

DERBYSHIRE COUNTY COUNCIL

CABINET

2 August 2011

Report of the Chief Executive

**Local Government Boundary Commission for England (LGBCE) Further
Electoral Review – Proposed Council Size
(Leadership and Culture)**

Purpose of the Report

To inform Cabinet of the Further Electorate Review (FER) of Derbyshire and to determine the council size for the Authority, to be submitted to the Local Government Boundary Commission for England (LGBCE).

Information and Analysis

In April 2011 the Boundary Commission confirmed that an electoral review of the county electoral divisions in Derbyshire would commence on 11 July 2011. The Commission can undertake Further Electoral Reviews of individual local authorities where there has been a significant change in population or localised increases from major housing developments, resulting in electoral imbalances.

The Commission's analysis of the 2010 electorate data for Derbyshire confirmed that significant imbalances exist in the county which meet their criteria for carrying out a further electoral review to improve electoral equality. The analysis showed that 24 of the 64 divisions (38%) had an electoral variance of greater than 10% from the county average and one division, Hatton and Hilton, had an electoral variance of 39%.

Representatives from the Commission met with staff from the Council on 19 May 2011 to explain the electoral review process. Further briefing sessions were held with Cabinet and Group Leaders on 31 May 2011 and at Full Council on 22 June 2011.

The review covers the entire Council not just the electoral divisions where there is evidence of electoral inequality and consists of three phases:

1. Preliminary period – information gathering;
2. Stage 1 - council size i.e. proposals for the total number of councillors/electoral divisions;
3. Stage 2 – area definition i.e. proposals for revised boundaries and names of electoral divisions.

The Council's work on the preliminary period of the review, which required a range of information to be provided to the Commission, has now been completed. Data from various sources including the district/borough councils has been used by the Policy and Research Division to produce a range of information including:

- Summaries of current electorate by polling districts, parishes, parish wards, wards and districts (2011);
- Projections of total electorate by polling districts, parishes, parish wards, wards and districts (2017);
- Details of parish electorate arrangements;
- GIS maps generated using data from the Electoral Registers.

This information will be used in Stage 2 of the review to help determine the boundaries of electoral divisions although additional information particularly relating to communities will also be taken into account.

Stage 1 - Council size

Stage 1 of the review requires the Authority to submit proposals on the council size it considers necessary to run the Council. The Commission's guidance on the first stage of the review states that council size should allow for effective and convenient local government by determining the appropriate number of members needed to allow the council and individual councillors to conduct the council's business most effectively. Arrangements also need to reflect communities and allow for fairness of representation.

In determining the appropriate council size for Derbyshire the political management and working practices of the Council have been considered. This includes:

- the decision-making process;
- the scrutiny process;
- the representative role of the elected member.

The evidence gathered and included in Appendix A of this report shows that the present council size of 64 is deemed to be effective in managing the business of the Authority. The Commission are due to meet on 9 August 2011 to discuss the council size proposals for Derbyshire.

Next steps

Following the County Council's submission the Boundary Commission will determine the council size using the information provided by the Council, desk based research and further discussions with the Authority.

Once the council size is agreed, draft recommendations for future electoral arrangements for Derbyshire including proposed electoral division boundaries and names, will then need to be submitted to the Commission. These will be the subject of

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a formal 8 – 12 week public consultation which is likely to commence in September/October with final recommendations being published in the new year.

3. Considerations

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

4. Key Decision

No

5. Call-in

Is it required that call-in be waived in respect of the decisions proposed in the report?
No

Officer Recommendations

It is recommended that Cabinet:

1. Determines the council size to be submitted to the Local Government Boundary Commission for England as the first stage of the Further Electorate Review of Derbyshire.
2. Receive updates on progress on the Further Electorate Review of Derbyshire as appropriate.

**Nick Hodgson
Chief Executive**



Appendix A: Submission of evidence for preliminary council size consultation

Derbyshire County Council

Further Electoral Review of Derbyshire County Council

Council Size Submission to the Local Government Boundary Commission for England

August 2011

1. INTRODUCTION

In April 2011, the Local Government Boundary Commission for England (“LGBCE” or “the Commission”) announced that it would be conducting a Further Electoral Review (FER) of Derbyshire.

The Commission’s criteria for carrying out a Further Electoral Review is if there are more than 30% of electoral divisions within a county with an electoral variance of more than 10% or a single division with a variance greater than 30%. Analysis of the 2010 electorate data for Derbyshire shows that the County meets both these criteria as 39% of its divisions have an electoral variance of more than 10% from the average and Hatton and Hilton has an electoral variance of 39%.

The Review covers the entire Council not just the electoral divisions where there is evidence of electoral inequality and consists of three phases:

4. Preliminary period – information gathering;
5. Stage 1 - council size i.e. proposals for the total number of Councillors/electoral divisions;
6. Stage 2 – area definition i.e. proposals for revised boundaries and names of electoral divisions.

The Council has prepared this submission dealing with council size only at this stage. The submission makes the case for a council size of 64 Councillors in single member divisions. A further submission on the detailed electoral arrangements in terms of the division boundaries will be made at a later date.

2. DERBYSHIRE

The population of Derbyshire is 763,700 based on mid-2010 Office of National Statistics (ONS) population estimates. This is expected to be increased by nearly 5% to 794,200 in 2017 based on ONS 2008 Sub-national population projections. Although this is below the national average, growth varies considerably across the County’s districts ranging from 3% in Derbyshire Dales to 11% in South Derbyshire. Internal migration is the main contributor to population change in Derbyshire, and young adults leave the county in greater numbers than arrive, but for other age groups the converse is true.

Derbyshire is substantially rural with a number of urban areas. Chesterfield is the largest town with a population of 101,000 at mid-2010.

3. GUIDANCE ON CALCULATING COUNCIL SIZE

This first stage of the electoral review is to consider the appropriate size of the Council i.e. how many Councillors there should be on the Authority in order to deliver effective and convenient local government. Once the number of Councillors has been determined, this can be used to define boundaries of electoral divisions to minimise electoral variance.

In the technical guidance issued by the Commission, it is recommended that the following issues are considered when developing a proposal for council size:

- The **model of local governance** used by the local authority: these models have impacts on the workload of Councillors and the working practices of the Council,
- the existence of **parish and town councils**: and the impact this has on a Councillor's role and workload,
- the **scrutiny and regulatory functions** of the Council,
- the **representational role of Members**: these may have changed following new practices put in place by the Local Government and Public Involvement in Health Act 2007.

Each of these issues is considered in this submission when putting forward the case for the recommended size for the Council.

4. STRUCTURE OF COUNCIL

The following section sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.

The Council is composed of 64 Councillors who are elected every four years. Councillors are democratically accountable to residents of their electoral division. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

All Councillors meet together as the Full Council. This will generally be open for the public to attend except where confidential matters are being discussed. Here Councillors decide the Council's overall policies and set the budget each year.

The Council appoints the Leader of the Council and the Leader appoints the Cabinet. Table 1 below shows the current governance of the Council.

The Cabinet is responsible for most day-to-day decisions, it comprises nine Councillors appointed annually. The Cabinet has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Full Council as a whole to decide.



Table 1: Current Governance of the Council

Structure	Number of forums	Number of forum places	Number of meetings per year
Full Council	1	64	6
Cabinet	1	9	16
Cabinet Portfolios	9	1	12
Improvement and Scrutiny Committees	3	15	6
Improvement and Scrutiny Management Committee	1	7	6
Other Committees (including Regulatory Licensing and Planning, Standards)	8	3-9	4-14
Main outside bodies	5	4-12	2-9
TOTAL	28	226	231

There are three Improvement and Scrutiny Committees which support the work of the Cabinet and the Council as a whole and also an Improvement and Scrutiny Management Committee. These allow citizens to have a greater say in Council matters by holding inquiries in public into matters of local concern. The Committees advise the Cabinet and the Full Council on its policies, budget and service delivery, and other public bodies, as well as monitor decisions made by Cabinet. Additionally, they can ‘call-in’ a decision which has been made by the Cabinet but not yet implemented.

In order to give local citizens a greater say in Council affairs, elected Members attend Community Forums that are held in most areas. These are held in public, and include a public question time.

Other committees include the Regulatory Licensing and Appeals Committee, responsible for registration, regulation, licensing and appeals issues. The Planning Committee determines minerals planning decisions and town and country planning issues. Both have delegation sub-committees which convene for matters of urgency. Councillors have to agree to follow a Code of Conduct to ensure high standards in the way they undertake their duties. The Standards Committee trains and advises them on the Code of Conduct

5. MEMBER WORKLOAD

In all, there are 217 appointments for Councillors to fill across the range of Cabinet, committees and main outside bodies which meet on 231 occasions a year.

The Council's formal governance arrangements represent only one aspect of Councillor's role and workload. Local Councillors also act as community advocates, community leaders and local political representatives on Councils at a parish, town or district/borough level. In Derbyshire, there are 204 Parish and Town Councils which come together twice a year through the Parish and Town Council Liaison Forum, which aims to improve communication with the County Council and facilitate closer working relationships. County Councillors are also expected to maintain a strong working relationship with their Parish Councils. A number of County Councillors have over 20 Parish Councils within their Electoral Division.

The Council currently has 17 appointments to key strategic partnerships, including the Derbyshire Partnership Forum. The Forum comprises a number of public, private, voluntary and community sector organisations who work together to deliver the Sustainable Community Strategy. Other significant partnerships include the Derbyshire Economic Partnership, which brings together public, private and third sectors to co-ordinate economic development across Derbyshire. The D2N2 Local Economic Partnership covers Derbyshire and Derby City and the neighbouring area of Nottingham city and the county. A shadow Health and Wellbeing Board has also been set up in readiness for the transfer of responsibility of public health through the Health and Social Care Bill 2011 to local authorities. The Council has a further 272 appointments to other outside bodies.

There are currently 506 council appointments resulting in each Councillor having an average of 8 council committee appointments per year, a list of council committee appointments can be found in Appendix 1.

6. ELECTORAL REPRESENTATION

Derbyshire has 9,413 electors per Councillor which is above the national County Council average of 8,667. Of the twenty-seven English County Councils, Derbyshire is the 11th lowest in terms of council size. The County Councils range in size from 45 to 84 Councillors. Derbyshire also has the 9th highest average electors per Councillor. Across England the average ranges from 4,668 to 14,102 electors. Appendix 2 includes a table showing the details of electorate for all County Councils.

7. COUNCIL SIZE

In recommending a council size to be retained at 64 the Authority feels this is the right number for effective political governance. Any reduction in council size will mean an increase in the current workload of Councillors. It is important for the recruitment and retention of high quality Councillors that they have an effective work-life balance, especially for those with full time work commitments.

A reduction to 60 members would mean an average of 8.4 appointments per Councillor, an increase of 0.4 appointments from the current average of 8. Taking the average frequency of committee meetings, this would mean an extra four dates a Councillor would have to attend a year. An increase in members to 68 would decrease

the average number of appointments to 7.4 per Councillor but would bring an extra cost to the Council. The Council needs to make £90m of savings over the next four years. The average cost to the Authority for a Councillor, based on 2009/10 data is £11,349 although this can vary, for example if they're a Cabinet Portfolio Holder. An increase to 68 members could mean an extra cost of at least approximately £45,000.

Evidence from consultation with local residents suggests that the Council is managing its business effectively with the current number of members. The most recent 2009 Derbyshire Residents Survey showed 59% of people agreed a great deal or to some extent that the Council is making Derbyshire a better place to live, compared to 50% the previous year. In addition, 7% more residents felt the Council involved them in decision making. This increased from 26% in 2008 to 33% in 2009. 44% of residents also felt the Council was efficient and well run.

The Government's 'Big Society' agenda and ensuing Localism Bill, due to receive Royal Assent at the end of 2011, are likely to place an even greater emphasis on the role of local Councillors, especially with any devolved decision making. Such links between Councillor, community and the County Council will be imperative in ensuring functions are discharged effectively.

8. CONCLUSION

Based on the Commission's criteria and the Councils plans for the future, the evidence presented in this submission justifies a council size of 64. The effective governance of the Council has been maintained with the current number of members through the 217 Council Committee appointments, 17 key strategic partnership appointments and 272 places on other outside bodies. Under the current council size, local Councillors are also able to represent their communities through the 204 councils on a parish, town and district/borough level. Regular scrutiny of Council policies and decisions are maintained through the three Improvement and Scrutiny Committee's. The Council has 9,413 electors to each Councillor, higher than the English county council average of 8,667 and this ensures effective representation of the Derbyshire electorate. Evidence from consultation with residents shows the current structure of the Council and its members are working effectively to make Derbyshire a better place to live.

Appendix 1: County Council Committees

Committee	Number of committee places	Number meetings per year	Overall resource (committee places x meetings)
Full Council	64	6	384
Cabinet	9	16	144
Cabinet Portfolio: Leadership and Culture	1	12	12
Cabinet Portfolio: Highways and Transport	1	12	12
Cabinet Portfolio: Adult Care	1	12	12
Cabinet Portfolio: Public Health	1	12	12
Cabinet Portfolio: Education	1	12	12
Cabinet Portfolio: Finance and Management	1	12	12
Cabinet Portfolio: Technology and Recycling	1	12	12
Cabinet Portfolio: Regeneration	1	12	12
Cabinet Portfolio: Young People	1	12	12
Regulatory – Licensing and Appeals	9	8	72
Regulatory – Licensing and Appeals Delegation Sub-Committee	3	As and when	
Regulatory – Planning	9	14	126
Regulatory – Planning Delegation Sub-Committee	3	As and when	



Standards Committee	6	6	36
Audit Committee	5	6	30
Investment Committee	7	4	28
Pensions Committee	7	6	42
Improvement and Scrutiny - People	15	6	90
Improvement and Scrutiny – Resources	15	6	90
Improvement and Scrutiny – Places	15	6	90
Improvement and Scrutiny - Management	7	6	42
Total County Council only	183	198	1,282
Derbyshire Police Authority	7	9	63
Derbyshire Combined Fire Authority	12	7	84
Peak District National Park Authority	4	6	24
Peak District National Park Authority Joint Advisory	7	2	14
Local Government Association	4	9	36
Total main outside bodies	34	33	221
Derbyshire Partnership Forum	11	2	22
Derbyshire Economic Partnership	1	6	6
D2N2	1	6	6
Shadow Health and Wellbeing Board	4	6	24
Total key partnerships	17	20	58
Total other outside bodies	272	n/a	n/a
Overall total	506	521	1,561

Appendix 2: County Council electorate data

Authority Name	Number of Wards/ Divisions	Council Size	Electors December 2010	Electors per Councillor	Area (Hectares)	Density (Electors per Hectare)
Buckinghamshire	47	57	382,282	6,707	156,495	2.44
Cambridgeshire	60	69	461,063	6,682	304,624	1.51
Cumbria	84	84	393,819	4,688	676,715	0.58
Derbyshire	64	64	603,283	9,426	254,668	2.37
Devon	62	62	592,814	9,562	1,392,502	0.43
Dorset	42	45	331,709	7,371	254,160	1.31
East Sussex	44	49	400,555	8,175	170,848	2.34
Essex	70	75	1,057,637	14,102	346,434	3.05
Gloucestershire	53	63	469,720	7,456	265,317	1.77
Hampshire	75	78	1,015,626	13,021	367,896	2.76
Hertfordshire	77	77	834,114	10,833	164,308	5.08
Kent	72	84	1,065,837	12,689	354,348	3.01
Lancashire	84	84	906,968	10,797	290,297	3.12
Leicestershire	52	55	513,628	9,339	208,289	2.47
Lincolnshire	77	77	547,615	7,112	592,058	0.92
Norfolk	84	84	663,665	7,901	537,078	1.24
North Yorkshire	68	72	462,554	6,424	803,761	0.58
Northamptonshire	73	73	522,079	7,152	236,397	2.21
Nottinghamshire	54	67	603,190	9,003	208,478	2.89
Oxfordshire	58	74	490,802	6,632	260,492	1.88
Somerset	58	58	416,544	7,182	345,054	1.21
Staffordshire	59	62	660,175	10,648	262,029	2.52
Suffolk	63	75	551,149	7,349	380,086	1.45
Surrey	80	80	851,645	10,646	166,248	5.12
Warwickshire	56	62	414,827	6,691	197,509	2.10
West Sussex	71	71	614,340	8,653	199,086	3.09
Worcestershire	52	57	442,734	7,767	174,052	2.54
Average(county)	64	69	602,606	8,667	354,416	2.22