

AGENDA SUPPLEMENT (1)

Meeting: Electoral Review Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Monday 25 June 2018
Time: 12.00 pm

The Agenda for the above meeting was published on **15 June 2018**. Additional documents are now available and are attached to this Agenda Supplement.

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This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

6 **Electoral Review Update (Pages 3 - 20)**

A draft supplementary submission is attached

DATE OF PUBLICATION: 22 June 2018

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Wiltshire Council

Electoral Review Committee

25 June 2018

Council Size Submission Update

Purpose

1. For the Electoral Review Committee (“The Committee”) to consider a draft structure for a supplementary submission on council size, for approval by Full Council on 10 July 2018.

Background

2. Following consideration of evidence and preparation of a submission on Council size by the Electoral Review Committee (‘The Committee’), Full Council on 20 February 2018 resolved:

To approve the draft submission on Council size to the Local Government Boundary Commission for England, subject to any minor drafting and consequential changes to be delegated to the Director of Legal and Democratic Services in consultation with the Chairman of the Electoral Review Committee.

3. Subject to drafting and consequential changes that submission was presented to the Local Government Boundary Commission for England (‘The Commission’) on 4 April 2018.
4. The submission stated that the Wiltshire Council (‘The Council’) considered that its proposed Council size of 99 was the most appropriate to enable the Council to provide effective and convenient local government within Wiltshire, taking into account the Council’s governance arrangements, its regulatory and scrutiny functions, and the representational role of Councillors, in particular in relation to the community area system. Furthermore, that a retention of a single member division structure should be a requirement of any future Council.
5. On 24 April 2018 the Commission requested to meet with the Leader of the Council to discuss the Council’s submission. This meeting took place on 15 May 2018 with the Chairman of the Electoral Review Committee also in attendance. The Commission also met with representatives of the Liberal Democrat Group regarding the separate submission made by that group.
6. On 31 May 2018 the Commission formally requested that supplementary information be provided on a number of aspects of the Council’s submission, to assist in its decision on Council size.

Main Considerations

7. The requested information from the Commission included:

- i) How the Council's proposal provided a balance between strategic decisions and operational management;
 - ii) To fully understand scrutiny members' role in policy development and why Portfolio Holders are needed;
 - iii) Why such a large number of councillors need to be involved in such a very small proportion of the total number of planning applications;
 - iv) Why a minimum of four councillors is needed for an Area Board to operate effectively;
 - v) Why a smaller council would compromise the Council's ability to discharge its duties and represent the people of Wiltshire.
8. The Committee held a workshop meeting on 12 June 2018 to consider the request from the Commission and to recommend a course of action for the Council to follow.
9. A draft supplementary submission has been prepared in accordance with the comments made at that meeting and is presented for consideration, along with further information to be provided at the meeting on 25 June 2018.
10. The Chairman of the Committee has been consulted on the draft prior to circulation.

Proposal

11. That the Committee consider the draft supplementary submission and approve a course of action for the preparation of a final submission, subject to any minor drafting and consequential changes to be delegated to the Director of Legal and Democratic Services after consultation with the Chairman, to be considered by Council on 10 July 2018.

Ian Gibbons – Director of Legal and Democratic Services (and Monitoring Officer)

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Appendix 1 – Draft Supplementary Submission

Electoral Review

**Wiltshire Council's Supplementary Submission to the
Local Government Boundary Commission for England**

Preliminary Stage - Council Size - July 2018

Background

1. Following consideration of evidence and preparation of a submission on Council size by the Electoral Review Committee ('The Committee'), Full Council on 20 February 2018 resolved:

To approve the draft submission on Council size to the Local Government Boundary Commission for England, subject to any minor drafting and consequential changes to be delegated to the Director of Legal and Democratic Services in consultation with the Chairman of the Electoral Review Committee.
2. Subject to drafting and consequential changes that submission was presented to the Local Government Boundary Commission for England ('The Commission') on 4 April 2018.
3. The submission stated that the Wiltshire Council ('The Council') considered that its proposed Council size of 99 was the most appropriate to enable the Council to provide effective and convenient local government within Wiltshire, taking into account the Council's governance arrangements, its regulatory and scrutiny functions, and the representational role of Councillors, in particular in relation to the community area system. Furthermore, that a retention of a single member division structure should be a requirement of any future Council.
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5. On 31 May 2018 the Commission formally requested that supplementary information be provided on a number of aspects of the Council's submission, to assist in its decision on Council size.
6. The requested information included:
 - i) How the Council's proposal provided a balance between strategic decisions and operational management;
 - ii) To fully understand scrutiny members' role in policy development and why Portfolio Holders are needed;
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 - iv) Why a minimum of four councillors is needed for an Area Board to operate effectively;
 - v) Why a smaller council would compromise the Council's ability to discharge its duties and represent the people of Wiltshire.
7. The Committee held a workshop meeting on 12 June 2018 and a committee meeting on 25 June 2018 to consider the request from the Commission and to recommend a course of action for the Council to follow.
8. This supplementary submission has been prepared to provide the additional information requested by the Commission, and should be read and considered in conjunction with the submission provided on 4 April 2018.

Introduction

Balancing strategic and operational management

9. In Wiltshire the leader and cabinet structure provides clear, transparent and visible leadership. Strong, collective decision making through cabinet underpinned by professional management structures helps avoid the very real dangers of disaggregated decision making and silo-style operations seen in some other authorities.
10. Wiltshire Council does not have a chief executive and has operated with three corporate directors since 2013. Following the 2017 local elections, the council agreed a new business plan setting out a blueprint for the next 10 years. This plan sets out a clear golden thread for the council with strategic objectives agreed by full council being translated into operational plans for change and transformation programmes covering key areas. Service plans are updated annually, signed off by the Corporate Leadership Team, and used to inform the annual budget setting agreed by full council. Progress reports on finance, risk and performance are provided quarterly to cabinet. Cabinet also sign off on the re-commissioning of services in line with these plans, wherever necessary. This approach builds on the progress made since becoming a unitary authority in 2009, and is a vital way to ensure open democratic oversight and accountability of how the Council will plan ahead and continue to make the best use of its resources.
11. A clear scheme of delegation is in place enabling Cabinet Members and senior officers to take decisions outside of, or in the absence of, Cabinet and Full Council. Cabinet Members are also supported by one or two deputies (styled as 'portfolio holders' in Wiltshire) to support them in their work and to develop talent and succession planning. These councillors often join directorate management meetings to receive updates on the implementation of key schemes and to gain an understanding of risks facing services; and provide political direction where this is needed.
12. Councillors in Wiltshire are provided with a clear role description as part of their induction and understand the crucial part they play in determining policy and providing strategic leadership; ensuring good financial stewardship through the efficient and effective use resources; and holding the corporate leadership team to account by scrutinising the implementation of policies and procedure. They are also involved in determining the steps that are needed to deal with changes which are likely to impact on the strategic aims and objectives of the Council and ensuring that effective arrangements are in place to provide assurance on risk management, governance and internal control. This does not mean, however, that councillors engage in direct operational management of the Council's services and it is important that the portfolio holder role is not interpreted in this way.
13. Similarly, all councillors devote long hours in their service to Wiltshire, having strong local representation at their community area boards with these arrangements underpinned with dedicated officer support. Local government is the government of local communities, with elected representatives responsible for responding to, accounting for and tailoring services to areas. Through this a range of innovations can develop, as different ideas are pursued in different areas.

Member-Led Authority

14. It is fundamental to the Council's position that the strongly member-led nature of the Council is taken into account when assessing the effectiveness of its governance,

scrutiny arrangements and representational structures. All Council organisation and responsibility is built upon ensuring maximum levels of democratic oversight and control. This does not mean accepting inefficiency of operation or management, but simply recognises that local government cannot be said to be truly effective without significant localised input from Councillors. Strategic direction across all areas of the authority is undertaken by the Administration via Full Council, and the Administration is involved in the development and formulation of policy all through its process, not just a final review.

15. While other authorities may operate in a different manner the Council is clear that enhancing the ability of elected members to oversee and influence as much Council governance as is reasonably possible is a key criterion in determining the effectiveness of a democratic body. Sacrificing the ability of elected members to appropriately represent distinct local communities, or influence local decision making and scrutiny to a significant degree, by arbitrarily restricting the number of those able to do so, would be the very opposite of the aim of achieving an effectively governed democratic body. Having said that the Council is also determined to demonstrate open and transparent decision-making and accountability with a clear split between its executive and scrutiny functions.
16. The Council argues, in its previous submission and in this supplementary submission that the evidence demonstrates that the member-led structure of the Council has provided and will continue to provide a secure basis for effective representation and decision making. The Local Government Association agrees with the conclusion that the Council is run effectively as noted in the initial submission (paragraphs 7, 31, 56, 84 and 89) in respect of both executive decision-making arrangements and the positive assessment of the Council's scrutiny arrangements.
17. The Council has been led by the evidence in relation to committees, Area Boards, policy development by the Executive and scrutiny arrangements, which shows that there would be a diminution of effective governance should reductions in Council size take place. While smaller reductions might only lead to limited disruptions to effectiveness, they would nevertheless have a clear detrimental impact on governance and representation as will be demonstrated in this submission, and cannot therefore be accepted to be a reasonable option.
18. Therefore, while the Council will always continue to review its governance, scrutiny and representational arrangements to seek greater efficiency and effectiveness, it would be a grave error to necessitate the fundamental reconfiguration of its strongly member-led arrangements on unproven and unevidenced assumptions of greater efficiency which do not take due account of the importance of democratic involvement in as many layers of governance as is reasonably practicable in order to be properly and appropriately effective.
19. In conclusion – **quote from Leader on importance of a member led authority**

Main Considerations

Community Area Boards Introduction

20. The uniqueness of the Council's approach was fully summarised at length in the initial submission (in paragraphs 21-46), setting out how community governance – and the delivering of shared priorities through collaborative influence – was at the core of Wiltshire's approach to ensuring effective local governance and representation.

21. The Commission in its letter on 31 May stated it understood and respected the key role played by Area Boards in the Council's work. The Council thanks the Commission for that understanding, but would still take the opportunity provided by the request for a supplementary submission to further clarify why it fundamentally believes that the evidence demonstrates that Wiltshire, given its unitary status, large geography and separate, well defined communities with significant delegated powers, requires a high number of Area Boards in order to provide genuinely effective local government and representation.
22. 10 years ago, at a public meeting in the Guildhall, Salisbury, Wiltshire Council Leader Baroness Scott outlined her vision for a new type of council; one firmly rooted in its communities, listening and responding to local concerns, shaped by local priorities and focused on helping communities to take the lead - a council that puts its communities first. 10 years and a lot of hard work later, huge strides have been made in bringing that vision into reality. Recent LGA and Ofsted inspections have highlighted Wiltshire's unique and innovative approach to working in partnership with communities. The LGA Peer Review commented that 'communities are in the DNA of the organisation'.
23. To further detail Wiltshire's 'local first' approach:
- The council has passed decision-making to communities and empowered its 18 area boards to tackle local issues. The area boards are the foundations upon which the Council's work with communities is built. The boards are now part of the organisation's culture - part of its DNA – they are highly visible and firmly focused on addressing issues identified by their local communities.
 - The council has transferred funding and functions to the area boards. Devolution involves local people in decisions that affect them, levers social capital into shared priorities, makes public funding work harder and go further, reduces duplication, integrates public service delivery and it improves services, outcomes and impact. Devolution works and it makes good business sense.
 - The council has worked with its partners to join-up services and share resources. This has brought efficiencies and savings, driven down demand, removed duplication and improved service outcomes. The council has improved its relationship with parish and town councils; providing a forum for the exchange of views and ideas, devolving functions and transferring assets where requested.
 - By providing open data and enabling communities to prioritise those matters of most concern, the council has put local people in the driving seat. The area boards use their powers, resources and influence to help communities tackle their own priorities. This evidence-based approach has helped lever community resources (social capital) into shared priorities. In 2017 alone, 800 separate projects were initiated and developed by communities to help address the priorities they have identified.
 - Strong, connected communities, a thriving local economy and a good supply of affordable housing can lift people out of hardship and make life better for everyone. The area boards work hard to provide jobs, training, apprenticeships and local housing that meets the needs of the area.
 - Volunteers and community groups have never been more important. Wiltshire's area boards have supported over 11,000 volunteers and local groups through their

funding and resources helping them deliver over 800 projects over the last year. This work helps reduce demand for public services, it makes communities stronger and more supportive and it has health benefits for everyone involved.

- Health and wellbeing is now at the core of the way the Council works. The area boards have local responsibility and funding to tackle local health priorities. In the last year, the boards have been working to address loneliness, mental health, dementia, child poverty, obesity, smoking, alcohol and lack of physical activity by supporting community-led projects.
 - Effective community engagement and good communications underpins our work. It is important that local people are well informed and aware of the opportunities available. In 2017/18 our community messages were viewed over 4.3m times and 37,000 people were engaged in activities promoted by the team.
 - There are many reasons why people cannot, or choose not, to participate but there is no reason for their views to be ignored. Through the Wiltshire Voices programme and through its local work with youth and community groups, the council has worked hard to ensure that it includes everyone, young and old – including those most marginalised in society
24. Area Boards must be seen as an integral part of service delivery in Wiltshire and not simply as an administrative governance structure. As an example in relation to the Council's dementia strategy, the Area Boards have facilitated the establishment of dementia action alliances in the towns, set up dementia cafes, memory walks, singing for the brain group, dementia friendly communities in villages and more. These interventions are community-led, supported by volunteers and cost the public services very little. This 'local first' approach now also includes health and wellbeing, older people and carers, local transport and highway safety, activities for young people, air quality, child poverty, family learning, social inclusion and community safety.
25. The Area Boards also use their democratic legitimacy, devolved resources, collaborative influence and their community workers to facilitate action across these and other local priorities. Every £1 awarded by the Area Boards to support community projects levers the equivalent of £6 of external funding **details to be included**, turning £1.3m devolved public funding into £7.5m of community investment in 2017/18. The leveraging of social capital through the area boards has supported the 11000 volunteers who invest significantly in Wiltshire's rural communities, and enabled the Council to focus savings into vital areas such as adult social care and looked after children, mitigating the impact of budget reductions.

Community Area Boards – Numbers

26. In the letter of 31 May the Commission in particular requested further information as to why Area Boards generally require a minimum of four members in order to operate effectively.
27. Part, though certainly not all, of that approach involves the delegation of executive authority to the Area Boards, in particular the delegation of significant grant funding, local transport schemes and devolution of youth funding. Part 3 Section B Paragraph 4.17 of the Wiltshire Council Constitution details that in order to be quorate a minimum of three voting members are required for an Area Board meeting, in keeping with the rules for other committees of the Council. It would not be appropriate even were it possible for a

quorum of less than three to make such important formal decisions, and in practical terms three is needed as a minimum. Otherwise whoever was elected to be chairman effectively makes all the decisions as they would have a second vote if the other member disagreed with them. Also, if the two members did not agree which of them was to be chairman there would be a stalemate and no business would get done

28. If Area Boards were expected to operate with a total of only three Councillors however, there is a high risk that Boards will be unable to undertake formal decision making in many instances. Attendance at Area Boards by Councillors in the municipal year 2017/18 was 90% across an average of approximately 6 meetings per Area Board per year, a very high amount, but this could still lead to 2-3 meetings per council term for a three-member Area Board potentially being inquorate.
29. The number of items which the Area Board would be unable to make determinations would also be higher than total number of meetings at risk of inquoracy. Councillors will inevitably have pecuniary or other interests which prevent them from voting upon specific items and so in practical terms will become inquorate many times during the year. For the municipal year 2017/18 at least 30 declarations were made which could prevent a Councillor from voting on at least one item at the meeting. The smaller the Area Board the greater the likelihood that declaration could result in the meeting being inquorate, especially if declarations were only made at the meeting itself perhaps due to discovering they know someone connected with an application. At such short notice alternate arrangements could not be made.
30. Taking into account that the community areas in Wiltshire are not arbitrary administrative constructs but historically and academically identified distinct areas¹, complex substitution arrangements to ensure quoracy would undermine the entire principle of local Councillors taking local decisions, and diminish the effectiveness of the Area Boards for the Council and its partners as well as in the eyes of the public. As noted in paragraph 31 of the initial submission the LGA were extremely positive about the present arrangements, and that it was a sound basis for the further support of place based delivery of services.
31. The Council accepted a less than ideal position in relation to two Area Boards due both to the mathematics of electoral equality and because the unique relationship between the two community areas made alternative administrative arrangements more suitable and to some degree mitigated the lack of effectiveness in decision making and representation, but this could not be replicated in other areas for the reasons outlined in the original submission (paragraph 36). This is not a model for how other Area Boards could reasonably be expected to operate, and all the evidence supports this to be the case.
32. On the same basis the Council accepted a less than ideal position in relation to three south western community areas as the populations were simply too low to justify their own Area Boards even at three Councillors. This is a unique situation as the area includes the Cranbourne Chase AONB, and therefore has large areas without population. Where there is sufficient population, however, it could not be reasonably argued that combining community areas would be appropriate representation. The specific example of Bradford on Avon Area Board was highlighted at paragraph 42 of the initial submission, and why it would not be suitable to join its distinct community with surrounding communities for local administrative purposes.
33. It is therefore reaffirmed that, except where unavoidable due to low populations, the

¹ Dr John Chandler 'A Sense of Belonging' (Ex Libris Press, April 1998 - ISBN-10: 0948578939)

minimum appropriate number of Councillors for an Area Board is four. As localised decision making is not effective where it ignores genuine communities, the minimum of four requires divisions which are not excessively large so as to permit four-member Area Boards, recognizing that the exact definition of the community boundary will alter to some degree.

Community Area Boards - Summary

34. Bearing in mind that this collaboration and volunteer focus is centered on the genuine communities that exist, an Area Board that would not enable those communities to be so empowered because it lacked the numbers to fully operate within that community to the same degree as currently, would have unacceptable impacts to service delivery, social collaboration and budget savings. It is not sufficient to suggest the Area Boards could administratively restructure around entirely new areas and be as effective, as they are only effective *because* they are representative of genuine communities. These fluctuate to some extent because of population growth and development, but are more vital than ever because of the unitary nature of the Council, and because for 9 years all partners and local people have used the Area Boards as the focal point of that local identity, user engagement and service delivery.
35. **Provide a series of quotes from some area boards here, along with any additional area board info**
36. The Council is not, however, stating that it would be inherently unreasonable to change area board geographies and therefore the Council size should not be reduced; it is arguing that as electoral equality can be achieved with fairly minor changes to those geographies the relevant factor must be at what level would the Area Board system be effective in representation and localised decision making.
37. A reduction in Council size would not make that system more effective and there is no justifiable reason to believe that a focus on electoral equality requires a reduction to make the Area Boards more effective. On the contrary, local representation and effective local decision making, especially important in a large rural authority such as Wiltshire where communities are considerably distant from administrative hubs and rely upon the Area Boards, would be negatively impacted by such a decision, and therefore achieve the exact opposite aim of the Electoral Review.
38. To be clear, the Council therefore acknowledged (at paragraphs 30 and 35) and acknowledges again that existing Electoral Divisions would change even with a Council size of 99, and that there would undoubtedly be some amount of alteration to the boundaries of area board geographies as well due to natural expansion and development of communities over time.
39. However, the argument of the Council was and remains that the evidence clearly demonstrates the centrality of an area board structure to effective decision making and appropriate representation within the local authority. Whatever council size is adopted arrangements will be necessary which are broadly focused upon those community areas as the Council could no longer fulfill all its executive functions appropriately without such a system. A council size which required the combination of wholly incompatible local areas for arbitrary administrative purposes would, contrary to the stated purpose of an Electoral Review of ensuring efficient and effective local government, undermine the proper representation of those areas.

40. It is with those principles in mind that in its initial submission the Council produced the table overleaf outlining the impact on the existing Area Board structure at specific Council sizes. At 99 Councillors the Council will be able to maintain an effective Area Board system, even if this requires adjustments accounting for population growth while retaining the broad basis of the community areas, while anything below that number leads to inefficiency as this would require entirely inefficient combinations of areas.
41. It is acknowledged that the variances that exist mean that certain areas like Corsham, Marlborough and Tidworth are likely to need some level of alteration to ensure electoral equality which could be sufficiently achieved under 10% variance, but given the Commission's publicly stated view that equal weight that must be given to community identity and effective and convenient local government, it is felt that the Council's proposal strikes the most appropriate balance.

Table 1 expand out to eg 83, 86, 92.

| Number of Councillors Per Area Board | | | Area Board Variance (%) | | |
|--------------------------------------|------------|-----------|-------------------------|------|-------------------------|
| Council Size | 98 | 99 | 98 | 99 | |
| Area Boards | Cllrs Area | Per Board | % Area | per | Variance Board Division |
| Amesbury | 7 | 7 | -3 | -2 | |
| Bradford on Avon | 4 | 4 | -7 | -6 | |
| Calne | 5 | 5 | -4 | -3 | |
| Chippenham | 10 | 10 | -4 | -3 | |
| Corsham | 4 | 4 | 11 | 12 | |
| Devizes | 6 | 6 | 7 | 8 | |
| Malmesbury | 4 | 4 | 2 | 3 | |
| Marlborough | 3 | 4 | 16 | -12 | |
| Melksham | 6 | 6 | 4 | 5 | |
| Pewsey | 3 | 3 | -6 | -5 | |
| Royal Wootton Bassett and Cricklade | 6 | 6 | 2 | 3 | |
| Salisbury | 9 | 9 | -5 | -4 | |
| South West | 5 | 5 | -6 | -5 | |
| Southern | 5 | 5 | -5 | -4 | |
| Tidworth | 3 | 3 | 12 | 13 | |
| Trowbridge | 9 | 9 | 0 | 1 | |
| Warminster | 5 | 5 | 2 | 3 | |
| Westbury | 4 | 4 | 1 | 3 | |
| Average Voters Per Division | 4246 | 4203 | 4246 | 4203 | |

Governance – Portfolio Holders and Scrutiny Arrangements

42. The reasoning for the role of Portfolio Holder was extensively evidenced in the initial submission by the Council (paragraphs 50-57), including commentary from the LGA praising the model utilised in Wiltshire Council as providing strong, effective political and operational leadership. As a result, the Council continues to believe that the evidence demonstrates there is a need for the role, which therefore has an impact on how many Councillors are required overall for the effective operation of the Council. Aligned to being a member-led authority the Portfolio Holders are intimately involved with developing policy in all areas, and sit on and engage with many external bodies. In one case along when asked this amounted to 25 different bodies in the xxx portfolio area.
43. It is important to note that the role undertaken by Portfolio Holders is distinct from that of Overview and Scrutiny. Scrutiny cannot and should not be involved in day to day engagement with a Council service or outside partners, nor be involved day to day in assisting a Cabinet Member deliver a policy. This is not to diminish the very effective role of Scrutiny in holding the Executive to public account or assisting in the development of policy, but recognises that an individual Councillor assigned to assist the Cabinet Member with a particular portfolio can ensure member-led direction and development in a way separate from the broader strategic review and analysis undertaken by Scrutiny.
44. In order to assist the Commission to understand the distinctiveness of the roles and the value added, a case study and diagram are provided at below. This conclusively demonstrates it is not a reasonable suggestion that Scrutiny could or should take on the roles currently undertaken by the Portfolio Holders.
- Insert a diagram, on scrutiny/portfolio processes, with a good case study showing the different roles and added value of each
45. Additionally, it would be unreasonable to demand the extensive work undertaken by Portfolio Holders be absorbed by other roles. At the meeting on 15 May the Commission requested additional details on hours worked by Councillors. At the time of the original submission 16 Portfolio Holders undertook 12 hours per week of work on average, 192 hours in total. From the LGA there is clear evidence this arrangement is perceived by independent reviewers to be effective, therefore there is no evidentiary basis to suggest those hours could meaningfully be reduced.

Table 2

| Authority | Portfolio Holder Equivalent | Scrutiny Committees | Cllr places on Scrutiny Committees | Total Councillors |
|----------------------------------|-----------------------------|---------------------|------------------------------------|-------------------|
| Cheshire East | Deputy Portfolio Holders | 4 | 51 | 82 |
| Central Bedfordshire | Deputy Executive Members | 4 | 37 | 59 |
| Shropshire | Deputy Portfolio Holders | 5 | 50 | 74 |
| Cheshire West and Chester | NA | 3 | 27 | 75(70) |
| Herefordshire | Cabinet Support Members | 3 | 21 | 53 |
| BANES | NA | 5 | 35 | 65(59) |
| East Riding of Yorkshire | NA | 5 | 60 | 67 |
| North Somerset | Assistant Executive Members | 5 | check | 50 |

| | | | | |
|------------------------------|-------------------|---|----|----------|
| Cornwall Council | NA | 5 | 75 | 126 (87) |
| Bedford | NA | 4 | 28 | 40 |
| South Gloucestershire | NA | 2 | 28 | 70(61) |
| Northumberland | NA | 4 | 40 | 67 |
| West Berkshire | NA | 1 | 12 | 52 |
| City of York | NA | 5 | 37 | 47 |
| Wiltshire | Portfolio Holders | 4 | 54 | 98 |

46. If Portfolio Holders did not exist and the Cabinet Members took on all those duties, and a maximum of 10 Cabinet members were in place, each would have an additional 19 hours per week of work to undertake. This would be on top of the 25 hours per week average for the basic role of a Councillor, in line with the national average, and the 27 hours per week average already being undertaken with their own duties. This would suggest Cabinet Members would be expected to undertake 71 hours of work per week on average. This would severely limit who could serve in such a position even among those who could take on the roles full time, and would clearly be an unreasonable expectation in the name of public service.
47. Even if Scrutiny were able to take on all the work of a Portfolio Holder, which as previous paragraphs have demonstrated they could not given the nature of the role, this would require either many more hours of consideration by select committees, or many more and longer task groups and rapid scrutiny exercises. The Scrutiny function must already be selective in what it looks at and when, being mindful of available resources including the number of available Councillors, and lacking Portfolio Holders this position would be exacerbated further. The Council would inevitably require an increase in the number of non-executive Councillors. This could be achieved through all current Portfolio Holders instead being available for Scrutiny work, however the end result would remain that such a number of Councillors would be required for that work, as the work drives the number of Councillors needed, not the number of Councillors driving the work undertaken.
48. It is also noteworthy that of the five closest CIPFA statistical neighbours four have an equivalent position to a Portfolio Holder, with five out of the 14 statistical neighbours total having such a position. Furthermore, the majority of the authorities listed have the same number or more scrutiny committees than Wiltshire, with a higher proportion of councilor places on scrutiny compared to the overall number of Councillors. It is possible Wiltshire has more portfolio holders than other authorities, but the external analysis of the Council's executive and scrutiny effectiveness as quoted in the original submission conclusively demonstrates the efficient value of the arrangements.
49. In conclusion, bearing in mind particularly the distinct nature of the role as outlined above, the extent of the work undertaken, the comparisons with other authorities, the Council is confident in its calculating the necessity of the role of Portfolio Holder and the concomitant impact upon an appropriate Council size as detailed in its initial submission.

Governance – Committee Structure

50. In addition to the reasoning given in the initial submission, the Council has provided additional evidence and reasoning behind its views on the appropriate number of Councillors to service all its committees. These are detailed further below.
51. **Insert any paras and tables on building to 99 or breaking points if appropriate including committee sizes, hours worked etc**

Planning

52. As detailed in the initial submission the Council is the third largest planning authority in the country. As indicated in the initial submission at Paragraphs 70-73 planning is of extreme and often emotive importance to the public, who become involved in significant numbers when there are applications which affect them, and any arrangements need to take into account this public interaction, as detailed further in paragraph 61.
53. 96% of the Council's planning decisions had been delegated to officers based on the most recent figures available at the time of the initial submission. It is noted that according to government statistics between 93-95% of planning applications are dealt with nationally under delegated powers.
54. It would therefore be misleading to suggest only a very small number of planning applications in Wiltshire are considered by Councillors rather than officers. On the contrary, as one of the largest planning authorities in the country a figure of 4% being considered by committee is still over 150 items per year, a significant figure by any reasonable measure.
55. Across the eight calendar years 2010-2017 the committees in Wiltshire considered 195 items per year in approximately 123 hours, an average of around 38 minutes for every item determined by committee.
56. With five committees this is nearly 25 hours a year per committee, which meet at present on a four-weekly schedule. As the table below demonstrates if only one planning committee were in existence then it would have to meet for almost two and a half hours every week for the entire year to transact the required business. If they met on the existing schedule, they would meet for nine and half hours every month.

Table 4

| | Number of Committees | | | | |
|-----------------------------|-----------------------------|-------------|-----------|-------------|-------------|
| | 1 | 2 | 3 | 4 | 5 |
| Hours Per Committee | 123 | 61.5 | 41 | 30.8 | 24.6 |
| Number of Meetings | | | | | |
| 13 (4 week schedule) | 9.5 | 4.7 | 3.2 | 2.4 | 1.9 |
| 17 (3 week schedule) | 7.2 | 3.6 | 2.4 | 1.8 | 1.4 |
| 26 (2 week schedule) | 4.7 | 2.4 | 1.6 | 1.2 | 0.9 |
| 52 (1 week schedule) | 2.4 | 1.2 | 0.8 | 0.6 | 0.5 |
| | | | | | |
| | Number of Committees | | | | |
| | 1 | 2 | 3 | 4 | 5 |
| Items Per Committee | 195 | 97.5 | 65 | 48.8 | 39 |
| Number of Meetings | | | | | |
| 13 (4 week schedule) | 15 | 8 | 5 | 4 | 3 |

| | | | | | |
|-----------------------------|----|---|---|---|---|
| 17 (3 week schedule) | 11 | 6 | 4 | 3 | 2 |
| 26 (2 week schedule) | 8 | 4 | 3 | 2 | 2 |
| 52 (1 week schedule) | 4 | 2 | 1 | 1 | 1 |

57. It is well recognised that excessively long meetings do not aid good decision making. It would be patently unreasonable to insist upon a planning structure which required overly long meetings on a regular basis, particularly if the burden were placed on an even smaller number of Councillors by reducing the scale of the committees, and considering all the other roles that Councillors must fulfill. Even on the current 5 committee, 4 weekly schedule, 1 in 5 planning meetings are over 3 hours long (99 out of 449 held), with several almost 6 hours long. Therefore, while with only 4 committees the average falls to 2.4 hours, it can reasonably be extrapolated that a great many more would exceed that time and hinder effective decision making. To be clear, excessively long meetings demanded by a reduction would lead to worse decision making, worst public attendance and therefore a degradation of public faith in the planning process.
58. More frequent committees would require more travel time from councillors and more preparation time, including attendance at site visits for contentious applications. This would increase the workload significantly when it is already extensive, and should the overall burden of other duties for councillors increase as well due to a reduction in council size, along with potentially smaller committees, that increase in workload would be excessive and therefore not efficient.
59. Added to this the national figures show that currently Wiltshire processes marginally fewer applications at committee, as a percentage, than some other authorities. There can be no guarantee that the number will not increase to be more in line with the average. Therefore, there would be even more work, and even more need for multiple committees. With larger divisions to serve it is also possible Councillors would be unable to devote as much time to assessing all the applications that are made within their divisions, and may therefore need to call-in more items as they are not as personally familiar with the local areas.
60. **Additionally, planning committee business is dependent on statutory timescales for determinations, and it is therefore inevitable that some meetings will be cancelled as no matter how many applications there are there will be occasions none are due for determination by a specific scheduled committee date, and thus the true average time per meeting will be higher than in the tables above.**
61. To expand upon the importance of securing appropriate public engagement, planning as a function is of huge significance to the public and attendance can be very high. A system of area planning committees is necessary in a council the size of Wiltshire to not place an unreasonable burden on agents, planning applicants and objectors to enable them to make representations before a committee in terms of travel time and meeting length. Part of the public confidence in the decision making comes from having meetings near to where people live, as it means the councillors know the areas better and are known to residents. Even with four area committees some areas face a journey of an hour by car to attend the meetings as is the case for residents in Aldbourne to reach any council administrative hub where the meetings are held.
62. In conclusion, the evidence clearly demonstrates that the number of planning applications

considered in Wiltshire requires a significant number of Councillors to determine. Added to the number being considered the importance of planning to Councillors and, more vitally, the public, requires of any effective body and a suitable level of democratic decision making in order to be open and transparent. Finally, the physical scale of Wiltshire, and in particular the nature of the communities with the sparsely populated centre because of the presence of the Salisbury Plain, overwhelmingly requires area based committees to ensure effective local decision making. It is therefore not considered that there is any compelling evidence that the number of Councillors involved in planning in Wiltshire is excessive.

Comparative Size

63. The Commission in its letter of 31 May also stated that the Council's proposal would be compared to 'other unitary authorities of a similar geographic size and population'.
64. The Council would argue, in any case, that whether 99 would make the Council relatively large or relatively small compared to other authorities is not the primary consideration. As the Commission itself makes very clear in its technical guidance '*local government is as diverse as the communities it serves, providing services, leadership and representation tailored to the characteristics and needs of individual areas. Our aim, in an electoral review, is to recommend electoral arrangements, including a Council size, which is right for the local authority in question*'. While the guidance references placing the Council in context with others this clearly does not eliminate the need to consider the individual characteristics as paramount.
65. However, the Council would agree with the Commission in its letter that a comparison against councils of similar geographic size and population is reasonable, if a comparison is being made, and furthermore argues that the statistics do not indicate the Council's proposals would make the Council unusually large, as demonstrated in the following table.

Table 3²

| Authority Name | Area (Hectares) | Area vs Wiltshire | Electors | Electors vs Wiltshire | Electors per Cllr | Council size |
|----------------------------------|-----------------|-------------------|----------|-----------------------|-------------------|--------------|
| Cornwall | 354618.74 | 109% | 422,460 | 115% | 4856* | 87* |
| County Durham | 222606.26 | 68% | 395,787 | 108% | 3141 | 126 |
| East Riding of Yorkshire | 240767.65 | 74% | 263,159 | 72% | 3928 | 67 |
| Northumberland | 501301.83 | 154% | 241,878 | 66% | 3610 | 67 |
| Shropshire | 319730.32 | 98% | 240,220 | 65% | 3246 | 74 |
| Cheshire East | 116637.63 | 36% | 299,422 | 81% | 3651 | 82 |
| Cheshire West and Chester | 91665.6 | 28% | 272,228 | 74% | 3889* | 70* |
| Central Bedfordshire | 71566.45 | 22% | 210,902 | 57% | 3575 | 59 |
| South Gloucestershire | 49694.56 | 15% | 200,587 | 55% | 3289* | 61* |
| North Somerset | 37378.6 | 11% | 161,464 | 44% | 3229 | 50 |
| Herefordshire | 217973.24 | 67% | 141,293 | 38% | 2666 | 53 |
| Wiltshire | 325534.12 | 100% | 367,686 | 100% | 3752 | 98 |

² Data obtained from <http://www.lgbce.org.uk/resources/electoral-data>

** denotes that council size is being implemented following an electoral review – electors per cllr ratio is theoretical based on current electorate in order to allow for comparison with all authorities based on known electorates*

66. There are few authorities of a similar geographic size or population to Wiltshire. Even in the table above which shows the largest unitary authorities in England, a great many are well below half the size of Wiltshire in either population or geography, and in many cases both. These and other authorities cannot reasonably be said to be of a similar geographic size or population to Wiltshire Council for the purposes of any comparison.
67. By way of comparison there are only two local authorities in England more populous than Wiltshire Council. In terms of council size, one is slightly smaller than Wiltshire's proposal (Cornwall at 87) and the other is larger (County Durham at 126). Even using a wider comparison such as including authorities such as Shropshire (65% electorate) and Northumberland (66% electorate) there is a big disparity in council size. By that measure those authorities at least half the area and population of Wiltshire range in council size from 67-126. If Wiltshire had a similar Cllr ratio to these other authorities it would have a council size significantly over 100, which is not requested
68. The Council does recognise that as detailed in the Commission's technical guidance all authorities are different and any council size must be appropriate for the individual characteristics of the local authority in question, and that the overall size in context of other authorities is also of relevance. However, a comparison with genuinely similar authorities as requested by the Commission does not suggest the council's proposals are disproportionate.

Conclusion

Electoral Review Factors

69. The Council is satisfied that its proposals align with the required criteria for Electoral Reviews, being Electoral Quality, Community Identity, and Effective and Convenient Local Government. As the Commission reiterated at the Wiltshire Town and Parish Council Forum event on 12 June 2018, these three criteria are weighted equally and there is no presumption of authorities being reduced, maintained or expanded but that which the evidence indicates.
70. The Council has responded with a supplementary submission answering the questions asked by the Commission in its letter of 31 May and believes it has demonstrated that Electoral Equality is achievable at a council size of 99, and that such a number is appropriate in order to maintain Community Identity and Effective and Convenient Local Government.
71. **In particular, it has demonstrated that a reduction in council size would compromise the ability of the Council to fulfill its duties, for instance:**
 - **At council size xx committees such as those for planning and scrutiny would be unable to function as effectively, there would be an unreasonable level of work expected for every councillor to undertake in the name of public service, and community areas would not be appropriately represented or efficiently governed as too few area boards could be established.**
 - **At council size xx.....**
 - **At council size xx committees could in theory function and it would not be a**

prohibitive level of increased work with an expectation of some level of improved efficiency, but community areas would continue not to be represented effectively

72. Furthermore, an effective Council cannot be operating at a bare minimum of necessary resources in order to function. This would allow no level of contingency for increases in workload without significant risk, sickness or other absences that would no doubt occur. It is argued that the initial and supplementary submissions of the Council have demonstrated with its proposal of 99 that the 'breaking' limit is close to that point, and therefore a proposal of 99 should be accepted as it is at that point at which it is assured that the Council can maintain and continue to improve its effectiveness of being a community driven and member-led authority regarded highly nationally for its innovation, efficiency and inclusiveness.

More paragraphs to be added

Recommendation

73. TBC

74. TBC

Appendices

Background Papers

National Planning Stats - link

Committee structures and allowances schemes of other authorities (for portfolio equivalents and scrutiny committees) – link to each

Lgbce electoral data

National census of local councillors