



Kent County Council

Submission to the Local Government Boundary Commission for England (LGBCE) on Council size

July 2014

Introduction:

1. This submission sets out the views of Kent County Council (KCC) on the number of County Councillors that are needed in order to support effective, efficient and accountable local democracy in Kent. The submission takes into account the political structure of the Authority and the nature of the different roles that County Councillors are required to undertake in order to deliver effective local government in Kent. In particular, the submission provides a detailed analysis of Council size in the three key areas that the Commission uses to make their judgement:

- The County Council's **governance arrangements** and how KCC takes decisions across the broad range of its responsibilities;
- The County Council's **scrutiny functions** relating to its own decision making and the Council's responsibilities to outside bodies; and
- The **representational role of Councillors in the local community** and how they engage with people, conduct casework and represent the Council on local partner organisations.

Profile of KCC's area

2. The County of Kent is large and diverse, as can be seen from the following key facts and figures about Kent:

- Land area of 1,368 square miles and just over 350 miles of coastline;
- Resident population of 1.48million and growing faster than the national average;
- An ageing population – the number of 65+ year olds is forecast to increase by 56% by 2031;
- 78% of Kent's working population are economically active (in work or actively looking);
- 10% of working age residents are claiming out of work benefits;

- Just under a quarter of the Kent workforce is qualified to at least NVQ level 4, lower than the national and South East average;
- Kent is ranked 102nd out of 152 authorities in the Indices of Deprivation, although lots of variation, with some areas of Kent falling into the 20% most deprived in the country;
- 50,600 businesses are based in Kent; 89% of which employ fewer than 10 people;
- Professional, scientific and technical industries account for the largest proportion of Kent businesses, followed by construction, while businesses in wholesale and retail trade have the largest population of employees; and
- Health and wellbeing in Kent is generally good, although there are significant health inequalities, with a 15 year gap in life expectancy between the healthiest and least healthy areas.

3. Kent's public sector landscape is complex. It is a two-tier area with 12 District, Borough and City Councils and also has 314 Town and Parish Councils. Medway Unitary Council neighbours KCC's area. There are eight Clinical Commissioning Groups (including Medway) and 460 schools and 129 Academies. Kent has an active voluntary and community sector with over 4,700 registered charities. KCC works within this complexity, and this will become more important if the Authority looks to integrate services with those provided by other organisations where this leads to better outcomes for our customers and better efficiency.

Population Forecast

Outline of methodology

4. To begin with a set of district level population forecasts have been produced using the POPGROUP forecasting model. This is a demographic forecasting model owned and supported by the Local Government Association and used by over 100 authorities. It uses the cohort survival methodology and takes account of future changes to fertility, mortality, migration and household representative rates based on the information available to us at the current time.

5. The forecasts are strategy-based and take account of future housing developments. Each Kent local authority's planning department has provided information on recent completions and current applications for sites that are expected to come forward between now and 2020.

6. The forecasts provide an estimate of the population aged 17+ and 18+ in 2020. Business Intelligence has converted this to a forecast of the electorate by applying a population to electorate ratio specific to each Kent local authority district, calculated using an average of data for the last 3-years.

7. A set of electoral ward level forecasts has then been produced using a model developed in-house. The model takes account of future housing growth due to occur in each ward based on the information provided by each local authority planning department. Again, the population forecast is converted to an electorate forecast, specific to each ward, using historic RPF29 data from each local authority for the last 3-years. The ward level forecasts are constrained to the district level forecasts to ensure consistency.

Summary of results

8. Business Intelligence forecasts estimate that the electorate (aged 18+) for the Kent County Council area as a whole will increase by 6.1% between 2014 and 2020.

9. As the forecasts are strategy-based, the largest increases in electorate can be found in the main growth areas of Dartford, Maidstone and Ashford, with significant increases also expected in Dover and Tonbridge & Malling.

10. Kent's electorate aged 18+ in 2020 is forecast to be 1,169,800 (rounded to the nearest one hundred). Based on the current Council size of 84 Members this will result in each Member representing an average electorate of 13,806. This is just over 850 more electors than currently represented by each Member. A schedule showing the population forecasts for 2020 for each of the twelve District areas down to District Ward level is appended to this submission.

Current Structure of the Council:

11. The County Council is currently composed of 84 Members representing 60 single Member divisions and 12 two Member divisions. Elections are held every four years and the next elections will take place in May 2017. Each County Councillor represents an average of 12,952 electors (as at February 2014). The current political composition of the County Council is as follows:

Political group	Number of seats
Conservative	45
UKIP	17
Labour	13
Liberal Democrat	7
Independents	2

12. The County Council operates a strong executive Leader model.

KCC's governance arrangements:**Executive Functions**

13. KCC is a strongly Member-led authority and the involvement of elected Members in both executive and non-executive decision-making, including the pre-consideration of forthcoming executive decisions features significantly in the County Council's governance arrangements.

14. The Leader of the Council is appointed by the County Council for a four year term. The Leader appoints the Cabinet and decides the scheme of delegation to executive Members and Officers. Key decisions cannot be taken by officers under the existing scheme of delegation. The Cabinet meets collectively in public every month, although the majority of executive decisions (approximately 200 per year) are taken by individual portfolio holders. The Cabinet comprises the Leader, Deputy Leader and 8 other portfolio holders, as follows:

- Leader, Business Strategy, Audit and Transformation
- Deputy Leader, Finance and Procurement
- Environment and Transport
- Corporate and Democratic Services
- Economic Development
- Adult Social Care and Public Health
- Education and Health Reform
- Community Services
- Commercial and Traded Services
- Specialist Children's Services

15. Cabinet Members may, with the consent of the Leader, appoint other Members of the Council as their "Deputy Cabinet Members" (currently 11) for such purposes as the Leader and Cabinet Member may agree. A Deputy Cabinet Member may not take decisions on behalf of the Cabinet Member nor vote at a Cabinet meeting. Deputy Cabinet Members have the following responsibilities:

- (a) Leading on the development of policy proposals, as directed;
- (b) Substituting at appropriate internal meetings, including Cabinet and Scrutiny;
- (c) Advising on decisions to be taken by the Cabinet Member;
- (d) Representing the Council and Cabinet Member at external meetings;
- (e) Chairing relevant advisory boards, as appropriate; and
- (f) Handling media interviews and enquiries on behalf of the Cabinet Member in his or her absence.

16. In April 2012, the County Council introduced a revised system of governance, which included the introduction of six cross-party Cabinet

Committees, which are advisory Committees to the Executive and meet up to six times a year. Cabinet Committees consider and either endorse or make recommendations on key and other significant decisions to be taken by the Leader, a Cabinet Member, the Cabinet or officers; and advise on the development of the policy framework. Cabinet Committees review performance of the functions that fall within the remit of their particular Committee and make recommendations to decision makers accordingly. Cabinet Committees are also able to hold petition debates on petitions that have reached the required signature threshold as set out in the Council's Petition Scheme. The current Cabinet Committees are:

- Adult Social Care and Health
- Children's Social Care and Health
- Education and Young People's Services
- Environment and Transport
- Growth, Economic Development and Communities
- Policy and Resources (including a Property Sub Committee)

17. The three largest Opposition Groups all organise themselves in such a way as to appoint Members of their groups to shadow the work of the Cabinet portfolio holders, which will include being the lead spokesperson on relevant Committees and examining the documentation published on forthcoming executive decisions within their areas of responsibility.

Non-Executive functions

18. The full Council meets up to seven times per year. It is responsible for approving the County Council's budget and Council Tax, agreeing major policies and debating issues that affect the residents of Kent. The full Council has established a number of Committees, as follows:

Electoral and Boundary Review Committee – responsible for dealing with all matters relating to elections, reviews of electoral and local government boundaries and the creation of parish councils. It has 9 Members and meets 4-5 times a year.

Personnel Committee – responsible for agreeing all matters relating to staff terms and conditions (except those imposed by national agreements) and changes to the delegations to officers under the Personnel Management Rules. The Committee also recommends to the Council the appointment and removal of the Head of Paid Service; appoints senior managers and determines their terms and conditions; recommends the designation of individual officers as statutory proper officers. It has 9 Members and meets 5-6 times a year.

Planning Applications Committee – responsible for the determination of planning applications and related matters. It has 19 Members and meets 10 times a year.

Regulation Committee – responsible for a range of enforcement and regulatory action in relation to development control, approved marriage premises, public rights of way, village greens and commons, school transport appeals (via sub committees), gating orders and mental health guardianship. The main Committee has 17 Members and meets 3 times a year, but the relevant sub committees meet approximately 30 to 40 times a year.

Selection and Member Services Committee – responsible for keeping the Constitution and governance arrangements under regular review; developing the roles of Members, making recommendations to the Council as and when necessary in relation to political proportionality and appointments to outside bodies, appointing and removing local authority appointed school governors and other appointments, overseeing all Member accommodation and support services for Members and making recommendations to the Cabinet Member as appropriate. It has 9 Members and meets 4-5 times a year

Superannuation Fund Committee – responsible for discharging the functions of the Council in relation to the control and investment of the Superannuation Fund. It has 9 Members, plus 3 District Council Members (voting) and 5 other Members (non-voting) and meets 4 times a year.

Governance and Audit Committee – responsible for ensuring that the County Council's financial affairs are properly and efficiently conducted and reviewing assurance as to the adequacy of the risk management and governance framework and the associated control environment. It has 15 Members and meets 4 times a year.

Standards Committee – responsible for discharging the functions contained in Chapter 7 of the Localism Act (other than those reserved to the Council) in relation to promoting and maintaining high standards of conduct at Member level and dealing with complaints made about the conduct of Members under the adopted Member Code of Conduct. It has 7 Members and meets 3-4 times a year.

Overview and Scrutiny

19. A key role of the Cabinet Committees (see paragraph 16 above) is to examine forthcoming executive decisions before they are made, which the County Council has found is a more effective way of engaging backbench and opposition Members in executive decision-making. This has resulted in far fewer executive decisions being called-in to the Scrutiny Committee for post-decision scrutiny. However, the County Council maintains a Scrutiny Committee, which has all of the statutory powers contained in S.21 of the Local Government Act 2000 to delay the implementation of executive decisions and require the attendance of decision-makers to explain their decisions and answer questions.

The Scrutiny Committee has 11 Members, plus 3 faith and 2 parent governor representatives (for education matters only) and is diarised to meet monthly.

Crime and Disorder Committee – responsible for the scrutiny of authorities responsible for delivering crime and disorder strategies. It has 11 Members and meets 1-2 times a year.

Flood Risk Management Committee – responsible for reviewing and scrutinising the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions, which may affect the local authority's area. It has 7 Members and meets 3 times a year.

Select Committees – these are time-limited, task-specific Sub Committees of the Scrutiny Committee appointed to carry out reviews on behalf of the Scrutiny Committee. These reviews tend to be in-depth and cross-cutting and tackle subjects such as Dementia services; alcohol misuse; activities for young people; and domestic abuse. These Committees have 9 Members and meet frequently during a period of up to 9 months.

Health Overview and Scrutiny Committee – responsible for reviewing and scrutinising matters relating to the planning, provision and operation of health services in Kent. It has 13 Members plus 4 District/Borough Council representatives and meets 8-9 times a year.

Joint Committees, Outside Bodies and regional structures

20. KCC is also represented on a number of Joint Committees, regional and partnership bodies, including the Local Enterprise Partnership, the Kent and Essex Inshore Fisheries and Conservation Authority, the Kent and Medway Police and Crime Panel, the Kent Health and Wellbeing Board, the Kent Community Safety Partnership, the Kent and Medway Joint Health Overview and Scrutiny Committee, as well as a large number of District-based participative and deliberative structures involving County, District, Borough, Town and Parish Council Members; for example neighbourhood forums and Joint Transportation Boards.

21. KCC also appoints elected Members to some 90 outside bodies, ranging from the Local Government Association to more local organisations, trusts and charities. Being represented on outside bodies is a vital element of the community representative role, which all Members take seriously.

The representational role of Councillors in their communities

22. As detailed above, elected Members at KCC are heavily involved in both executive and non-executive decision making, joint committees and partnership governance and there is an active and thorough approach to both pre and post

decision overview and scrutiny within the authority. All Members take their various roles extremely seriously and there are a large number of informal meetings, such as agenda planning meetings and briefing meetings that involve key Members including Cabinet Members, Deputy Cabinet Members, Committee Chairmen and Committee Group Spokespeople in preparing for formal Council, Cabinet and Committee meetings.

23. The significance and importance of all Members in representing the views of their local community and in relation to undertaking casework on their constituents' behalf and encouraging two-way communication between the County Council and its various communities is detailed specifically in the Member Role Description, which forms an appendix to the County Council's adopted Member Code of Conduct and is included in the Constitution. In order to establish and quantify accurate and current information concerning Members' representational roles within their communities, a survey was designed and all Members were invited to complete it during May and June 2014. A total of 69 Members responded to the survey, which sought responses to a number of questions about constituency business, attendance at Town and Parish Council meetings, attendance at formal KCC meetings and related matters.

24. The survey contained 18 questions, with the opportunity to make further comments (Q19). A summary with survey highlights from 69 responses is provided below. 77% of those who responded represent a district that is parished; the majority (59%) having 1 to 5 parishes but a small number (13%) having 11 to 15 parishes. Some Members perform multiple roles, e.g. serving as both District and County Councillors. Nine of those who responded held a Cabinet Member role.

- The majority (47%) of all Members who responded spend 1 to 5 hours per week sitting on formal KCC appointed committee meetings though a large proportion – 35% - spend 5-10 hours and some spend more than 20 hours (69 responses).
- 33% of Members with an additional role such as Cabinet Member spend over 20 hours per week on that role (51 responses). **Cabinet Members spend over 20 hours.**
- Constituency issues within electoral divisions most commonly (42% of responses) take up 5-10 hours per week of Members' time though, again, some Members spend over 20 hours on these. (59 responses). Constituency issues cover a wide range of topics; the top three being highways; education and issues relating to a district or parish function. (69 responses)
- The most common method of engagement with Parish/Town Councils is by regular attendance at meetings (78% of responses) while others attend occasionally, distribute newsletters and engage in a variety of other ways.

- Most Members (64%) spend 1 to 5 hours per week on Parish/Town Council engagement.
- The most common method of engagement with local Borough/District Councils is by attendance at forums comprising District and County Members (87% of responses,
- Most Members (64%) spend 1 to 5 hours per week on local Borough/District Council engagement.
- Members engage with a wide variety of community and other organisations locally; the top three answers being Residents Associations, Age UK and Schools (through governorship).
- The majority of Members (78%) spend 1 to 5 hours engaging with these other organisations.
- Members use a variety of methods to engage with their local communities; the top three being newsletter (82%), surgery (47%) and social media (35%). The majority of Members (68%) spend 1 to 5 hours on community engagement though a high proportion (26%) spend 5 to 10 hours on this.
- The majority of Members who use a newsletter, surgery or blog for community engagement (38%) do so on a monthly basis; 28% on a 1-3 month basis and a further 24% every 3-6 months (50 responses).
- 59% of Members who organise a surgery do so at different venues across their electoral division.
- When asked about the support required to perform their role, Members responses included: meeting rooms, admin (and IT) facilities, officer/assistants (particularly Democratic Services), resources, advice and information/briefings/research.
- Additional comments mainly related to workload and the ability to provide effective representation.

25. KCC operates a Member Grant Scheme, where each Member of the County Council has allocated to them a sum of £25,000 to spend on projects in their divisions that effect community benefit. Members are supported by KCC Community Engagement Officers with the administration of the grant scheme but each Member decides for themselves which of the many competing projects and initiatives they will allocate funding to, which requires a significant investment of time each year in publicising the availability of grants; meeting with a wide range of community organisations; and assessing priorities for funding.

The role of Members in a Commissioning Authority

26. KCC has voted in favour of moving towards a strategic commissioning authority - which involves a greater focus on outcomes and less focus on process, which drives our three transformation themes of – ‘market engagement

and service review', 'integration and service redesign', and 'managing change better'. As KCC progresses into Phase 2 of our whole-council transformation programme – 'Facing the Challenge' - it is essential for Members and the whole organisation to have a clear vision of the role of our Members in a strategic commissioning authority. The council has recently been Peer Reviewed by the Local Government Association (LGA) who have emphasised the need for members to understand their roles and responsibilities within a commissioning authority, and this has also been highlighted by a recent KCC Commissioning Select Committee report.

27. Although the member role in a strategic commissioning authority will develop over time, we can anticipate some likely changes now. KCC is, and will remain, a strongly member-led authority – and a commissioning authority model will further strengthen and reinforce this role, for both executive and non-executive members, with them acting as the strong client responsible for holding commissioners and providers to account for delivery of strategic outcomes. Members' local leadership role will be vital in ensuring the needs of their local communities are reflected in the KCCs priorities and commissioning decisions, given that these place the resident and service user at its heart. As the delivery models for many KCC services are likely to change, there will be a need to establish an in-house intelligent client function, which retains key strategic roles within the Council to commission and procure high quality, cost effective services. A core responsibility of this function will be to act as a point of contact for Members to raise any concerns or issues that surround individual constituents and contracted services, and ensure that providers address these concerns as part of the contract delivery.

28. Whilst the role of Members as decision-makers will not change, how Members discharge their role may change. It will move from direct day-to-day oversight and management of service delivery, to managing the delivery of outcomes through the commissioning cycle. For example: Agreeing the strategic commissioning plan and outcomes framework for the authority, identifying the key outcomes that Members want the authority to achieve over the four-year period, providing an essential 'challenge' role, overseeing key procurement exercises, reviewing commissioned services, and engaging with market providers to help maintain effective provider relationships.

29. KCC has a strong track record in the developing effective and relevant member training and support. Training for Members around these skills is in the early stages of being developed – a programme is being developed with the Institute of Local Government Studies (INLOGOV) - and this will be essential in ensuring Members are equipped for their role within the strategic commissioning authority. We also plan to undertake further work around the role of Members in a commissioning authority, as in many respects this is uncharted waters, and therefore it is proposed that the existing cross-party Transformation Board

examine the issues and options in more detail, in particular about the non-executive member role at each stage of the commissioning cycle.

Support to Members in their various roles:

30. A strongly Member-led authority such as KCC requires a hardworking officer team supporting the decision-making process and in providing support services to all elected Members, but especially to the Leader and his Cabinet, political group Leaders and the Chairman and Vice Chairman of the Council. It is vital to ensure that all Members spend as much of their time as possible supporting their constituents.

31. Officers right across KCC work hard to ensure that all Members have the information they need to perform their various roles in whatever form is the most convenient. Officers realise and understand the multiple commitments that Members have and it is only right that all Members are supported appropriately so that they are not spending hours each week on tasks that keep them away from their responsibilities as community representatives.

32. KCC takes its responsibilities for Member Learning and Development seriously and was the first County Council in England to achieve the South East Employers Member Development Charter plus. 70% of all Members have participated in a personal development plan discussion, which has informed the overall Learning and Development Plan for elected Members. The plan is designed to assist Members in the most appropriate way to be more effective in their communities, to make the best use of their time and in relation to their various formal and informal roles as elected Members. All Member Briefings are used to provide information on key aspects of KCC's responsibilities and regular bulletins are provided, which provide written summaries of emerging legislation, press releases, major Government consultations, research reports etc. All of the County Council's formal meeting papers are available online via the intranet site and the Council has provided all Members with IT equipment to ensure that they have access to a whole raft of information and are able to communicate electronically with KCC staff and others on the move and in their communities. There is a dedicated Members' Intranet, known as Members' KNet, where all of the key information a Member might need quickly is available to download.

Parish Councils:

33. There are 314 Town and Parish Councils in Kent. Some of the existing County Divisions contain no parish councils while others are completely parished. The Member survey goes some way to determining what effect the existence of Parish Councils has on the workloads of County Councillors. In some respects, it could be argued that the existence of a Parish Council can decrease the workload of a County Councillor on the basis that a proportion of constituency work will be requests for information, which the Parish Council is

able to provide or signpost. On the other hand, County Councillors may be expected to attend a number of Parish Council meetings in their divisions and they may be lobbied by a Parish Council over a particular issue.

Conclusions on Council size:

34. The deliberations on Council size have been led by the cross-party Electoral and Boundary Review Committee, which met on three occasions to discuss Council size (1 April, 5 June and 7 July 2014) and made recommendations to the full Council at its meeting on 17 July. Members also benefitted from the attendance of key officials from the Boundary Commission for the all-Member briefing session on 30 April 2014.

35. The projections for Kent's population going forward are significant in terms of Members having larger numbers of constituents to represent in the future. The analysis undertaken in relation to KCC's nearest neighbour comparator authorities demonstrates that the average number of electors per Member across all 16 County Authorities is 9,825 as the table below indicates. The figure for Kent is 12,952, which is only exceeded by two Authorities in the comparator group: Essex (14,419) and Hampshire (13,202). If KCC had the average number of electors per Councillor as per the nearest neighbour authorities (9,825), KCC would need 111 Councillors. The population forecasts for 2020 will increase the average number of electors for each Councillor to 13,806.

Neighbour Authorities (County Councils)	Number of Wards/ Divisions	Council Size	Total Electorate at 15/02/2014	Electors per Councillor	Area (Hectares)	Density (Electors per Hectare)
Kent	72	84	1,087,980	12,952	354,353	3.07
Lancashire	84	84	905,240	10,777	290,320	3.12
Hertfordshire	77	77	853,400	11,083	164,307	5.19
Hampshire	75	78	1,029,785	13,202	367,895	2.80
West Sussex	71	71	628,800	8856	199,049	3.16
Essex	70	75	1,081,444*	14,419	346,439	3.12
Derbyshire	61	64	609,990*	9,531	254,670	2.40
Oxfordshire	61	63	498,160	7,907	260,492	1.91
Cambridgeshire	60	69	464,560	6,733	304,624	1.53
Staffordshire	60	62	662,560	10,686	262,028	2.53
Northamptonshire	57	57	516,422*	9,060	236,397	2.18
Warwickshire	56	62	422,940	6,822	197,508	2.14
Nottinghamshire	54	67	595,481*	8,888	208,477	2.86
Gloucestershire	53	53	477,220	9,004	265,325	1.80
Worcestershire	52	57	448,080	7,861	174,052	2.57
Leicestershire	52	55	517,700*	9,413	208,288	2.49
* 2013 Total Electorate data						
Average number of Electors per Councillor for all counties listed:						9,825
Number of Kent divisions if the average per division were 9,825:						111

36. Taking into account the number of places allocated to political groups on all of the Council's formal Committees and Outside Bodies (excluding Select Committees, which are time-limited), each elected Member serves on an average of more than 5 Committees and outside bodies.

37. Paragraphs 26 to 29 above highlight the changing roles of elected Members under a commissioning authority, which is regarded as being at least as onerous on elected Members' time as is presently the case.

38. The conclusion that has been reached is that KCC's 84 Members are fully occupied in relation to their various roles and will get busier as the County's population increases in future years. However, the Authority does not consider it appropriate to increase the number of County Councillors beyond the current number of 84. Accordingly, the County Council's formal submission to the LG BCE is that Kent County Council should remain at 84 Members and that as part of the formal submission, the Commission be asked to note the County Council's preference for single Member divisions where possible.

Appendices:

1. Population projections to 2020 down to District Ward level