
COUNCIL SIZE SUBMISSION

Responsible Cabinet Member - Councillor Bill Dixon, Leader

Responsible Director - Ada Burns, Chief Executive

SUMMARY REPORT

Purpose of the Report

1. This report seeks Council's views on a proposed submission to the Local Government Boundary Commission for England in relation to the future size of Darlington Borough Council.

Summary

2. The Council has been given the opportunity to make a submission to the Local Government Boundary Commission on the future size of the Council. A cross party working group was set up to prepare a draft submission. A survey of member workloads and activity was undertaken to assist in the preparation of the submission. The submission also contains details of the governance arrangements for the Council; evidence from individual members about ward based activity; work on outside bodies and the extent of partnership working. Other evidence includes the work of individual committees, members training and group work. The evidence collected is based on the criteria set out in the Council Size submission document provided by the LGBCE.
3. The Council, in line with other Council's across the North East, is undergoing significant cuts to funding received from Central Government. The financial climate will see the range of services provided by the Council shrink quite dramatically, for example the Council may not undertake any town centre management or any cultural services in future. Against this backdrop the role of Members could go in one of two directions; it could shrink to focus primarily on the delivery of regulatory and statutory functions, with some more limited representative role reflecting the reduced pattern of services provided, or it could grow to develop a much stronger representative set of functions, such as facilitating community action, developing and running local community forums.

Recommendation

4. It is recommended that
 - (a) Council size is 50.
 - (b) That the draft Council Size Submission be approved.
 - (c) That the submission be referred to the Local Government Boundary Commission for England.
 - (d) That the Chief Executive in consultation with the three group leaders has delegated powers to make any necessary amendments to the Council Size Submission before final submission on 23 May 2013.

Reasons

5. The recommendations are supported by the following reasons :-
 - (a) The proposed number reflects detailed analysis of the information in the submission and was the view of the cross party working group.
 - (b) To enable the submission to comply with the deadlines set by the LGBCE.

Ada Burns
Chief Executive

Background Papers

No Background papers were used in the preparation of this report.

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S17 Crime and Disorder	There are no specific implications for Crime and Disorder
Health and Well Being	There are no specific implications for Health and Wellbeing
Carbon Impact	The Carbon Impact of Council Member size is minimal.
Diversity	There are no specific diversity issues other than those reflected in the submission in relation to the diversity of Council membership.
Wards Affected	All wards are affected equally.
Groups Affected	Members
Budget and Policy Framework	This does not represent a change for the Budget and Policy Framework
Key Decision	This is not an executive decision
Urgent Decision	This is not an executive decision
One Darlington: Perfectly Placed	The proposal is that the role of Members to help deliver the Councils core strategy will be enhanced.
Efficiency	There is a small efficiency in the reduction of Members proposed in this report.

MAIN REPORT

Information and Analysis

6. A letter was sent to all member is May 2012 explaining that the Local Government Boundary Commission (LGBCE) had decided to carry out a Further Electoral Review (FER) in Darlington starting in March 2013. Darlington was selected for a FER because at least one ward, Faverdale, has an electoral variance of more than 30% from the average number of electors per councillor. The LGBCE are responsible for carrying out the review but due to experience on other reviews decided to begin the review early. The preliminary stage of the review involved a meeting between officers from the LGBCE and the Council. A meeting with Group Leaders was held on 15 October 2012. The LGBCE attended the full Council meeting on 29 November 2012 to outline the process of the review. Information and Analysis
7. A FER is conducted where:-
 - (a) More than 30% of the wards have an electoral variance in excess of 10 % from the average of that authority.
 - (b) One or more wards has an electoral variance of more than 30%.
 - (c) Forecast changes to population are unlikely to correct the variance.
8. The LGBCE will look at projections 2019 five years after the completion of the review. The forecasts for this date are based on a number of assumptions but they would show that the situation is likely to change in a number of wards with the result that 7 wards would have a variance of 10% or more.

9. The main aim of an electoral review is to try to ensure that each councillor represents approximately the same number of electors as his or her colleagues on that council. The LGBCE will conduct a review and make recommendations which will aim to improve any electoral inequality, while at the same time trying to ensure that communities in the area are reflected and that convenient and effective local government is provided for.
10. It will look at four things:-
 - (a) The total number of councillors
 - (b) The number of wards
 - (c) The name of any ward
 - (d) Boundaries of Wards

Council Size

11. The first stage of the review is to consider the Council size. The Council has been invited to provide a submission. The LGBCE will carry out a consultation exercise thereafter with the public before coming to a 'minded' decision in relation to Council size. The substantive review of ward boundaries will follow thereafter.
12. Factors influencing size will be:-
 - (a) Governance and Decision Making
 - (b) Scrutiny Functions
 - (c) The representational role of councillors in the local community
 - (d) The future
13. The LGBCE provided a useful set of questions and discussion to aid the preparation of a submission. A cross-party working group was established to develop the Council Size Submission and the draft document which is attached has the benefit of input from all parties as part of that working group. The group concluded that the recommended Council size should be 50 and that to support the view that Members role's will grow in accordance with the first option outlined above and explained further within the draft submission. It is proposed that the new role is explained in a Statement of Expectations and is referred to Council for approval and be attached to the submission. A copy of the draft submission (**Appendix 1**) and the Statement of Expectations (**Appendix 2**) is attached for Members consideration.
14. The original timetable required that the Council should agree the draft submission at a special meeting on 20th December 2012 and make a final submission to the LGBCE in January. Following discussions with the LGBCE an extension of time was agreed which has given members the opportunity to consider Council size in the context of wider budget considerations.

Summary of Evidence

15. A Member survey was conducted and an analysis of the Council's governance from which a draft submission was prepared. Some findings are that Darlington has a higher number of employed councillors, that some Members have a significant role outside formal governance arrangements working in their local communities. It also suggests that Darlington spends more time on task and finish groups than other councils. The detailed analysis of governance is summarised as follows:

Cabinet

16. The Council's governance arrangements are typical of arrangements at many other Councils and have no outstanding features. Cabinet is one short of the maximum size and workloads of Cabinet members are in excess of an average of 20 hours per month on portfolios. This does not include their ward and other work. A significant number of Cabinet members are employed. Cabinet members attend a number of meetings in addition to formal Cabinet meetings and also spend time sitting on a number of outside bodies as part of their portfolio responsibilities.

Scrutiny

17. Darlington has five Scrutiny Committees and a Monitoring and Co-ordination Committee. This is not dissimilar to other unitary authorities although it is more than many. The Council has a well-developed Scrutiny function which is not resourced by dedicated officer support. Benchmarking shows that compared with other authorities Darlington has a higher proportion of work on Task and Finish Groups or work between Scrutiny meetings.

Other Committees

18. Regulatory committees have reasonable levels of delegation 92% of planning decisions are delegated and the majority (non-contested) licensing applications are delegated. Evidence suggests that although committees are quorate, there has been a difficulty with Members drifting away in longer meetings to other commitments and there has been difficulty in arranging Licensing sub-committee meetings to ensure they are quorate. There are no area committees or area based forums.

Other Matters

19. There are no area budgets. Members receive extensive training in Darlington some of which is mandatory and Members also sit on a range of outside bodies. The Council has not been unable to carry out any of its functions due to lack of Members but there are vacancies on some of the outside bodies due to lack of interest from Members. Use of Social Media, Member blogs is still fairly limited. The production of newsletters is widespread amongst Members. Overall 40% of Members have outside employment. There has been no significant difficulty recruiting candidates to stand for election.

Representational Role

20. The representational role of Councillors within their wards is considered to be a significant role in Darlington. Generally all members engage in producing newsletters, holding surgeries and dealing with specific queries from constituents through reference to staff. The Council's respond system records the queries generated by Members. In addition many Members become involved in specific projects within their wards, and lead and drive forward community initiatives specifically those relating to funding bids for improving community assets. This is not however universal and is dependent on the particular member. Members in parished areas generally do attend parish meetings and some are Parish Councillors. Members attend a range of bodies within their wards in addition to their roles on Council appointed bodies.

The Future

21. The LGBCE has made it clear that it does not consider the average electorate per member of other authorities in reaching a decision about Darlington, however there has to be evidence and rationale for any figure proposed. It cannot be denied that Darlington is currently out of step with its neighbours with a small number of electors per councillor when compared with other North East authorities and the outcome from other recent Electoral Reviews. However there is a strong evidence based rationale why Darlington requires a higher number of councillors per elector than other Councils based on the role councillors will have in the future.

22. The role of Ward Members within their communities has always been vital to the work of the Council in helping to provide solutions for individual constituents. Members already act as champions for their wards and this has been delivered through channelling issues back to the Council. In the future it is envisaged that Members would work with constituents to identify needs and issues and then to develop solutions locally and deliver outcomes themselves to meet the needs of their communities. The proposal in Darlington Together would be to help Members to develop networks and acquire the skills to carry out this enhanced leadership role. A statement of expectations has been prepared to reflect this new role.

Council Size Analysis

23. At the lower end Members of all parties made it clear that they do not wish to see a significant change in the number of members. There are a number of possible scenarios for the future role of Members. They could be summarised as:

- (a) An enhanced role for Member taking on specific functions within the community to plug the gap left by the reduction in services and the need for greater community leadership to stimulate the community to supplement the resource which in the future will be available from employed staff. A statement of expectations would be produced in this scenario. It was proposed that this would be in the region of 53 Members.
- (b) An enhanced role for Members taking on additional community functions but recognising that there is a limit to which employed members can be expected

to extend hours from that currently provided. In this scenario it was assumed there will be a reduced member workload in areas where cuts to services have reduced the Council's areas of responsibility. It was proposed that this would result in a reduction of 3 – 7 Members. This would lead to a membership in the region of 46-50 Members.

- (c) The final scenario considered was one in which Members do not have an enhanced community role and there is a significant reduction in Scrutiny work and other council functions due to service cuts. It was suggested that the lowest level that Members could reasonably be reduced without affecting the ability of the Council to function is 40.

24. Members considered and analysed in more depth the range of 40–53 Members.

- (a) Members rejected proposals at the bottom end because:

- (i) Electors will not be effectively represented at this level
- (ii) There would be insufficient Councillor capacity to attend quasi-judicial committees such as Planning and Licensing and to carry out other Council governance effectively.
- (iii) There would be a reduction in the ability of individual Councillors to serve their communities at a time when demand for this resource is likely to increase with the proposed cuts to local government and welfare reforms.
- (iv) There would be a reduction in the capacity of Members to engage in the Scrutiny role at a time when the Council is making some of the most significant financial decisions and cuts to Council services requiring the highest level of scrutiny.
- (v) It would not provide Member capacity for the level of partnership working necessary for a small Council like Darlington which relies on partnership and collaboration to deliver the range of services delivered by larger Councils.
- (vi) It would be a barrier to the recruitment of the number of Councillors within the Borough, particularly the mix of Councillors including employed Councillors who have the cross section of skills necessary to deliver the challenging agenda ahead.

- (b) Members reached the following views:

- (i) Fifty Councillors is the number necessary to adequately fulfil the governance roles currently set out within the Council's constitutional arrangements and the future expectations of the roles for Members.
- (ii) Darlington prides itself on having a diverse skills set within its membership which enables Members to contribute effectively to decision making and scrutiny and is representative of the community it serves.
- (iii) There is a need to ensure that employed individuals are able to stand and serve as councillors is essential to maintaining this. Within this context it is not possible to make the extent of Member community roles so extensive that they cannot be carried out by employed members.
- (iv) Darlington has a strong reputation for partnership working through its Local Strategic Partnership and other arrangements. Maintaining

sufficient members is necessary to enable the Council to continue and enhance partnership working.

- (v) The 'Darlington Together' philosophy is essential if a small council like Darlington is going to be able to serve its population effectively. Members have an important role in making this philosophy a reality within communities.
- (vi) The population of Darlington has risen by 7,700 since mid-2001 at the time of the most recent census. Population forecasts show that a programme of house-building will lead to a further increase before 2019.
- (vii) Darlington has a mix of rural and urban areas and it is important to ensure that appropriate representation is given to all communities across the entire Borough.
- (viii) Public perception will demand a reduction in members, but this needs to be balanced against the impact that cuts will have on Council services and the need for Members to become community leaders and encourage business and communities to fill that void.
- (ix) Balancing the various factors that goes towards determining an appropriate Council size demonstrates that no reduction in members is very difficult to justify, whilst a significant reduction is likely to lead to a lack of capacity. A small reduction of the number arrived by members is the best outcome for Darlington.

Timetable

25. The original timetable for the Darlington Further Electoral Review required a draft submission on Council size on 21 December 2012. A decision by the LGBCE would be published in March 2013 before public consultation and a final view on Council size in June 2013. The LGBCE have provided a revised timetable set out below which allows for the draft submission to be presented on 6th May 2013 with a report going to Council 2nd May 2013. It is suggested that any changes required to the Council size submission following consultation with the LGBCE rest with the Chief Executive in consultation with the three group leaders, and this will avoid the need for a Special Council meeting to deal with minor amendments. The decision about Council size will be reached in September by the LGBCE following public consultation. The ward boundary review will follow thereafter. The deadline for implementation of 2015 cannot be changed. In order for the Council size submission to be extended the time for considering ward boundary changes within the size envelope will now be shorter.

Revised Review timescale: Darlington		
Stage	Date start	Date finished
Preliminary period	August 2012	June 2013
Draft Council size submission due	6 May 2013	
Council size dialogue meeting with group leaders	Week commencing 13 May 2013	
Final Council size submission due	24 May 2013	
Initial Council size LGBCE mtg	11 June 2013	
Council size consultation	25 June 2013	6 August 2013
C-size decision LGBCE mtg	10 September 2013	
Stage 1 consultation start	24 September 2013	2 December 2013
Tour	January 2014	
LGBCE draft recommendation mtg	February 2014	
Draft recommendations consultation	11 March 2014	6 May 2014
Tour	May 2014	
LGBCE final recommendation mtg	July 2014	
Final recommendations published	August 2014	