North East Derbyshire District Council

<u>Council</u>

5 September 2016

Review of Electoral Arrangements – Council Size Submission

Report of Councillor G Baxter MBE, Leader of the Council

This report is public

Purpose of the Report

- To consider the Council's draft submission on a council size in response to the Local Government Boundary Commission's review of the Council's electoral arrangements.
- To seek delegation to the Chief Executive to submit the formal council size submission

1 Report Details

- 1.1 Attached at **Appendix 1** is a draft response to the Local Government Boundary Commission's invitation to put forward a case for Council size. The issue of Council size is a key factor in determining the scale of the Further Electoral Review (FER).
- 1.2 Under the LGBCE guidelines if either of the following conditions are found to exist, then consideration is given to the need for a review:-
 - Any local authority with a ward that has an electoral variance in excess of 30%.
 This means a ward having at least 30% more (or less) electors in it than the average for the authority as a whole; and/or
 - Any local authority where more than 30% of the wards have an electoral variance in excess of 10% from the average for that authority.
- 1.3 In North East Derbyshire one ward (Renishaw) currently has an electoral variance in excess of 30% of the average.
- 1.4 In accordance with the Boundary Commission's timetable a draft submission on council size has to be sent to the Commission by 2 September, 2016. This provides the Council with an opportunity to address any issues upon which the Commission may request further information before the deadline for the final council size submission on 7 October, 2016. The draft submission has been sent to the Commission and a response is awaited.

2 Overview of Council Size submission

- 2.1 The submission addresses, and supports with evidence, the questions posed in the three broad areas contained in the LGBCE's technical guidance on governance arrangements, scrutiny functions and the representational role of Councillors in the local community.
- 2.2 The detailed evidence of the Council's size submission is set out in Appendix 1 (note for the purposes of this report Annexes A-C are not attached)
- 2.3 The last periodic review of electoral arrangements in North East Derbyshire conducted in 1999 maintained the existing Council size at 53 members but reduced the number of wards from 26 to 25.
- 2.4 This review was conducted shortly before the implementation of the Local Government Act 2000 when the authority moved from the traditional committee system to a Leader and Executive model of governance.
- 2.5 A revised electorate forecast for 2022 is being developed as part of this exercise and early indications are that the Councillor to elector ratio will have risen from 1:1504 in 2016 to around 1:1537 in 2022.

3 Summary of the Council's submission

3.1 It is considered that the draft submission satisfies the Commission's aims of being able to:-

"recommend a council size that allows

- the council to take decisions effectively,
- manage the business and responsibilities of the council successfully, and
- provide effective community leadership and representation"

and enables the Council to submit a council size supporting the retention of 53 councillors, on the grounds that the evidence:-

- the Council has effective decision making processes in place:
- it has effective arrangements for the management and delivery of its business and responsibilities;
- it has effective scrutiny arrangements holding the executive to account, reviewing policy, monitoring performance and scrutinise wider external issues of importance to its communities.
- the Council is able to demonstrate that it has extensive and effective involvement in community leadership and representation on voluntary bodies and parish councils and an ever increasing Councillor advocacy role.
- the current council size will enable the Council to:-

- (a) retain sufficient capacity to deliver and enhance its performance in these areas whilst at the same time being able to respond to the future challenges
- (b) ensure an equitable distribution of councillors across the district.

3 <u>Summary of Justification</u>

- 3.1 A summary of the Council's justification for the submission is set out below:-
 - (1) In terms of Political Management and Governance, the Council has demonstrated that it has effective decision making processes both at officer and councillor level. It has continued to review and improve its decision making processes, for example it has introduced a new streamlined scheme of delegation to officers and has more closely realigned its cabinet portfolios and scrutiny committees to reflect its corporate aims.

The most recent external assessments provide evidence that the Council performs well, for example the external audit of the 2014/15 accounts issued an unqualified audit opinion and concluded that the Authority had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources. The 2013 Joint Corporate Peer Challenge commissioned by North East Derbyshire and Bolsover District Councils noted the achievement of its strategic alliance and commended its partnership working with the Sheffield City Region.

- (2) The current size of the Council enables the non executive Councillors to:-
 - carry out, efficiently and effectively, the statutory functions and responsibilities of the Regulatory Committees;
 - deliver an effective scrutiny function which holds the executive to account, reviews policy and monitors performance;
 - undertake and manage the process of external scrutiny looking at issues outside the Council's responsibilities but vital to safeguarding the well being of the local community.
 - have the capacity to be able to manage effectively future demands for scrutiny of shared services, the strategic management alliance, the Council's role within combined authorities and the plethora of partnership and other joint venture arrangements which are growing in number and variety.
- 3.2 It is essential for the continued delivery, improvement and transformation of services that the non-executive retains the capacity to support the executive in these areas.
 - (1) In terms of community leadership and representation, the evidence shows that the Council has fully embraced this role. It has numerous and well developed

strategies to deliver the aims and priorities of the Corporate Plan by engaging and working with the community, minority groups, voluntary bodies and other public sector organisations.

Councillors are actively engaged with electors across their communities. The evidence shows that nearly 9 out 10 district councillors serve on parish councils aside from their voluntary roles on numerous local groups and bodies. The current size of the Council and allocation of Councillors across the urban and rural areas of the district enables them to represent their communities notwithstanding an increase in the level of casework issues and community concerns.

- (2) The submission shows that Councillors are facing an increasing complexity and volume of work. The recent survey of Councillors shows that members are concerned about their future workloads. In particular members have identified an increase in their representational and community advocacy role particularly casework with constituents involving welfare, housing and care issues. This together with other emerging issues facing local government and an increasing electorate supports the view that any reduction in council size could not be justified. The role of councillors is now significantly more demanding that when the current size was last reviewed and determined in 1999.
- (3) The Council is faced with the continuing need to meet the challenges of new legislation and maintaining services to the community in a period of austerity and financial restraint. It has responded to the challenges by ensuring that it effectively manages its business and responsibilities.
- 3.3 The Council currently has the capacity to fully engage with, support and lead its partners, voluntary bodies and the community in delivering its corporate aims and priorities.
- 3.4 The ongoing transformation programme is an integral part of this approach. The Council has recognised the opportunities and benefits of its Strategic Alliance with Bolsover District Council, its shared services and other partnership working arrangements.
- 3.5 It is essential that the Council retains its current size and therefor the capacity to continue this work and further develop its roles both leading and working with its partners and communities. Being able to deliver, facilitate and enable improvements in the economy and access to services will be crucial in the health and well being of communities across the North East Derbyshire District.
- 3.6 Further details in relation to the above are contained in Appendix 1 which addresses the LGBCE's key criteria for Council Size.

4 Conclusions and Reasons for Recommendation

4.1 The draft submission is considered to support the retention of 53 councillors, based on the evidence as set out at paragraph 3.1 above. This number enables the Council to

- ensure it has effective decision making processes and to support the continued delivery, improvement and transformation of services, including through the support of the non-executive councillors.
- 4.2 This report enables Council to consider the draft submission and make comments on the evidence provided before the final version is submitted.
- 4.3 As the formal submission is required to be submitted to the Boundary Commission by 7 October, it is proposed that the Chief Executive be delegated the authority to submit this on the Council's behalf, following consultation with the Leader of the Council.

5 Consultation and Equality Impact

- 5.1 All Members were asked to complete a survey on the electoral and governance arrangements of the Council. The completed survey responses were considered in the preparation of the draft submission.
- One of the aims of the Local Government Boundary Commission's review is to ensure electoral equality for local voters. There are no equality issues arising from this report on the Council's size submission. It is not considered necessary for an equality impact assessment to be completed.

6 Alternative Options and Reasons for Rejection

6.1 The Council is not required to make a submission to the Commission on the Council's size, however this option is not recommended as the Council is best placed to provide evidence of its governance and electoral arrangements to justify the number of councilors required for it to perform effectively.

7 Implications

7.1 Finance and Risk Implications

- 7.1.1 There are no additional financial implications arising out of the recommendations of this report.
- 7.1.2 Risk management issues are outlined in the main body of the report where appropriate.

7.2 <u>Legal Implications including Data Protection</u>

7.2.1 As outlined in the report.

7.3 Human Resources Implications

7.3.1 There are no human resources issues arising from this report.

8 Recommendations

- 8.1 That Council approve the draft council size submission proposing the retention of 53 Councillors.
- 8.2 That Council delegate to the Chief Executive, following consultation with the Leader of the Council, authority to submit the final council size submission by 7 October, 2016, and, in so doing, to respond to any issues or comments made on the draft submission by the Boundary Commission.

9 <u>Decision Information</u>

Is the decision a Key Decision? (A Key Decision is an executive decision which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Affected	
Links to Corporate Plan priorities or Policy Framework	

10 <u>Document Information</u>

Appendix No	Title	
1	Draft Submission by North East Derby on Council Size	yshire District Council
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)		
Report Author		Contact Number
Peter Smith – C Executive	onsultant / Dan Swaine – Chief	

ELECTORAL REVIEW OF NORTH EAST DERBYSHIRE DISTRICT COUNCIL

DRAFT Submission by North East Derbyshire District Council on Council Size

Governance and Decision Making – How does the Council manage its business and take decisions across its full range of responsibilities?

Leadership

1.1 What kind of Governance arrangements are in place for the Authority?

North East Derbyshire District Council has adopted a 'Strong Leader model' where the Leader who is elected for a 4 year term of office, appoints the Executive and allocates the executive portfolios. The Leader may appoint up to a maximum of 9 members of the executive.

The Cabinet currently comprises 7 members and the portfolios are allocated by the Leader. In the municipal year 2015/16, the Cabinet had previously comprised 8 members but was reduced to 7 members with a realignment of portfolios by the Leader in 2016/17.

The Council hold all out elections every 4 years

In accordance with the governance arrangements, the Council discharges all of its functions through Full Council, the Executive and the Regulatory Committees. Full details of the terms of reference of these committees can be accessed in the Council's constitution. North East Derbyshire District Council's Constitution - NEDDC

In addition, the Council has established effective Scrutiny arrangements and these are explained in more detail in Part 2 below.

The Council entered into a strategic alliance with Bolsover District Council in 2011 and shares a joint management team, led by a joint chief executive and joint directors.

1.2 How many portfolios are there?	The seven Cabinet portfolios are as follows:-
	 Leader and Portfolio for Building a Better Council Environment Economy, Finance and Regeneration Community Safety, Equality & Diversity and Health Asset Management, IT and E-Information HR, Training and Member Development Housing and Social Inclusion
1.3 Describe how a portfolio holder carries out his/her work on a day to day basis	In response to the Council's survey of members, Portfolio holders stated that In addition to reading and researching reports, the day to day work includes attendance at:- Regular informal briefings with the Chief Executive/Executive Directors and other officers Committees and meetings of the Cabinet Attendance at Regional and National Conferences (e.g. Local Government Association etc) Parish Council meetings Residents meetings Dealing with Ward issues Meetings of outside bodies Pre-agenda meetings with Lead Officers Leadership Meetings Surgeries Elector issue/queries On site/off site training sessions

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The decision making arrangements have been structured to ensure that services are delivered efficiently and effectively and most operational decisions are taken by officers under delegated powers.

The majority of Executive decisions are taken collectively at Cabinet meetings held on a 4 weekly cycle. Where Executive decisions have been delegated to Officers, these will be made in consultation with the Leader and the relevant portfolio holders.

From January 2016 to date, a total of 42 delegated decisions have so far been made by Officers in consultation with the Leader or relevant Portfolio holder. In 2015 a total of 59 delegated decisions were made in consultation with the Leader or Portfolio holder.

1.5 Do Executive (or other) members serve on other decision making partnerships, sub-regional or national bodies?

The Leader, Portfolio holders and non-executive Councillors are appointed to a wide range of outside bodies and partnerships. The Council's working relationships with external bodies and other partnerships are central to the aims set out in the Corporate Plan 2015 to 2019.

By way of example, Executive and Non-Executive Councillors are appointed to the following bodies:-

- Local Government Association General Assembly
- Local Government Association (Derbyshire)
- The East Midlands Regional Council and Employers Board
- Peak District National Park Authority
- Sheffield City Region Combined Authority
- Sheffield City Region LEP Housing and Regeneration Board
- Sheffield City Region Transport Committee
- Sheffield City Region Scrutiny Committee
- Sheffield City Region Audit Committee
- Derbyshire Police and Crime Panel
- D2/N2 Local Enterprise partnerships

Additionally, Councillors serve on a number of Joint Executive and Scrutiny Committees and Boards in respect of: The Council's strategic alliance with Bolsover District Council which is central to the transformation agenda of delivering services at lower costs whilst enhancing service resilience. Shared Services arrangements with Chesterfield Borough Council, Derbyshire Dales District Council, Bolsover District Council and the Chesterfield Royal Hospital The Council's arms length housing organisation, Rykneld Homes The Joint Crematorium Committee with Chesterfield Borough Council and **Bolsover District Council** Members are required to attend meetings of the above bodies on a regular basis at varying intervals. 1.6 Is the role of the Executive The results of a recent survey of Councillors indicate that the average hours spent Member considered to be full undertaking Council business by Executive Members was 27 hours per week. time? Three executive members estimated their time spent on Council business was in excess of 30 hours per week which is a significant time commitment for any councillor. The Executive Members on average serve on 6.57 committees which is significantly higher than the 3.3 average number of committees served on by councillors of according to the LGA member survey in 2013.

Regulatory Committees

1.7 How does the Council discharge its regulation functions? How many members are involved in committees?

A copy of the full list of Committees, Joint Committees, Advisory and Working Groups appointed at the Annual General Meeting is attached. See Annex A.

The Council discharges its Regulatory functions principally through the under mentioned Committees.

Planning Committee

The Council has delegated extensive planning powers to officers. All applications for planning consent are dealt with under delegated powers by officers except in the following cases:-

- The application is referred to Committee by the Officer
- It relates to the Council's own development and objections have been raised
- The application is referred to Committee by a member
- It relates to consent for an application contrary to material representations
- The application is submitted by a councillor, officer or their cohabiting partners...

In 2015/16 83.8% of major planning applications were approved which is well above the national target of 50%.

The Planning Committee comprises 18 Members and meets on a four weekly cycle. All other members of the Council may act as substitutes on the Committee.

Licensing Committee

The Licensing Committee comprises 15 members and meets on an ad hoc basis when necessary to review or determine licensing policy.

The functions of the Licensing Committee are to consider all licensing matters and to recommend to Council to resolve whether to issue a casino licence. It has delegated powers to deal with all licensing matters which have not been delegated or reserved to full Council.

Licensing Sub-Committee

The Licensing Sub-Committee comprises three members drawn from the Licensing Committee, as chosen by the Monitoring Officer. It is scheduled to meet on a 4 weekly cycle.

Its function is to consider any matters referred to it which relate to:

- (a) matters arising under the Licensing Act 2003 or the Gambling Act 2005, or the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Police and Crime Act 2009);
- (b) private hire and/or hackney carriage matters;
- (c) scrap metal sites and operators.

but not at the same meeting.

Standards Committee

The Standards Committee comprises 9 Councillors and two non-voting parish council representatives.

The function of the Standards Committee is to advise on the adoption, revision and operation of the Members Code of Conduct, to grant dispensations and conduct hearings into possible breaches of the code of conduct. Also, to oversee the whistle blowing policy and Ombudsman investigations

	Strategic Alliance with Bolsover District Council
	(a) The Council has formed a Strategic Alliance with Bolsover District Council to help maintain service levels in the context of reduced Government funding to local government. A shared chief executive and shared management structure lead the strategic transformation programme covering both councils.
	(b) To assist in the development of the transformation programme, both councils have established a politically balanced Strategic Alliance Joint Committee comprising nine members from each council. The Committee has no power to make decisions. Any resolutions of the Joint Committee must be referred to each Council's <i>Council meeting</i> (or <i>Cabinet</i> /Executive) for ratification.
Describe the arrangements for the delegation of decisions in respect of regulatory functions? To what extent are decisions delegated to officers?	The constitution sets out the full extent of the delegation arrangements in respect of regulatory functions. North East Derbyshire District Council's Constitution - NEDDC In 2014 the Council amended the delegation scheme to officers by moving to a generic based delegation scheme thereby increasing efficiency in making decisions within the Council. A similar scheme was introduced by the Council's strategic alliance management partner as part of an efficiency improvement in the decision making processes.
	The new scheme streamlined decision making for officer decisions by ensuring that the same officer delegations existed in North East Derbyshire District Council and its strategic alliance partner, Bolsover District Council, to carry out the same type of action.
	Within this scheme, all Executive Directors and Assistant Directors have powers, inter alia, to
	(1) exercise within approved budgets all matters of day to day administration and operational management of the services and functions for which are responsible.

	(2) take all necessary action to achieve and implement the objectives and actions set out in approved policies, strategies, action pans and decisions of Council or Committees
	(3) Liaise closely with Portfolio Holders and Chairs of Regulatory Committees and consult with Ward Members as appropriate on politically sensitive or contentious issues
	The new scheme illustrates the Council's commitment to ensuring that it continues to maximise the benefits of its Strategic Alliance and improve its efficiency.
	In the specific case of the Planning Committee officers' powers to deal with planning applications is limited by exception. In general the exceptions included only major planning applications, applications contrary to existing policies, those required by the planning protocol or applications called in by Councillors, are dealt with collectively at the Committee.
1.9 Is committee membership standing or rotating?	The Standing Committees memberships are approved at the Annual Council meeting each May for the following municipal year.
	The only exceptions are the Licensing Sub-committee, the membership of which is drawn from the Licensing Committee and membership of the Joint Employment Committee which is determined on an ad hoc basis. It should be noted that all members of the Council not appointed to the Planning Committee may attend as a substitute member.
1.10 Are meetings ad hoc, frequent and/or area based? How are the Chairs allocated?	The Council's schedule of meetings of standing committees is approved by Annual Council in May. 6 cycles of meetings are scheduled in the municipal year.
	Taking the 2015/16 Municipal Year as an example, 168 meetings were held of those bodies shown in Annex "A" not including Council meetings and pre-meetings for Chairs and Vice-Chairs, On average, excluding the August recess, in excess of 3

	meetings are held each week.
	Meetings are not area based, most meetings are held at the Council's central offices, except in the case of the joint committees where the venues will alternate.
	The Chairs of the Council's Standing Committees are appointed annually by the Council.
1.11 What level of attendance is achieved? Are meetings always quorate?	The level of attendance at meetings is very good. For example, attendance at the Planning Committee for 2015/16 was slightly in excess of 90%.
	The Council has no issues with inquorate meetings.
1.12 What future issues may impact on the role of non-executive councillors in respect of regulatory functions? How might the role develop?	In the recent survey of Councillors, the general issues of ongoing austerity measures, reductions in grant settlements and changes in Government policy and legislation were identified by members as likely to increase the demands on their roles in respect of Regulatory Functions.
	Members highlighted the following specific issues pertinent to the changing role of councillors:-
	 welfare reforms giving rise to significant increases in their advocacy role within the community in dealing with enquiries and problems related to housing, benefits, care for the elderly and disabled etc.
	 the lack of funding streams for voluntary support groups and advice centres and in the charity sector to support people with housing an health and other frontline services
	the Localism Agenda and new legislation and government policy, for example, the Housing and Planning Act 2016

	 devolution, combined authorities, shared services and other ventures to maintain acceptable levels of service and generate income Continual reform of services The continuing change in focus of the role of councillors within the Community The need for more training and development to keep abreast of changes and the expectation of new roles Over 70% of Councillors responding to the survey expected that the above issues would impact significantly on the casework and role of Councillors. The exercise of the regulatory role within the community will require councillors to increasingly engage, work with and represent an ever increasing range of partners, residents' organisations, voluntary and community groups. The capacity amongst councillors will be vital to meet these new challenges and demands.
The role of Councillors and demands on time 1.13 Has the Council defined the role of councillors? Has the Council adopted arrangements for training and developing Councillors and supporting them in their role?	The Council has defined role profiles for Councillors and these are set out in the Constitution. The Constitution sets out the purpose, key responsibilities and relevant core skills needed for the following:- • A member of the Council • Chair/Vice-Chair of the Council • Leader/Deputy • Cabinet Member • Leader of the largest opposition group

- Chair/Vice Chair Scrutiny
- Chair/Vice Chair Regulatory Committee
- Chair/Vice chair of Standards Committee

The Council has identified the importance of Councillors' roles in delivering efficient and effective decision making, leadership and scrutiny and in helping Members to fulfil their responsibilities to the local community. The role profiles are integral in helping the Council to identify training needs in order to support members in their work.

In 2016, the Council approved a revised Member Development Strategy for 2016-2019

The Council had previously achieved the Charter for Elected Member Development (The East Midlands Regional Councillor Development Charter), following formal assessment by East Midlands Councils in July 2010.

The new strategy has been prepared having regard to the East Midlands Councils' guidance on member development, the Council's Corporate Plan and a training needs analysis.

The aim of the strategy is to ensure that:-

- Members are well-equipped, confident and able to carry out their roles effectively
- Member development activities are planned and delivered within a consistent and structured framework
- Equality of opportunity is achieved.

In accordance with the strategy, a development programme will be designed taking into account the priority learning and development needs of members.

There will be up to six Member Involvement sessions held each year on a wide range of issues some of which will be delivered internally and others by external agencies. This will enhance current training plans and ensure members have the opportunity to keep abreast of changes to legislation and the development of their role.

The Council currently provides induction training for all newly elected councillors on a full range of activities.

Councillors responding to the Members' Survey were highly supportive of the training and member development support provided by the Council.

1.14 Has the Council assessed how much time members spend on Council business? Do Councillors generally find that the time they spend on council business is what they expected?

Councillors were asked in the Members' survey to indicate how much time they spent on council business. The range of hours mentioned varied from below 10 hours to 40 hours per week. The time commitment can vary for a number of reasons and can sometimes be constrained by the time a member has available.

The median value of hours spent on council business is 20 hours per week which equates to the average found in the LGA Members survey of 2013. 42% of members responding to the survey felt that the time spent on council business was more than they expected.

Significantly, over 70% of Councillors responding to the survey expected that the workload of councillors would increase in the future.

The capacity of councillors to deal with this growing level of workload is vital. Any reduction in capacity will increase councillors' workloads and the level of commitment.

The Communities and Local Government Committee report "Councillors on the front line" identified time commitment as a barrier to becoming a candidate and that it was particularly hard for people from certain groups to serve as councillors. It supported

	the view that above as to the vale of councillar are likely to exact further demands on
	the view that changes to the role of councillor are likely to create further demands on councillors' time.
1.15 What is the extent of Councillors representational role on and appointment to outside bodies? How many are involved in this activity and what is their expected workload?	The Members' survey asked Councillors to explain their role and level of involvement in outside bodies such as community groups, residents associations, parish councils etc.
	An overwhelming number of Councillors responded by listing a wide range of their activities in the community.
	Two examples typical of the responses are as follows:-
	"I attend numerous local community groups including tenants and residents groups. I am a long serving member of the Parish Council chairing Working Groups and find that many issues dovetail between District and Parish. I am a committee member of the local park and open space group and work with Rykneld Homes, the authority's housing management company "Young improvers" group. I use my expertise to add value to projects and to benefit all local groups"
	"I am also a Town Councillor. This means 1 evening a month, but has 16 sub- committees. I frequently attend Town Meetings in the daytime and help out at village functions, eg Mayors' coffee mornings, Gala Day, Town Twinning Functions etc. I attend Village Hall meetings, Bowling Club meetings Consultation meetings with tenants. I sit on 2 boards of school governors"
	Some Councillors' representative roles are undertaken on behalf of the Council through formal appointments, others are undertaken on a voluntary basis as part of their role of leading and engaging with their communities.
	Attached at Annex "B" is a copy of the formal appointments made by the Council to outside bodies. Beyond this, Councillors have extensive representative roles within the Community from serving on other tiers of local government, e.g. county council,

1.16 Does the Council have difficulty in retaining councillors or attracting new candidates?	parish council to community and voluntary groups, school governors, resident and tenant associations and numerous partnerships and individual projects. 87% of the District Councillors serve on one or more Parish Councils in the North East Derbyshire District which is wholly parished. This is well in excess of the national census 2013 figure of 39.4% and demonstrates the exceptional level of involvement of Councillors within the community. Each year the District Council hold District and Parish Liaison meetings to which Parish councillors are invited to attend to discuss local government related issues. This year liaison with Parish Councils commenced with a full day's Annual Conference covering such matters as neighbourhood planning, devolution and local planning issues. The Conference was open to all Councillors. A further meeting will be held later in the year. The Council's Constitution places a duty and responsibility on councillors to participate in the activities of any outside body to which the Councillor is appointed and reporting back to the Council at agreed intervals. The Council holds all out elections every 4 years. There have been 4 all out District Council elections since the last review of electoral arrangements in 1999. The Council has no difficulty in attracting candidates. The number of candidates standing for election in the last two full District Council elections, 2011 and 2015, has risen by 25% when compared to the candidates standing in the 2007 and 2003 elections. A total of 116 candidates stood for election for the 53 council seats in 2015. This represents 2.18 candidates per seat which compares favourably to other
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	Council's in the CIPFA nearest neighbour table. For example 2.12 at Breckland District Council with 49 seats and 1.95% at North Kesteven District Council with 43 seats. Over the period of the last 4 elections, the Council has generally had no issues with retaining councillors. At the 2015 District Council elections 68% of the Councillors elected had been previously elected in 2011. The percentage of Councillors currently serving on North East Derbyshire District Council who are female is 36%. Nationally, in 2013 around one third (31.7%) of councillors were female (Census of Local Authority Councillors 2013, LGA and NfER,
	May 2014).
1.17 Have there been any instances where the Council has been unable to discharge its duties due to a lack of councillors?	No
1.18 Do Councillors have an individual or ward budget for allocation in their area? If so, how is the system administered?	Unfortunately, the Council is no longer in a position to provide discretionary grant funding to local groups in electoral wards due to increasing budgetary challenges. However, the Council recognises and values the work of the Voluntary and Community Sector in contributing towards its corporate ambitions and priorities. The Council moved to a commissioning approach for grants in 2013, where specific community-focused services are commissioned directly from service providers.
	organisations receive funding from the Council and they are required to provide an annual presentation to the Council outlining the outcomes of their services to the Community. This provides councillors an opportunity to engage with these organisations and assess their effectiveness against the corporate aims and objectives.

The Council's Partnership team co-ordinates this activity and they aim to assist any individual councillor with specific issues relating to their electoral ward by seeking to commission funding through this process or other funding source as may be appropriate.

An example of the success of this approach has been the <u>Grassmoor and Hasland Big Local</u> initiative, since the beginning of 2013. The Partnership Team has helped guide local residents with the support of local councillors through the initial stages of the Big Local process which will result in the villages accessing at least £1m funding over the next 10 years. The project has been handed over to the new Locally Trusted Organisation, Links CVS and the Council remain as a Board adviser.

2. Scrutiny of the Council, outside bodies and Others

2.1 What's the structure? How does it operate

The Council's scrutiny structure was changed in 2015 to align it to the new Corporate Plan 2015-2019.

The previous structure had been in place since 2007 following an independent review. A key element of that review was that scrutiny should be aligned to the aims of the Corporate Plan.

The current structure is as follows:-

(a) Growth Scrutiny Committee

focusing on Growth, Local Enterprise Partnerships, Combined Authorities, Economy, Economic Development, Regeneration, Planning, Tourism, Asset Management, Partnerships, Strategic Housing

(b) Communities Scrutiny Committee

focusing on Crime and Disorder, Community Safety, Leisure, Health and Wellbeing, Street Scene, Inclusion, Equalities, Housing Management, Emergency Planning, Estates and Property, Environmental Health

(c) Organisation Scrutiny Committee

focusing on the Transformation Programme, Services, Shared Services, Self Regulation, Commissioning/ Decommissioning Services and Employees

(d) Audit and Corporate Governance Scrutiny Committee

responsible for overseeing the work of the Council's internal and external auditors, making sure the Council is well run and has good arrangements for managing money and risks. The Committee generally undertakes performance monitoring but other scrutiny committees may have involvement, by exception, in monitoring specific performance against targets and where issues have arisen.

There are nine Councillors on each Committee. There are 6 cycles of meetings during the municipal year and the Scrutiny Committees are scheduled to meet at least once in each cycle.

In addition, the Council appoints members to scrutinise the following shared services with its partners:-

- 3 members to a joint shared services scrutiny committee with Chesterfield Borough Council and Bolsover District Council to scrutinise BCN Consultancy (Building Control) and the Internal Audit Consortium.
- 3 members to a joint shared services scrutiny committee with Derbyshire Dales District Council and Bolsover District Council in relation to the provision of ICT services.

2.2 Wha	t is the general workload of
scru	tiny committees? Has the
Cou	ncil ever found that it has had
too r	nany active projects for the
scru	tiny process to function
effec	tively?
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Councillors were asked in the Members' survey about the level of the workload of scrutiny and its effectiveness.

All of the respondents to the survey agreed that the general workload was about right and 80% of the respondents felt that the number of projects undertaken each year enabled scrutiny to function effectively.

Members expressed the view that scrutiny was able to devote sufficient time to projects to under take thorough in depth reviews and carry out its other activities as prescribed by its terms of reference. Members also considered that scrutiny had sufficient capacity in terms of size to be able to respond to urgent or emerging issues and undertake ad hoc reviews.

2.3 How is its work programme developed and implemented? How many subjects at any one time? What's the time-span for a particular study?

The review work programme is formulated through a process which involves a period of consultation with officers and all members of the Council. After this period, the four Scrutiny Chairs and Vice Chairs and the Overview and Scrutiny Manager collate the responses from the consultees and submit a report to the first meeting of the relevant scrutiny committee at which the work programme is determined.

An example of a work programme for 2016/17 for the Communities Scrutiny Committee is attached at Annex "C.

There is no specific time period for scrutiny projects it very much depends on the scope and nature of the project. Committees aim to carry out at least one in depth review each year which may involve a series of meetings, external visits, taking and gathering evidence and report preparation.

In addition to the in depth reviews, the Scrutiny Committees also carry out spotlight reviews which usually comprise 5 or 6 members of the Committee, the Overview and Scrutiny Manager and the designated lead officer from the service area. They will jointly produce a briefing paper in advance of the review activity which will be intensive and completed over a short space of time, usually within one month.

	During the municipal year each of the scrutiny committees will also keep under review the strategies and policies of the Council and monitor the implementation targets of previous reviews.
	An annual report on the work and activities of the scrutiny committees is submitted to the Council's annual general meeting.
2.4 Are Councillors involved in scrutinising external issues?	The Council recognises that scrutiny has an important role to play beyond solely focusing on internal issues. It recognises the importance of exercising its powers to undertake reviews of external bodies where these may impact on its communities.
	The Communities Scrutiny Committee has recently undertaken a review following the report into Child Sexual Exploitation in Rotherham The Council had previously undertaken a Safeguarding review in 2012 and it needed to ensure that the arrangements within North East Derbyshire were still robust.
	In 2016 the Communities Scrutiny Committee will be review the Town Centre Environments and the impact on community safety. Other external issues review includes Child Poverty and welfare reforms.
2.5 When not in scrutiny meetings what activities are councillors expected to undertake?	In response to the Members' Survey, Scrutiny Councillors said that in between attending scrutiny committees:
	 they read reports relevant to the review subjects conducted research
	 collecting, collating and examining evidence
	looked at data from other councils, stakeholders and partners
	 prepared appropriate questions to ask at meetings
	talked to partners and stakeholders,
	attended training sessions/briefings with officers,

	 met with local groups and communities made site visits attend pre meeting briefings In addition, they carried out their duties and responsibilities in relation to Regulatory Committees and their work within the communities and serving on numerous voluntary groups and other public sector bodies.
2.6 How will the role of the scrutiny member change? What are the emerging issues and trends?	The Council is engaged in responding to the financial and other challenges which are facing all local authorities.
	It will continue to respond to these challenges through its ongoing transformation programme and delivery of services. It will do this, where appropriate, by working together with external partners and other pubic sector bodies to deliver its Corporate aims whilst both leading and engaging with the community. To this end, it is currently engaged in major new initiatives involving being part of 2 different combined authorities and other major regeneration partnerships and growth schemes.
	Scrutiny Members will have an important role to play in this transformation by challenging the design and delivery of the Council's services, the adequacy and effectiveness of new governance arrangements, reviewing policy, policy initiatives and performance. Ensuring efficiency, effectiveness and value for money will be prime considerations.
	In addition, more scrutiny time and capacity will be required from the existing non-executive councillors to ensure the effective scrutiny of external services and other bodies within the Community. The extent of scrutiny within the combined authorities is yet to be full defined, but, the Council will no doubt have a role to play.
	Scrutiny will need to ensure that as well as capacity, it has the skills, training and flexibility to respond to these challenges.

2.7 What kind of support do scrutiny members receive?

Dedicated Officer support is provided to Scrutiny by the Overview and Scrutiny Manager other support is provided by the Governance team.

Lead Officers assist Scrutiny Committees in carrying out in depth reviews at the scoping and scene setting meeting and providing technical advice. At the conclusion of the review the Lead Officer has the opportunity to provide feedback on the Committee's recommendations.

All scrutiny members receiving on training on the general role of scrutiny at induction sessions following elections. Training is refreshed on an ad hoc basis, where appropriate, on specific issues, to support them in carrying out their duties and responsibilities.

At the commencement of each Municipal Year, the Overview and Scrutiny Manager provides refresher training on how to conduct scrutiny reviews.

Additional, external scrutiny training has been arranged in 2016 from the Local Government Information Unit. This training will be a joint exercise with the Council's strategic partner Bolsover District Council.

3. Representational Role: Representing Electors to the Council

3.1 Has the representational role of Councillors changed since the council last considered how many elected members it should have?

The Communities and Local Government Committee report "Councillors on the front line" expressed the view that the role of councillors was changing and becoming increasingly community-based with councillors likely to spend more time supporting constituents and working with external partners.

In response to this question in the Members Survey. Members highlighted:-

• an increase in leading and working with electors within their communities with

- voluntary groups and partners
- an increase in casework, particularly the need to support electors affected by welfare reform measures
- an increase in public expectation of their roles within the community.
- that social media and information technology have placed additional demands on councillors. Constituents can now contact Councillors at any time of the day or day of the week and with an expectation that problems can be addressed more quickly through online services and enhanced customer support services.
- Changes in how services are delivered in response to continued reductions in finance and the challenges of new legislation, for example, localism
- Greater involvement in working with other public sector bodies and partnerships.
- Increasing focus on "localism".
- Scrutinising external issues within the community

The response to the survey illustrates how the representative role within North East Derbyshire has changed since the last review of its Council size in 1999 and will continue to change with more impact on councillors.

This will be in part a reflection of the Council's response to the issues highlighted by members and the challenges of maintaining and delivering new services in a climate of ongoing financial restraint and the impact of new legislation.

This has necessarily changed, and will continue to change, the role of councillors both within the Council and in the Community.

As mentioned previously an exceptionally high number of District Councillors have other representative roles on parish councils and in voluntary and resident associations.

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3.3 How do councillors generally deal with casework? Do they pass on issues directly to staff or do they take a more in depth approach to resolving issues?

The Council's Constitution requires all councillors to:-

- represent communities and bring views to the Council's decision making process, acting as an advocate of and for their communities.
- Work to balance different interests within the Ward and represent the Ward as a whole fairly and honestly
- deal with individual casework and act to forward the issues raised to the relevant Council Directorate ensuring that the matter is progressed.

Councillors carry out their representational role in a variety of ways. They are extremely active within their communities attending and organising a wide range of community activities and by representing electors on numerous voluntary groups, partnerships and other tiers of local government.

Councillors find that much of their casework comes from their involvement in such a broad range of community activities whilst this necessarily increases their caseload, there extensive involvement on other bodies helps equip with them the knowledge and experience to be more effective as councillors.

Councillors deal with casework in various ways depending on the issue in hand often acting as an advocate for the constituent. Sometimes they will take an in depth approach and deal with an issue from start to finish, resolving it often by using their experience and knowledge. On other occasions they will refer to the Council's Customer Services or appropriate Officers for assistance or by signposting to other organisations and partners.

3.4 How Councillors engage with Do they hold constituents? surgeries, public meetings, use IT etc?

Councillors were asked in the survey how they engaged with constituents.

Members adopt a variety of ways in which to engage with their communities, including all or some of the following:-

	 communication by telephone, email hold surgeries estate walkabouts attending activities within the community living, working, shopping in the community organised litter pick ups attending local resident and tenant groups visiting constituents helping and supporting constituents with paperwork and accessing services through the use of IT signposting to other agencies/partners/authorities leaflet distribution In general, councillors are proactive within their communities in developing their own
	means, using local knowledge, of working, supporting and engaging electors.
3.5 What support do Councillors receive in discharging their duties in relation to casework and representational role in their ward?	The council aims to support members with their casework and representational role through the provision of professional and technical advice, the provision of relevant information and contacts as ward members and through it member support and training programme. In addition, support is provided by the Civic and Members Support Officer and by the Governance team.
3.6 Has the Council put in place any mechanisms for councillors to interact with young people, those	The Council is committed to equalities as an employer and in delivering the services it provides to all sections of the community.
not on the electoral register or minority groups or their representative bodies?	It has published a 2016-2019 Single equality scheme which sets out its approach to promoting equality, human rights and good relations between different groups.
	A key aim of the Corporate plan is to promote equality and diversity and support vulnerable and disadvantage people. The Council has a target to Invest in voluntary and community organisations to assist over 13,000 vulnerable and disadvantaged households year on year. This target was exceeded in 2015/16.

Councillors are actively involved in meeting with young people and minority groups through their community activities and representation on voluntary and community groups and working with the Council's partners. For example in response to the Members' Survey, one councillor referred to working "....working with Rykneld Homes, the authority's housing management company "Young Improvers" Group.

These mechanisms and interaction by Councillors influence Council's policies and strategies and feed into scrutiny reviews as appropriate.

The Council has also published a "Citizen Engagement Plan" setting out how it proposes to engage with residents, customers and businesses on its services and functions. The target groups referred to include people with disabilities, residents, citizens' panel, voluntary groups, leisure centre users, etc. The type of engagement ranges from meetings with councillors, surveys both paper and online, seminars etc.

Included in the plan is the engagement of young people on citizenship issues.

3.7 Are Councillors expected to attend meetings of community bodies such as parish councils or resident associations? What is the level of their involvement and what role do they play?

Councillors attend meetings of numerous community bodies either to represent the Council (See Annex "B") or as part of their individual voluntary community engagement and representation role.

The time commitment for councillors on these outside bodies is variable but in many cases significant.

Where the Council has formally appointed Councillors to represent them on community bodies, tenants and residents associations etc there is an expectation that Councillors will attend meetings of those bodies and have a full and active role. There is a general expectation that Councillors will keep up with developments and events in their communities.

As previously mentioned, 87% of the District Councillors serve on one or more Parish Councils.

The Council seeks to work closely with Parish Councils and has mechanisms to achieve this such as the District and Parish Liaison Group meetings.

4. The Future

- 4.1 What impact do you think the localism agenda might have on the scope and conduct of council business and how do you think this might affect the role of councillors?
- 4.2 Does the council have any plans to devolve responsibilities and/or assets to community organisations?

The Localism agenda will continue to shape the Council's approach to the delivery of services and the development of policies. It will increasingly have a significant impact on how services are delivered and impact on the role of the Council, Councillors, the Community and its Partners.

The aim of the act was to devolve more decision making powers from central government back into the hands of individuals, communities and councils. The act covers a wide range of issues related to local public services, with a particularly focus on the general power of competence, community rights, neighbourhood planning and housing.

The Localism Act gives community based organisations new rights to bid to run council services where they can demonstrate they have the capacity to do so and introduced a new set of tools for neighbourhoods to shape the future of their local areas. One of these tools is to bring an optional new tier of plan into the planning system called a Neighbourhood Plan.

The Council has developed a neighbourhood planning protocol to support Communities in this process. A number of expressions of interest in the developing neighbourhood plans have been made. Applications for 5 Neighbourhood area designations have been received.

Bids to run Council services and develop neighbourhood plans will increase demands on councillors within their communities in encouraging, supporting and implementing the localism agenda.

	The Council has approved an Asset Management Strategy and Plan 2015-2019. Wherever possible, the Council will seek to work in partnership with outside bodies and stakeholders to deliver reliable cost effective services and will work with partners to seek opportunities to share assets in order to drive service improvement and reduce costs.
4.3 Have changes to the arrangements for local delivery of services led to significant changes to councillors' workloads? (For example, control of housing stock or sharing services with neighbouring authorities)	Since the last review in 1999, the Council has transferred its housing management and maintenance, housing appeals and the management of some of its anti-social behaviour functions to Rykneld Homes, an arms length housing organisation. The Council appoints 3 members to serve on the Board of Directors. The transfer of the service has impacted on the workload of all councillors according to the Members Survey. In particular, the need to work with Rykneld Homes to resolve tenants' queries and individual problems relating to general housing management matters. Councillors also refer to additional work which arises when dealing with tenants' concerns arising from new initiatives or projects for the repair/renewal of housing stock or changes to housing management arrangements. In order fully represent their communities, councillors have to keep abreast of these matters by both liaising with Rykneld Homes and attending public consultation meetings as appropriate. In 2011, as previously mentioned, the Council entered into a strategic alliance with Bolsover District Council and shares a joint management team, led by a joint chief executive and joint directors. The Strategic alliance has delivered cost reductions, benefits and efficiencies in senior management and delivery of services. The 2013 Joint Corporate Peer Challenge commissioned by North East Derbyshire

and Bolsover Councils noted that "Through the Strategic Alliance both councils have achieved a great deal". The report went on to "commend the councils for working with partners in this way and encourage them to take advantage of their links with any resulting arrangements to deliver economic growth to the benefit of their districts".

In addition to the Strategic Alliance and services shared with Bolsover District Council, the Council has a number of other key shared service arrangements as follows:-

- Building Control services shared with Chesterfield Borough Council and Bolsover District Council. Currently being developed is a proposal to extend this sharing arrangement across six district authorities in order to secure a more robust and cost effective service
- ICT Shared Services with Derbyshire Dales District Council and Bolsover District Council
- Joint Crematorium Services with Chesterfield Borough Council
- Procurement services with Chesterfield Royal Hospital.

The setting up of the Alliance has increased the workloads of Councillors, both Executive and Non-Executive, with the establishment of a Joint Committee with Bolsover District Council called the Strategic Alliance Joint Committee. The role of the Joint Committee is to take forward the strategic alliance transformation programme.

The Joint Committee comprises nine members from either side and chairmanship rotates annually between both councils. The Joint Committee has no decision-making powers but may make recommendations back to its respective councils. The Joint Committee meets 4 times per year.

In addition, the Alliance established a joint employment committee which comprises 3 members and held 7 meetings in 2015/16. A Shared Services Scrutiny Committee has been established to review the services with Bolsover District Council. This comprises 3 members and meets 4 times a year. A Joint ICT Committee has been set up to review the ICT services with Derbyshire Dales District Council and Bolsover District Council. This comprises 3 members and meets 4 times a year. Two members of the Executive sit on the Joint Crematorium Committee with Chesterfield Borough Council. There will be ongoing developments in policy and new initiatives which will affect the 4.4 Are there any developments in ongoing that policy might role of elected members arising from:significantly affect the role of elected members in the future? • the continuing delivery of the aims and objectives and service priorities set out in the Council's Corporate Plan • how the Council responds to ongoing financial restraint, new legislation, localism and government led changes • the impact of devolution and its involvement with Sheffield City Region and the potential North Midlands Combined Authority For example, the Council and its strategic alliance partner, Bolsover District Council have both developed a Growth Strategy following an LGA Peer Review in 2013. The joint 5 year Growth Strategy has identified 3 strategic priorities: Supporting Enterprise: Maintaining and growing the business base Enabling Housing Growth: Increasing the supply, quality and range of housing to meet the needs of a growing population and support economic growth

 Unlocking Development Potential: Unlocking the capacity of major employment sites.

Similarly, the Council has in place an extensive range of other strategies to deliver the aims of the Corporate Plan over the next few years. For example in the areas of sustainable leisure, health and wellbeing, town centre improvements, transformation programmes, healthy communities, equality and people strategies etc.

Each of these will require the increasing involvement of all councillors in developing the most effective ways and means of delivering these plans. In many cases, this will necessitate identifying and working with suitable partners, communities and public and private sector organisations.

This has the potential to impact significantly on the role of all Councillors both Executive and Non-Executive in delivering the Council's aims and scrutinising the effectiveness of those arrangements, reviewing policy and monitoring performance delivery.

In terms of devolution, the Council has indicated a preference to be a constituent member of the potential North Midlands Combined Authority and non-constituent member of Sheffield City Region. The Governance arrangements for each Combined Authority will include a combination of a broad range of economic, transport, housing and planning functions.

Again, the outcome of devolution and the eventual extent of the governance arrangements has the potential to have a significant impact on both Executive and Non-Executive Councillors.

4.5 What has been the impact of recent financial constraints on the council's activities?

The prolonged period of austerity and financial restraint has had a significant impact on the Council's activities and on other public sector bodies within the district of North East Derbyshire.

The majority of Councillors responding to the Members' Survey said that the financial constraints experienced by the Council and by other public sector bodies and partners had impacted significantly on services within communities and as a consequence had increased their workload as councillors.

As evidenced by examples previously referred to in this document the Council has pursued strategies to minimise the impact of the financial constraints and deliver the aims of its Corporate Plan 2015-2019.

It has formed a strong Strategic Management Alliance with Bolsover District Council to deliver efficiencies and cost savings. It has introduced new ways of delivering services, redesigned services, implemented shared services and developed a transformation programme. It continues to explore new opportunities to work with partners and neighbouring authorities to maintain, improve and deliver its services. It has also looked at options for income generation as a way of improving or sustaining its financial position. This approach will continue for the foreseeable future.

The Council's strategies, in the face of continued cuts and the impact of new legislation, are crucial to the future delivery of its statutory responsibilities and other key services. The Council's transformation, the drive for value for money, economies, efficiencies and effective performance delivery will continue.

The existing capacity at member level is vital in ensuring that it can meet those challenges effectively and efficiently and continue to provide acceptable levels of service and leadership and representation in its rural and urban Communities.