



**Dover District Council  
Submission on Council Size**

**8 December 2017**

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# Foreword

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**Nadeem Aziz**  
**Chief Executive**

I am pleased to provide the Council's submission on council size for consideration by the Local Government Boundary Commission for England (LGBCE) as part of the preliminary stage of the Electoral Review process. You will recall that the Council had initially requested a review on council size for 'around 35' councillors at its meeting held on 17 May 2017. This initial position has been refined following an Extraordinary Council meeting held on 6 December 2017 and we are now asking that a council size of 32 Members be adopted.

The Council believes that a council size of 32 is right not only to ensure that the Council can still continue to deliver an efficient and effective decision-making process but also in respect of enabling councillors to effectively represent their communities and manage their casework. It will also allow the Council to continue to fulfil its responsibilities to its partners through existing joint working arrangements.

The proposals also recognise the impact of the 'strong leader' model of executive arrangements that have been adopted by the Council since the time of its last Electoral Review prior to the 2003 elections, as well as changes in the expectations of the public in the way in which they can access council services and their elected representatives. In particular, the growth in the ownership of 'smart' devices such as phones and tablets that enable residents to access council services and officers directly on-line.

In taking this decision the Council has given consideration to the three areas identified by the LGBCE in its guidance (governance arrangements, scrutiny function and the representational role of councillors) and considered comparisons with our CIPFA 15 Nearest Neighbours and the wider local government picture in Kent. In particular, the Council has considered its position in respect of Canterbury City Council and Shepway District Council, which, in addition to comprising two of the three authorities that border the Council's administrative area and being part of the CIPFA 15 Nearest Neighbours, also underwent council size reviews prior to the 2015 elections.

I am confident that you will find the information contained within this submission document useful in your deliberations on the future size of the Council and look forward to the start of the next stage in the process in early 2018.

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# Summary of Proposals

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At an Extraordinary meeting of the full Council held on 6 December 2017, it was agreed to submit a recommended council size to the Local Government Boundary Commission for England that would reduce the number of Dover District Councillors from the current 45 councillors to:

**32**  
**councillors**

In reaching the decision to request a new council size of 32 councillors, a number of factors have been taken into account, including:

- (a) Governance Arrangements** – How the Council takes decisions across the broad range of its responsibilities.

*The submission will provide evidence about cabinet and committee responsibilities, the number of committees and their workload, the Scheme of Officer Delegations, other bodies and plans for the future.*

- (b) Scrutiny Function** – How the Council scrutinises its own decision-making and the Council's responsibilities to outside bodies.

*The submission will provide evidence about the number of councillors the authority needs to hold the decision-makers to account and ensure that the Council can discharge its responsibilities to other organisations (e.g. other public sector bodies, partnerships and trusts).*

- (c) The Representational Role of Councillors in the Local Community** – How councillors engage with people, conduct casework and represent the Council on local partner organisations.

*The submission will provide evidence about how councillors interact with their communities, their caseloads and the kind of support they need to represent local people and groups effectively.*

These will each be dealt with in this document.

# Part 1 - Introduction

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- 1.1 This document is the submission of Dover District Council to the Local Government Boundary Commission for England (LGBCE) and sets out its proposals for the number of District Councillors that are needed in order to support effective, efficient and accountable local democracy.
- 1.2 This document constitutes the preliminary stage of the Electoral Review process and in keeping with guidance provided by the LGBCE the Council has not sought to address future ward patterns and boundaries as part of its submission.

## ***Electoral Review***

- 1.3 The most recent review of the Council's electoral arrangements was undertaken in 2002, with the new arrangements coming into effect at the May 2003 elections. After the 2015 district council elections, officers were considering whether to request Council's approval for a Periodic Electoral Review due to the length of time since the previous review. However, discussions on a four way district council merger between Canterbury City Council, Dover District Council, Shepway District Council and Thanet District Council meant that a decision on whether to request a review of Dover's electoral arrangements was put on hold. In the event that a decision was taken to proceed with a single Council for East Kent an Electoral Review for that new Council would have been required, negating the need for this Council to request a review of its own arrangements. Following the decisions across East Kent arising on 22 March 2017, and the ultimate decision not to proceed with the creation of a single East Kent council, the need to consider an electoral review for Dover District Council became relevant once again.
- 1.4 At the meeting of Council held on 17 May 2017, the full Council agreed to submit a request asking for a review of the number of elected members by the LGBCE. As part of its submission, the Council agreed to submit a request for an indicative council size of 'around 35' (Council Minute No. 15).
- 1.5 A presentation was given to councillors by the LGBCE on 5 September 2017 explaining the process for the Electoral Review of Dover District Council. As part of this presentation, the deadline for making a submission on Council Size was set of Friday 8 December 2017.
- 1.6 The Council's Electoral Matters Committee met on 20 November 2017 to consider the report of the Director of Governance on potential models of governance for Council Sizes of 30 to 35 members and an alternative of 37 members advanced by the Labour Group. Following the consideration of these options, the Electoral Matters Committee agreed to recommend to the full Council that a Council Size of 32 members be adopted as the number to submit to the LGBCE. This number was adopted at the meeting of the full Council held on 6 December 2017.

## ***The Dover District***

### Overview

- 1.7 The Council was formed on 1 April 1974 by the merger of the Borough of Deal, the Borough of Dover, the Borough of Sandwich, Dover Rural District Council and Eastry Rural District Council.

- 1.8 Today, the Dover District covers an area of approximately 31,484 hectares (123 square miles) with a coastline of around 20 miles and a population of 114,200. About 6,900 hectares (22%) of the district is designated as part of the Kent Downs Area of Outstanding Natural Beauty and of this 876 hectares (3% of the district) is designated as Heritage Coast, centred on the White Cliffs either side of Dover.
- 1.9 The Dover District is an area of many contrasts, with varied landscapes of rural farmland, former coalfield sites and coastal areas, including the iconic White Cliffs. It has the two coastal towns of Deal and Dover, the historic medieval town of Sandwich and a large rural area interspersed with villages and hamlets. The district is undergoing the first phases of planned housing development in Whitfield and Aylesham and in the coming years this will have a significant impact on these communities and the wider district.
- 1.10 The Dover District is connected to the rest of the country through the M2 and M20 motorways and a High Speed rail service connects Dover, Deal and Sandwich to London. In addition, as the closest point to mainland Europe, the Dover District is a major transport hub.
- 1.11 The District is home to some of the UK's leading businesses in shipping, manufacturing, biotechnology and life sciences. This includes:
- Europe's busiest ferry port and the UK's second busiest cruise port in the Port of Dover, which handles approximately £119 billion of trade or 17% of the UK's trade in goods. The Port of Dover deals with approximately 5 million vehicles and 13 million passengers annually.
  - The Discovery Park at Sandwich is the leading science park in Kent and a global leader for science and enterprise with world-class laboratories. The Discovery Park is home to more than 150 companies and over 2,400 people from established organisations to emerging start-ups in the fields of life science, pharmaceuticals, biotechnology, science and technology.
  - Manufacturers such as Megger Ltd (a designer and manufacturer of portable electrical test equipment since the late 1800s), Multipanel UK Ltd (relocated their manufacturing operation from China to Dover in 2014, with the company's state-of-the-art production line creating a wide range of design display solutions), the Pusterla1880 Ltd (a leading designer of rigid packaging for the drinks, perfumery and cosmetics, entertainment and publishing industries) and Gatic (one of the world's leading manufacturers of engineered access covers and surface water drainage systems to the construction, transport and utility markets).
  - APS Salads (Europa Nursery) is a leading supplier of tomatoes and the biggest supplier of tomatoes to Tesco, and the Bakkavor Group Ltd (Tilmanstone Salads), a market leader in 12 of the 16 categories they supply and whose customers include leading supermarkets.

#### State of the District

- 1.12 The Dover District has an ageing population with over a quarter (25.7%) of the district's population of retirement age compared to 20.3% nationally for England. This number of people of retirement age in the Dover District is forecast to increase by 72.2% between 2011 and 2031 (compared to 55.5% in Kent). This is a significantly faster rate of increase in the district than for the 0-15 and 16-64 years age groups, which are predicted to only rise by 16.8% and 4.7% respectively. The district has a lower proportion of young people aged 15 years or younger (17.5%) and of people aged 16 to 64 years (59.4%) than the South East England and national averages.

- 1.13 The population of the Dover district is predominantly white, with 96.7% of all residents of white ethnic origin which is higher than the average for Kent (93.7%), the South East (90.7%) and England (85.4%). The district has the lowest percentage of residents from a Black Minority Ethnic (BME) origin in Kent (3.3%). The largest single BME group in the district is Asian/Asian British representing 1.8% of the total population.
- 1.14 In economic terms, 59.4% of the population of the Dover District are of working age (aged 16 to 64 years of age) which is lower than the Kent, South East and English average.<sup>1</sup> The annual unemployment rate was 2.0% during 2016 for residents of working age. However, youth unemployment in the district was higher at 4.5% which was above the national average of 2.9% and the third highest in the South East.<sup>2</sup>
- 1.15 There are just over 53,210 dwellings<sup>3</sup> in the district, the majority of which are owner occupied or privately rented. Over a quarter of properties were built before 1900. Long-term vacant dwellings equate to 1.17% of the estimated dwelling stock. Approximately 2.17% of dwellings in the district are second homes.
- 1.16 Dover District ranks 126<sup>th</sup> (out of 326) local authorities in the English Indices of Multiple Deprivation (IMD) 2015 and is the 5<sup>th</sup> (out of 12) deprived area of Kent. There are pockets of deprivation in the district, with the highest levels of multiple deprivation located in the urban areas of Dover. Four out of the 67 lower super output areas in the district are in the 10% most deprived in England.
- 1.17 As at November 2016, 12.8% of residents of working age (16-64 years) were claiming at least one of the Department of Work and Pensions (DWP) benefits. This is higher than the average for Kent (10.3%), the South East (8.3%) and the national figure (11.0%). In addition, as of November 2016, 9.1% of residents of working age in the district were claiming a 'main out-of-work' benefit from the DWP, used as a measure of 'worklessness'. This is higher than the figures for Kent (7.4%), the South East (6.1%) and nationally (8.4%).<sup>4</sup>

### **Shared Services**

- 1.18 In 2011, Dover District Council in partnership with Canterbury City Council and Thanet District Council formed East Kent Services, a shared services vehicle for the combined administrative area of the three authorities. East Kent Services delivers Customer Services, ICT, Revenues and Benefits and (through the East Kent Human Resources Partnership) Human Resources and Payroll services for the three authorities. In November 2017 a decision was taken by the three partner authorities, subject to satisfactory terms being reached, to contract out the provision of the Customer Services and Revenues and Benefits functions to a third party.
- 1.19 Also in 2011, Canterbury City Council, Dover District Council, Shepway District Council and Thanet District Council formed the UK's only 'Super ALMO' (Arm's Length Management Organisation) to manage the council housing stock for the combined administrative area of the four authorities. East Kent Housing, as the 'Super ALMO' is known, is a wholly owned not-for-profit company with an independent management board. Each of the partner councils has a member representative on the Board.

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<sup>1</sup> ONS Nomis

<sup>2</sup> KCC Unemployment in Kent as at March 2017

<sup>3</sup> DCLG Live Tables on Dwelling Stock as at 01 April 2016

<sup>4</sup> DWP benefit claimants – working age client group as at November 2016

- 1.20 The Council has a shared internal audit service, the East Kent Audit Partnership, which provides services to Canterbury City Council, Dover District Council, Shepway District Council and Thanet District Council.
- 1.21 The Council is also not involved in the direct management of its existing or future leisure services. This will include the new Dover District Leisure Centre which, whilst remaining a physically owned asset of the Council, will be managed by a third party under a contractual arrangement.
- 1.22 Finally, the waste services of Dover District Council and Shepway District Council are delivered in partnership with Veolia. This is currently being reviewed as the contract expires in 2021.

### **Dover District Local Plan**

- 1.23 The Council is currently engaged in the process of refreshing its Local Plan with a view to it being adopted in summer 2019. The Local Plan will shape the future development of the district's towns and villages between now and 2037 - identifying new homes, new jobs and business premises, open spaces and community facilities for people to use and infrastructure such as roads, schools and healthcare.

### **Electoral Arrangements for the Dover District**

- 1.24 Dover District Council is the fourth smallest local authority by population in Kent (7.4% of the Kent population). It is served by 3 tiers of local government – Kent County Council, Dover District Council and is fully parished at a town/parish council level. There are 7 Kent County Councillors representing 5 county divisions, 45 Dover District Councillors representing 21 wards and 317 town and parish councillors representing 35 town and parish councils. The majority of the district falls within the Dover Parliamentary Constituency, although the wards of Sandwich and Little Stour and Ashstone are part of the South Thanet Parliamentary Constituency.
- 1.25 Each of the 21 Dover District Council wards is represented by 1, 2 or 3 councillors and whole council elections are held every four years with the next elections due in May 2019. The current political balance of the Council following the St Margaret's-at-Cliffe by-election held on 23 November 2017 is 25 Conservative, 18 Labour and 2 UK Independence Party.
- 1.26 The Dover District Council wards are co-terminus with all the parish council boundaries and most of the County Divisions with the exception of the River Ward and the Eastry Ward which are split between the Dover Town/Dover West Divisions and Dover North/Sandwich Divisions respectively. The split of electoral areas for the Dover District across each of the three tiers is shown in detail in Table 1.

*Table 1: Electoral Area Representation in the Dover District*

<b>County Division (7 Cllrs)</b>	<b>District Ward (45 Cllrs)</b>	<b>Parish Council (317 Cllrs)</b>
Deal (2)	Middle Deal & Sholden (3) Mill Hill (3) North Deal (3) Walmer (3)	Deal Town Council (15) Sholden (7) Walmer (15)

<b>County Division (7 Cllrs)</b>	<b>District Ward (45 Cllrs)</b>	<b>Parish Council (317 Cllrs)</b>
Dover Town (2 Cllrs)	Buckland (3 Cllrs) Castle (1) Maxton, Elms Vale & Priory (3) River (River Parish) (2) St Radigund's (2) Tower Hamlets (2) Town & Pier (1)	Dover Town Council (18 Cllrs) River (10)
Dover North (1)	Aylesham (2) Eastry (Excluding Eastry Parish)(2) Ringwould (1) St Margaret's-at-Cliffe (2)	Aylesham (9) Great Mongeham (7) Guston (7) Langdon (7) Nonington (7) Northbourne (7) Ringwould-with-Kingsdown (9) Ripple (5) St Margaret's-at-Cliffe (9) Sutton (7) Tilmanstone (5)
Dover West (1)	Capel-le-Ferne (1) Eythorne & Shepherdswell (2) Lydden & Temple Ewell (1) River (Alkham Parish) (-) Whitfield (2)	Alkham (7) Capel-le-Ferne (9) Denton-with-Wootton (5) Eythorne (11) Hougham Without (7) Lydden (9) Shepherdswell-with-Coldred (12) Temple Ewell (12) Whitfield (14)
Sandwich (1)	Eastry (Eastry Parish only) (-) Little Stour & Ashstone (3) Sandwich (3)	Ash (11) Eastry (11) Goodnestone (5) Preston (7) Sandwich Town Council (16) Staple (7) Stourmouth (5) Wingham (9) Woodnesborough (9) Worth (7)

- 1.27 The Council last underwent a Periodic Electoral Review in 2000-01 and since then has seen a growing electoral variance in a number of wards. Based on the electorate figures for December 2017, there are electoral variances of 10% or greater in the wards of Middle Deal and Sholden (+12%), Ringwould (-14%), St Margaret's-at-Cliffe (-10%) and Tower Hamlets (10%) while the ward of Town and Pier has an electoral variance of greater than 20%. In addition, the wards of Aylesham (variance of +8%) and Whitfield (+9%) will be the subject of significant housing growth over the next 5 years which will increase the levels of electoral variance in each of those wards.
- 1.28 The general pattern of growing electoral imbalance can be seen in the fact that only 4 of the 21 wards (Castle, Eythorne & Shepherdswell, Lydden & Temple Ewell, Sandwich and St Radigund's) have an electoral variance of 3% or less.
- 1.29 While it is not the primary driver behind the Council's decision to request a review of Council Size, it does further support the argument for a review of the Council's electoral arrangements.

# Part 2 – Governance Arrangements

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## ***Current Governance Arrangements***

2.1 At the time of the last Periodic Electoral Review, which commenced on 9 May 2000, the Council was operating the former ‘Committee Model’ of governance arrangements as the new executive model had not yet been fully implemented. Following the changes introduced in the Local Government Act 2000, the Council has changed its governance model to the ‘Strong Leader’ model of Executive arrangements, with the Leader of the Council appointed for a Four Year term.

## ***The Executive***

2.2 The full Council appoints the Leader and Deputy Leader of the Council. In turn the Cabinet is appointed by the Leader of the Council. While the Leader has delegated a limited number of functions to individual portfolio holders the majority of decisions that have not been delegated to officers are taken either by the Leader or collectively by the Cabinet.

2.3 The Cabinet is currently composed of 7 members (including the Leader) holding 8 positions as follows:

- Leader of the Council
- Deputy Leader (also holds a Portfolio)
- Portfolio Holder for Access and Licensing
- Portfolio Holder for Built Environment
- Portfolio Holder for Community Services
- Portfolio Holder for Corporate Resources & Performance
- Portfolio Holder for Environment, Waste and Health
- Portfolio Holder for Property Management and Environmental Health

2.4 In 2003 following the last review, the Cabinet was also composed of 7 members including the Leader and Deputy Leader, although the cabinet portfolios had different titles and responsibilities.

2.5 The Cabinet has 11 scheduled meetings per year, usually held on the first Monday of each month apart from the month of August. There will also be a small number of additional meetings held during a given municipal year for the transaction of specific business that cannot wait for a scheduled meeting. These additional meetings usually only have a single item of business for consideration. For example, for the current municipal year 2017/18 there have been three additional meetings of the Cabinet held in: September (to appoint a contractor for the building of the Council’s new leisure centre and consider the Business Rate Discretionary Policy); October (to approve the contracting out of functions provided by East Kent Services); and November (to approve the publication of the Council’s five year housing land supply calculation).

2.6 The Cabinet will also meet to exercise the council’s functions as a trustee in respect of a number of charities such as the Sir Ernest Bruce Charles Charity, the Salter Collection and the Charity of Frederick Franklin for a Public Park.

2.7 The number of Cabinet meetings held each year is shown in Table 2, which demonstrates that the number of meetings of the Cabinet has remained broadly consistent within a range of 14-19 meetings per year since 2004-05.

Table 2: Number of Cabinet Meetings held by Municipal Year

Year	Scheduled Meetings	Additional Meetings	Charities Meetings	Total
2003-04	15	6	2	23
2004-05	17	1	1	19
2005-06	16	0	1	17
2006-07	12	2	0	14
2007-08	12	1	3	16
2008-09	11	6	2	19
2009-10	11	2	7	20
2010-11	11	4	1	16
2011-12	12	2	3	17
2012-13	11	2	1	14
2013-14	11	4	1	16
2014-15	12	2	0	14
2015-16	11	0	0	11
2016-17	12	6	1	19
2017-18	11	3*	2*	16*

(\*) Up to and including December 2017

2.8 The Cabinet has also appointed a number of Project/Policy Advisory Groups and Executive Committees to exercise specific functions and advise the Cabinet or individual Portfolio Holders as follows:

- Commercial Investment Project Advisory Group (Formed 2016)
- Developer Contributions Executive Committee (Formed 2007)
- Dover Leisure Centre Project Advisory Group (Formed 2016)
- Dover Town Centre and Waterfront Project Advisory Group (Formed 2015)
- Homelessness Project Advisory Group (Formed 2017)
- Investment Advisory Group (Formed 2009)
- Local Plan Project Advisory Group (Formed 2003)
- Residential Investment Project Advisory Group (Formed 2016)

2.9 The Dover Leisure Centre Project Advisory Group, the Local Plan Project Advisory Group and the Homelessness Project Advisory Groups are all 'task and finish' groups intended to advise the relevant Portfolio Holder.

- 2.10 In addition, the current work of the Local Plan Project Advisory Group should conclude with the delivery of the new Local Plan in summer 2019. While the Homelessness Project Advisory Group has no specific expiration date set, it would not be unreasonable to suggest that its work will be concluded by summer 2019.
- 2.11 As an illustration of the 'task and finish' nature of the Project/Policy Advisory Groups and Executive Committees there are a number of these groups formed since 2003 that have since either been superseded by a new body or expired at the end of the their tasks. These include:
- Dover Town Investment Zone (DTIZ) Design Features Project Advisory Group (Formed April 2005 – Ended September 2005)
  - Licensing Policy Advisory Group (Formed 2008 – Ended 2011)
  - Open Golf Championship Project Advisory Group (Formed 2002 – Ended 2005)
  - Strategic Housing Executive Committee (Formed 2009 – Ended 2014)
  - St James's Area Development Project Advisory Group (Formed 2010 – Ended 2012)
  - Towns and Parishes Communication and Consultation Project Advisory Group (Formed 2002 – Ended 2004)
- 2.12 In respect of the Open Golf Championship, the Council did not utilise a Project Advisory Group for the 2011 Championship but it may be reconstituted for the 2020 Championship.
- 2.13 The number of meetings of the various Project Advisory Groups since 2003 is set out in detail in Table 3. As the table illustrates, the general workload for councillors in terms of committee meetings arising from the Project Advisory Groups is quite low, with 9 meetings in total to date in the municipal year 2017/18. In addition, the Dover Leisure Centre Project Advisory Group has been responsible for 14 of the 23 Project Advisory Group meetings held in the municipal years 2016-17 and 2017-18.
- 2.14 In terms of the membership of the Project Advisory Groups, the actual number of non-executive members appointed to serve on them is very low. There are a total of 43 councillor places on the 8 Project Advisory Groups, consisting of 35 executive places and 8 non-executive members. The 8 non-executive members consist of 3 members of the controlling group and 5 members of the main opposition group.

**Table 3: Number of Project Advisory Group Meetings**

	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17	17-18
Commercial Investment PAG	-	-	-	-	-	-	-	-	-	-	-	-	-	1	0*
Developer Contributions Executive Committee <sup>5</sup>	-	-	-	-	1	4	1	0	0	1	1	0	0	1	3*
Dover Leisure Centre PAG	-	-	-	-	-	-	-	-	-	-	-	-	1	10	4*
Dover Town Centre and Waterfront PAG	-	-	-	-	-	-	-	-	-	-	-	-	0	1	1*
DTIZ Design Features PAG	-	2	3	-	-	-	-	-	-	-	-	-	-	-	-
Homelessness PAG	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0*
Investment Advisory Group	-	-	-	-	-	1	6	1	0	0	0	0	0	0	0*
Licensing PAG	-	-	-	-	-	1	1	1	-	-	-	-	-	-	-
Local Plan PAG <sup>6</sup>	3	7	4	5	4	1	0	4	10	1	1	2	0	0	1*
Open Golf Championship PAG	5	3	3	-	-	-	-	-	-	-	-	-	-	-	-
Residential Investment PAG	-	-	-	-	-	-	-	-	-	-	-	-	-	1	0*

<sup>5</sup> Previously known as the S106 Developer Contributions Executive Committee

<sup>6</sup> Previously known as the Local Development Framework Group

	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17	17-18
St James's Area Development PAG	-	-	-	-	-	-	-	1	2	-	-	-	-	-	-
Strategic Housing Executive Committee	-	-	-	-	-	-	1	1	0	0	0	-	-	-	-
Towns and Parishes Communication & Consultation PAG	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL</b>	<b>9</b>	<b>13</b>	<b>10</b>	<b>5</b>	<b>5</b>	<b>7</b>	<b>9</b>	<b>8</b>	<b>12</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>14</b>	<b>9*</b>

(\*) As at 6 December 2017

## ***The Council***

- 2.15 The Council is currently composed of 45 members elected every four years and deals with all matters not reserved for the executive or other bodies. This includes functions such as setting the budget, electing the Leader of the Council, reviewing the Constitution of the Council and adopting or approving the Policy Framework.
- 2.16 The full Council also appoints the following committees:
- Dover Joint Transportation Board (a joint Board with Kent County Council)
  - Electoral Matters Committee
  - General Purposes Committee
  - Governance Committee
  - Joint Staff Consultative Forum
  - Joint Health, Safety and Welfare Consultative Forum
  - Licensing Committee
  - Planning Committee
  - Regulatory Committee
  - Scrutiny (Community and Regeneration) Committee
  - Scrutiny (Policy and Performance) Committee
- 2.17 The East Kent Joint Independent Remuneration Panel (EKJIRP) has previously assessed the workloads and responsibilities of each of the Council's committees and classified the two scrutiny committees, the Governance Committee and the Planning Committee as 'major' committees with the rest of the standing ordinary committees classified as 'minor' committees.
- 2.18 The functions of each of the committees are set out in more detail at Appendix 1 of this report.

## ***Other Bodies***

- 2.19 The following bodies are joint committees appointed outside the rules of political balance by reason that they are for appointments of fewer than 3 members:
- East Kent Services Committee (2 members)
  - South Kent Coast Health and Wellbeing Board (2 members)
  - East Kent Housing Owners Committee (1 member)
- 2.20 The East Kent Services Committee is the management body for the services delivered by East Kent Services and the East Kent Housing Owners Board meets annually and is attended by the relevant portfolio holder for each of the partner authorities.
- 2.21 The South Kent Coast Health and Wellbeing Board, administered by Dover District Council, is a sub-committee of the Kent Health and Wellbeing Board. The Board at its meeting held on 7 November 2017 agreed to reduce its number of scheduled meetings from the current 6 per year to 4 per year.

## Committee Arrangements

- 2.22 All councillors are automatically members of the Full Council. In addition to this the Annual Meeting of Council appointed members to a total of 84 Committee Seats (excluding the full Council, the Cabinet, Project/Policy Advisory Groups, Licensing Sub-Committees, Executive Groups and appointments of fewer than 3 members), on the basis of proportional entitlement (either required or agreed to by Council to be treated as proportional) as follows:

*Table 4: List of Committee Places Appointed by Full Council in May 2017*

COMMITTEE	Total Seats	Number of Scheduled Meetings*
Dover Joint Transportation Board	7	4
Electoral Matters Committee	5	As Required
General Purposes Committee	5	As Required
Governance Committee	7	4
Joint Staff Consultative Forum	5	4
Joint Health, Safety and Welfare Consultative Forum	5	4
Licensing Committee	15	4
Planning Committee	10	12
Regulatory Committee	5	6
Scrutiny (Community & Regeneration) Committee	10	11
Scrutiny (Policy & Performance) Committee	10	11
Total	84	60

(\*) Excludes additional meetings called during the municipal year and meetings of any Sub-Committees

- 2.23 The table above results in a current mean average of **1.86 committee places** per member, excluding full Council, Cabinet, Project/Policy Advisory Groups, Licensing Sub-Committees and Executive Committees. It should be noted that within this average, some members will be appointed to more and some to less than the average number of seats.
- 2.24 A breakdown of the number of committee seats (excluding full Council, Cabinet and Project Advisory Groups) currently held by individual members can be found in Table 5.

Table 5: Number of Councillors holding 0 – 4 Committee Seats

Number of Committee Seats	Number of Councillors
0	2
1	17
2	16
3	5
4	5

2.22 As Table 5 demonstrates, only a very small number of councillors are holding more than 2 ordinary committee appointments (excluding full Council, Cabinet, and Project Advisory Groups).

### **Delegated Decisions**

2.25 Decisions are made by the Council every day. These decisions cover a wide range of functions and some can affect large numbers of the district's residents, while others may affect only a single individual. The level of impact that a decision might have affects how the decision can be made.

2.26 The most significant type of decision is a 'key' decision. A key decision is one which:

- Results in the Council incurring expenditure which is, or savings which are, significant (£200,000 or more) having regard to the Council's budget for the service or function to which the budget relates;
- Is significant in terms of its effects on communities living or working in an area comprising two or more wards in the District; or
- Has a particularly significant impact on any community as experiencing social exclusion or discrimination, whether geography or interest defines that community and even if that community is only located in one ward in the area of the local authority.

2.27 The majority of day-to-day decisions are taken under delegated authority by officers under authority from the Leader, Council or a specific committee. The delegating of specific powers, duties or functions to officers can speed up council decisions and ensures that council meetings are not tied down by procedural and routine administrative decisions. It also enables councils to use the technical knowledge, training and experience of officers to support their decisions.

2.28 Decisions to delegate specific powers to members, officers or committees are made at a formal council, cabinet or committee meeting and specify what the delegation authorises the delegate to do. They are usually required to observe the strategies, policies and guidelines adopted by cabinet or the council and may be required to report periodically to the council on decisions made. The Council's Constitution contains a full list of all delegations in Part 3 Responsibility for Functions.

2.29 The Council publishes, by way of decision notices, all member decisions taken outside of meetings under executive powers and all officer decisions that are key decisions or considered significant decisions. During the municipal year 2016/17, there were 34 decision notices issued in respect of decisions taken by members or officers that fell within these categories. These decisions ranged from the Leader

making nominations to an outside body to the purchase of land for the new leisure centre.

#### Planning Committee

- 2.30 During the year 2016/17, a total of 1072 planning applications were determined (1020 non-major applications and 52 major applications), of which 78 (7.27%) were determined by the Planning Committee and 994 (92.73%) were dealt with by officers under delegated powers.

#### Licensing Committee

- 2.31 During the 2016/17 municipal year, a total of 568 decisions on licensing applications were made, of which 8 (1.4%) were determined by the Licensing Committee and 560 (98.59%) were dealt with by officers under delegated powers.

#### Regulatory Committee

- 2.32 During the 2016/17 municipal year, a total of 655 decisions on applications within the remit of the Regulatory Committee of which 10 (1.52%) were determined by the Regulatory Committee and 645 (98.48%) were dealt with by officers under delegated powers.

#### Summary

- 2.33 On this basis it can be seen that the majority of decisions were taken by officers under the Scheme of Officer Delegations which is subject to annual review, with a smaller number of decisions directly taken by Members. However, under the current delegation arrangements those decisions taken by Members were those that were the most significant or of greatest public interest, thereby maintaining the importance of the role undertaken by elected members in the Council's decision-making framework.

### **Outside Body Appointments**

- 2.34 The Council appoints members to a number of outside bodies to either, in furtherance of their community role, act as trustees for the body or to represent the Council's interests.
- 2.35 In the municipal year 2003/04, the Council appointed 63 members to a total of 55 outside bodies. The basis of the appointments made by the Council was the subject of a scrutiny review in 2006 and its recommendations were adopted in part by the Cabinet resulting in a rationalisation of the number of bodies that councillors were appointed to by Cabinet/Council. As a consequence, in the municipal year 2017/18 the Council appointed a total of 21 members to 35 places (with an additional 7 non-councillors appointed to places) on 29 outside bodies.
- 2.36 A full list of the Council's outside body appointments can be found at Appendix 2 of this report.

### **Plans for Future Governance Arrangements**

- 2.37 In examining plans for future governance arrangements for the Council, as set out in Appendix 4, this report has as a general principle sought to only propose a future governance arrangement that is broadly similar (<2.0 seats per member) to the existing average of 1.86 seats per member. This has been done in order to minimise

any significant additional burden of committee work resulting from there being fewer members in total on the Council.

- 2.38 The first step in the process of reviewing the future governance arrangements is to look at the number of committees appointed, their roles and the number of members serving on each committee.

### **Committees**

- 2.39 There is no maximum size for a Committee of Council, though it is assumed that it will always be a proportion of the total number of councillors rather than the whole. The Cabinet, under s.9C the Local Government Act 2000, and the Licensing Committee, under s.6 of the Licensing Act 2003, have specified minimum and maximum size ranges and are considered separately in this report.
- 2.40 In respect of minimum size, again other than for Cabinet and the Licensing Committee and its Sub-Committees, a quorum is prescribed by statute for meetings of the full Council (one quarter of the whole number of members). For other committees the minimum size must be two or more members.<sup>7</sup>
- 2.41 In the case of Dover District Council, the Constitution specifies that committees should have a quorum of one quarter of the committee's total membership, with a minimum of 3 members if the quorum figure of one quarter is less than 3 members.
- 2.42 Although it would be potentially possible to amend the quorum to a smaller number than one quarter of the whole number of members of a committee or sub-committee, it is not proposed that this be done. In addition, retaining a minimum number of 3 members is also recommended. A committee of fewer than 3 members would in effect always be determined by the casting vote of the Chairman as the casting vote rules would be in effect. It is therefore not recommended that a committee size smaller than 3 members is used.
- 2.43 Assuming that the current quorum rules are maintained, it is proposed that for any decision-making body a membership larger than 3 members is used wherever possible due to the significantly increased risk of inquoracy if only 1 member were to be absent. This could adversely impact on the Council's decision-making processes if meetings were to regularly fall inquorate.

### Cabinet

- 2.44 The Cabinet must be composed of not fewer than 3 (including the Leader of the Council and the Deputy Leader) but not more than 10 members (including the Leader of the Council and the Deputy Leader). The quorum for a meeting of the Cabinet is currently 4 members.
- 2.45 The role of the Executive, which had not yet been fully implemented in Dover at the time of the previous electoral review, undertakes much of the responsibility of full Council and the previous committee system. Many of the decisions that would have previously been made at full Council are now made by the Leader and/or Cabinet. This has greatly reduced the volume of decisions that need to be made by non-executive councillors outside of those members on a committee exercising a regulatory function such as the Planning, Governance, Regulatory and Licensing Committees.

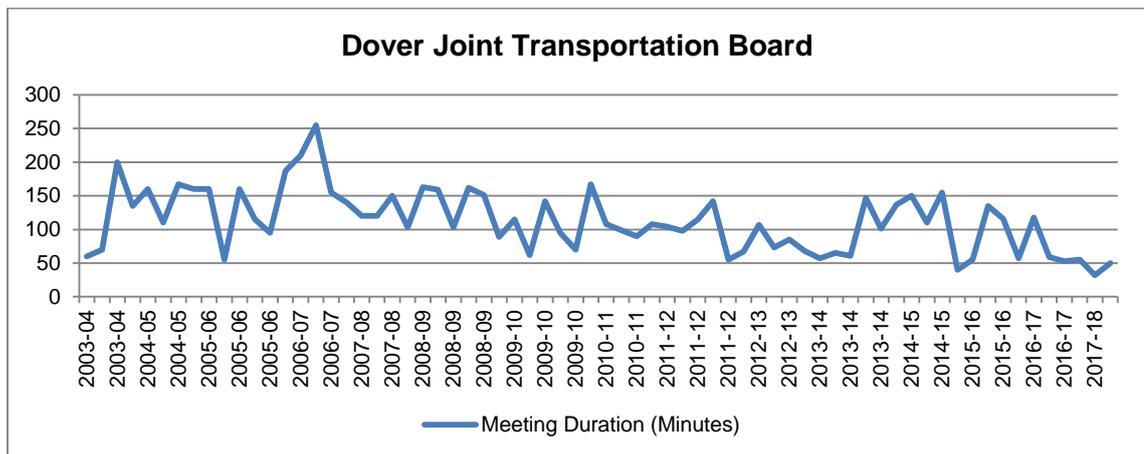
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<sup>7</sup> Sharp v Dawes (1876) which defines a meeting as 'a gathering or assembly of two or more persons for a lawful common purpose'.

- 2.46 There is a high level of personal responsibility placed on each Cabinet Portfolio Holder with a substantial amount of time and energy required to deliver the role effectively. The Executive as a whole and individual Portfolio Holders are held to account for the decisions made through the scrutiny process, which delivers transparency and accountability in decision-making within the council.
- 2.47 For the proposed governance model for 32 councillors, there would be a reduction by 1 in the total number of members of the Cabinet.

Dover Joint Transportation Board

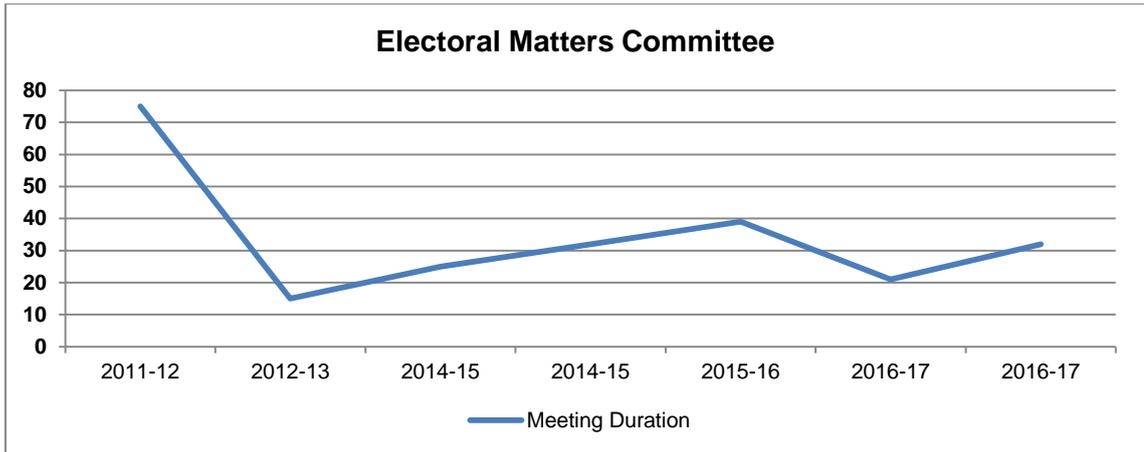
- 2.48 The Dover Joint Transportation Board is a joint committee between Kent County Council and Dover District Council that exercises a number of powers in respect of highways functions. The voting membership consists of the 7 County Councillors for the district and 7 Dover District Councillors with a number of non-voting town and parish council representatives also on the Board.
- 2.49 There have been 68 meetings of the Dover Joint Transportation Board since the 2003 elections with an average meeting duration of 112 minutes (from a meeting duration range of 32 to 255 minutes). The average duration for the 2 meetings held so far during the municipal year 2017/18 has been 41 minutes.



- 2.50 As the membership is set to match the number of County Councillors it is not proposed to change the number of members on the Board.

Electoral Matters Committee

- 2.51 The Electoral Matters Committee was formed in 2011 to consider matters relating to electoral matters and boundary reviews in order to make recommendations to the full Council.
- 2.52 There have been 7 meetings since the formation of the Electoral Matters Committee with an average meeting duration of 32 minutes (from a meeting duration range of 15 to 75 minutes). The average duration for the 2 meetings held during the municipal year 2017/18 has been 21 minutes.

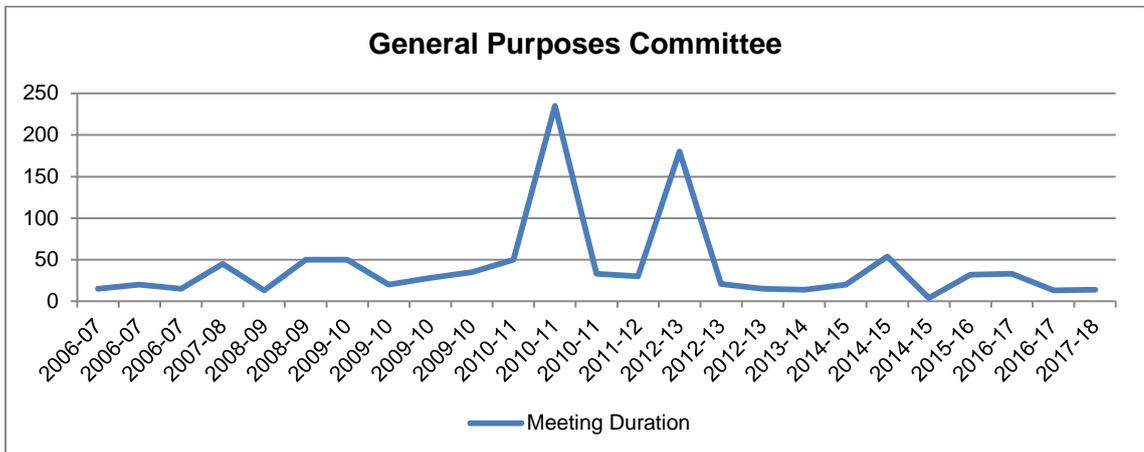


2.53 It is not proposed that the number of members of the Electoral Matters Committee will be changed under the proposed new council size in recognition of the need to maintain a functional quorum.

General Purposes Committee

2.54 The General Purposes Committee exercises powers and functions of the Council within the budget and policy framework other than those within the remit of another body. The Committee also fulfils the role of the Appeals Committee, though it has not needed to consider an appeal since the dissolution of the Appeals Committee in 2011.

2.55 The General Purposes Committee has met 24 times since its formation in 2006 with an average meeting time of 42 minutes (from a meeting time range of 4 to 235 minutes). The Committee has met once in the municipal year 2017/18 for a meeting duration of 13 minutes.

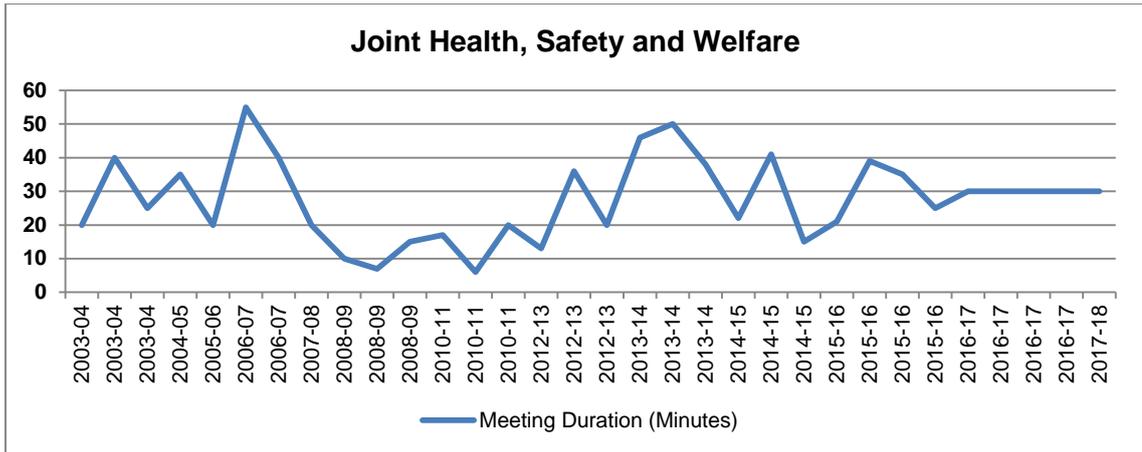


2.56 It is not proposed that the number of members of the General Purposes Committee will be changed under the proposed new council size in recognition of the need to maintain a functional quorum and its role as the Disciplinary Appeals Committee.

Governance Committee

2.57 The Governance Committee was formed in 2006 to provide independent assurance of the adequacy of the risk management framework and associated control environment. It has also since May 2017 taken on the functions of the Standards





2.63 It is proposed to reduce the number of members from 5 to 4 under the proposed Council size. The different quorum rules for the Forums mean that there would still provide for a sufficient number of members to maintain a functional quorum. It is therefore the only body that it is intended would be composed of less than 5 councillors.

#### Licensing Committee

2.64 The Licensing Committee must consist of a minimum of 10 and a maximum of 15 members. The Licensing Committee, in accordance with s.9 of the Licensing Act 2003, appoints Sub-Committees of 3 members to conduct hearings.

2.65 The Licensing Committee has 4 scheduled meetings per year, though only 2 of the meetings usually have a significant workload (one meeting in May/June to appoint the memberships to the Licensing Sub-Committees and one meeting in October/November to set the fees and charges). The bulk of the work of the Licensing Committee is conducted through its Licensing Sub-Committees.

2.66 The members of the Licensing Sub-Committees are drawn from the total membership of the Licensing Committee and are appointed by name as with any sub-committee.

2.67 As a matter of general principle, the membership of the Licensing Sub-Committees is grouped on an area basis and do not consider applications for the areas from which they are elected. This is to ensure that councillors are free to represent the views of their constituents in respect of licensing matters and reduce the potential for a councillor to withdraw from a meeting on the grounds that they have pre-determined themselves.

2.68 It has been existing practice to appoint a membership for the Licensing Committee that is a multiple of 3 to ensure that all members can be appointed to a Sub-Committee. In the event that a Licensing Committee that was not a multiple of 3 were to be appointed it would result in 1 (if 10 or 13 members were to be appointed) or 2 (if 11 or 14 members were appointed) 'floating' members only being able to serve as substitute members on the Licensing Sub-Committees. The appointment of a Licensing Committee of 10, 11, 13 or 14 members would therefore result in several considerations that would need to be weighed when considering what reductions in governance terms could be made to the number of members serving on the Licensing Committee.

2.69 The first consideration is that in the event that no substitutes were needed by a Licensing Sub-Committee during a municipal year, it would mean that these 'floating' members would not be called upon.

- 2.70 The second consideration is that a councillor should wherever possible not sit on a sub-committee considering a matter in their ward/town area. This therefore requires a sufficient number of members on the Licensing Committee to ensure there is a plurality of electoral areas represented.
- 2.71 The final consideration is that a Licensing Sub-Committee hearing must be held within a specified timeframe depending on the nature of the application. The larger the number of available members the easier it is to find three members who can sit on a Sub-Committee, potentially at short notice such as with a Temporary Event Notice application.
- 2.72 The Licensing Sub-Committees since 2005 have held the following number of meetings:

<u>Year</u>	<u>Number of Meetings</u>	<u>Year</u>	<u>Number of Meetings</u>
2005-06	29	2012-13	8
2006-07	19	2013-14	8
2007-08	16	2014-15	10
2008-09	5	2015-16	9
2009-10	21	2016-17	8
2010-11	12	2017-18	4*
2011-12	3		

(\*) As at 6 December 2017

- 2.73 As the above figures demonstrate, there is on average less than one Licensing Sub-Committee meeting per month held. The proposed reduction from 15 to 12 members of the Licensing Committee with a resulting 4 Sub-Committees of 3 members (instead of 5) would mean that each Sub-Committee would have approximately 2 meetings a year.
- 2.74 On this basis, the proposal for a council size of 32 members leads to a Licensing Committee of 12 members with 4 Sub-Committees of 3 members appointed. This provides the flexibility to retain the area basis of the sub-committees while keeping the workload placed on members evenly spread.

#### Planning Committee

- 2.75 The Planning Committee exercises a number of functions in relation to planning and development control. Unlike the Licensing Committee, members of the Planning Committee consider matters relating to the whole district. Although a large majority of applications are determined by officers under the Scheme of Officer Delegation the Planning Committee deal with complex and controversial matters. This requires the committee members to undertake a considerable amount of preparatory work and often long and detailed considerations at meetings.



- 2.80 It is not proposed that the number of members of the Regulatory Committee will be changed under the proposed new council size in recognition of the workload involved and the need to maintain a functional quorum.

### ***Proposed Council Size of 32 Councillors***

- 2.81 The proposed structure for a future Council of 32 councillors is set out in Appendix 4 of this document. It recognises that the current committee structure of the Council has served the Council well since the time of the last Electoral Review and is intended to continue the Council's approach to good governance and effective decision-making.
- 2.82 The proposed council size of 32 councillors will provide for a ratio of committee seats to councillors of 1.96 committee places per member (for a one scrutiny committee model) or 2.03 (for a two scrutiny committee model) which compares favourably with the current ratio of 1.86 committee places per member.
- 2.83 The scrutiny committee options are set out in further detail in Part 3 of this document.

# Part 3 – Scrutiny Function

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## **Current Arrangements**

3.1 The Local Government Act 2000 requires that where a Council has adopted an Executive model of governance it must make arrangements that “must include provision for the appointment by the authority of one or more [scrutiny] committees of the authority.”<sup>8</sup>

3.2 The Council must ensure that the scrutiny committees have the power to exercise the following functions:

- to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive;
- to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive;
- to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive;
- to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are not the responsibility of the executive; and
- to make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of that area.

3.3 The Council has made provision for this in Article 6 and Part 4 (Overview and Scrutiny Procedure Rules) of its Constitution. In addition, the Council has voluntarily chosen to adopt a rule that scrutiny will be chaired by a member from a group other than the largest political group on the Council. The intention of this is to ensure the independence of the scrutiny function.

3.4 The Council originally appointed four scrutiny committees in 2003. However, in 2006 it reduced this number to the current two scrutiny committee model. The terms of reference of the scrutiny committees are as follows:

Scrutiny (Policy and Performance) Committee

- Budget and Major Policy
- Call-in
- Performance Monitoring and Improvement
- Scrutiny Co-Ordination

Scrutiny (Community and Regeneration) Committee

- Community Reviews and Accountability
- Public Health
- Major Projects
- Crime and Disorder

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<sup>8</sup> Local Government Act 2000 (s.21)

- 3.5 It could be characterised in general terms that there is an inward (Policy and Performance) and outward (Community and Regeneration) looking committee, although there is a significant degree of overlap between the two remits.
- 3.6 The current two scrutiny committees have a total membership of 20 members (10 x 2) which equates to 44% of the total membership of the Council. However, since 2015 there have actually been 18 members (40%) appointed as 2 members serve on both scrutiny committees.
- 3.7 In addition to this an additional 9 members (20% of the total membership - 7 members of the Cabinet and the Chairman and Vice-Chairman of the Council) are ineligible to serve on a scrutiny committee by virtue of the positions that they hold. The remaining 16 members (36%) of the Council are eligible to serve on scrutiny and may from time-to-time substitute on scrutiny. It should be noted that the Council has traditionally taken an inclusive approach to scrutiny and encouraged non-scrutiny committee members to attend and speak at meetings where they may have a particular interest or concern.
- 3.8 It is also the role of the scrutiny committees to act as a conduit through which the public can engage with the Council's decision-making process. The public speaking procedure adopted for scrutiny committees enables it to hear from members of the public and consider the points they raise in its deliberations for forming recommendations to the Cabinet.
- 3.9 Another part of the public engagement undertaken by the scrutiny function is to receive public petitions from residents. Although not a decision-making body in its own right, the Scrutiny (Policy and Performance) Committee can request additional reports in respect of petitions or make recommendations onto the relevant decision-making bodies. It is not a requirement that petitions be received by scrutiny but this has been the adopted historic position.
- 3.10 At Dover the predominant model of scrutiny is what is known as 'post-decision' scrutiny. This is where scrutiny examines the implementation of council policy and performance in terms of service delivery. It enables the council to review the effects of its decision-making, helping it to recognise any unforeseen consequences and assisting it to revise its policy and practice accordingly.
- 3.11 This does not mean that the alternative of 'pre-decision' scrutiny (where scrutiny considers proposals, objectives and draft programmes in order to inform their development before they are enacted) does not occur at Dover but it is not the primary model of scrutiny. A current example of pre-decision scrutiny is in respect of Homelessness policy formulation.
- 3.12 Finally, the scrutiny function has seen a move since 2006 from a more formal parliamentary style review process to a more flexible 'task and finish' orientated approach. From 2003 to 2008, the previous scrutiny committee model would undertake an annual large scale review this has been replaced with a broader range of smaller tasks. The last of the large scale reviews was the Review of Hydraulic Fracturing and Related Drilling Activity in 2013.

## **Future Scrutiny Arrangements**

- 3.13 In looking at future arrangements it is assumed that the basic model of post-decision scrutiny, albeit with specific matters identified for pre-decision scrutiny in conjunction with the Cabinet, will be the continuing model of scrutiny.
- 3.14 As with the general governance arrangements, in looking at alternative arrangements, the intention with any proposed model is to ensure that the workload

for members does not significantly increase as a result of fewer total members of the Council and also to ensure that an effective scrutiny process that meets the objectives of the Local Government Act 2000 is retained.

- 3.15 There are two potential models for scrutiny that were considered by the Council as part of formulating its submission – the single scrutiny committee model and the multiple scrutiny committee model.

#### *The Single Scrutiny Committee Model*

- 3.16 As previously mentioned, the Council is required to make “provision for the appointment by the authority of one or more [scrutiny] committees”. This means that the Council does not have to retain the current two committee model, as it could combine the terms of reference to create a single scrutiny committee.

- 3.17 The creation of a single scrutiny committee while representing a change in the current arrangements could have a number of potential benefits over the current multiple scrutiny committee model, as follows:

- As the sum of all scrutiny functions, it would create a strong counter to the executive through its ability to exercise the call-in functions, consider cross-cutting and wider strategic issues and provide a consistent, single point of focus for public engagement in the decision-making system.
- It would provide for a more flexible model avoiding gaps or overlaps between multiple scrutiny committees while giving the breadth of remit to respond to a wide range of issues.
- A single scrutiny committee would be easier to support administratively (1 work programme) and, given the reduction in the size of the officer corps, reduce the pressure on the wider corporate diary that serving multiple scrutiny committees creates.
- It would enable members with a broad range of expertise to avoid being forced into choosing a specialism based on the separate remits of multiple scrutiny committees.
- It prevents an inconsistency of approach to scrutiny that work undertaken by separate committees can create.
- It could still create specific ‘task and finish’ groups from within its membership to focus on a particular area of work (such as service reviews or specific regeneration projects) and potentially adopt innovative practices for scrutinising specific issues that might not apply to the wider scrutiny function.
- A wider remit avoids the temptation to search for business purely to fill agendas of scheduled meetings.
- The single scrutiny committee model would provide for a larger committee size than multiple scrutiny committees and would provide robustness in ensuring a quorum of members were present for meetings.

- 3.18 By way of illustration of some of these points, there have been a number of instances of ‘joint’ co-located scrutiny committee meetings on cross-cutting issues that have involved community, policy and/or performance issues in a single topic. The issue of Dover town regeneration is scheduled to be one such future topic.

- 3.19 The potential disadvantages of this model would in effect constitute the advantages of having multiple scrutiny committees and so has been addressed under that section.

### *The Multiple Scrutiny Committee Model*

- 3.20 The multiple scrutiny committee model would be the retention of the current two scrutiny committee model. This could either be with the retention of the same number of members on each committee or with a reduction from the current numbers to reflect the reduction in the total number of members on the Council.
- 3.21 The retention of the current multiple scrutiny committee model, albeit with a reduced number of members on the committees, offers the following potential benefits:
- That by having specialised remits, it would enable members to specialise in certain areas of scrutiny to the degree that a wider remit, cross-cutting single committee might not encourage.
  - It enables different approaches to scrutiny to be followed by each committee with the potential for innovative scrutiny arising.
  - That Members and officers are familiar with the current model.
- 3.22 This would be the option that would preserve the existing status quo, subject to any alterations in the specific remits of each committee that may or may not be felt necessary.

### ***The Preferred Model***

- 3.23 The Council has not at this stage adopted a preferred model. However, both of the options considered (single or multiple scrutiny committees) can deliver an effective scrutiny process with a smaller council size. That being said, the creation of a single scrutiny committee does offer greater potential for a robust and flexible scrutiny process with fewer members.
- 3.24 The proposed single scrutiny committee model of 9 members would equate to 28% of the total number of councillors on scrutiny with a further 8 members (25% - Cabinet, Chairman and Vice-Chairman of the Council) ineligible to serve on scrutiny. This would leave 15 councillors (46% of the Council) not on scrutiny but still eligible to substitute onto a scrutiny committee.
- 3.25 The proposed two scrutiny committee model of 10 members (2 x 5) would equate to 31% of the total number of councillors on scrutiny with a further 8 members (25% - Cabinet, Chairman and Vice-Chairman of the Council) ineligible to serve on scrutiny. This would leave 14 councillors (44% of the Council) not on scrutiny but still eligible to substitute onto a scrutiny committee.
- 3.26 Although both models represent a slight percentage increase on the current arrangements where 16 members (36% of the Council) are not on scrutiny or the executive, in absolute terms it results in a smaller number of councillors (14 or 15 as opposed to 16) being not directly involved in the scrutiny process.
- 3.27 It is our view therefore that the proposed options for scrutiny enables the Council to still hold the decision makers to account and ensure that the council can discharge its responsibilities to other organisations (e.g. other public sector bodies, partnerships and trusts) while not significantly increasing the workload for scrutiny committee members or weakening the ability of backbenchers to be involved in the scrutiny process.

# Part 4 – The Representational Role of Councillors in the Local Community

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- 4.1 It is commonly accepted that the overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.
- 4.2 The Council has adopted job descriptions for councillors describing the key tasks for each role within the council in order to assist them in this role and ensure that appropriate training and support is provided. These job descriptions can be found within Article 2 of the Council's Constitution and the job description for Ward Councillors is set out at Appendix 3 for information.
- 4.3 The Council also provides a comprehensive training programme for councillors. The programme includes mandatory training for councillors on the Governance, Planning, and Licensing committees. There is also discretionary training provided which at the last induction included topics such as casework and constituency business, scrutiny skills, budget training, social media and IT. The council also holds an event for prospective councillors prior to full Council elections to explain the role of councillors and how time commitment is divided between council meetings, reading reports and constituency work.
- 4.4 The amount of work undertaken by individual members varies, depending on the degree of visibility that each member has within their wards and the geographic, social and economic characteristics of their individual wards. New members in multi-member wards with long serving members may find, for example, that their constituents initially gravitate to those established member(s) until they have been able to engage with constituents and had the opportunity to establish their own reputations. The way in which members undertake this engagement again varies by member, though could involve surgeries, blogs, face-to-face meetings with residents, responding to email queries, etc.
- 4.5 Many members will also choose to attend local community meetings, such as Parish Council meetings and meetings organised through resident associations or local community groups with the intention of listening to the views of the residents and, where appropriate, championing those views within the Council.
- 4.6 The results for the most recent National Census of Local Authority Councillors (2013) found that the average number of hours per week councillors spent engaging with constituents, conducting surgeries and answering queries was 6 hours per week. This gives an average of 24 hours per month spent on constituent work.
- 4.7 Those members who were on the Council at the time of the last boundary review in 2003 (which reduced the number of members from 56 to 45 and the number of wards from 31 to 21) will have witnessed a change in the way in which members of the community access services and indeed their elected representatives over the last 14 years. The increase in the capabilities of the Council to deal with queries, service requests and payments on-line has seen many members of the community move to a 'self-serve' approach to a significant extent than from that in 2003.
- 4.8 This can be evidenced by Freedom of Information (FOI) figures which show that for the last three years the Council has received in excess of 1,000 requests each year. In 2014/15 the Council received 1,202 FOI requests, in 2015/16 it received 1,084 FOI

requests and in 2016/17 it received 1,231 requests. In addition, the Council received 103 service complaints through its complaints process in 2015/16 and the same number in 2016/17. For the year 2017/18, the Council had received 97 complaints as at 6 December 2017. In all these cases the contact was directly between residents and council officers.

- 4.9 The rapid increase in smart device ownership since the release of the first iPhone in 2007 has resulted in 81%<sup>9</sup> of people having access to a smart device. This means that even people without traditional home internet access can now contact the Council and their Elected Members through e-mail and social media (Facebook, Twitter, etc.) which supplements or replaces more traditional methods such as face-to-face contact, letter writing and the telephone. Whilst the use of social media and other online communication methods has provided alternatives to traditional contact methods with residents, the increased use of emails and social media has resulted in the public having greater expectations that the Council and councillors will be instantly contactable. The Council has issued all Members with iPads and council email addresses to facilitate this contact and better assist their constituents. In turn, Members are also now more easily able to contact officers through email and find out information themselves on-line through the iPad.

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<sup>9</sup> Deloitte, 6th annual Mobile Consumer Survey (2016)

# Part 5 - Comparison with Other Districts

- 5.1 Two of the Council's three immediate geographical neighbours have undergone Council Size reviews. In 2014, Canterbury City Council and Shepway District Council underwent reviews that reduced the number of members from 50 to 39 and 46 to 30 members respectively. Thanet District Council with 56 members remains unchanged.
- 5.2 In addition to the Council's geographical nearest neighbours, this report has considered the proposed Council size in relation to the Nearest Neighbours model prepared and published by the Chartered Institute of Public Finance and Accountancy (CIPFA). This identifies the Council's 15 nearest two-tier district council neighbours, being statistically similar neighbours rather than geographically close. For completeness, the remaining Kent Borough and District Councils have also been included.

Authority	Population	Electorate (2017) <sup>10</sup>	Number of Cllrs (2017)
DOVER DISTRICT COUNCIL	114,200	87,212	45
Adur District Council (*)	63,500	48,736	29
Allerdale Borough Council (*) (+)	97,000	72,738	56
Ashford Borough Council (+)	126,200	90,988	43
Bassetlaw District Council (*)	114,800	86,586	48
Canterbury City Council (*)	159,965	105,702	39
Dartford Borough Council (+)	105,500	76,205	44
Fenland District Council (*)	100,200	75,113	39
Gravesham Borough Council	106,800	76,762	44
Havant Borough Council (*)	123,600	95,103	38
Lancaster City Council (*)	143,500	104,899	60
Maidstone Borough Council	166,400	118,077	55
Newark and Sherwood District Council (*)	119,600	87,185	39
North Devon District Council (*) (+)	94,600	75,927	43
Sedgemoor District Council (*)	121,400	91,699	48
Sevenoaks District Council	119,100	88,301	54
Shepway District Council (*)	110,034	81,116	30
Swale Borough Council (*)	145,000	102,828	47
Thanet District Council	140,700	99,491	56

<sup>10</sup> As per the LGBCE figures for 2017 electorates

<b>Authority</b>	<b>Population</b>	<b>Electorate (2017)<sup>10</sup></b>	<b>Number of Cllrs (2017)</b>
Tonbridge and Malling Borough Council	127,300	95,487	54
Tunbridge Wells Borough Council	117,100	82,125	48
Waveney District Council (*)	116,500	90,335	48
West Lancashire Borough Council (*)	113,400	84,937	54
Wyre Forest District Council (*)	99,900	78,140	33

(\*) CIPFA Nearest Neighbour Authority

(+) Currently undergoing an electoral or council size review

- 5.3 As the table above demonstrates, there is no consistent council size by population or electorate. For example, North Devon District Council and Shepway District Council have 43 and 30 councillors respectively despite North Devon having a smaller population and electorate. These inconsistencies can be explained by the individual governance needs of authorities, local geographic characteristics and the time since the last review of their electoral arrangements.

### **Comparison with Canterbury and Shepway**

- 5.4 Although the general picture of local authority arrangements are disparate when examining the sizes of the two recently reviewed neighbouring authorities in East Kent a more consistent baseline range of 30 to 39 members can be identified. Canterbury City Council with a significantly larger population of 159,965 and electorate of 105,702 has 39 councillors and Shepway District Council with a slightly smaller population of 110,034 and electorate of 81,116 has 30 councillors. The Dover District with a population of 114,200 could therefore be realistically assumed to fall somewhere on the lower end of the 30 to 39-member scale.
- 5.5 The next table summarises the similarities and differences for Dover, Canterbury and Shepway.

<b>Dover District Council</b>	<b>Canterbury City Council</b>	<b>Shepway District Council</b>
Approximately 314 square kilometres in size	Approximately 308 square kilometres in size	Approximately 356 square kilometres in size
Mixture of urban and rural areas	Mixture of urban and rural areas	Mixture of urban and rural areas
Population: 114,200	Population: 159,965	Population: 110,034
Electorate: 87,212	Electorate: 105,702	Electorate: 81,116

Dover District Council	Canterbury City Council	Shepway District Council
Electors per Cllr: 1,938 <sup>11</sup>	Electors per Cllr: 2,710	Electors per Cllr: 2,704
45 Councillors	39 Councillors	30 Councillors
21 Wards	21 Wards	13 Wards
35 town and parish councils (fully parished)	26 town and parish councils (1 unparished area)	30 town and parish councils (6 unparished areas)

- 5.6 As shown in the table above, the numbers of electors per councillor for Dover is currently considerably lower than that of Canterbury and Shepway. The following list shows how the councillor to elector ratio would change using the 2017 electorate figures, including the proposed council size option set out in Appendix 4.

Number of Councillors	Electorate per Councillor
45	1,938
37	2,357
35	2,491
34	2,565
33	2,642
32	2,725
31	2,813
30	2,907

- 5.7 The remaining East Kent authority (Thanet District Council) has not undergone a review since 2001 when it increased its number of councillors to 56. The ratio of electors to councillors of 1,776 is considerably lower than the current ratio for Dover District Council and on the basis of this, the time since its last electoral review and the decision of the full Council at Dover to instigate a council size review with a view to reducing the number of councillors it has not been used as a basis for comparison.
- 5.8 On the basis of the above comparison with Canterbury and Shepway, it is the view of the Council that it would not be unreasonable to suggest that the proposal for **32 councillors** would be broadly consistent with our most recently reviewed East Kent neighbours with a elector to councillor ratio of 1:2,725 for Dover compared with 1:2,710 for Canterbury City Council and 1:2,704 for Shepway District Council.

<sup>11</sup> As per the LGBCE figures for 2017 electorates

# Part 6 – Overall Conclusions on Council Size

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- 6.1 The Dover District and its Council have seen considerable changes since the time of the last Electoral Review conducted for the 2003 elections. During those fourteen years the ‘strong leader’ model of executive arrangements has been implemented at the Council and there has been a sea change in the way in which residents access the council’s services and their elected members with the growth of ownership of smart devices and the provision of on-line services.
- 6.2 The current structure of the Council, including the range and remit of committees and use of project advisory groups for ‘task and finish’ purposes has served the Council well. In considering an alternative council size the view has been taken that it is both undesirable and unnecessary to make significant structural changes simply in order to accommodate a reduction in the number of councillors.
- 6.3 The current structure has been developed over a number of years and where change has been required, such as with the recent merger of the Governance and Standards Committees, it has been adopted following careful evaluation and this will continue to be the Council’s approach to good governance and effective decision-making.
- 6.4 The passionate support for the Council’s scrutiny process from across the Chamber was evident during the Extraordinary Council meeting that determined the council size to recommend to the LGBCE. Regardless of whether it has one or two scrutiny committees in the future, all parties remain committed to the maintenance of a robust scrutiny process that holds decision-makers to account.
- 6.5 The proposed scrutiny and governance arrangements would still enable a wide range of councillors to be involved in the decision-making processes of the Council with 25% of the total number of councillors involved in the executive or as Chairman or Vice-Chairman of the Council; 28% of councillors involved in scrutiny (or 31% if the two scrutiny committee model were to be adopted); and the two remaining ‘major’ committees would see 25% of councillors involved with the Planning Committee and 15% of councillors involved with the Governance Committee. In total under the proposed council size, 29 of 32 (93%) of councillors could potentially be involved in the workload of a major decision-making body of the Council. It should be noted that this would still leave sufficient capacity to flex the membership of a committee such as the Planning Committee or the scrutiny committee(s) should it be required to support any change in the current workload.
- 6.6 The Council currently appoints 21 members to 29 outside bodies and the proposed council size of 32 councillors will enable the council to continue to do so and enable the council to fulfil its obligations to its partners.
- 6.7 In 2003, there were still a number of Dover District Councillors and local residents that did not have access to computers. In 2017, all Dover District Councillors are offered iPads with which to access council emails and electronic copies of agendas. The Council also offers access to its range of services on-line or by telephone and, following the recent decision to withdraw face-to-face services at its local area offices in Aylesham, Deal and Sandwich, will continue the channel shift to on-line service provision.
- 6.8 Finally, the Council believes that the proposed council size of 32 members offers a commonality of approach with two of its geographic and CIPFA 15 Nearest Neighbours in Canterbury City Council and Shepway District Council. Shepway in

particular provides for a good comparison due to similarities in its population and geography with the Dover District.

# Appendix 1 – Committee Functions

The following is a list of the committees appointed by the Cabinet and Council.

*Table 1: Full Council and Cabinet*

<b>Committee</b>	<b>Function</b>
<b>Full Council</b>	The full Council is composed of all the elected members of the Council and deals with all matters not reserved for the executive or other bodies.
<b>Cabinet (also known as the Executive)</b>	<p>The Local Government Act 2000 created the model of Cabinet governance adopted by most of the councils in England. This was further reinforced when this Council adopted the ‘Strong Leader’ model of Executive Arrangements. The Executive is at the heart of the day-to-day decision-making process and has a key role in proposing the budget and policy framework.</p> <p>The Cabinet must be composed of not less than 3 (including the Leader of the Council and the Deputy Leader) but not more than 10 members (including the Leader of the Council and the Deputy Leader). It is the responsibility of the Council to appoint the Leader. However, it is for the Leader to determine the size and composition of the Cabinet.</p> <p>Dover District Council currently has a Cabinet of 7 members.</p>
<b>Project/Policy Advisory Groups and Committees of the Executive</b>	<p>The Cabinet has created a number of advisory groups and committees that advise the relevant Portfolio Holder(s) or the Cabinet on specific matters.</p> <p>The number of these groups is set by the Cabinet.</p>

*Table 2: Committees of the Council*

<b>Committee</b>	<b>Function</b>
<b>Dover Joint Transportation Board</b>	<p>A joint committee with Kent County Council exercising a number of powers in respect of highways functions.</p> <p>The membership is fixed to match the number of Kent County Councillors for the Dover District (7).</p>
<b>Electoral Matters Committee</b>	<p>The Electoral Matters Committee considers electoral matters and boundary reviews and makes recommendations to the full council.</p> <p>There are no scheduled meetings of the Electoral Matters Committee and its meetings are called as required.</p>

<b>Committee</b>	<b>Function</b>
<b>General Purposes Committee</b>	<p>The General Purposes Committee exercises powers and functions of the Council within the budget and policy framework other than those within the remit of another committee of the council and are specifically reserved for full Council. It also acts as an Appeals Committee for appeals in respect of disciplinary and dismissal decisions in respect of members of staff.</p> <p>There are no scheduled meetings of the General Purposes Committee and its meetings are called as required.</p>
<b>Governance Committee</b>	<p>The role of the Governance Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment; to provide an independent review of the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment; and to oversee the financial reporting process.</p> <p>In addition, at the 17 May 2017 meeting of the Council, the dissolution of the Standards Committee was agreed with its functions, including its role as the Council's Hearing Panel for Code of Conduct matters, merged with those of the Governance Committee.</p>
<b>Joint Health, Safety and Welfare Forum &amp; Joint Staff Consultative Forum</b>	<p>The Joint Health, Safety and Welfare Consultative Forum and the Joint Staff Consultative Forum act as a medium for negotiations between the Council and its Officers except in matters of individual discipline, promotion or efficiency.</p> <p>The fora are composed of an equal number of members and officers.</p>
<b>Licensing Committee</b>	<p>The Licensing Committee is a statutory committee, created by the Licensing Act 2003. It must consist of a minimum of 10 members and a maximum of 15 members.</p> <p>The Licensing Sub-Committees conduct hearings in relation to the Licensing Act 2003 and the Gambling Act 2005. Each sub-committee must be composed of 3 members, although like its parent Licensing Committee they do not have to be politically balanced.</p> <p>Dover District Council currently appoints a Licensing Committee of 15 members.</p>

<b>Committee</b>	<b>Function</b>
<b>Planning Committee</b>	<p>The Planning Committee exercises functions in relation to town and country planning and development control, trees, footpaths, bridleways and restricted byways and public rights of way as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 with the exception of any functions required by any enactment or the constitution to be discharged by the full Council.</p> <p>Most commonly this relates to the determining of applications for planning permissions.</p>
<b>Regulatory Committee</b>	<p>The Regulatory Committee exercises functions relating to the determination of an application for a person for a licence, approval, consent, permission or regulation that is not covered by the Licensing Act 2003 or the Gambling Act 2005. This covers taxis, animal boarding establishments, sex establishments and other functions.</p>
<b>Scrutiny Committees</b>	<p>The two scrutiny committees scrutinise the decisions of the executive and other matters that affect residents of the Dover District.</p>

**Table 3: Bodies outside of political balance**

<b>Committee</b>	<b>Function</b>
<b>East Kent Services Committee</b>	<p>The East Kent Services Committee (EKSC) exercises the executive and non-executive powers of Canterbury City Council, Dover District Council and Thanet District Council in order to commission, co-ordinate, provide and/or manage any shared services.</p> <p>Each Council appoints 2 executive members (Leader and Deputy Leader) as specified in the terms of reference of the EKSC. It holds at least 1 meeting per annum with additional meetings held as required.</p>
<b>South Kent Coast Health and Wellbeing Board</b>	<p>A Clinical Commissioning Group (CCG) level sub-committee of the Kent Health and Wellbeing Board, it is focused on improving the health and wellbeing of the people living in the CCG area through joined up commissioning across the NHS, Social Care, District Councils, public health and other services directly related to health and wellbeing.</p> <p>This is a sub-committee of the Kent Health and Wellbeing Board. Dover District Council, Kent County Council and Shepway District Council appoint 2 members each to the Board in addition to other partner organisations.</p>

<b><i>Committee</i></b>	<b><i>Function</i></b>
<b>East Kent Housing Owners Committee</b>	The Committee is established under section 20 of the Local Government Act 2000 and Regulations 4, 11 and 12 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and sections 101(5) and section 102(1) of the Local Government Act 1972 enabling the Parties to perform the functions referred to in the Schedule in the manner set out in the arrangements.

# Appendix 2 – Outside Body Appointments

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Organisation Name	Category of Body	Term	Executive / Non-Executive Member
Action With Rural Communities In Kent	Community	1 Year	2 non-executive members
Age Concern Deal (Liaison Committee)	Community	1 year	1 non-executive member
Aylesham & District Workshop Trust	Community	1 Year	1 non-executive member
Canterbury & Coastal Health & Wellbeing Board	Strategic	1 Year	1 non-executive member
Deal Fairtrade Steering Group	Community	1 Year	1 non-executive member
Dover Bronze Age Boat Trust	Community	1 Year	1 non-councillor
Dover, Deal & District Citizens Advice Bureau	Community	1 Year	2 non-executive members
Dover District Volunteering Centre	Community	1 Year	1 executive member
Dover Fairtrade Steering Group	Community	1 Year	1 non-executive member
East Kent Housing Board	Strategic	1 Year	1 non-executive member
East Kent Housing Dover Area Tenants' Board	Community	1 Year	1 executive member 1 non-executive member
East Kent Spatial Development Co.	Strategic	1 Year	Leader of the Council
Industrial Communities Alliance	Strategic	1 Year	1 non-executive member
JAC Kent Downs AONB Partnership	Community	1 Year	1 executive member
Kent County Playing Fields Association	Community	1 Year	1 non-executive member
Kent Forum	Strategic	1 Year	Leader of the Council
Local Government Association – General Assembly	Strategic	1 Year	Leader of the Council
Mary Hougham Almshouses	Community	4 years	3 non-executive members

<b>Organisation Name</b>	<b>Category of Body</b>	<b>Term</b>	<b>Executive / Non-Executive Member</b>
Municipal Charities of Dover	Community	4 years	2 non-executive members 3 non-councillors
PATROL (formerly National Parking Adjudication Service)	Strategic	Indefinite	1 executive member
Police and Crime Panel for Kent	Strategic	1 Year	1 executive member
River Dour Partnership	Community	1 Year	1 executive member
River Stour (Kent) Internal Drainage Board	Statutory	1 Year	1 executive member 1 non-executive member
Saint Edmund of Abingdon Memorial Trust	Community	5 Years	1 executive member
Sandwich & Pegwell Bay National Nature Reserve Management Committee	Community	1 Year	1 non-executive member
Sandwich Port & Haven Commission	Statutory	3 years	1 executive member 2 non-councillors 4 Independent Commissioners
South East England Councils (Secretary & Executive)	Strategic	1 Year	Leader of the Council
Tourism South East	Strategic	1 Year	1 executive member
Stagecoach Dover District Bus Users Group	Community	1 Year	2 non-councillor

# Appendix 3 – Ward Councillor Role

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## Purpose of Role:

To participate constructively and effectively in the good governance of Dover District Council.

## Duties and responsibilities:

- (a) To observe the Members' Code of Conduct, act at all times with probity and propriety in the best interests of the Council and maintain confidentiality in all relevant Council business.
- (b) To be collectively the ultimate policy-makers by contributing actively to the formation and scrutiny of the Council's policies, budget, strategies and service delivery.
- (c) To represent effectively and impartially the Ward to which they were elected and bring their communities' views and concerns into the Council's decision-making process by becoming the advocate of and for their communities.
- (d) To champion causes which best relate to the interests and sustainability of the community and campaign for improvement of quality of life in the community in terms of equity, economy and the environment.
- (e) To respond to constituents' enquiries and representations fairly and impartially, to deal with individual casework and act as advocate in resolving constituents' particular concerns or grievances.
- (f) To participate effectively as a Member of any Committee, Sub-Committee, working group or other body to which they are appointed and to develop and maintain a working knowledge of the Council's services, powers, duties, policies and practices including a good working relationship with officers of the Council.
- (g) To represent the Council effectively on any outside body to which they are appointed, providing two-way communication between the organisations and presenting annually to Council a report on the work of the body and its contribution to the District.
- (h) To develop and maintain a working knowledge of other organisations and services within the District including the promotion of partnership working.
- (i) To contribute constructively to open government and generally encourage all sections of the community to participate in the democratic process.
- (j) When unable to attend a meeting of Committee or other body to which they have been appointed a member, to find a suitable substitute for the meeting and advise the Democratic Support section of the substitution.
- (k) To take part in Member training in order to develop competencies, increase knowledge and receive updated information.

## Skills required:

- Good communication and interpersonal skills.
- Ability to relate to and deal with the public in a professional and timely manner and having regard to all aspects of equality and diversity.

- Ability to work professionally and effectively with Council officers and outside organisations.
- Community leadership skills.

# Appendix 4 – Proposed Future Governance Arrangements

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## Dover District Council Size: 32 councillors

Committee Name	Number of Members	Number of Scheduled Meetings per year
Cabinet	6	11
Council	32	5

Committee Name	Number of Members	Number of Scheduled Meetings per year
Dover Joint Transportation Board	7 (Fixed Membership)	4
Electoral Matters Committee	5	Ad hoc
General Purposes Committee	5	Ad hoc
Governance Committee	5	4
Joint Staff Consultative Committee	4	4
Joint Health, Safety and Welfare Consultative Committee	4	4
Licensing Committee	12 (4 Sub-Committees)	4
Licensing Sub-Committees	As above	Ad-hoc
Planning Committee	8	12
Regulatory Committee	5	6
Single Scrutiny Committee Model	8	11
Total	63	49 + ad-hoc

**Ratio of Committee Seats to Members: 1.96 seats per member**

### Alternative Scrutiny Model

Two Scrutiny Committee Model	2 x 5	2 x 11
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**Ratio of Committee Seats to Members (2 x scrutiny): 2.03 seats per member**

### Joint Committees (Fixed Memberships)

Committee Name	Number of Members	Number of Scheduled Meetings per year
East Kent Shared Services Committee	2 Executive Members	1 + ad hoc
South Kent Coast Health and Wellbeing Board	2 Executive Members (KCC Sub-Committee)	4
Total	11	5 + ad-hoc