

# Local Government Boundary Commission for England

## Wiltshire Council Liberal Democrat Councillor Group Submission

July 2018

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## Contents

1. Introduction.....	4
2. Executive Summary .....	4
3. Size and number of Council Committees.....	6
4. Weighting of Councillor Roles.....	8
4 Electoral Equality and Community Cohesion.....	11
5 Area Boards .....	13
6 Conclusions.....	15

## 1. Introduction

**This submission is made on behalf of the Wiltshire Council Liberal Democrat Group.**

The Liberal Democrat Group consists of 20 Councillors elected in competitive contests in May 2017 representing diverse communities across Wiltshire. The Liberal Democrat Group constitutes the main opposition to the ruling Conservatives, a role the Liberal Democrats have undertaken in the two previous administrations of the Council (2009 -'13 and 2013 -'17).

## 2. Executive Summary

**2.1 We, the Liberal Democrat Group on Wiltshire Council propose that a council size of 85 members is the most appropriate to enable Wiltshire Council ('The Council') to provide effective and representative local government within Wiltshire.**

2.2 Our submission and proposed number of Councillors follows a thorough, evidence-based review of the Council's governance arrangements, its regulatory and scrutiny functions and the representational role of councillors. It also reflects information provided by Officers to the Electoral Review Committee.

2.3 We believe that the structure of the scrutiny, planning and functional Committees is sound. That view is supported by the comments of the most recent Local Government Association Peer Challenge 2017 (Review) and by a recent internal scrutiny examination (2018) of the Planning Committees.

2.4 That said, there is clear evidence that the size of some of these Committees can be reduced in the number of Councillor Members without impacting upon the effectiveness of the Committee or overly increasing the remaining Councillor Committee Members workloads.

2.5 We accept the legitimacy of the current structure of running the Council through Cabinet and Portfolio Holders. It is not necessarily one we would adopt if returned to power at a future election. However, the number of Councillors into the future must, in our view, allow for the continuation of the current structure or "government by committee". We believe that our proposed number of Councillors at 85 will allow for such flexibility.

2.6 Our view of the relative weighting of various posts and committee memberships is based on the evidence provided to the most recent Independent Remuneration Committee. This saw clear differences in the scale of responsibility and work between different levels of the Council's elected leadership team, having examined the actual levels of work in Cabinet and by Portfolio Holders, the various committees; their chairs and members.

2.7 Our proposed number of 85 Councillors takes account, but is not defined by, our Council's devolved way of working in 18 community areas known as Area Boards. We support strongly the devolution of important decision making to Area Boards. However, their future number, size and function is a matter the Council should review once the number of Councillors and the boundaries of electoral divisions ("Wards") has been decided.

2.8 Currently two existing Area Boards, those of Tidworth and Pewsey operate perfectly satisfactorily with three Councillors apiece and a mutual support arrangement between them to resolve issues of quoracy at meetings or in decision making. This arrangement is recognised in the Constitution of the Council.

2.9 Were our number of 85 Councillors to be adopted and the Area Board geographic alignment were to remain the same, then an additional two Area Boards, Bradford on Avon and Marlborough would reduce to three Councillors.

2.10 These three Area Boards have clear and natural Area Board partners:

- Corsham or Melksham for Bradford on Avon
- Devizes for Marlborough
- Warminster for Westbury

In each case a similar arrangement as recognised in the Council Constitution could be used to ensure the functioning of these Area Boards.

2.11 Consequently in proposing a Council of 85 Councillors, we part company with the submission of Wiltshire Council which argues for 99 Councillors, an increase of one from the current designation. We do not think that their submission takes full account of evidence provided to the Council's Electoral Review Committee by Officers on the number of Councillors necessary to fulfill the duties of the Council; and to populate the Committee Structures. As such we view the figure of 99 Councillors as arbitrary.

2.12 Our figure of 85 Councillors derives from the evidence referred to above; and the experience and observation of the operation of the Council. It sees a reduction of 12 (12.28%) from the current number of 98 Councillors.

### 3. Size and number of Council Committees

3.1 The principle of backbench and opposition Councillors holding the Administration to account is important to the effective functioning of a Council. This is undertaken mainly by the Council's Scrutiny Committees.

3.2 The Council's Scrutiny function as represented by its Committees was widely praised by the recent Local Government Association Peer Challenge 2017 (review) saw the current structure as "effective".

3.3 A reduction in the number of Committees would, potentially, create an unwieldy structure making meetings far too long. **We consider that the current number and structure of the Council's Committees is correct. However, evidence and experience suggests that not all Members engage actively in their Committees.** It appears from the Council website that there are currently 5 Councillors who are not members of any of the committees.

3.4 **We believe that the current number of the Council's Scrutiny Committees is correct. A modest reduction in the number of Councillors serving on these Scrutiny Committees is desirable.** Too often a minority of members do not participate in the rapid scrutiny or work groups of their Committee or even actively participate in the Committees functions.

3.5 **Our opinion, based on evidence and experience, is that the number of places on the main Overview and Scrutiny Committee should be reduced from 15 to 13 and the other three Scrutiny Committees reduced from 13 to 11 elected Members. This would mean a reduction from the current 54 Member Committee places to 46. This should improve the Member engagement without increasing their workload.**

3.6 The Council is one of the largest planning authorities in Great Britain. It currently has five Planning Committees; four of which cover specific areas of the large geography Wiltshire. They deal, as far as most Members are concerned, with contentious but relatively small-scale planning issues. These issues are examined by Officers and the relevant Parish / Town Council prior to appearing at the Committee.

3.7 Individual Councillors are able to “call in” a planning matter where they disagree with the Officers recommendation. While these matters constitute barely 5% of planning applications, they are those with which local residents and the parish council often have issues. The consideration of these issues at the Committee are often lengthy with submissions being made in writing and verbally by those supporting an application and those opposed to it.

3.8 The fact that the Members on the relevant Planning Committee are local and know the area/location concerned is a benefit to the specific Committee’s deliberations and the confidence of those involved directly from the public in that Committee’s decision.

3.9 As a consequence these Area Planning Committees are among the most visible to the public and to local parish councils. They play an important role in the governance, public credibility and democracy of the Council.

3.10 The fifth planning committee plays a strategic role in looking at the larger commercial, industrial, infrastructure and residential developments in the County. This supports a cohesive approach to the economic development of Wiltshire.

3.11 We believe the current number and structure of the Council’s Planning Committees is correct. This follows an internal, scrutiny review of these Committees conducted in 2018. That said it is often the case that a minority of Members do not contribute on their respective Committees.

**3.12 Our opinion based on evidence and experience is that the number of places on the Planning Committees should be reduced by 10 from the current number of 52 Member places to 42. This will improve the level of member engagement with no detriment to the quality of the decisions made and public confidence in them. This is shown in Table 1 (on the next page).**

**Table 1: Current and Proposed Committee Places**

<b>Committee</b>	<b>Current numbers</b>	<b>Proposed numbers</b>
Overview & Scrutiny*	15	13
Children's Select*	13	11
Environment Select*	13	11
Health Select*	13	11
Strategic Planning	11	9
North Area Planning	11	9
Southern Area Planning	11	9
Eastern Area Planning	8	7
Western Area Planning	11	9
Licensing	11	10
Audit	11	9
Standards	9	9
Appeals	8	8
Pensions	5	5
Staffing Policy	7	7
Officer Appointments	5	5
Police & Crime Panel	7	7
<b>Total Committee Places</b>	<b>169</b>	<b>149</b>

#### 4. Weighting of Councillor Roles

We have assessed the relative weighting of the length of working time and respective responsibilities required by the roles of the Chair, Vice Chair of the Council; Leader, Cabinet Members and Portfolio Holders; and the Chairs and Members of Scrutiny Committees, Planning Committees and other Committees necessary to the functioning of the Council. We have expressed this combined weighting as a proportion of Full Time Equivalent (FTE)

##### 4.1 Leader

We agree with the Council's submission that the role of the Council's Leader is a senior and demanding full time "job".

**Consequently, we weight the Leader's role at 1 (FTE)**

##### 4.2 Chair of the Council

The Chair of the Council plays an important ceremonial role. They represent the Council at important and significant local, county and national events.

This is in addition to their responsibility to chairing full Council meetings.

This is the equivalent of a full-time role.

**Consequently, we weight the Chair's role at 1 FTE**

### **4.3 Vice Chair of the Council**

The role of the Vice Chair is to substitute for the Chair of the Council at ceremonial events and in chairing the full meeting of the Council in the absence of the Chair. The post holder may well also take on certain other, ceremonial functions on behalf of the Council.

While these are significant responsibilities an examination of the meetings, and other undertakings made by the Vice Chair, show conclusively that this is not a full-time role, unlike that of the Chair itself.

**Consequently, we weight the Vice Chair's role at 0.4 FTE.**

### **4.4 Cabinet Members**

The Independent Remuneration Panel on Members' Allowances 2013 report recognised the significant workload of Cabinet Members, assessing these as 31 hours of work per week. However, the Special Responsibility Allowance of Cabinet Members was set at 60% of that of the Leader.

**Consequently, we weight the role of Cabinet Members at 0.8 FTE**

### **4.5 Portfolio Holders**

In addition to the Cabinet, the Council also operates with Portfolio Holders. The number of Portfolio Holders has ranged between 11 to 16 during the life of the Council. The range and scale of the individual tasks performed by Portfolio Holders is variable.

The Independent Remuneration Panel on Members' Allowances noted in [2013](#) during a review that these Portfolio Holders *"held significant responsibilities and required a significant time commitment"*. The report assessed this extra time commitment as *"20 hours a week"*

The report went on to note that *"the Cabinet member is still the decision maker and ultimately holds responsibility for any decision taken."*

A review by the Independent Remuneration Panel in 2017 maintained the level of Special Responsibility Allowance for the Portfolio Holders set at 22.5% of the Special Responsibility Allowance of the Leader. As such this is significantly less than that for the roles of Cabinet Members, the Chairman of the Council, and the Chairman of the Overview and Scrutiny Management Committee. This also recognises the lower time commitment of these roles.

It is appropriate to recognise the Portfolio Holder by weighting their roles. We consider that this should be set at one third of that of their respective Cabinet Member.

**Consequently, we weight the Portfolio Holders role at 0.3 FTE**

#### **4.6 Chair of Overview & Scrutiny and its Committee Members**

The role of Chair of Scrutiny is a very important one in the effective running and scrutiny of the Council. This role takes on a greater workload than those of the other members of this important Committee.

**Consequently, we believe the weighting of the Chair's role to be 1 FTE and the rest of the Committee Members to be 0.9 FTE.**

#### **4.7 Children's' Select Committee**

We recognise the additional safeguarding responsibility, over and above its important scrutiny function, of this Committee.

**Consequently, we weight membership of this Committee at 0.9 FTE.**

#### **4.8 Other Scrutiny Committees**

We recognise the importance of Scrutiny Committees in the functioning of the Council, creation of policy and holding of the Administration to account.

**Consequently, we have weighted membership of these Committees at 0.8 FTE.**

#### **4.9 Planning Committees**

We recognise the importance of these Committees in their strategic and practical impact on our County and in our communities, and their role in ensuring public confidence in the decisions being made.

**Consequently, we have weighted membership of these Committees at 0.4 FTE.**

#### **4.10 Other Committees and Panels**

While the work of these Committees is of importance to the Council, their activities do not set policy, perform a scrutiny function or have a high public profile.

**Consequently, we have weighted membership of these Committees and Panels at 0.1 FTE**

4.11 In Table 2 (on page 11) we set out the full list of roles and Committee places, their respective weighting and the number of members involved with a cumulative total; this is 83.2 Councillors. However, to build in a contingency for Councillor non-availability and resilience in the operation of the Council, we have allocated an additional 1.8 Members to bring us to 85.

#### **4.12 Councillors available to serve on Scrutiny Committees**

At 85 Members we believe there are sufficient available to serve on committees with a Council. Those Members that hold the posts of Chair, Vice Chair, Leader, Deputy Leader, Cabinet and Portfolio holders cannot serve on the Council's four Scrutiny Committees (marked \*). This excludes

24 of the 85 Members that we believe should constitute Wiltshire Council. This leaves 61 Members to fill the 56 places on these Scrutiny Committees. No restriction applies to the membership of other Committees.

**Table 2: Elected Member Numbers (to operate a functional Council)**

Role	places (a)	FTE / weighting factor (b)	members (c = a x b)	cumulated total
Leader	1	1	1	1.0
Chairman	1	1	1	2.0
Vice-Chairman	1	0.4	0.4	2.4
Cabinet	9	0.9	8.1	10.5
Portfolio Holders	12	0.3	3.6	14.1
O&S Chair*	1	1	1.0	15.1
Overview & Scrutiny Com*	12	0.9	10.8	25.9
Children's Select*	11	0.9	9.9	35.8
Environment Select*	11	0.8	8.8	44.6
Health Select*	11	0.8	8.8	53.4
Strategic Planning	9	0.8	7.2	60.6
North Area Planning	9	0.4	3.6	64.2
Southern Area Planning	9	0.4	3.6	67.8
Eastern Area Planning	7	0.4	2.8	70.6
1Western Area planning	9	0.4	3.6	74.2
Licensing Committee	10	0.4	4.0	78.2
Audit Committee	9	0.1	0.9	79.1
Standards Committee	9	0.1	0.9	80.0
Appeals Committee	8	0.1	0.8	80.8
Pensions Committee	5	0.1	0.5	81.3
Staffing Policy Committee	7	0.1	0.7	82.0
Officer Appointments Com	5	0.1	0.5	82.5
Police & Crime Panel	7	0.1	0.7	83.2
<b>Total</b>				<b>83.2</b>

(\* = scrutiny committee)

## 4 Electoral Equality and Community Cohesion

This review has been triggered by a significant mismatch in the number of current electors in the wards of Durrington and Larkhill, and Royal Wootton Bassett South. Both are over 30% larger than the average Wiltshire Council and size.

5.1 While the serious work of redesigning Ward boundaries comes in the next stage of this Review, it should be noted that 85 Councillors will on

average represent 4,948 voters (projected electorate of 420,550 divided by 85 Councillors).

5.2 If that level of electorate was the current position, both of these “oversized” Wards would have sat within the tolerance of +/-10% of the 4,948 voter average.

Both of the Councillors who represent these Wards are very active members of Wiltshire Council. One is the Chair of Overview and Scrutiny and the other an active Member of the Northern Area Planning Committee. He is also among the youngest of Wiltshire’s Councillors; is a vocal member of the Council while running a small, local business; and has wider family caring responsibilities.

**5.3 This evidence supports the argument that Wards of 4,948 voters would not generate an unmanageable level of local casework. Councillors would be able to play their full part in the Council; and younger, working people should not be put off from becoming Councillors.**

5.4 Currently with 98 Councillors there are several existing wards that lack community cohesion. They are:

- diverse, part urban and part rural wards eg Royal Wootton Bassett East, Calne South and Cherhill.
- wards of a rural nature that almost completely surround urban settlements eg Ethandune (Westbury), West Selkey (Marlborough), Calne Rural (Calne)

As such they bringing together unconnected parishes and therefore lack community cohesion.

5.5 We recognise that the need for an average electorate and a limit of +/-10% tolerance in voter numbers could lead to such anomalies in Ward layout. However, we have examined the impact of 85 Councillors and an average electorate of 4,948 (+/-10%) as to whether this will increase or diminish such anomalies.

5.6 For the vast majority of towns in Wiltshire that electorate number (and its tolerance) will produce coherent urban wards and remove the anomalies at such places as Calne and Royal Wootton Bassett.

5.7 It should also be noted that the electoral size of our proposed Wards at 4,948 voters is very similar to that recently confirmed for Cornwall of 5,163

voters following the recent review by the Local Government Boundary Commission for England.

5.8 A recent survey of Councillors working patterns and time commitments undertaken as part of the evidence gathering for this review shows a significant variation between Councillors in both aspects. No correlation was seen between the size of the Councillors' wards by electorate or geography between those spending large amounts of time on Council business or those spending less.

5.9 Experience and evidence shows that the way in which many residents interact with the Council and their Councillors is changing to increasingly digital engagement from face-to-face. This enables Councillors and the Council to work smarter and more productively, so achieving more with less. We acknowledge that those residents who need significant support from their Councillor will continue to need to do much of this face to face.

5.10 Increasing the diversity in age, gender, background and ethnicity of Councillors to be more representative of modern Wiltshire is an important goal. Changes in the ways of working by Councillors and reforms available to the Council in its way of operating are, in our view, more impactful on achieving this goal than attempting to restrict electoral numbers per ward.

**5.11 The evidence and experience of Councillors whose wards have around 5,000 voters currently, is that they can both meet the needs of their electorate and play a full part in Wiltshire Council.**

**Changes in ways of working with and within the Council, and between Councillors and residents mean that more can be done with less so allowing Councillors to represent and serve effectively larger number of voters than previously desirable.**

**We consider that wards of our proposed electoral size will enhance community cohesion and avoid arbitrary combinations of sections of urban communities with rural parishes with which they have little in common.**

## 5 Area Boards

The Council's submission focuses heavily in justifying its proposal for 99 Councillors on the current construct and boundaries of the existing 18 Area Boards.

**6.1 We share the Council’s enthusiasm for the delegation of many decisions and service provisions to a local level. Much of this is now being undertaken by town and parish Councils. We recognise that this way of functioning is also enabled in part by the existence of Area Boards. However, we believe the number and specific geographic layout of the Area Boards is for the Council to revisit once the number of Councillors have been decided at the next stage of this review.**

6.2 We also note that the Council’s submission sets out a case that Area Boards cannot operate with less than four Councillors. This is not a view that we share nor is it supported by the evidence.

Two existing Area Boards, those at Pewsey and Tidworth, have operated with three Councillors. Provision is made for such operation within the Council’s Constitution. After the next stage of this review, the number of Area Boards and their size will be re-examined. Should Area Boards emerge with three members no doubt the provision in the Constitution and the experience of those currently operating by will be applied.

**Table 3: Number of Councillors Per Area Board on existing boundaries**

<b>Council Size</b>	<b>98</b>	<b>85</b>
<b><u>Area Boards</u></b>	<b>Cllrs Area</b>	<b>Per Board</b>
Amesbury	6	6
Bradford on Avon	4	3
Calne	5	4
Chippenham	10	8
Corsham	4	4
Devizes	6	6
Malmesbury	4	4
Marlborough	4	3
Melksham	6	5
Pewsey	3	3
Royal Wootton Bassett and Cricklade	6	5
Salisbury	9	7
South West	5	4
Southern	5	4
Tidworth	3	3
Trowbridge	9	8
Warminster	5	4
Westbury	4	4

## 6 Conclusions

### 7.1 Size of the Council

**The evidence set-out above demonstrates that a Wiltshire Council comprising 85 elected Members is sufficient to enable the Council to perform successfully its executive, scrutiny, planning and other committee functions, as well as all its other statutory requirements.**

### 7.2 Committee Places and Weighting of Roles

We believe the current structure of scrutiny, planning and operational committees is appropriate to the proper governance of Wiltshire Council as recognised by recent external and internal scrutiny examinations.

The number of Members serving on these Committees should be reduced to ensure their effective operation and the full involvement in the work of the Committees of those that serve on them

Even given the appropriate restriction on Cabinet and Portfolio Holders serving on the Scrutiny Committees, there are sufficient Councillors within our proposed total of 85, available to fill other places on these Committees.

While 83 Councillors would be sufficient to fill all Committee places at the national average ratio of 1.8 Councillors serving on Committees, we consider it prudent to ensure flexibility and resilience as well as encouraging diversity in age, background and work/carer status in a county of the size and geography of Wiltshire to provide for two additional Councillors to bring our proposed Council size to 85.

### 7.3 Electoral Equality and Community Cohesion

The experience of existing Wiltshire Councillors with electorates of around 5,000 is that they can serve their voters while playing a full part in Wiltshire Council's governance.

Our proposed average electorate per Councillor is 4,948. This is similar figure to the conclusion reached by the Commission in its recent examination of Cornwall Council where the average electorate per Ward from 2021 will be 5,163.

Our proposed Wiltshire average electoral figure of 4,948 (+/-10%) should enable improvement in the cohesiveness of a number of the current Wards. Going forward fully urban wards will be formed rather than the current

arbitrary mixture of urban and rural wards without any community cohesion within them.

#### **7.4 Area Boards**

**We share the Council's enthusiasm for the delegation of many decisions and service provisions to a local level. Much of this is now being undertaken by town and parish Councils. We recognise that this way of functioning is also enabled in part by the existence of Area Boards.**

**We believe the number and specific geographic lay-out of the Area Boards is for the Council to revisit once the number of Councillors going forward has been decided at the next stage of this review.**

Wiltshire Council Liberal Democrat Councillor Group

13 July 2018