

**REPORT TO:** ELECTORAL REVIEW WORKING GROUP

**DATE:** 16 DECEMBER 2021

**TITLE:** SIZE OF HARLOW COUNCIL AND RESULTS FROM COUNCILLOR SURVEY

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**RECOMMENDED that** the Working Group:

- A** Recommends to Full Council that the Council Size Submission (attached as Appendix A to the report) be submitted to the Local Government Boundary Commission for England, in particular noting the request that the number of Councillors be increased.
- B** Notes the responses to the Councillor Survey (attached as Appendix B to the report).

## **BACKGROUND**

1. The Council currently has 33 Councillors who represent 11 wards. Each ward has three Councillors. Each Councillor is elected for a four year term. The Council has elections by thirds, with one Councillor from each ward being up for election each year. There is one year in four where no district elections are held.
2. As part of the electoral review the Council must develop and submit proposals to the Local Government Boundary Commission for England (LGBCE) on the size of the council.
3. As set out in the review timetable the Council must submit its proposals on council size to the LGBCE by 18 March 2022. These proposals will then be considered as part of the wider review into ward boundaries.
4. There are a number of factors which will influence the size of the Council and these are detailed later in the report. To help inform this response a Councillor Survey was carried out. The responses to the survey are attached as Appendix B to the report.

## **ISSUES/PROPOSALS**

5. The first seven pages of the response to the LGBCE consultation are primarily background based, but attention should be drawn to Impact on the Council's effectiveness. With the current council size, if the majority of the administration is smaller it becomes more challenging to fill places on committees whilst maintaining a reasonable workload. Both the Audit and Standards, and Scrutiny Committee have restrictions on the number of Cabinet members that can be on the committees.
6. From page 8 of the response onwards, the LGBCE present a number of topics with key lines of explanation. The suggested responses are in the analysis section of each of these.

### **Governance Model**

7. There has been no indication from Councillors of a desire to move from the Cabinet system, or to fundamentally overhaul the governance structure within the Cabinet model. Therefore it is not expected that any changes in workload will arise.
8. The Cabinet Policy Development Working Group provides an opportunity for non-Cabinet members to have input into the development of strategic policies, in addition to the other avenues for developing strategic policy.

### **Portfolios**

9. It is noted that being a Portfolio Holder is more onerous, requiring a greater time commitment, than for other Councillors. The size of the Cabinet and delegation of functions to individual Cabinet members is a matter for the Leader to decide, however it is not expected that Cabinet sizes would vary significantly.

### **Delegated Responsibilities**

10. The Leader has the power to delegate any function of the Cabinet to themselves or another member of the Cabinet. Typically Cabinet notes these delegations at the first Cabinet meeting of the municipal year. Decisions taken under delegated powers are subject to the same call-in provisions as decisions taken by the Cabinet as a whole.
11. Few decisions are taken under delegated powers by Portfolio Holders. If delegated powers were increased this would have a limited impact on overall workload.

### **Internal Scrutiny**

12. The Council's overview and scrutiny function was reviewed in 2019/20 to align with Government guidance and improve the Scrutiny Committee's effectiveness. The Committee is functioning effectively and it is not felt there is a need to change the number of Councillors on the Committee.

## **Planning**

13. The Committee deals with a manageable number of applications per year. The Council is also a relatively small authority covering a densely populated area. This means there is no real need to introduce sub-committees or area committees.

## **Licensing**

14. The Council is required to have a Licensing Committee and it must have at least 10, but no more than 15 members. The Council's Licensing Committee has 10 members. These members also sit on the Licensing, and Regulatory Sub Committees. The Sub Committees have panels of three Councillors and these are arranged on a rota so workload is balanced.

## **Other Regulatory Bodies**

15. The Council has relatively extensive delegations to Officers, and so the regulatory committees only consider applications that are more complex or contentious.

## **External Partnerships**

16. Councillors are appointed to outside bodies and these have some impact on the workload of Councillors, particularly those in the Administration who are appointed to the majority of them, and further to Cabinet members.
17. The Council also appoints directors to HTS and its subsidiaries. The HTS directorships create a relatively large workload but these positions are remunerated on a level equal to Portfolio Holders.

## **Community Leadership**

18. The way in which Councillors communicate with the public has changed in the last twenty years, as the way people generally communicate has changed. There will always be a need for face to face contact, but the survey responses have indicated that where Councillors have resumed surgeries they have had low attendance

## **Casework**

19. The survey has indicated a clear shift towards casework coming via email, and this change was accelerated by the pandemic. There was a large increase in case work from the 2020/21 financial year to April 2021-November 2021. It is noted that this increase was most likely due to the reduction in Covid restrictions.
20. There is a large variance in the amount of case work, ranging from 1-5 cases up to 41-45 cases a month. The median is 11-15 cases. Generally Councillors feel they are able to cope, however there are some who occasionally find the

workload difficult. This is in part due to the quantity of workload, and similar points were raised later in the survey.

### **Potential size of the Council**

21. At the previous meeting, the Working Group decided that the Council should not carry out a consultation on changing to all-out elections. The LGBCE is unlikely to approve any number of Councillors which would mean that wards had different numbers of Councillors if that meant some wards had fewer opportunities to vote. For example, where some wards had two members and some three.
22. Most wards have no more than three members. Given the Working Group's desire to not pursue a consultation on all out elections and continue with elections by thirds, the number of Councillors will likely be a multiple of three.
23. The answers to question 16 indicate a variety of views on council size, with some in favour of retaining the current size, and some wishing to see an increase of three to six councillors. No respondents felt the Council should have fewer Councillors.
24. The population of Harlow has increased in the last ten years with a number of large scale developments such as Newhall. Not only have these changes meant that some wards have become relatively large it has meant an increase in caseload as Councillors represent more people.
25. Some Councillors will have experienced disproportionate increases in their workloads. The proportionality of work needs to be addressed through the setting of revised ward boundaries.
26. Instead council size needs to look at overall workload. This means whether the average workload of a councillor allow them to fulfil their roles effectively. This needs to take into account any additional workload which will be caused by further population growth.
27. The only population growth that can be considered at this stage is growth within Harlow's existing boundaries that will be delivered in the next ten years. Therefore growth from the strategic sites outside of Harlow should not be considered.
28. As set out in the response to the LGBCE, a reduction in the number of the Councillors would increase the workload for each Councillor, inhibiting their capacity. With the population of Harlow set to grow the ability to maintain effective arrangements would be further diminished. Councillors would also experience an increase in committee workload.
29. A recommendation of no change to council size presents challenges in that population distribution has changed significantly in Harlow and it is important that new ward boundaries take into account some of the more natural ward boundaries that can be found in Harlow.

30. An small increase in council size would mitigate against the issues mentioned above, and would provide more flexibility in the governance arrangements. It is therefore recommended that the Council proposes to the LGBCE that the Council's membership is increased.

### **Next Steps**

31. The proposals on council size need to be approved by Full Council. This will be done at the meeting on 24 February 2022.
32. The LGBCE will then be required to carry out two consultations. The first on warding patterns from 10 May 2022 until 18 July 2022, and the second on its draft recommendations from 4 October 2022 until 12 December 2022.
33. The LGBCE will meet to agree its final recommendations on 13 February 2023 with the order made in Spring 2023, taking effect from 2024.

### **IMPLICATIONS**

#### **Strategic Growth and Regeneration**

None specific.

**Author: Andrew Bramidge, Director of Strategic Growth and Regeneration**

#### **Finance**

None specific.

**Author: Simon Freeman, Deputy to the Chief Executive and Director of Finance**

#### **Housing**

None specific.

**Author: Andrew Murray, Director of Housing**

#### **Communities and Environment**

As contained in the report.

**Author: Jane Greer, Director of Communities and Environment**

#### **Governance and Corporate Services**

As contained in the report.

**Author: Simon Hill, Director of Governance and Corporate Services**

### **Appendices**

Appendix A – Draft response to the LGBCE

Appendix B – Responses to Councillor Survey

### **Background Papers**

None.

## **Glossary of terms/abbreviations used**

None.