

# Bath and North East Somerset Position for the Local Government Boundary Commission for England – Report detailing recommendations on the number of councillors.

27/06/2017

## 1. Background

The Local Government Boundary Commission for England (LGBC) is conducting an electoral review of Bath and North East Somerset Council (B&NES). The last review was conducted in 1997, shortly after the local authority was formed and determined 65 councillors for the authority area.

The review has two aims, which are to identify:

- The correct number of councillors for the Council.
- Where the boundaries should be set for this number (and the names of any created/revised wards).

This report seeks to make representations as to the correct **council size** on behalf of the Council as a corporate body by considering the following technical factors:

- Arrangements for current and future decision making,
- Scrutiny and Partnership requirements.
- Democratic Accountability.

There have been a number of notable changes to governance arrangements between the 1997 review of electoral arrangements and now. These are outlined in tables following each section.

Evidence has been gathered through published and internal documentation and through a Councillor survey conducted in March 2017<sup>1</sup>. The Council has published underlying data to support the development of this case at [www.bathnes.gov.uk/local-boundary-review](http://www.bathnes.gov.uk/local-boundary-review).

## 2. Decision Making and Governance

### 2.1. Leadership and Decision Making

The Council operates a Cabinet/Executive model comprised of a Leader with eight Cabinet Members. The role of Council Leader is considered equivalent to a full time role. The Proposed Members' Allowances scheme works on the basis of Leader 60 hours per week, Deputy Leader and Cabinet Members 40 hours p/w, Scrutiny Chairs 20 hours per week.

Cabinet meets seven times a year plus special meetings. Over a six month period, Cabinet considered 11 items compared to approx. 30 taken as Single Member decisions. The level of delegation to single Member has varied according to political make-up of the Council.

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<sup>1</sup> [http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/2017\\_boundary\\_review\\_members\\_survey\\_results.pdf](http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/2017_boundary_review_members_survey_results.pdf)

Delegation schemes included in the Constitution are:

- Planning (Development Management Committee meets 12x p.a.)
- Environmental Services (Licensing Committee meets 12-16 x p.a.)
- Housing Services
- Public Rights of Way. (Committee rarely meets)

40 councillors currently sit on constituted committees and membership is standing. Most committee meetings are scheduled in advance except for urgent business. Inquoracy has only very rarely resulted in meetings not taking place or being cut short.

## 2.2. Budget position

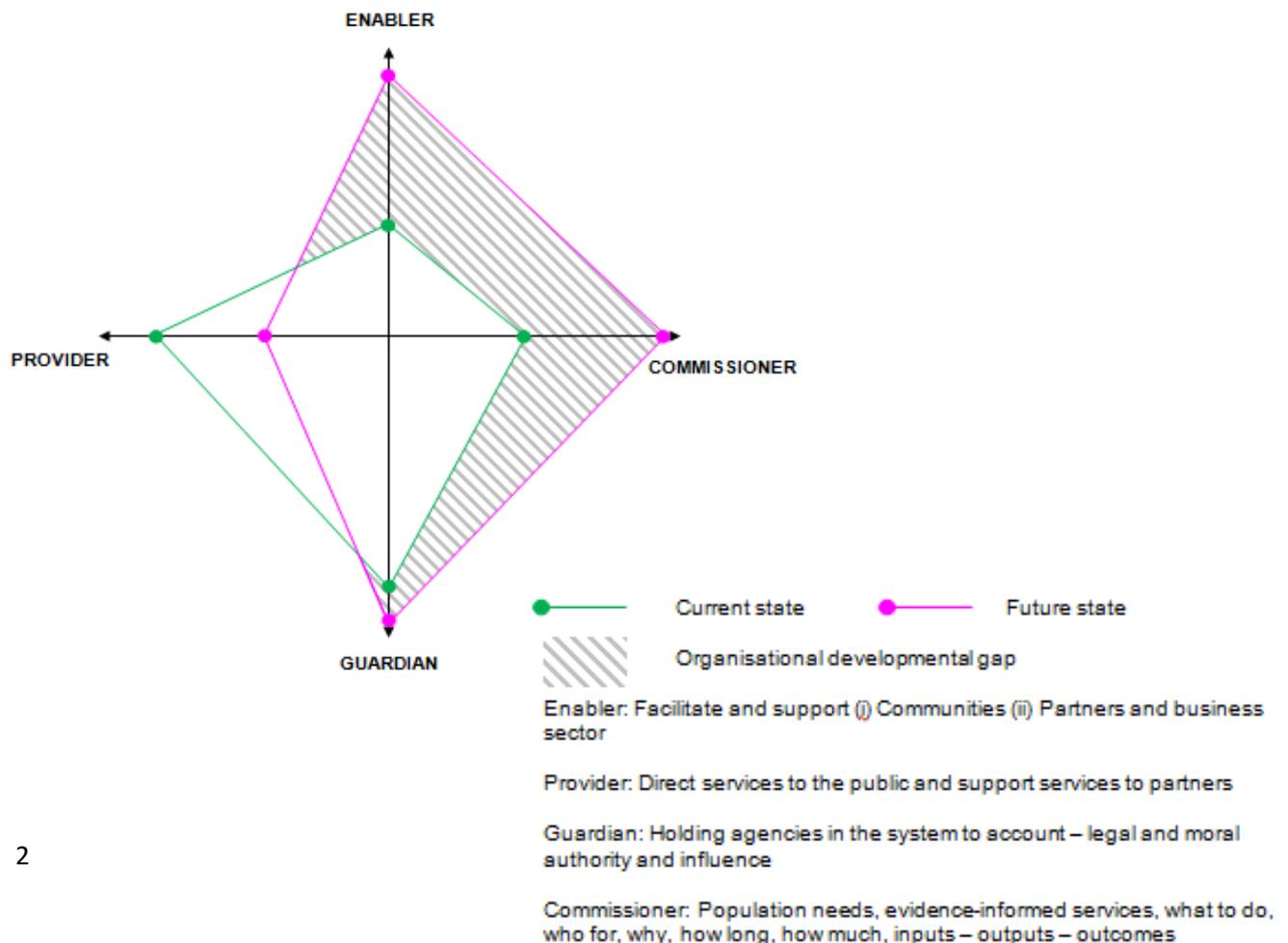
The 2016/17 Budget included proposals to meet the £49m savings required to balance the budget to 2019/20. These are in addition to £33m saved from 2012 onwards. These savings have been required through a combination of increases in demand from factors such as an ageing population as well as a reduction in government grants.

In an unprompted question 34% of respondents to the councillor survey highlighted budget reductions as the single issue which would have the largest impact on their role as a councillor in the next five years (the greatest response to a single issue).

## 2.3. The Council's Transformation approach

In acknowledgement of the changing role of the Council and the ongoing financial challenges, a transformation approach is emerging within the authority. Fig 1 demonstrates, visually, the nature of this change.

**Fig 1 – B&NES Transformation Approach**



#### 2.4. Table 1 – Summary of key changes to decision making

Position in <b>1998</b>	Date of Main Change	Position in <b>2017</b>	Future trends
Council and Committee structure	2002	Leader and Cabinet arrangements introduced in 2002	
A number of joint arrangements in place particularly relating to structure planning and strategic transport	2017	West of England Combined Authority established in 2017 with devolved budgets	Potential for future phases of devolution deals
Council structure comprising Chief Executive and six Directorates	2013	Council structure comprising Chief Executive and three Directorates	
44 Parish and 2 town councils	2011	48 parish and town councils, alongside 3 parish meetings. Two new town councils (Midsomer Norton and Radstock) and one new parish council (Westfield) created from the dissolution of the existing Norton Radstock Town Council following a community governance review.	
Council primarily a provider of all services within unitary authority set of functions	2013	New Local Engagement Framework established in 2013: significant number of local initiatives in place including asset transfers (e.g. Beacon Hall), community libraries and local projects such as Community@67	The Council will increasingly act as an enabler with plans for community libraries and helping communities do more for themselves- e.g. local litterpicks, A Community Empowerment Fund has also been established to help support parish councils and the Bath City Forum to do more for their areas. A revised Parish Charter setting out devolution principles is currently being developed jointly with parish and town councils.
Bath Tourist Information Centre managed “in-house”	2003	Bath Tourism Plus established as separate body in 2003	Council taking over ownership of Bath Tourism Plus as a wholly owned company.

Leisure services operated in-house	2003	External provider operating leisure facilities since 2003  Greenwich Leisure Limited (GLL) operating Council leisure facilities from 2015	
Separate arrangements for health and social care	2009  2012  2017	Integrated team of adult commissioners, with Clinical Commissioning Group (CCG), in place for adult health, social care and housing commissioning.  Health and Social Care act moves Public Health into Local Authority Control and creates Health and Wellbeing Board.  Services within scope of “Your Care Your Way” transferred to Virgin Care in April, creating a new “Prime Provider” model for the delivery of Community Health and Social Care, taking a more strategic oversight for the delivery of these services.	The expectation is that further integration will occur.
Local government powers restricted to specific functions established through legislation	2011	Power of general competence introduced under Localism Act 2011	
Council- retained housing stock and housing management functions	1999	Somer Community Housing Trust (latterly Curo) established in 1999 following the transfer of housing stock from Bath & North East Somerset Council	
Community health and social care services provided directly by Council and Primary Care Trust	2011	Community Health & Social Care Services transferred to Sirona Care & Health CIC (Community Interest Company).	

Local Education Authority role for Council operating through Local Management of Schools	2010 (Academies Act)	30 schools are now academies	More academies expected
Limited commercial interests	2016	ADL established, Audit West, Brunel Pension in place.	Adoption West, Bath Tourism Plus shortly to be established as Council commercial bodies and further commercial interests expected.

## 2.5. Support to elected members

No formal councillor job description has ever existed in the Council. All councillors receive mandatory training on Code of Conduct, Health and Safety, Information security, Safeguarding responsibilities, plus a range of Service specific briefings. Councillors sitting on Licensing and Planning Committees receive specific training for this role, and briefings are arranged as necessary for other Committees such as Employment Committee, Pensions etc.

### 2.5.1. Political Assistants

Since its creation, the Council has offered each of the Political Groups which qualify the support of a Political Research Assistant. These are Officers who are specifically recruited to give political support and advice directly to members of the group. They hold fixed term contracts and their terms of office expire on the day of the annual general meeting of the Council in a year of ordinary election.

The current position is that there are two full time Political Research Assistants assigned to the two major political parties and two part time Support Assistants, who support the two minority parties. The Political Research Assistants and Support Assistants provide the same research and organisational support in relation to casework and the councillors' representational roles.

## 2.6. Summary of changes around leadership and decision making

The Council has changed from an organisation which delivers comprehensive direct services towards one which takes more of a role as a strategic commissioner or "enabler" of local services.

### **Implications of these findings:**

The majority of these changes represent an overall shift from the role of the Council as the principle agency delivering services in the local area, to one which plays a more strategic role with fewer direct responsibilities. This means that a smaller number of councillors are required now than were in 1997 to provide representation for this activity, although it must be acknowledged that the complexity of new relationships can create new challenges.

## 3. Scrutiny and Partnerships

### 3.1. Policy Development and Scrutiny Panels

The current scrutiny model includes; 4 Policy Development & Scrutiny Panels and 1 Health & Wellbeing Select Committee:-

- Planning, Housing, & Economic Development PD&S Panel (-Designated Flood Risk Management scrutiny Panel)
- Communities Transport & Environment PD&S Panel (statutory Crime Panel)
- Resources PD&S Panel
- Children & Young People PD&S Panel (Designated Curriculum Complaints Panel)
- Health & Wellbeing Select Committee (Statutory Health scrutiny Panel)

There are, on average, seven members per panel except for Communities, Transport & Environment which has nine. All Panels have a Chair & Vice Chair and the Health Select Committee just has a chair. The CYP Panel has four co-opted members on the Panel.

The agendas of each of the Panels and Select committees are often long and when they do appear short the item has a large remit of discussion at that meeting. The Panels have attempted to move away from items 'to note' or updates. Currently the detailed engagement work that the Scrutiny Panels deliver is good and has meaningful results.

On average, panels undertake two Scrutiny Inquiry Days a year, one Task & Finish Group and/ or one full review or one call-in meeting. There are smaller research projects that on average take one to two weeks to pull together. (Each of the above will involve on average three to four weeks scoping, analysing and reporting meetings and one public meeting- all separate from the formal Panel meetings)

Members will also attend regular agenda planning meetings and Chairs will attend the Chairs & Vice Chairs Meeting which is quarterly. There is difficulty in balancing the amount of focused scrutiny work that a panel is able to undertake and providing the right level of support and resources to deliver the number of Panel meetings effectively. The current structure is resource intensive which includes the planning for four panels and one committee plus agenda planning for each.

A piece of work has been undertaken recently to review the number of scrutiny panels and meetings.

### 3.2. Membership of External Bodies

Excluding Cabinet Members, 31 appointments are covered by 18 councillors. Typically bodies meet between four/five times a year. This is following work to review and reduce Membership of outside bodies. A survey of elected members identified that 40% of respondents were members of outside bodies.

### 3.3. Table 2 – Summary of key changes to scrutiny and partnership arrangements

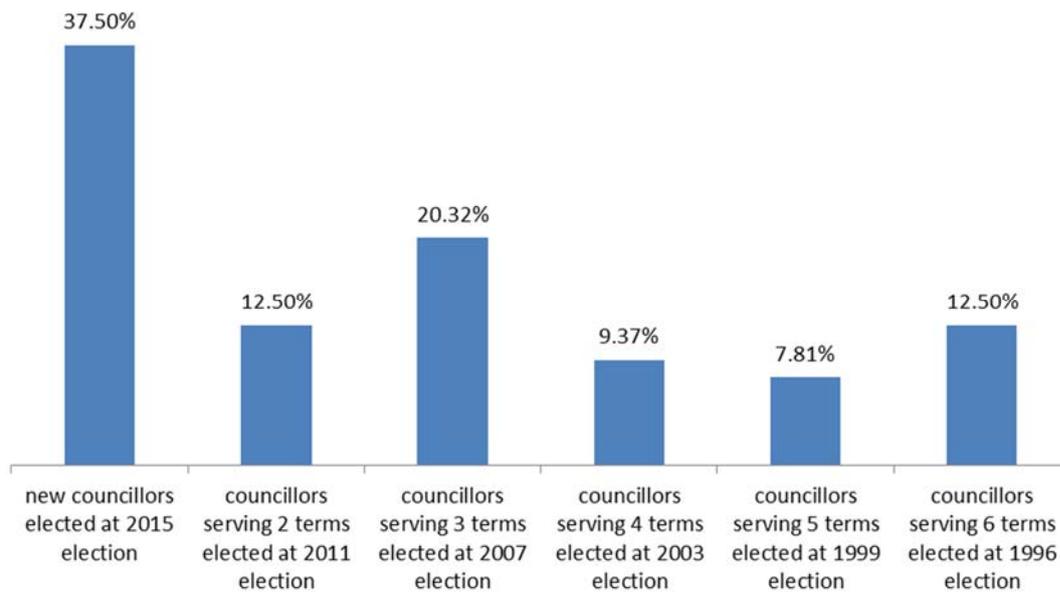
Position in <b>1998</b>	Date of Main Change	Position in <b>2017</b>	Future trends
No Overview and Scrutiny arrangements	2002	Policy Development and Scrutiny Panels in place	Review of Panels.  West of England Scrutiny requirements.
No strategic partnerships in place	Community Strategy published 2004, Sustainable Community Strategy 2009	Local Strategic Partnership and latterly Public Services Board established setting vision and strategy for the area, chaired by Council leader	
Audit Commission Indicators in place	2010	National indicator set obligations removed in 2010, although scrutiny on certain strategic areas, such as Safeguarding Children & Young people has increased.	

## 4. Representational Considerations

### 4.1. Member Retention

The Council has never had an unchallenged seat since its formation. Fig 2 demonstrates the makeup of the Council at March 2017 in terms of the year in which councillors are first elected<sup>2</sup>.

**Fig 2 - % Current councillors elected at each election since 1996.**



Nearly 40% of councillors were new in 2015, with existing members having served on average 2.7 terms.

### 4.2. “Ward Work”

71% of respondents to the councillor survey said that they responded to casework from constituents on an almost daily basis, with all respondents saying that this activity was carried out at least monthly. 44% said that they went out and about in their ward to see what’s going on almost every day, with all respondents saying that they had done this within the last six months.

In an unprompted question, 25% of respondents highlighted an increasing workload as the single issue that would have the biggest impact on their role as a councillor in the next five years.

Respondents also noted the impact of social media and modern technology on their role; 82% said it makes it easier for them to engage with their constituents, 82% said it helps them more easily resolve queries with council services and 70% said it makes it easier for them to manage their time. Debate at full council on 18 May also raised the issue that social media can also significantly increase the workload of councillors in some instances.

<sup>2</sup> [http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/march\\_2017\\_list\\_of\\_bnes\\_councillors\\_and\\_year\\_of\\_first\\_election.xlsx](http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/march_2017_list_of_bnes_councillors_and_year_of_first_election.xlsx)

### **Implication of these findings**

With the current number of councillors, it is clear that 'ward work' in their local area is an activity which takes up a considerable amount of time and a number of councillors believe that this will increase. These factors may be mitigated in part by the role of social media and modern technology in making it easier to engage with local residents and resolve queries.

#### **4.3. "Connecting Communities"**

The Connecting Communities programme is designed to help public services and local residents to work better together to address the areas of local concern in our communities. To achieve this, the Council has worked with partners, parishes and councillors to establish Area Forums to streamline and simplify local engagement.

Area Forums are made up of Bath & North East Somerset elected members representing the wards within the Area, parish councils and representatives of local groups. The Forums set their own priorities based on an understanding of local needs. The Forums have produced area-based Action Plans, bringing together commitments from a wide range of partners such as the Police and Curo (the largest Registered Social Landlord in the area).

The Forums also provide a useful channel for residents to raise concerns with partners such as the Police, and each Forum has an open session at the start of each meeting where specific issues can be raised.

The Area Forum meetings are open for any member of the community to attend. At times the meeting agendas will have items included for which the Chair will limit speakers to members from the Forum only.

Under the Connecting Communities framework, Area Forums have been established for the whole of Bath and North East Somerset. In the unparished area a Bath City Forum has been established with co-opted members sitting alongside elected members drawn from Bath City wards. Information on the composition of these Forums is available as supporting evidence<sup>3</sup>.

#### **4.4. Geographical Variation**

The population of Bath and North East Somerset is split, almost 50/50 between the City of Bath and the North East Somerset area. North East Somerset comprises a diverse mix of market towns (Keynsham, Radstock and Midsomer Norton) as well as a large number of dispersed rural villages. This creates a significant variation in population distribution amongst the existing wards. Fig 3 shows this distribution using the December 2016 electorate.

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<sup>3</sup> [http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/parishes\\_to\\_connecting\\_communities\\_forum.xlsx](http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/parishes_to_connecting_communities_forum.xlsx)

**Fig 3 – Ward Electorate Population Density 2016**

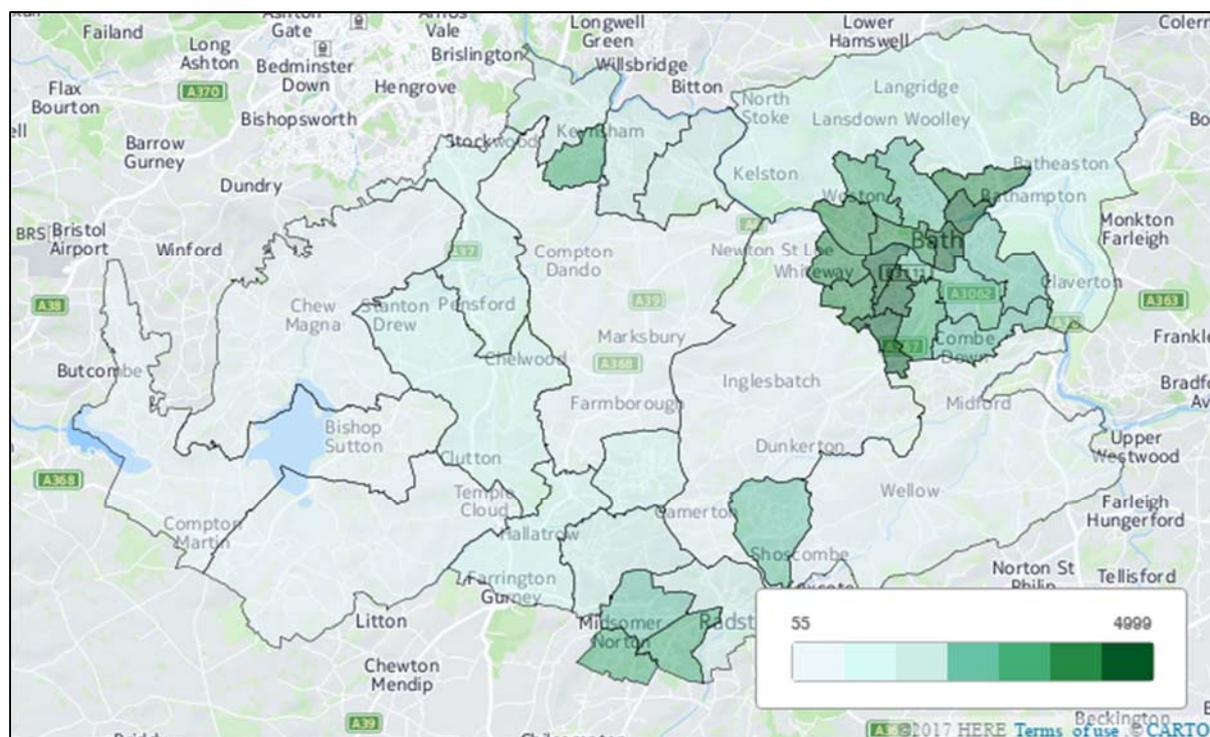


Fig. 3 demonstrates that electorate population density<sup>4</sup> varies significantly between Bathavon West Ward (55 electors per SqKm) and Walcot Ward (4,999 electors per SqKM).

This demonstrates a significant need to provide effective geographic balance in any proposal.

#### 4.5. Parish Arrangements

The Bath City area is unparished with the 32 elected members for City wards acting as Charter Trustees<sup>5</sup> for the City. The remainder of the district is covered by a mixture of town and parish councils which range from Keynsham Town Council being comprised of three wards, to Bathavon North, South and West with six parishes each within their area. The full breakdown of parishes and wards is published as supporting evidence<sup>6</sup>.

It should be noted, however, that the lack of a formal member job description means that no requirement is currently made on councillors regarding levels of engagement with Parish and Town Councils.

#### **Implications of these findings:**

This significant demographic variation means that any changes to councillor/elector ratio will need to be appropriately mitigated to allow for effective rural representation.

<sup>4</sup> [http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/december\\_2016\\_electorate\\_population\\_density.xlsx](http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/december_2016_electorate_population_density.xlsx)

<sup>5</sup> <http://www.mayorofbath.co.uk/the-charter-trustees-of-the-city-of-bath>

<sup>6</sup> [http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/wards\\_with\\_parishes.xlsx](http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/wards_with_parishes.xlsx)

#### 4.6. Table 3 – Summary of key changes to representational considerations

Position in <b>1998</b>	Date of Main Change	Position in <b>2017</b>	Future trends
No locality-based structure	2015	Connecting Communities Forums for Somer Valley, Keynsham area, Chew Valley and Bathavon established.	
No specific representational structure for Bath (other than Charter Trustees role)	2015	Bath City Forum established in 2015.	
No local budgets for elected members	2011	Ward Councillors Initiative established in 2011 allocating small “pots” for local members to improve their areas	To be decided
Static Council website in place: 20 Council offices	2012 (Bath one stop shop)	Council established three one stop shops and adopted a Council Connect system to manage customer enquiries	More online transactional capability will be put in place through the Council’s Digital Strategy
No use of social media	2006 (Twitter launched)	All councillors e-enabled Webcasting introduced	Further use of social media and technology to ease communications

#### Implication of these findings:

If successfully achieved, the aspiration of the Council to make it more straightforward for members of the public to find solutions to local problems and for local areas to do more for themselves should reduce demand on councillors time and further support the case for a reduction.

### 5. Determining an appropriate number of councillors

The number of councillors required purely to conduct statutory business at present has been identified by the Council’s democratic services team as 40, excluding the Leader, Cabinet and Scrutiny (although many councillors will ‘double up’ between statutory committees and scrutiny panels).

At December 2015, there were 2,037 electors per councillor. This compares to an average of 2,877 electors per councillor for the statistically most similar local authorities<sup>7</sup>. This number should not be considered directive, but can provide a useful starting point for assessing numbers.

<sup>7</sup> [http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/electoral\\_arrangements\\_cipfa\\_nearest\\_neighbours\\_2015\\_electorate.xlsx](http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/electoral_arrangements_cipfa_nearest_neighbours_2015_electorate.xlsx)

The LGBCE require local authorities to produce electorate forecasts as part of the review. The current draft position, suggests that there are likely to be 139,508 electors in the area by 22/23.

Were the ratio of electors to councillors change to the most similar authority, then Bath and North East Somerset would require 48 councillors.

Although statistically similar authorities might prove a useful starting point; some are markedly less rural than Bath and North East Somerset, this number is very close to the current minimum required for statutory business. A point between the current and most similar elector/councillor number was determined through further engagement with Member and officer working groups. This final position is designed to account for similar authorities, reflect the changing strategic role of the organisation, whilst also reflecting the more rural nature of much of the authority and the practicalities of providing effective representation to these areas.

This would create position with an average of **2,364** electors per councillor and result in an adjusted position of **59** councillors.

## 6. Political Decision Making

This paper was presented as an appendix to a report to a full Council meeting held on 18 May 2017. The following is an extract of the draft minutes of that meeting:

*The Council considered a report concerning the Local Government Boundary Commission review of Bath & North East Somerset Council to determine the correct number of Councillors for the B&NES area, and the correct boundaries.*

*During debate, concerns were raised that further consideration was needed with regard to future housing projections and student population and assurance was given by the Leader that that would take place. The Chief Executive also assured Members that the points made in debate would be taken on board before submission.*

*On a motion from Councillor Tim Warren, seconded by Councillor Liz Richardson, it was unanimously*  
**RESOLVED**

- 1. To note the findings of the technical report and outline recommendation; and*
- 2. To delegate to the Chief Executive and Head of Legal and Monitoring Officer sign-off of the final wording of the technical report pending any material changes to underlying evidence.*

- See more at:

<https://democracy.bathnes.gov.uk/ie/ListDocuments.aspx?CId=272&MId=4633&Ver=4#sthash.HNAlaQwd.dpuf>

## 7. General Conclusion and Recommendation

The view of the working group is that the changing role of the Council in terms of Leadership, Scrutiny and Partnerships and political representation can be taken together to create a case for a **reduction** in the number of members to 59.

Whilst it must be acknowledged that the workload for some councillors may increase, this may be mitigated by the broader changes in the role of the councillor described in the report.