

THE SHEPWAY DISTRICT COUNCIL ELECTORAL REVIEW

I make this submission in a number of capacities:

1. I am an elected member of Shepway District Council, and the Cabinet Member for Localism. This encompasses the council's relationship with town and parish councils, and with a number of local organisations, including community and voluntary groups, as well as the monitoring of the effectiveness of consultation with all such bodies, and with the general public. I am also responsible for overseeing the council's scrutiny arrangements and programme.
2. I am the elected Secretary of the Conservative Group, responsible among other things, for arranging Group Meetings, drawing up agendas, writing and circulating minutes, and arranging substitutes for colleagues unable to attend council committee meetings.
3. I am a former Chairman of the Folkestone and Hythe Conservative Association, and currently its Deputy Chairman (Political).
4. I am a member of Dymchurch parish council and of St. Mary-in-the-Marsh parish council.

BACKGROUND – MARCH 2012 COUNCIL MEETING

At the full council meeting on 21st March 2011, the Report of the Officers on the proposed council submission to the LGBCE was considered. It was agreed that the council should recommend a reduction in the number of members, but the officers' proposal of a reduction from 46 to 30 was the subject of an amended proposal at the meeting. The amendment sought to adopt a reduction to 38 rather than 30, and was carried with all 37 councillors present voting in favour, with none against or abstaining. It thus became the new Recommendation 2, which was then adopted by all 37 members present, as is confirmed in the minutes.

The minutes of the council meeting were included in the submission to the LGBCE, and incorporated the text of the Amendment to the second recommendation of the Report proposed by Cllr. Keren Belcourt (a member of the original Working Group that had presented the case for a reduction to 30 members, and now arguing the case for 38) and seconded by Cllr. Bryan Stephenson. It read (Page 93) as follows:

To support the submission of a proposal to the LGBCE incorporating the proposed new arrangements which demonstrate how the Council would operate with 38 member wards where necessary according to current electorate size, future electorate projections and geographic considerations.

The text of Cllr. Keren Belcourt's address is reproduced below. It was not included in the council's original submission to the LGBCE, though did appear in its Supplementary Report, after I had provided the text.

I thank the Working Group for their painstaking efforts and entirely agree that the number of councillors should be reduced from the present 46, and that the new wards should be predominantly two member, with some provision for single member wards where this is appropriate. I believe, however, that the reduction in members from 46 to 30 that it recommended is on too great a scale and would therefore like to propose an amendment, to substitute 38 for 30. Even this represents a reduction of 18%, but I think that a reduction on this smaller scale is right and proper at a time when several of the council's responsibilities are being outsourced and there is a decline in officer numbers.

To cut from 46 to 30 members in one go would, however, in my view jeopardise the ability of this council to continue to carry out all of its policy-making, quasi-judicial, scrutiny and representative functions. This is a key issue which the Boundaries Commission for England requires us to take into account when presenting any new blueprint. We must ensure that we have sufficient councillors to man all the committees, and must also take into account the frequent need for substitution when councillors are unwell, on holiday or have other unavoidable engagements.

The representative role of councillors is also particularly critical, and a cut to 38 rather than 30 would ensure that councillors remain able to have a close relationship with their constituents. This is all the more important with the passage of the Localism Act, since district councillors can be expected to have a more regular and intimate relationship with town and parish councils, and with local community groups. If we cut to 30, each councillor would represent almost 3000 electors, which is too many. Moreover, this number is steadily going to rise over the next few years as a result of population growth in various parts of the District.

We need dedicated councillors who have the time to do a decent job and to represent their constituents. At the same time we must recognise that we do not want to move to a situation where people have to become full time councillors. This is the inevitable outcome if we go for 30, and it is clearly undesirable, as we do not want to exclude, and must not exclude, good people who simply do not have the time, or indeed the money, to become full time councillors. It would also be remarkably difficult to redraw ward boundaries to meet the Boundary Commission's principal requirement that each councillor should represent approximately the same number of electors.

So my view is that 38 represents a viable and much more desirable alternative. It will allow the council to carry out all its functions. It will allow each councillor to represent a workable number of electors, and therefore do the job properly. It enables us to draw up new ward boundaries more fairly and flexibly. It gives us a much better chance of attracting a more diverse range of candidates to stand in council elections. It is for all these reasons, together with the fact that I

know of no other council that has proposed, or had inflicted upon it, such a drastic reduction in numbers as is proposed in the Report, that I put forward my amendment to replace 30 with 38.

SHEPWAY'S FIRST SUBMISSION TO THE LGBCE

It had been established that the Council was scheduled to submit its proposed optimum number of councillors to the LGBCE by 5th September 2012. On 28th August 2012, I submitted a short paper to the Chief Executive and to the Leader of the Council, seeking to justify and promote Council members' clear and unambiguous preference for 38 seats. This was drafted with a view to influencing the council's submission to the LGBCE, and in the expectation that its content would influence the presentation of this submission. I was also assured at a meeting with Democratic Services officers that the council's proposed submission would be sent to me in advance, in order that I – and, indeed, colleagues – might comment on it. In practice, this did not occur, and so the submission was sent, on a date unknown to me, without going through this agreed procedure.

The document that I submitted to the Chief Executive on 28th August 2012 built on the themes that had been outlined by Cllr. Keren Belcourt in her address to the full council at its meeting on 21st March 2012. I quoted directly from her remarks, which she had kindly sent me on request. I then summarised the council's position, as I recalled it.

*The Council must elect sufficient councillors to ensure that all of its statutory duties and other functions are carried out responsibly, democratically and effectively. The Council has opted to continue with an executive model of governance, and all such **executive** functions must be properly discharged, including those which involve working with other district councils or groups of such councils, Kent County Council, town and parish councils, and outside bodies. This model of governance underlines the importance of the council having effective **scrutiny** mechanisms and procedures in place. There are also **ceremonial** duties, primarily though not exclusively discharged by the Council's Chairman and Vice Chairmen. Each individual councillor is also a **representative** and thus a spokesman for his or her ward. In the eyes of central government, the role of councillors should be enhanced such that every councillor should be an active **community champion**. This is all the more important following Parliament's passage of the Localism Act in 2011.*

I added that:

It has already been concluded – in my view, very sensibly – that the optimum number of councillors from 2015 should be 38 if all of the above roles and functions are to be expedited properly, fully and effectively.

The new Council will in my view have structural and governance requirements along the following lines:

Cabinet (including Leader and Deputy Leader)

8 members

<i>Lead Members (one for each Cabinet member other than the Leader)</i>	<i>7 members</i>
<i>Chairman and Vice Chairman of the Council</i>	<i>2 members</i>
<i>Development Control Committee</i>	<i>9 members</i>
<i>Licensing Committee</i>	<i>9 members</i>
<i>Community Overview Committee</i>	<i>9 members</i>
<i>Resources Scrutiny Committee</i>	<i>9 members</i>
<i>Personnel Committee</i>	<i>5 members</i>
<i>General Purposes Committee</i>	<i>7 members</i>
<i>Audit and Standards Committee</i>	<i>7 members</i>
<i>Constitutional Advisory Committee</i>	<i>5 members</i>
<i>Shadow Policy Committees 7 in total, each with, say, 3 members</i>	<i>21 members</i>

This list is of course not exhaustive. Members will need to be assigned to other boards and committees, such as the Joint Transportation Board. There are also some 50 outside bodies on which SDC has one or more representatives. The growing importance of Localism suggests that members will also represent the council on Locality Boards and Neighbourhood Forums, or their equivalent. The proposed Shadow Policy Committees would effectively engage in detailed research and then come up with policy suggestions in defined areas for each of the Cabinet portfolio holders to consider. It will be clear from the above that, in addition to the growing volume of case and other work in their wards (and for an electorate that is enhanced in size), every councillor will be expected to devote a great deal of time to committee and other council work. It follows that it should not be difficult to justify the preferred total number of 38.

In practice, however, the document sent to the LGBCE focused almost entirely upon the advice given to the earlier Working Group, its findings and recommendations, and the minutes of its various meetings. The substance of the submission was largely unchanged from that originally presented to the Council. Essentially, it continued to make the case for a 30 member council rather than the 38 member model adopted by the Council. The points made in the Introduction (4, 5 and 6) addressing the rationale behind the choice of 38 members, were entirely correct, and so it was a legitimate expectation that these would be highlighted, explained and developed at some length in a modified report. In practice this was not the case, and I explained that this significant omission almost certainly accounted for the Commission's request for further information and more appropriate justification.

On 16th September 2012, I sent to the Democratic Services Department my observations on the council's original submission to the LGBCE. I explained that I was not surprised that the LGBCE had requested further information from SDC in support of the Council's agreed decision to recommend a reduction in the number of councillors from the present 46 to 38 from 2015. In practice, the submission made was essentially a revamped version of the original Working Group proposal for 30 members, and so the Commission's request for further information seeking to justify a council size of 38 rather than 30 was to be expected. In short, the Report submitted had rather too much focus upon the original proposal of 30 seats, and nothing like enough on the council's mandate to officers to argue for 38 seats.

I raised a number of specific points relating to the original council submission to the LGBCE, and extracts from these are reproduced below.

1. Shepway District Council Geography and History (Pages 3 to 4):

- The 'complex' nature of the District is rightly referred to in Point 12, and its current population is established in Point 14. But there needs to be considerable emphasis upon the District's diversity, as well as to estimates of population growth over the next five years in order to make the case from the outset that a reduction in the number of councillors below 38 would be highly undesirable. In other words, there is an opportunity missed early on in the submission to highlight the particular situation of the District that justifies the proposal for 38 councillors rather than fewer.
- The same applies in Point 16 – the very fact that the Leader introduced a new Localism portfolio early in 2012 underlines the growing importance of the Localism agenda, and its implications for the workload of all individual councillors.

2. Shepway District Council – Political Management and Governance (Pages 4 to 11)

- Point 20 refers to 'a very significant reduction in the size of the Council's budget.' While there has been a limited reduction, it is difficult to see why it is described as 'significant' and why this proposition, for which no evidence is provided, should be used as a defence of a very significant council size reduction.
- The issue raised in Point 21 is absolutely critical – 'although the Council will be smaller, the challenges for residents' involvement will be greater and the Councillors' influencing role is therefore growing.' The nature of these challenges and the growth in the influencing role should have been spelt out as part of the case to reduce to 38 members rather than fewer.
- Points 28 and 29 refer to the number of scheduled committee meetings. There is no breakdown of such meetings, nor explanation of the reasons for the reduction. Anyone reading this section might readily conclude that the council was doing less work, and that councillors were in general less active than previously. In my capacity as Conservative Group Secretary, I can confirm that the latter proposition is certainly not the case, and that attendance levels are characteristically high. Neither is there any reference in the submission to the *length* of meetings – another significant omission.
- The role of Councillors, as set out in the Council's Constitution, is outlined in Point 30. The second ('community participation') and third (ward interests) bullet points are growing in importance, and are steadily imposing greater burdens upon elected representatives. This development needs to be highlighted, and explained in detail. The same is true of Point 38, with its reference to the Council 'working hard to improve communications and consultation', given that much of this desirable development operates through the efforts of individual councillors in their wards.

3. Shepway District Council – Electoral Working Group (Pages 11 to 12)

- Point 40 refers to comparative desktop research and discussions with ‘other similar councils’. There is no indication how such councils were chosen, and no definition here of ‘similar’.
- Point 41 refers to a survey of councillors and reveals that most ‘wish to spend more time with their constituents or with their local communities’. This is a laudable aim, and one that argues for a reduction in council size to 38 rather than 30.

4. Electoral Working Group – LGBCE factors (Pages 12 to 15)

- Point 44 refers to four factors when making a proposal on council size. The submission needs to explain these in detail in the case of SDC, either here or later in the submission. I note there is no direct reference here to the ceremonial role discharged by the Chairman, Vice Chairman and Leader in particular, and to all councillors in general. Similarly, neither here nor anywhere else in the submission is there any reference to councillors acting as representatives on outside bodies. *(I attached the list, which involved no fewer than 69 placements and which of course did not include the several hundred meetings of local organisations and bodies that individual councillors are expected to attend in their wards.)*
- Point 48 acknowledges that councillors ‘should have clear and substantial roles in addition to their ward based constituency role.’ Probably nothing could make the case for 38 councillors more robustly. The latter role is increasing, and is destined to increase still further as ward councillors steadily become genuine ‘community champions’. It follows that the number of residents represented by each councillor should be appreciably below 3000, a point that needs repeated emphasis in the submission.
- It is acknowledged that the Working Group did valuable work, but that it was never set up by the full council. Indeed, its composition attracted Opposition criticism at a full council meeting, where it was finally agreed that its recommendations should be considered by the General Purposes committee prior to being placed before full council. While I do not share the Opposition’s concerns, I am strongly of the view that the Council’s submission to the Commission should not, as it currently is, be dominated by the original findings of the Working Group, not least as its principal recommendation (on Council size) was unanimously amended at a full council meeting.
- As an historical record, it is reasonable to include in the submission the summary that appears in Page 14. It needs, however, to be pointed out that such recommendations for committee sizes are now redundant since they apply to a council size of 30 rather than to the 38 eventually adopted by the full council. The council has never yet had an opportunity to discuss its preferences for committee size, and the same is true of the proposed ‘task and finish’ groups. An alternative arrangement is contained in my own submission to the Chief Executive.

- Point 52 explains that the Localism Act ‘would generate further forms of democratic responsibility’, but that it was not clear which tier(s) of government would shoulder such responsibilities. The amended submission to the Commission needs to address this issue and, in so doing, explain how the division of responsibilities reinforces the case for the choice of 38 councillors.
- Needless to say, in opting for 38 councillors rather than 30, the full council did not accept this point, and this needs to be highlighted in the council’s submission.

5. ANNEXE C to Part E – Cabinet Member Role Descriptions

- The Appendix outlines the role descriptions of the present Cabinet. Nowhere in the submission can be found a case for the reduction in the size of the Cabinet.

6. Appendix 10 – Report to Council on 21st March (Pages 62 to 75)

- Report A/11/24 has been submitted, in an unamended form, to the Commission. Nowhere in the submission is there to be found a statement of how this report should be modified in the light of the council’s decision to replace the recommendation for 30 councillors with a preference for 38.
- The material outlining (in 3:2) the ‘similarities and differences between Shepway and Eastbourne’ has been retained, for no apparent reason. The two councils have practically nothing in common beyond approximate numbers of residents. This is even made clear on Page 64 with respect to urban/rural balance, parish councils and ward election arrangements. The comparison with Eastbourne is wholly invalid and should have been replaced with a more suitable comparison in the council’s submission. Indeed, the LGBCE is at pains to explain that it, in coming up with proposals for the size of individual councils, is not influenced by the size of other councils.
- The Scrutiny arrangements (top of Page 65) would be wholly inadequate for SDC.
- There are superior alternatives to the proposed ‘small task and finish groups’ (Page 65) and these should have been explored in the council’s submission.
- Point 3.5 (Page 65) refers to the Working Group’s concern ‘to investigate different models of delegation, both within the council and also beyond, i.e. to town and parish councils’. This critical issue (and the related issue on the Localism Act referred to at the top of Page 66) has not been addressed in the council’s submission.
- All the table that appears on Pages 69/70 appears earlier in the submission, and is now redundant. What is needed is a revised prospectus for a different total number of councillors. In turn, it is imperative that this is discussed with members.
- It further follows that the ‘substantial roles’ detailed in 4.4 are now equally redundant. A revised schedule should be submitted. A possible arrangement is outlined in my own submission to the council. Whatever arrangement is adopted, it should certainly follow the principles that are outlined in 4:5 (Page

71) and firm up on the issue of the Localism Act (4:6 on Page 71). We also need to resolve the Neighbourhood Forums issue raised in 6:2 (Page 72).

- Point 7:1 (Page 73) declares that there is an 'underlying assumption from the LGBCE that single member wards would be predominant'. This is simply untrue. Moreover, an overwhelming majority of SDC councillors indicated in their responses to the survey that they favoured double or even multi-member wards. This will need to be emphasised in due course in future submissions to the Commission.
- The division of the District into four broad areas (point 7:2) is not relevant at this stage of submission, but in due course will need to be considered by the council, since many regard it as artificial and , if adopted, likely to impose unnecessary and undesirable constraints upon the process of creating new ward boundaries. In any event, it takes no account of projected population growth in the various parts of the District.

Appendix 1 – Report A/11/12 (Pages 76 to 81)

- The second outcome detailed in 3:2 has been rejected by the full council. The first outcome has been rejected by the Conservative Group and by councillors as a whole in the Working Group's survey.
- Appendix 2 (Page 80) is, to say the least, of limited value, and particularly in the context of the Council's decision to approve a 38 member arrangement. Quite why this particular group of councils was selected remains a mystery.

Appendix 3 – Pages 81 to 83

- A majority of councillors want to spend more time working directly with constituents and also want to spend more time working with the local community. Relatively few (11.5% and 8% respectively) want to spend less time. This clear expression of preference reinforces the case for arguing that councillors will be rather busier in the future, and demonstrates that constituent numbers must be manageable. This point needs to be highlighted in the further council submission as a critical factor in opting for 38 rather than 30.

Appendix 4 – Page 84

- This chart will need to be changed for the new submission.

I reached the following conclusions:

1. As the Commission has now confirmed, the Council's submission does not make an appropriate case for reducing the council's size to 38 members.
2. This is in large part because too much emphasis has been placed on the original recommendation to reduce the number of members to 30, and too little on the council's unanimous preference for 38.

3. Much of the documentation attached to the submission to the Commission is therefore only of historical interest, and contributes to a report that might be seen as unbalanced.
4. The revised or supplementary submission needs to make a robust case for 38 members, looking in detail at executive, scrutiny, representation and ceremonial functions for the council as a whole, and for individual ward councillors.
5. The increased burden shouldered by councillors as community champions and as representatives on outside bodies at all levels must be explained in detail.
6. The proposed new committee structure must be revamped.
7. The content of the recommended revised or supplementary submission should be discussed with members before submission.

SHEPWAY'S SUPPLEMENTARY REPORT TO THE LGBCE

I met with Democratic Services officers on 17th September 2012 in order to discuss my observations on the original submission to the LGBCE, and to provide input into the supplementary submission. It was agreed that I should be sent a copy of the proposed supplementary submission for comment prior to its being sent off, but in the event it was sent to the LGBCE without prior scrutiny. I was pleased to see a number of the points I had made appearing in the new report, though I am of the view that the case for 38 members could have been made rather more strongly. I make the following comments on the Supplementary Report:

Introduction

- In Point 1, I do not understand why the projected number of “38” members appears in inverted commas, since this number reflects the clear and unambiguous recommendation of the members of the full council.
- I am delighted to see that Councillor Keren Belcourt’s speech in supporting the Amendment is now reported in full in Point 3, since it encapsulates the full council’s rationale for selecting 38 as the optimum number of councillors.

Part One: Governance and Decision Making

Leadership

- The strong leader and cabinet model operated by the council is described in this Section and is not in contention. There is a detailed description of the responsibilities of the ten portfolio holders in Appendix 5 of the original submission, and it will be clear that there is relatively little scope for reducing the number of Cabinet members by more than one or two, given the volume of work associated with their combined responsibilities.

- Point 5.3 explains the rationale behind the introduction of the new portfolio for localism early on 2012 in terms of underlining ‘the growing importance of localism and the implications of increased workloads for all councillors.’ Reference is rightly made to the need to support members in ‘understanding new dynamics and expectations of their role as councillors and to act as the bridge between outside bodies, the executive and members in fulfilling their obligations within the newly evolving localism agenda.’ Indeed, as the localism agenda develops, these workloads are already clearly increasing.

‘Regulatory’

- Point 6.3 consists of a table of attendance by councillors at committee meetings for the period between 9th April and 2nd October 2012. It demonstrates that average attendance continues to remain high, at about 85%. In practice, the attendance figure is higher still, since substitutions are not included in the statistics. Committee work is at the heart of the council’s operations, and it is essential that there are always sufficient councillors to man each of the committees, and to be available as substitutes whenever permanent committee members are unwell, on holiday or have other unavoidable engagements. One of my own responsibilities as Group Secretary is to arrange Conservative substitutions, and it is rare for me to be unable to arrange a substitute. A reduction in council size from 46 to 30 would make the task appreciably more difficult, since the pool of potential substitutes for any given committee meeting would be so much smaller.
- While there are nowadays somewhat fewer committee meetings, the agenda length is generally greater, and so councillors spend longer reading reports and preparing for meetings which are on average longer than previously. This is confirmed in Point 6.5 of the Supplementary Report.
- It should also be noted that the reported attendance figures exclude other meetings which councillors attend. For example, the Cabinet meets on an informal basis at roughly fortnightly intervals. Portfolio holders meet regularly with their officers, and are usually accompanied by their Lead Members. Indeed, the role of Lead Members is regarded as sufficiently important by the Independent Remuneration Panel that it is recommending the introduction of special responsibility allowances in recognition of their services. There are also a number of Working Groups, (such as the Flooding Working Group), and sub-committees (such as the Standards, Housing Appeals and Employment Appeals sub-committees)

on which councillors sit, and which are not recorded in the official attendance statistics.

- Points 6.6 and 6.7 refer to the growing importance of community participation and ward interests, and acknowledge the steadily growing burden upon elected representatives, much of it arising out of changes associated with the localism agenda.
- A key omission in the council's original submission was any reference to the various appointments to outside bodies. This is rectified in the supplementary report, which details the present 69 such appointments. It should be pointed out that a reduction in council size will of necessity mean that the average number of such appointments per elected member will rise, since there will be no reduction in the number of bodies on which council representation is required. It should also be stressed that the list provided refers only to those appointments determined by the Leader and ratified by the full council. It takes no account of all the other bodies on which Shepway councillors serve. No fewer than thirty of the present 46 members are also elected town and parish councillors, and a further three are county councillors. Members also represent the council on a myriad of local organizations and community groups, many of which operate on an informal basis.
- Point 6.10 refers to the current exploring of options to incorporate new ways of working for members, one of which is the introduction of ward budgets. Work on this is now well advanced, and it is expected that such an arrangement will become operational from 2013/14. Again, this will increase the workload of councillors at a local level as members will spend more time examining requests from local communities and organisations for funding of projects.
- Point 6.12 suggests that councillors who are not Cabinet members spend an average of eight hours a week on council duties, and makes the critical point that 'localism and fewer numbers will result in this increasing over the years.' This is a critical point, and one that must be taken into account when determining the future size of the council, and especially given the projected growth in the number of electors between now and 2020.
- At present 26 of the 46 council members are at the same time in full (or, occasionally, part time) time employment, balancing work, family and council commitments. Point 6.11 draws attention to the rising average age of councillors (60) council's failure to attract younger members of the community. This is not an uncommon phenomenon, and is an important

consideration, given that a number of older councillors are likely to retire at the next election. We need dedicated councillors who have the time to do a decent job for the residents they represent. But we do not want to move to a situation where, given the increased workload, people effectively have to become *full time* councillors, able to devote an average of perhaps sixteen hours a week to their council and council-related community duties. This is the inevitable outcome if we reduce our numbers from 46 to 30; indeed, even a reduction to 38 will place significantly greater pressure upon members. We do not want to exclude, and must not exclude, good people who simply do not have the time, or indeed the money, to become the equivalent of full time councillors.

Part Two – Scrutiny functions

- The Supplementary Report quite rightly stresses the growing importance of the council's scrutiny arrangements. For some years, the council had two scrutiny committees, and then for a short period experimented with an arrangement that had a single scrutiny committee and three dedicated sub-committees. It has now chosen to revert to two scrutiny committees – a Resources Committee and a Community Overview Committee. The combined membership of these committees is 24.
- The recent reorganisation of the council's scrutiny arrangements has resulted in an appreciable increase in workload, and this is acknowledged in Point 7.2. There are slightly fewer meetings in total than during the period where there were effectively four committees, but the meetings are longer, and the workload of scrutiny is appreciably greater. As part of my own Cabinet portfolio, I meet often with scrutiny committee chairmen and with officers to formalise, and then refine annual programmes and timetables for each of the committees (Appendix 1 of the council's Supplementary Report provides details of the programme for 2012/13).
- Point 7.2 effectively acknowledges that the revised scrutiny arrangements are working well. Portfolio holders are regularly questioned by the committees. The committees focus not only on Cabinet papers, but also focus on broader community issues, with a view to establishing how effectively the council is meeting its declared corporate plan objectives in all policy areas. Most important of all, the committees now have a substantial input into the decision-making process, not simply reacting to executive priorities and policy initiatives (as was traditionally the case), but also offering advice and suggestions at an early stage of the policy-making process. This far greater emphasis upon the pre-emptive role of the scrutiny committees, and 'critical friend'

approach, has the potential to improve the effectiveness of governance, and significantly enhances the role of backbench members.

- At the same time, as is noted in 7.3, members of scrutiny are sometimes receiving less support than previously due to ongoing reductions in staffing support. There has indeed led to greater reliance on the ability of scrutiny members to take on more responsibility for conducting research prior to meetings and for engaging with local organisations and communities in order to inform their deliberations. Members of the scrutiny committees are readily responding to encouragement to carry out activities relating to topics outside of the formal committee debates, and the likely creation in due course of small 'task and finish' groups, or their equivalent, from within their ranks, will assist them in discharging this crucial role.
- Section 9 of the Supplementary Report draws attention to the council's continuing efforts to maintain high quality services for residents, while at the same time providing increased value for taxpayers' money. This has resulted in a number of joint service delivery initiatives with other councils (such as housing), and in the contracting out of a number of functions (such as environmental enforcement) to external bodies.
- Like most councils, Shepway is understandably continuing to look at new ways of working and greater efficiencies, and some of these are detailed in Section 9 of the Supplementary Report. Any reduction in bureaucracy is to be welcomed, not least because of the valuable contribution it is making to the prime objective of avoiding potential future budget deficits. There is also a case for a reduction in member numbers making some contribution to this process, and this why the council has agreed to recommend a cut from 46 to 38. But it needs to be understood that the council is accountable to the electorate in a way that officers are not, and that the transfer of some services to joint working and external provision or enforcement neither diminishes the range of services for which the council is ultimately responsible, nor its accountability to residents for the quality of their provision. Indeed, given that a greater proportion of service delivery is now already, or is scheduled to be, at arm's length, this underlines the ever-growing importance of effective scrutiny. And as the Supplementary Report confirms, *all* councillors now take local complaints or suggestions to external bodies delivering local services, and represent a key link between such bodies and their residents. In this context, the workload of scrutiny committees in particular is scheduled to increase still further, and it is difficult to believe that they can expedite their critical and much enhanced role with a smaller complement of members.

Representation role of councillors

- The representative role of councillors is well stated in the Supplementary Report, though there was obvious scope for developing and explaining this critical role quite a lot further.
- In conjunction with the portfolio holder for Localism, council officers are now close to completing a first ever Shepway Community Compact for referral to the Cabinet for approval. The Compact acknowledges that legislation has introduced new community powers and statutory duties for councils, and aims to set out the 'community rights' of town and parish councils, local voluntary and community groups, and the general public. It also aims to set out clearly how these rights can be exercised, how local communities can help to shape the development of public services in their area and how, as a result, local democracy can be promoted. The Compact outlines a series of commitments, including a Code of Practice on Consultation and Engagement, and explains how the council will assist local organizations in the task of exercising their rights and, indeed, new responsibilities.
- It is intended that the Compact will be circulated to all town and parish councils, and recognised community and voluntary organisations. Among other areas, it will cover policy, procedure and contact arrangements on: the Community Right to Bid; the Community Infrastructure Levy; the Community Right to Build; Neighbourhood Plans; the New Homes Bonus; Planning Applications; the Right to Buy; the Community Right to Challenge; Freedom of Information requests; Parish Polls and Referendums; Petitions; Consultation Procedures; the Councillor Call for Action; Health and Wellbeing Boards; Scrutiny Procedures; the operation of the Equality Act; the Sustainable Communities Act; and Transparency and the Code of Conduct.
- In addition to the Community Compact, the council intends to issue (by e-mail) on a monthly basis a Stakeholder Bulletin, to all town and parish councils, and neighbourhood or voluntary groups. This is designed to keep local organisations informed about government policy initiatives and changes, local policy developments, consultation exercises and outcomes, future council committee meetings, and 'hot' local topics.
- Councillors are already encouraged to directly engage with constituents, and almost all do. They address day to day concerns or problems in a variety of ways, including regular liaison with organisations and with their local communities, as well as contact through e-mail, telephone and direct visiting of residents. Most will raise issues directly with portfolio

holders or council officers. A good proportion holds surgeries, while several distribute newsletters within their wards.

- The Supplementary report confirms that the council accepts that the Localism Act 2011 will generate further forms of democratic responsibility. As a result of the Act, and of the Community Compact initiative described above, councillors will need to have still closer liaison with communities and with local organisations and to act as the eyes and ears for the council, reporting on any upsurge or interest in local matters and managing it accordingly. This new role, now enshrined in legislation, requires all councillors to adopt a more pro-active approach than previously and effectively to become, in the words of the Secretary of State, 'community champions'. In consequence, and given current electorate growth projections, it is entirely appropriate that there should be 38 councillors rather than a smaller number to meet these important and growing demands on a member's time.
- Local councillors will also play a critical role where any form of delegation from the district takes place to local communities or local town and parish councils. This new role for councillors will require more time and energy on such matters than previously required and this was recognised by members in the survey that was conducted on their priorities for the future. Town and parish councils in particular have high expectations of district councillors, and certainly endorse their 'community champion' role. I have been in contact with a number of these councils (and indeed sit on two of them) and the overwhelming view communicated to me is that they believe that an average number of constituents per councillor of 3000 (the outcome of a reduction to 30 councillors) is simply too large. It will undermine the essential role of councillor as community champion, and result in significant under-representation.

CONCLUSIONS

1. The initial proposal from the Local Government Boundary Commission for England is to reduce the number of councillors on Shepway District Council from the present 46 to 30 from 2015, and to re-draw all existing ward boundaries accordingly.
2. The case for altering ward boundaries so that every Shepway councillor represents approximately the same number of electors is accepted without question; indeed it is a statutory requirement.
3. Councillors accept that there is a case for making some reduction in the number of members from the present 46.
4. Councillors, however, rejected the recommendation of a small Working Group, informed by council officers, to reduce the number of councillors from 46 to 38. It voted unanimously for an amendment, proposed by a member of the Working Group, to recommend 38 rather than 30. In the view of the council, a reduction of over a third to

thirty members would jeopardise the ability of the council to continue to properly carry out all of its policy-making, quasi-judicial, scrutiny, ceremonial and representative functions.

5. There is some scope for a reduction in the number of members of many council committees, though none at all for a reduction in the actual *number* of committees.
6. The burden of work for members of the council's two scrutiny committees will continue to increase, as a result of their enhanced pre-legislative role, the reduction in officer support available to them, the need to make a growing number of joint or outside service delivers and enforcers accountable to the public, and the increasing demands of the Localism agenda. There is therefore little or no case for cutting back on either their functions or their complement of members.
7. The desirable and ongoing reduction in officer numbers has little or no bearing on the issue of council size. Councillors must increasingly directly engage with their constituents and use a number of methods to address day to day concerns or problems. They must remain able to have a close relationship with residents, with town and parish councils, and with local community groups. Following the passage of the Localism Act (2011), additional forms of democratic responsibility are gradually evolving. The greater emphasis upon community participation and ward interests inevitably places a greater, albeit welcome burden upon members. This was acknowledged in the results of the survey carried out by the Working Group, where it was established that the overwhelming majority of councillors wanted to spend more time with their constituents and in working with the local community.
8. Councillors will be more self-reliant and busier in the future and constituent numbers and wards will need to be manageable for them to carry out the role effectively. Reducing the number of members to thirty at a time when the electorate is growing and the demands of localism are increasing would affect the council's future ability to provide effective governance and representation. Each councillor would then represent almost 3000 electors, and rather more in the future, which is universally acknowledged by councillors to be too many. Constituent numbers and areas will need to be manageable for them to expedite their roles effectively.
9. In the event of the number of councillors being reduced to 30, there is a severe danger that the greatly increased workload would deter younger people from standing for election on account of lack of time to do the job properly.
10. A reduction from the present 46 to the council's preferred number of 38 will allow the council to carry out all its functions effectively. It will allow each councillor to represent a workable number of electors, and to remain a local community champion. It also gives us a better chance of attracting a more diverse range of candidates to stand in elections.

APPENDIX: PROPOSED NEW WARD BOUNDARIES FOR A 38 SEAT MODEL

Following the Council's submission and extensive public consultation, the number of wards, together with their names, will be determined by the LGBCE. The Commission's over-riding principle is that each councillor should represent approximately the same number of electors, with a margin allowed of 10% either side of the average for the District, which in turn will

remove the present electoral imbalances that exist. The Commission must also take into account projected changes in the size of the Shepway population (and thus the electorate) over the next five years.

Based on the council **members' unanimous view** that the new council should have 38 members rather than the present 46, I append below a suggested reallocation of wards. I have reviewed several possible reallocations, and am confident that this proposal meets all the required criteria. I recognize that this exercise is premature, since the final number of councillors has yet to be determined, but I make the point that any similar exercise using 30 councillors as a base will run into considerable difficulties in maintaining established community links. It would also mean that, in a number of cases, councillors could find themselves representing a vast geographical area, and one consisting of a double figure number of parishes.

The proposals for new ward boundaries are drawn up on the following basis:

- The present 46 seats to be reduced to 38 seats for the 2015 elections. 38 is considered the *minimum* number of councillors required for SDC to discharge effectively its executive, scrutiny, quasi-judicial. Representation and ceremonial functions.
- The figure used for the total registered electorate is 82386. Future electoral projections will of course increase this number, perhaps to around 87,000 by 2020.
- The average number of electors per councillor becomes 2168 (Plus or minus 10% permitted by the Commission – i.e. each councillor represents between 1951 and 2385 electors).
- Two member wards are the norm, except in a small number of cases – the electoral quota per councillor makes it difficult in general to create single member wards, which in any event are not favoured by most councillors.
- Possible names for proposed wards are suggested, though these are naturally only recommendations and are scarcely set in stone.
- Seat allocations are not based on four 'areas' as was the case in the original report (which recommended 30 seats), but rather on what appears to work..
- Parish boundaries are respected throughout.
- The contiguous principle has been adopted throughout.
- The proposed new designations for polling districts/stations have been used
- Figures may not add up exactly, as they are sourced from different (2011 and 2012) documents, though there is very little difference between the two.
- Where it is necessary to move some electors from one ward to another to achieve electoral parity, I have not at this stage identified the roads affected. I have simply indicated the number of electors who would need to be moved.
- The proposal for the District provides for **TWO single seat** wards, **FIFTEEN two seat** wards and **TWO three seat** wards.

SEATS 1 and 2 (4336) - LYDD AND ROMNEY MARSH

LD! Lydd Town 2733 from Lydd

RM3	Snargate	96	from Romney Marsh
RM2	Brenzett	274	from Romney Marsh
RM4	Brookland	385	from Romney Marsh
RM8	St. Mary in the Marsh	188	from Romney Marsh
RM5	Ivychurch	212	from Romney Marsh
RM7	Old Romney	170	from Romney Marsh
RM6	Newchurch	278	from Romney Marsh

SEATS 3, 4, 5 and 6 (2 x 2) (Total: 7923) – NEW ROMNEY TOWN (2) and ROMNEY AND LYDD COAST (2)

NRT1	New Romney Town	2816	
NRC1	New Romney Coast	2962	
LD3	Greatstone	464	from Lydd
LD2	Dungeness	1681	from Lydd

Approximately 1150 electors will need to be moved from the present New Romney Coast to New Romney Town

SEAT 7 (2219) – ST. MARY’S BAY

DSB3	St. Mary’s Bay	2219	from Dymchurch and St. Mary’s Bay
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SEATS 8 and 9 (4625) – DYMCHURCH AND LYMPNE

DSB1	Dymchurch	2524	from Dymchurch and St. Mary’s Bay
DSB2	Dymchurch	555	from Dymchurch and St. Mary’s Bay
RM1	Burmarsh	258	from Romney Marsh
LS1	Lympne	1288	from Lympne and Stanford

SEATS 10, 11, 12, 13, 14 and 15 (3 X 2) (Total: 11859) – HYTHE WEST (2), HYTHE CENTRAL (2) and HYTHE EAST (2)

HW1	Hythe West	1590	
HW2	Hythe West	1898	
HC1	Hythe Central	2583	
HC2	Hythe Central	2364	
HE1	Hythe East	1814	
HE2	Hythe East	1620	

To equalise wards, approximately 500 electors move from HC2 to Hythe West and approximately 600 electors move from HC1 to Hythe East.

SEAT 16 (2341) – NORTH DOWNS WEST AND STELLING MINNIS

NDW4 Sellindge	1310	from North Downs West
NDW5 Monks Horton	92	from North Downs West
NDW6 Stowting	198	from North Downs West
NDW2 Elmstead	187	from North Downs West
NDW3 Elmstead	60	from North Downs West
ESM2 Stelling Minnis	494	from Elham and Stelling Minnis

SEATS 17 and 18 (Total: 4396) - LYMINGE AND ELHAM

NDW1 Lyminge	1793	from North Downs West
ESM1 Elham	1292	from Elham and Stelling Minnis
LS2 Stanford	307	from Lympne and Stanford
LS3 Stanford	41	from Lympne and Stanford
TO3 Postling	184	from Tolsford
TO4 Etchinghill	482	from Tolsford
TO2 Newington	297	from Tolsford

SEATS 19, 20 and 21 (Total: 6624) – NORTH DOWNS EAST

NDE1 Hawkinge	3143	from North Downs East
NDE2 Hawkinge	2256	from North Downs East
NDE3 Paddlesworth	30	from North Downs East
NDE4 Swingfield	816	from North Downs East
NDE5 Swingfield	222	from North Downs East
NDE6 Acrise	128	from North Downs East
NDE7 Acrise	31	from North Downs East

SEATS 22 and 23 (Total: 4160) – SANDGATE AND SALTWOOD

TO1 Saltwood	686	from Tolsford
FS1 Sandgate Valley	923	from Sandgate
FS2 Sandgate Village	2490	from Sandgate

FOLKESTONE SEATS 24 to 38 (15 seats) (Total: 33899 after removal of Sandgate)

The average number of electors per member in Folkestone in the arrangement that follows equals 2260. Sandgate has been taken out of the equation, as it now forms part of the proposed Seats 22 and 23, Sandgate and Saltwood.

Electors per ward at present (polling districts/stations in brackets):

Cheriton	5107 (FCH1 and FCH2)
Morehall	3335 (FM1 and FM2)
Park	4961 (FP1, FP2, FP3, FP4 and FP5)

Foord	4045 (FF1, FF2 and FF3)
East	3521 (FE1 and FE2)
Harvey West	3695 (FW1 and FHW2)
Harvey Central	5033 (FHC1, FHC2, FHC3 and FHC4)
Harbour	4202 (FH1, FH2 and FH3)

A possible allocation is given below. It seeks to maintain the present ward boundaries as far as is possible, and transfers some electors, where necessary, into adjacent wards to produce close to electoral parity.

FOLKESTONE SEATS 24 and 25 – FOLKESTONE HARBOUR

Made up of the present Harbour electors

FOLKESTONE SEATS 26 and 27 – FOLKESTONE HARVEY CENTRAL

Made up of the present Harvey Central electors less about 700, which are transferred to Harvey West

FOLKESTONE SEATS 28 and 29 – FOLKESTONE HARVEY WEST

Made up of the present Harvey West electors plus about 700 transferred from Harvey Central

FOLKESTONE SEATS 30 and 31 – FOLKESTONE CHERITON

Made up of the present Cheriton electors, less about 600, which are transferred to Morehall

FOLKESTONE SEATS 32 and 33 – FOLKESTONE MOREHALL

Made up of the present Morehall electors, plus about 600 transferred from Cheriton and about 750 transferred from Park

FOLKESTONE SEATS 34 and 35 – FOLKESTONE FOORD

Made up of the present Foord electors, plus about 600 transferred from Park

FOLKESTONE SEATS 36, 37 and 38 – FOLKESTONE EAST

Three seats proposed. Park Ward disappears. The new ward is made up of the present electors from East ward and the present electors from Park ward, less about 600 transferred to Foord and about 750 transferred to Morehall.

C llr. Russell Tillson
2nd December 2012