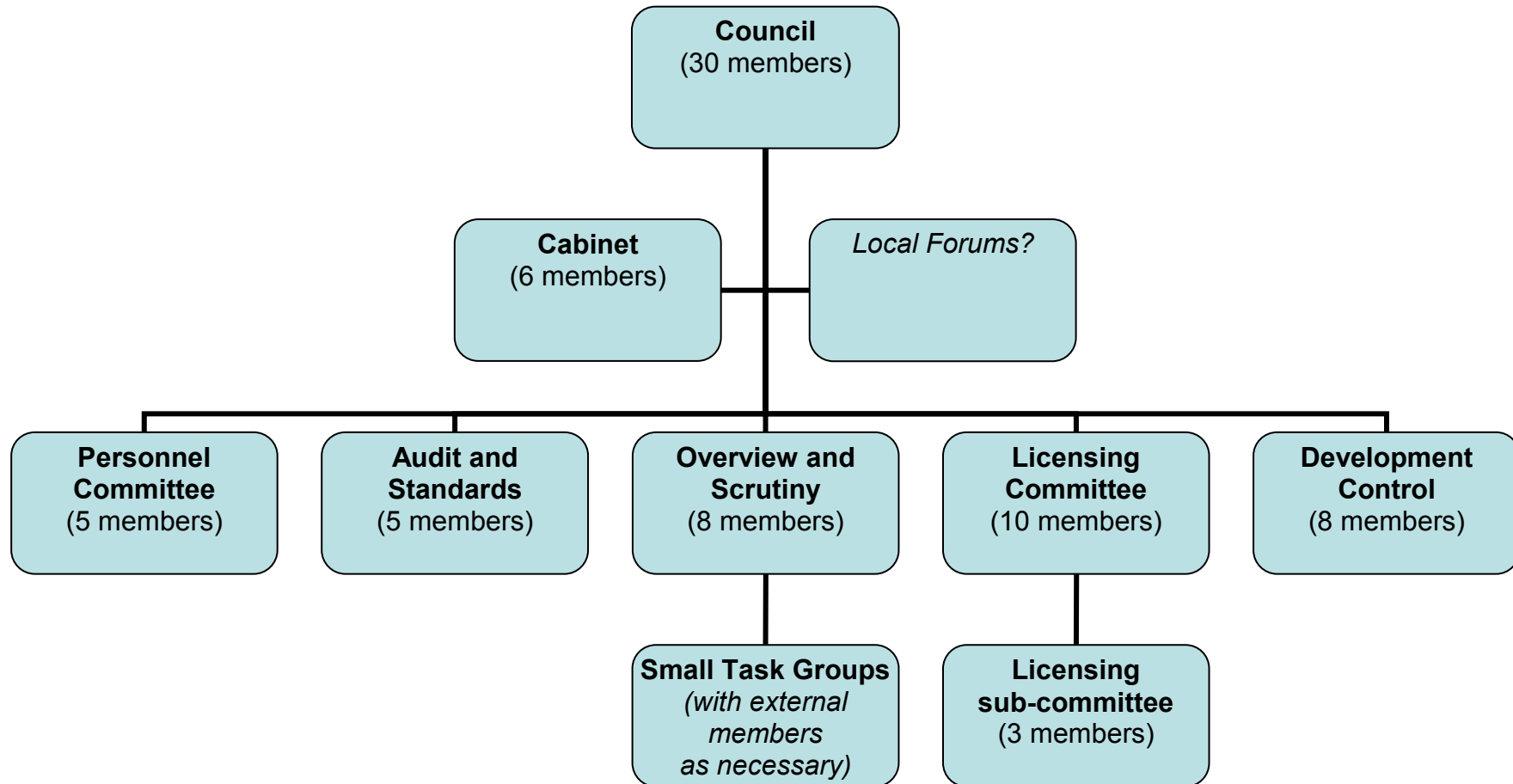


TABLE OF CURRENT WARD SIZES [based on 1 Feb figures] –**1 seat per 2,746 electorate****Area 1 – The Marsh**

Romney Marsh	1,836
Dymchurch and St Mary's Bay	5,336
New Romney Town	2,792
New Romney Coast	2,903
Lydd	4,776

Total for Area 1 (pink) 17,643 (equivalent to 6.43 [6] seats)

Area 2 – Folkestone and Sandgate

Folkestone Cheriton	5,107
Folkestone East	3,521
Folkestone Foord	4,045
Folkestone Harbour	4,202
Folkestone Harvey Central	5,033
Folkestone Harvey West	3,695
Folkestone Morehall	3,335
Folkestone Park	4,961
Folkestone Sandgate	3,474

Total for Area 1 (blue) 37,373 (equivalent to 13.61 [14] seats)

Area 3 – Hythe and north Hythe Rural

Hythe Central	4,955
Hythe East	3,474
Hythe West	3,516
Lympne and Stanford	1,578
Tolsford	1,632

Total for Area 3 (orange) 15,155 (equivalent to 5.52 [6] seats)

Area 4 – North Downs

Elham and Stelling Minnis	1,776
North Downs East	6,890
North Downs West	3,549

Total for Area 4 (green) 12,215 (equivalent to 4.45 [4] seats)

APPENDIX 8

TABLE OF CURRENT PARISH SIZES [based on 1 Feb figures] –

Area 1 – The Marsh

Brenzett	280
Brookland	365
Burmarsh	250
Newchurch	267
Dymchurch	3,110
Snargate	103
Ivychurch	214
St Mary in the Marsh	2,407
Old Romney	176
New Romney	5,695
Lydd	4,776

Total for Area 1 (pink) 17,643 (equivalent to 6.43 [6] seats)

Area 2 – Folkestone and Sandgate

Folkestone	33,899
Sandgate	3,474

Total for Area 1 (blue) 37,373 (equivalent to 13.61 [14] seats)

Area 3 – Hythe and north Hythe Rural

Newington	299
Postling	174
Stanford	306
Lympne	1,236
Lyminge (Area 3 part)	477
Saltwood	682
Hythe	11,945
Sellindge (Area 3 part)	36

Total for Area 3 (orange) 15,155 (equivalent to 5.52 [6] seats)

Area 4 – North Downs

Elmstead	246
Stelling Minnis	497
Elham	1,279
Stowting	181
Lyminge (Area 4 part)	1,760
Acrise	148
Swingfield	1,032
Monks Horton	96
Hawkinge	5,682
Paddlesworth	28
Sellindge (Area 4 part)	1,266

Total for Area 4 (green) 12,215 (equivalent to 4.45 [4] seats)