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Extraordinary Council Meeting

Thursday, 21st July, 2016 at 7.00 pm or immediately following the Cabinet meeting,
whichever is the later

Conference Room, Parkside, Chart Way, Horsham

To: All Members of the Council

(Please note that prayers will be taken before the meeting commences)

You are summoned to the meeting to transact the following business

Agenda

	Page No.
1. Apologies for absence	
2. Declarations of Members' Interests To receive any declarations of interest from Members	
3. Announcements To receive any announcements from the Chairman of the Council, the Leader, Members of the Cabinet or the Chief Executive	
4. Council Size Proposal to the Local Government Boundary Commission for England To receive the report of the Head of Legal and Democratic Services on the submission to the Local Government Boundary Commission for England on the future number of Members for Horsham District Council	3 - 18
5. Urgent Business To consider matters certified by the Chairman as urgent	

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GUIDANCE ON EXTRAORDINARY COUNCIL PROCEDURE

(Full details in Part 4A of the Council's Constitution)

<p>Addressing the Council</p>	<p>Members must address the meeting through the Chairman. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop. The Chairman will decide whether he or she prefers Members to stand or sit when addressing the Council.</p>
<p>Declarations of Interest</p>	<p>Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting</p>
<p>Announcements</p>	<p>These should be brief and to the point and are for information only – no debate/decisions</p>
<p>Rules of debate</p>	<p>The Chairman controls debate and normally follows these rules but Chairman's interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the question under discussion or a personal explanation or a point of order (max 5 minutes) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment o To move a further amendment if the motion has been amended since he/she last spoke o If first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of motion at end of debate on original motion and any amendments (may not otherwise speak on amendment). Mover of amendment has no right of reply. o On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final. o Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman's ruling on the admissibility of the personal explanation will be final. - Amendments to motions must be to: <ul style="list-style-type: none"> o Refer the matter to an appropriate body/individual for (re)consideration o Leave out and/or insert or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - A Member may amend a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified

	<p>without discussion).</p> <ul style="list-style-type: none"> - A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
Voting	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> - A majority of the Members present request a ballot; or - A single Member requests a recorded vote (this overrides a request for a ballot). <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>

Report to Extraordinary Council

21 July 2016

By the Head of Legal and Democratic Services

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Submission to the Local Government Boundary Commission for England on the future number of Members for Horsham District Council

Executive Summary

The Local Government Boundary Commission for England (LGBCE) informed the Council in April 2016 that it would undertake an Electoral Review of the District to deliver electoral equality for voters in local elections. The Commission assesses electorate data for each local authority annually and conducts a review where significant electoral inequality is found. In 2016, 32% of Horsham's wards have a variance of greater than 10% with little prospect of the variance correcting itself through development or population movements. The electoral review process will have two distinct parts a) council size and b) electoral ward boundaries. The council is required to respond to a) council size, only, in this report. The council must prepare its submission to the LGBCE in accordance with the following three criteria:

- Governance arrangements
- Scrutiny functions
- Representational role of councillors in the local community

This report is the summary of engagement with all Members of the Council through:

- One all member briefing from the LGBCE
- A survey of all members
- Two all-member seminars

The consensus from the programme of engagement with Members is that the Council will need more councillors from May 2019.

Recommendations

That Extraordinary Council is recommended:

- i) To approve the appended submission to the Local Government Boundary Commission for England (LGBCE) on Council size and in doing so agree that the Council size be proposed at 47 councillors from May 2019.

Reasons for Recommendations

To provide the Council's response to stage one of the electoral review process by proposing the number of members that the council believes will be right for the authority from May 2019 to ensure appropriate levels of governance, scrutiny and community leadership for Horsham District Council.

Background Papers

1. The presentation and papers issued by the LGBCE to the member briefing on 27 April 2016
2. The summary of the outcome of the survey of all members
3. Presentations made to two all-member seminars on 31 May and 6 July 2016.

Wards affected: All wards

Contact: Paul Cummins, Head of Legal and Democratic Services.

Background Information

1 Introduction and Background

- 1.1 The Local Government Boundary Commission for England (LGBCE) informed the Council in April 2016 that it would undertake an Electoral Review of the District to deliver electoral equality for voters in local elections. The LGBCE set out a timetable whereby the review will be undertaken in two distinct stages. The first stage considers council size, which will be concluded by the LGBCE in September 2016, the second stage considers warding arrangements which will commence in November 2016.
- 1.2 This report to extraordinary council concerns the requirement for the council to respond to the LGBCE, making its council size proposal only, by August 2016.
- 1.3 The LGBCE does not have the power to examine the external boundaries of the district nor to alter the external boundaries of parish councils. The commission does not take into account local political implications, and takes no account of parliamentary constituency boundaries which are the responsibility of the Boundary Commission for England.

2 Relevant Council policy

- 2.1 This council size proposal aligns with two Corporate Plan 2016-19 objectives:
 - Communities, support our communities; and
 - Efficiency, great value services

3 Details

- 3.1 The LGBCE set out three criteria to which the council must respond in making its proposal on council size to the commission. The three criteria are:
 - governance arrangements
 - Scrutiny functions
 - Representational role of councillors in the local community
- 3.2 A full engagement programme with members took place between April and July 2016. The LGBCE briefed members and officers on 27 April, a survey was issued to all members during May, and two member seminars were facilitated. The outcome of the engagement programme with members was to favour an increase in the number of members to 47. Appendix A provides the narrative considerations which form the submission to the LGBCE.

4 Next Steps

- 4.1 As guided by the LGBCE, upon consideration of the resolution of extraordinary council on 21 July 2016, officers will despatch the appended report and associated minute of council to the LGBCE in early August. The LGBCE timeline provides for the meeting of the commission to consider the proposal from the council in

September 2016. The outcome of that meeting of the commission will be announced by the LGBCE.

- 4.2 The LGBCE will open a Horsham Electoral Review section on its website. Preliminary discussions with ward members about their wards will be led by officers during August and September. The LGBCE has scheduled to commence its warding patterns public consultation on 27 September 2016. The consultation will close on 5 December 2016. The council has until 5 December 2016 to respond to the consultation and a meeting of council is scheduled for 19 October 2016.
- 4.3 The LGBCE will prepare its draft recommendations and make those recommendations available for public consultation on 7 February 2017 until 3 April 2017. Final recommendations are scheduled for publication by the LGBCE on 6 June 2017.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 All members of the council have been consulted as described in 3.2 above. There was neither requirement nor expectation that the council should consult with any one other than its own members. The outcome of the consultation with members was to propose an increase in the number of members to 47 to the LGBCE.
- 5.2 There is no requirement in Part 3A (3) of the constitution for this matter to be considered by a policy development advisory group.

6 Other Courses of Action Considered but Rejected

- 6.1 A reduction in the number of members was not supported during the consultation with members, only two out of ten survey respondents supported a reduction and there was no support for a reduction in members at the subsequent member seminars. Retention of the same number of members (44) was considered but was not supported at the member seminars.

7 Resource Consequences

- 7.1 The proposal to increase the number of members to 47 would require the budget for members' allowances to be increased by at least £14,304 per annum (3 members at the current basic allowance of £4,768). This increase would have to be included within the budget setting process for 2019-2020.
- 7.2 The technical guidance published by the LGBCE states that the commission does not consider the financial implications that the council size proposal could have when it considers effective and convenient local government.
- 7.3 The Commission does not charge the local authority for the review.

8 Legal Consequences

- 8.1 The Local Government Boundary Commission for England is an independent body established in 2010 by Parliament under the provisions of the Local Democracy, Economic Development and Construction Act 2009.

- 8.2 The LGBCE is responsible for undertaking this review following statutory considerations. This report and methodology follows the guidance provided by the commission.
- 8.3 Electoral reviews are a matter for Full Council. Close alignment with electoral matters specified in the Local Authorities Functions and Responsibilities Regulations 2000, and local government convention exclude Electoral Reviews from the responsibilities of the Cabinet.

9 Risk Assessment

- 9.1 Electoral review is not a corporate risk. The Corporate Risk Register is reported to the Accounts, Audit and Governance quarterly. Mitigation of any operational risk is provided by the assurance that the LGBCE is an independent body, created by statute, with a track record of delivering electoral reviews.

10 Other Considerations

- 10.1 Community representation, leadership and demands on member time were considered as part of this proposal. The governance arrangements of the council provide for members to offer public assurance and challenge around crime and disorder, human rights and equality and diversity matters.

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Electoral Review of Horsham District Council

**Submission to the Local Government
Boundary Commission for England on the
future number of Members for Horsham
District Council**

Stage One – Council Size
July 2016

Executive Summary

The Local Government Boundary Commission for England (LGBCE) is the independent body that is responsible for conducting boundary and electoral reviews of principal authorities in England. The commission wrote to Horsham District Council in April 2016 to inform the council that it would undertake a boundary review within the local authority area in order to make changes to boundaries to ensure that each elected member of Horsham District Council would, by the elections in 2019, represent an equal number of electors. This means ensuring, so far as is reasonable, that for Horsham District Council, the ratio of electors to councillors in each electoral ward, is the same. The LGBCE identified that in 2016 seven of the 22 wards (31.8%) within the district needed to be corrected to deliver electoral equality in the future. An electoral review has **two** distinct stages:

- Stage one – the number of members (council size)
- Stage two – warding arrangements

Stage one – the number of members (council size)

The LGBCE have asked Horsham District Council to propose the number of members that it thinks it will need in the future. The LGBCE will then consider the proposal and come to a view on the total number of members for the local authority area by September 2016. This report considers the number of members (council size) only according to the three criteria provided by the LGBCE in turn:

1. Governance arrangements
2. Scrutiny functions
3. Representational role of councillors in the local community

The vision for Horsham District Council, set out in the Corporate Plan 2016-19, is one of supporting our communities, improving and supporting the local economy, delivering great value services and managing our natural and built environment. Those objectives were set by members and will be owned and delivered by members. The council has been proactive in reviewing its governance arrangements and it is self-aware. The consensus view of its members is that the number of members should be increased to **47** to enable:

- continuation of effective and efficient member-led decision making through the cabinet and leader model
- overview and scrutiny to continue to be energised, skilled and strong
- representative views to inform decision making and policy development through participation in the advisory function

About Horsham

Horsham district is located in West Sussex, within the South East of England. The district covers an area of 530km² (205 square miles) and is predominantly rural in character, and contains a number of small villages and towns. The largest urban area is the market town of Horsham, situated in the north-east of the District and 95km² (36.49 square miles) of the District falls within the South Downs National Park. The Office of National Statistics (ONS) 2014-based subnational population projections indicate that the population of the South East is likely to grow at a faster rate than England as a whole; Horsham in particular is predicted to have a 7% population change from 134,000 in 2014 to 144,000 by 2024.

The last electoral review of the district in July 2002 concluded that Horsham District Council would increase its number of members from 43 to 44, and that the number of wards be reduced from 25 to 22.

Developing this proposal to the Commission

The review process was characterised by the engagement of all members in the development of this proposal to the commission. There were 4 clear phases of engagement.

1. The LGBCE presented to an all member seminar on 27 April 2016 – members were informed of the review criteria and the fifteen ‘nearest neighbours’ comparison with other similar councils which showed that the number of members for a district such as Horsham could range from 36 to 57 members with an average of 47 members.
2. 70% of members completed an electronic survey which was issued to all members between 16 and 27 May 2016 – the findings of that survey were that three quarters of the councillors that responded felt that the council should have a number of members between 44 and 50. Only seven members offered support for a reduction in the number of members.
3. An all-member seminar was held on 31 May – members reviewed the data from the survey, a range of comparative information, and the draft responses to each prompt in the LGBCE guidance. Members were of the opinion that a range of 45 – 48 would be appropriate for the council to meet its future aspirations.
4. A second all-member seminar was held on 6 July – members were informed of the electoral forecast prepared by West Sussex County Council which showed unprecedented growth in electorate for Horsham from 102,879 in 2016 to 110,865 in 2021. Councillors also analysed comparative data from a sample of four other councils which showed that recently reviewed governance arrangements at Horsham offered wider and more member engagement opportunities than the councils in the sample.

1. Governance and decision making arrangements

At Annual Council in May 2015, the Leader of the Council announced that the first comprehensive review of governance at Horsham District Council would be undertaken since the introduction of the Cabinet and Leader model in 2001. The member-led review started in October 2015 and concluded with a report to Council in April 2016. The review considered the cabinet and leader model, the committee system, and 'hybrid' arrangements and concluded with unanimous endorsement the Cabinet and Leader model for Horsham District Council with a strong Overview and Scrutiny function and the formalisation of an Advisory function to engage members fully with the development of policies and decisions.

The Cabinet is responsible for the strategic leadership of the authority within the budget and policy framework agreed by the Full Council. A Corporate Plan 2016-19 has been agreed by Full Council and the Medium Term Financial Strategy is updated annually. There are eight cabinet members. Key decisions may only be taken by the Cabinet meeting in public. Cabinet members may take non-key decisions that are delegated to them and Cabinet member roles are considered to be full time.

There are eighteen outside bodies to which either Cabinet members or their nominees are appointed. These outside bodies include the Health and Social Care Select Committee at West Sussex County Council, the South Downs National Park Authority, the Gatwick Area Consultative Committee and the Police and Crime Panel.

When surveyed in 2016, 94% of members reported that they spent at least 4 to 6 hours a week on council business and over half (55%) of members reported that they spent over ten hours per week on council business.

A formalised advisory function

Informed by the Local Government Association publication 'Rethinking governance' Members concluded that policy development and the decisions of Cabinet should be informed by a formal *Advisory Group* stage. The governance review introduced seven formally constituted advisory groups, each with 11 members appointed at Annual Council. Formalisation of the advisory function will lead to greater demands on councillor time. When advisory groups were ad-hoc, 60% of members attended 4 or more advisory group meetings. The formalised arrangements now offer 77 seats and there will be 42 scheduled meetings per year (6 meetings of each policy development advisory group).

Decision making and policy development will be enhanced due to the engagement and advice provided by the wider membership appointed to the advisory function. Advisory views will be cross-party, and representative of a mix of rural and town members. Reports of Cabinet decisions include the advice from the advisory group that considered the matter. Openness and transparency has been enhanced by the publication of the agendas and minutes of the groups on the council's website.

Regulatory Committees

Member involvement with Development Management at two committees is comparably higher than at those district councils that have a single planning committee. There are 24 Development Management Committee meetings per year and each member has a seat on one of the committees. Horsham's approach is more 'local' and area based, the committees are aligned to the north and south of the district. Changing planning guidance has increased the workload on the development management function and the council agreed the Horsham District Planning Framework in 2015.

Other regulatory committees include Licensing, Standards (both of which form sub-committees) and there is an Accounts, Audit and Governance Committee which has a comprehensive work programme. Members receive training for their roles on regulatory committees.

A comparative sample

Contextually, members contrasted Horsham's refreshed governance arrangements with a sample of three other councils. Lewes and Wealden in East Sussex were subject to recent electoral review and Sevenoaks in Kent was the Advisory model most similar to that at Horsham. This analysis revealed that the number of formal 'seats' appointed at Annual Council available at Horsham for members to represent their wards in influencing decision making was higher than at the sample councils as demonstrated below.

Council	Future Ratio – Members:Seats
Horsham	194/47 = 4.12 seats per member
Lewes	58/41 = 1.41 seats per member
Wealden	84/42 = 2 seats per member
Sevenoaks	160/54 = 2.96 seats per member

Attendance at meetings

Meetings are quorate, but attendance at the ad-hoc advisory groups and the scrutiny working parties had been mixed, members with full time employment or family responsibilities had conflicting priorities and the timings of the ad hoc advisory groups were not consistent. The governance review sought to address attendance by publishing the date of the formalised advisory meetings at annual council to enable members to plan ahead and empowering the scrutiny working parties by forming them as sub-committees.

Endorsement

The governance arrangements at the council were unanimously endorsed on 27 April 2016. A member led constitution review is underway to deliver a modern, agile constitution which is flexible, permissive, well understood, and realigned to a model constitution in an accessible single-document format.

2. Scrutiny functions

The governance review of 2015-16 endorsed the continuation of a strong scrutiny function at the council. The function operates with one Overview and Scrutiny Committee of 15 members which creates and empowers four sub-committees. The effectiveness of the sub-committees (formerly working groups) was recognised by the Independent Remuneration Panel who recommended that the Chairmen of the sub-committees be given a special responsibility allowance. Annual reports from the Overview and Scrutiny function demonstrate how the function has been discharged. In 2015-16 nine reviews were concluded, including partnership reviews of community safety and health providers. The influence of the scrutiny function in 2015-16 can be demonstrated through its work on:

- the planning appeals process,
- the section 106 process,
- property and asset management,
- improving Council financial information by presenting an ongoing Balance Sheet at quarterly meetings,
- improving payment system of Claimants' Benefits to reduce/eliminate penalties paid by Horsham District Council (and other Census partners) to the DWP,
- reviewing the provisions for local residents suffering financial hardship,
- ensuring that local residents have easily accessible communications links to Horsham District Council given the Council's digital agenda,
- engagement and discussions with the NHS providers of Primary care (e.g., surgeries) to ensure adequate capacity to meet the health needs of the ever increasing Horsham population arising from current and future house building.

There is a publicly available work programme and suggestions for the work programme are welcomed. Between meetings, members are engaged in research and liaison with officers, other members and external partners. Member regard for the effectiveness of the overview and scrutiny function is high at 70%.

The council believes that the delivery of a good overview and scrutiny function relies on skilled and knowledgeable members. A performance management culture has been developed by the scrutiny function through the Finance and Performance sub- committee. Performance management and overview of the impact of business transformation and shared services will continue to lead the overview and scrutiny work programme in future years. The momentum gained in recent years was delivered by enthused and determined members. Such momentum would be maintained and strengthened by an increase in the number of members.

3. Representational role for councillors in the local community

Over one third of members that responded to the survey spent over four hours a week on casework. Such demand is high in the context of those members that have full time employment and/or family responsibilities. Almost half of responders said that they spent 3 hours per week dealing with case work. Members receive induction and ongoing training and support from officers to enable them to handle casework.

The method by which members communicate with residents was tested by the survey. Almost all members (94%) use telephone or email, eight of out ten (85%) attend community events and three quarters of members (76%) have face to face meetings with stakeholders or residents in their wards.

The representational role of councillors has changed with the introduction of the Cabinet and Leader model. The governance review 2015/16 recognised that there needed to be a formalisation of the advisory role to ensure that policy development is well-informed and the wide ranging representative views of rural and town members can benefit the development of policy at the council.

The future

The Corporate Plan 2016-19 provides for future considerations that may include devolution, further growth in partnership arrangements and the potential for commissioning approaches to service delivery. Members' engagement, as representatives will characterise the approach and decisions the cabinet and the council will take. The Business Transformation programme will continue and commissioning principles will continue to be applied across all services. Shared services are being considered for legal services, audit and human resources to complement existing shared services in ICT and Revenues and Benefits. Such shared arrangements require members to have the skills and knowledge to provide effective oversight of the transition to and performance of shared arrangements.

When surveyed, almost half (46%) the members of the council that responded to the survey said that they thought that the skills required and the workload of councillors may increase. Five out of ten (52%) said that the skills and workload would at least need to be the same as in 2016.

Parish Councils continue on a trend of being more efficient and effective. There are 32 parish and 3 neighbourhood councils in the district. District Councillors are a key liaison and communication channel between the district and parish councils and the growing empowerment of parish councils will continue to require highly skilled and knowledgeable frontline district councillors. Two thirds (66%) of responders to the survey of Members said that they spend between 6 – 10 hours per month attending parish or neighbourhood council meetings in their role as ward councillors. Horsham Town is not parished and the expectation on town

members is considered to be high in terms of the potential extra workload flowing from matters that would otherwise be town council functions. The Council has chosen to maintain a Standards Committee and the demands on the Standards function at the district council involving Parish Councils or councillors is reported to have increased at the June 2016 meeting of the Standards Committee.

Neighbourhood Plans will help the delivery of the Horsham District Planning Framework, giving communities the opportunity to plan pro-actively for their local area, and build on the many Parish and Community Plans which are already in place. Neighbourhood Plans give local communities the power to make decisions over key issues in their area, and bring forward development sites for particular uses including employment, housing and community facilities in order to meet the needs of their area. The interaction between district ward members and parish councils is high in the development and delivery of Neighbourhood Planning.

Consensus for a Council size of 47

The vision for Horsham District Council, set out in the Corporate Plan 2016-19, is one of supporting our communities, improving and supporting the local economy, delivering great value services and managing our natural and built environment. Those objectives were set by members and will be owned and delivered by members. The council has been proactive in reviewing its governance arrangements and it is self-aware. The consensus view of its members is that the number of members should be increased to 47 to enable:

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