

## REVIEW OF ELECTORAL ARRANGEMENTS

### Submission by Mid Devon District Council on Council Size

#### 1. Introduction – Local Authority Profile

Mid Devon is a rural district council lying just north of Exeter on the borders of Devon and Somerset. The District covers an area of 913 square kilometres and has a population of 80,600 (2017). It is one of eight districts in the county of Devon. The district is predominantly rural with three market towns, the largest of which is Tiverton with a population of 22,000.

There are 60 towns and parishes in the Mid Devon area, 48 of which have a local town or parish council while the remaining 12 hold parish meetings.

The Council currently has 42 District Councillors, and an electorate of 62,908 at 1<sup>st</sup> May 2019. This equates to 1,498 electors per Councillor.

Area	Electors	Cllrs	Electors per Cllr
Boniface	2964	2	1482
Bradinch	1536	1	1536
Cadbury	1326	1	1326
Canonsleigh	2616	2	1308
Castle	3323	2	1662
Clare & Shuttern	2874	2	1437
Cranmore	3938	3	1312
Cullompton North	3229	2	1615
Cullompton Outer	1857	1	1857
Cullompton South	3433	2	1717
Halberton	1577	1	1577
Lawrence	2920	2	1460
Lower Culm	4634	3	1544
Lowman	4806	3	1602
Newbrooke	1272	1	1272
Sandford & Creedy	2714	2	1357
Silverton	1545	1	1545
Taw	1358	1	1358
Taw Vale	1380	1	1380
Upper Culm	3289	2	1645
Upper Yeo	1400	1	1400
Way	1283	1	1283
Westexe	4267	3	1422
Yeo	2783	2	1392

## 2. Overview of Council Size Submission

This submission sets out the response from Mid Devon District Council to the Local Government Boundary Commission for England's (LGBCE) invitation to put forward a recommendation on future council size.

The review has been triggered because 7 of the District Council's current 24 wards (29%) have an electoral variance of more than 10% from the average. The Council recognises the importance of electoral equality to a fair democratic process by ensuring that each vote carries the same value, whilst at the same time it must ensure that governance of the Council is maintained at a level which can best serve the electorate.

The Council's submission has been developed by a cross-party working group consisting of executive and non-executive members in consultation with their respective group members. The Council's recommendation on council size was unanimously approved by full Council so enjoys the cross-party support of all Members.

This submission seeks to address the three areas contained in the LGBCE's technical guidance on:-

- **Governance arrangements** of the Council and how it takes decisions across the broad range of its responsibilities.
- The Council's **scrutiny functions** relating to its own decision making and the Council's responsibilities to outside bodies.
- The **representational role of Councillors in the local community** and how they engage with people, conduct casework and represent the Council on local partner organisations.

The primary objective for the overall review is in three key parts:

- Electorate equality – achieving a reasonably even spread of elector numbers across each ward. This will need to take into account current electorates and forecasts to 2023.
- Community identity – do the ward boundaries fully encapsulate existing communities?
- Effective and convenient government – is the Council size appropriate to ensure the effective discharge of Council business and representation of the community?

## 3. Previous Review

The last review of electoral arrangements in Mid Devon was in 1998/99, when the number of councillors went up by 2 and the number of wards was reduced from 28 to 24.

Based on the 1<sup>st</sup> May 2019 electoral register, the current elector to councillor ratio is 1,498. The electorate forecasts developed as part of this exercise suggest that by 2023 the ratio for the Council's recommended number of Councillors will be an average of 1626 electors per Councillor.

## 4. Proposed Council Size

Mid Devon District Council comprises a large and varied geographical area with a mixture of very rural areas and urban communities. This creates a variety of different local needs and priorities. Because of the complex mix of rural and urban, together with the identified growth within the district, it is felt that the current Council membership of 42 councillors should be retained.

The justification for this submission is:-

- a) The need to ensure an appropriate work/life balance for Councillors;
- b) Related to the above, the need to attract Councillors from a variety of backgrounds and ensure the Council is representative of its communities;
- c) The need for enough members to ensure effective scrutiny and properly represent the full diversity of the district;
- d) The role of the district councillor is seen to be a more active and demanding role as a consequence of developments in ICT and social media, together with an increased interest in local democracy, planning and general societal changes;
- e) Increased role of councillors resulting from the implementation of transformation and the funding of services;
- f) The need to reflect the future growth in population in Cullompton and Tiverton and generally;
- g) The commitment of the Council to take account of the different needs of geographical communities.

Retention of 42 Councillors does not represent a “stand still” proposal. The predicted electorate increase means the councillor to elector ratio will increase from 1,498 electors at present to 1626 in 2023. Owing to the concentration of development in a number of wards, there also will need to be a radical overhaul of the existing boundaries. The Council does not believe there will be a reduction in the development pressures on the District but it is confident efficiencies can be achieved in most of its areas of activity. The Council further believes that only by retaining the number of 42 Councillors will it be able to ensure that the governance, decision making and scrutiny functions will not be compromised and will remain effective, whilst still ensuring Councillors are able to fulfil their representational role within their communities.

## **5. Anticipated Growth in Population**

The Polling District Forecasting Spreadsheet has been affected by Individual Electoral Registration. Many people were removed from the electoral register in December 2015 as they had not matched with the Department for Work and Pensions data, but they came back onto the register in 2016 when the Referendum was announced and there was an increased interest in registering to vote.

The electorate at December 2014 was 59,971. This dropped to 58,746 in December 2015 but has risen to 62,908 in May 2019. The Polling District Forecasting Spreadsheet is forecasting an electorate of 68,290 in 2023, however, in view of predicted development within the district this figure will be much higher. It is expected that a further 3782 dwellings will be built by 2023 and taking an estimate of 1.7 people per dwelling, we expect the electorate of the District to rise to around 74,720 in 2023. This would mean an average of 1779 electors per Councillor.

## **Near Neighbour comparison data**

The comparison information below highlights the councillor to elector ratio which already exists in Mid Devon District compared to the other Devon districts and neighbouring authorities. It also compares equally with our CIPFA nearest neighbours of a comparable size across the country.

<b>Devon Authorities</b>	<b>Electors</b>	<b>Wards</b>	<b>Council Size</b>	<b>Electors per Councillor</b>
Mid Devon	62,125	24	42	1,479
East Devon	118,318	32	59	2,005
North Devon	74,191	27	43	1,725
Teignbridge	103,410	24	47	2,200
Torridge	52,550	23	36	1,460
West Devon	42,710	18	31	1,378
<b>Neighbouring Authorities</b>				
* Taunton Deane	85,743	26	56	1,531
*West Somerset	27,601	16	28	986
*(now a single district authority known as Somerset West and Taunton)				
<b>CIPFA Nearest Neighbours</b>				
Babergh	71,546	27	43	1,664
Mendip	87,221	34	47	1,856
North Dorset	53,103	19	33	1,609
Tewkesbury	70,856	20	38	1,865

## Submission by Mid Devon District Council on Council Size Supporting Evidence

1. Governance and decision making – how does the Council manage its business and take decisions across its full range of responsibilities?	
<p><b>Leadership</b></p> <p>1.1 What kind of governance arrangements are in place for the authority?</p>	<p>Under the Local Government Act 2000, Mid Devon District Council adopted a Cabinet style system with a Leader and Executive. The Council operates a “strong Leader” model whereby the Executive is appointed by the elected Leader.</p> <p>The Executive consists of 7 members; the Leader, Deputy Leader and 5 Executive Members. The Executive’s 7 members are also the Council’s 6 Portfolio Holders and Leader and are each the Council’s main representative and spokesperson on their nominated areas of responsibility.</p> <p>The Executive carries out all of the local authority’s functions which are not the responsibility of any other part of the authority. Some of these decisions/plans/policies/strategies require approval by Council e.g. Local Plan, Corporate Plan, Medium Term Financial Plan and Budget.</p> <p>There are approximately <b>12</b> formal meetings of the Executive per year and <b>12</b> informal briefings.</p>
<p>1.2 How many portfolios are there?</p>	<p>There are 7 Councillors on the Executive of the Council these consist of the Leader role and 6 portfolios; one held by each member of the Executive, as follows:</p> <ul style="list-style-type: none"> <li>The Leader</li> <li>Environment (also holds the post of Deputy Leader)</li> <li>Finance</li> <li>Community Well Being</li> <li>Working Environment and Support Services</li> <li>Planning and Economic Regeneration</li> <li>Housing and Property Services</li> </ul>

<p>1.3 Describe how a portfolio holder carries out his/her work on a day to day basis.</p>	<p>Portfolio holders exercise regular budget monitoring of the resources allocated by the Council and seek to achieve best value in the services for which they have responsibility. They monitor performance, hold regular meetings with the respective Directors and Managers and work with them to deliver the corporate objectives. There are monthly planned progress meetings with supplementary daily or weekly contact with individual officers, depending on the workload.</p>		
<p>1.4 To what extent are decisions delegated to portfolio holders or are most decisions taken by the full Executive?</p> <p>What is the volume of decisions taken? How many decisions are taken by officers?</p>	<p>The majority of executive decisions are taken by the Executive or officers under delegated powers. A portfolio holder can take any decision within his/her remit other than a key decision and two or more portfolio holders may jointly agree to take a decision which is within their collective remits.</p> <p>Decisions taken by the Executive or a portfolio holder are subject to the Council's scrutiny "call-in" procedure.</p> <p>The Council takes around 150 Executive decisions, mostly taken by the Cabinet. There are approximately 20 portfolio holder decisions taken each year. Major operational decisions delegated to officers are recorded and published unless the decision contains exempt information.</p>		
<p>1.5 Do Executive (or other) Councillors serve on other decision making partnerships, sub-regional or national bodies?</p>	<p>Portfolio holders and Councillors serve on a number of regional and national bodies:</p>		
	<p>Blackdown Hills AONB Partnership</p>		<p>Annual</p>
	<p>Broadpath Landfill Liaison Committee</p>		<p>Annual</p>
	<p>Building Control Joint Committee</p>		<p>2019</p>
	<p>Business Forum Mid Devon</p>		<p>Annual</p>
	<p>Culm Garden Village Delivery Board</p>		<p>2019</p>
	<p>Citizens Advice Bureau – Torrington, Mid Devon &amp; Bude</p>		<p>4 years until May 2019</p>
	<p>Community Safety Partnership</p>		<p>4 years until May 2019</p>

	Council for the Protection of Rural England Devon Area Executive Committee		Bi-annual	
	Cullompton Town Team 2 Members		Annual	
	Cullompton Traffic Issues & Environment Working Group		4 years until May 2019	
	Dartmoor National Park Authority Forum 2 Members		4 years until May 2019	
	Devon Authorities Strategic Waste Committee (formally known as 'Devon Authorities Waste Reduction & Recycling Committee')		4 years until May 2019	
	Devon Districts Forum		Annual	
	Devon Historic Buildings Trust		Annual	
	Devon Rail Forum		Annual	
	General Assembly of LGA		4 years until May 2019	
	Gypsy and Traveller Forum		2019	
	Heart of the South West Joint Committee		2019	
			2019	

Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee			
INVOLVE – Voluntary Action in Mid Devon		Annual	
Local Delivery Group advising the Tiverton Children’s Centre		4 years until 2019	
Mid and East Devon Children’s Centres Advisory Board		4 years until 2019	
Community Safety Partnership Operation Delivery Group  - Exe Local Action Group - Creedy Local Action Group - Culm Local Action Group		4 years until May 2019	
Mid Devon Highways and Traffic Orders Committee (2 Members)		Bi-annual	
Most Sparsely Populated Councils Group		4 years until May 2019	
PCC Councillor Advocate Scheme		4 years until 2019	
South West Councils		Annual	
South West Councils Employers Panel		Annual	
3 Rivers Development Limited		2019	
Mid Devon Locality Committee		Annual	

	Tiverton Adventure Playground Committee		4 years until May 2019	
	Tiverton & District Community Transport Association		4 years until May 2019	
	Tiverton & Mid Devon Museum Trust Executive Committee		4 years until May 2019	

1.6 Is the role of the Executive Councillor considered to be full time?	<p>None of the Executive Councillors are considered to have a full-time role but considerable demands are placed on them. However these roles are at times far more time consuming for example the Planning portfolio holder will need to have a great understanding of both the area and the issues and this sometimes requires an almost full-time commitment to Mid Devon ie the Local Plan. Other Executive Councillors similarly have times when there is a higher volume of work. These roles also need to understand the broader picture of the authority as a whole in order to be able to answer questions and make decisions. This is of course in addition to their general Councillor role.</p>
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1.7 How does the Council discharge its regulation functions?

How many Councillors are involved in committees?

A significant number of planning decisions (averaging around 95%) are made under delegated powers to officers without reference to the Planning Committee. The scheme of delegation operates by exception. Accordingly, planning applications are delegated unless they meet one of several criteria such as being made by the Council, a Councillor or officer or involve an application subject to Environmental Impact Assessment. A ward member can request that an application in their ward be referred to the Planning Committee for determination rather than determined by officers, having given planning reasons for doing so.

Planning Committee consists of 11 members with scheduled monthly meetings. Additional meetings are also held as required in order to ensure timely decision making, particularly on major applications.

There is a legal requirement for the Council to complete a review of its local plan every five years following the date of the adoption of the plan. The review process is undertaken by officers and with Committee approval required for key stages in the preparation of the local plan, including the Cabinet and Council meetings. The Planning Policy Advisory Group consisting of 9 councillors provides advice and makes recommendations to the Cabinet meetings.

There are 12 Members appointed to the Licensing Committee which meets when required. The majority of licensing applications / matters (taxi matters, alcohol licensing, etc.) are determined by officers under delegated powers, unless there are grounds to refer to a Licensing Sub-Committee. On average 8 to 10 Licensing Sub-Committee meetings are convened each year. They comprise three members appointed from the main Committee.

<p>1.8 Describe the arrangements for the delegation of decisions in respect of regulatory functions.</p> <p>To what extent are decisions delegated to officers?</p>	<p>A significant number of planning decisions (averaging around 95%) are made under delegated powers to officers without reference to the Planning Committee. The scheme of delegation operates by exception. Accordingly, planning applications are delegated unless they meet one of several criteria such as being made by the Council, a Councillor or officer or involve an application subject to environmental impact assessment. A ward members can request that an application in their ward be referred to the Planning Committee for determination rather than determined by officers, having given planning reasons for doing so. The scheme of delegation of planning functions was last reviewed in 2015. Due to service structure changes and the introduction of a Group Manager role, a further review will be undertaken shortly.</p> <p>The Council has a Scheme of Delegation. This was last updated in May 2019.</p>
<p>1.9 Is Committee Councillorship standing or rotating?</p>	<p>Following all-out elections, Councillors are appointed to Committees at the first full Council meeting in May and are then reaffirmed annually. There is generally some movement of Councillors between committees each year.</p>
<p>1.10 Are meetings ad hoc, frequent and/or area based?</p> <p>How are the Chairs allocated?</p>	<p>Most of the Committees meet monthly unless there is insufficient business to discuss or determine, with the exception of the Standards and the Regulation Committees which tend to meet on an ad-hoc basis.</p> <p>The Chairmen of the Scrutiny Committee is appointed at the annual Council meeting in May; chairs of other committees are appointed by each committee at the first meeting of the annual cycle.</p>
<p>1.11 What level of attendance is achieved?</p> <p>Are meetings always quorate?</p>	<p>Generally a good level of attendance is achieved and meetings are quorate.</p> <p>There have not been any occasions in last 8 years where meetings were not quorate</p>
<p>1.12 What future issues may impact on the role of non-executive councillors in respect of regulatory functions?</p> <p>How might the role develop?</p>	<p>No change is anticipated.</p>

<p>1.13 Has the Council defined the role of Councillors?</p> <p>Has the Council adopted arrangements for training and developing Councillors and supporting them in their role?</p>	<p>The role of Councillor is defined within our Constitution as follows:-</p> <p><b>All Councillors will:</b></p> <ul style="list-style-type: none"> <li>a) Irrespective of the ward to which they are elected, have as their over-riding duty the representation of interest of the whole community of Mid Devon collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;</li> <li>b) Collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions and will contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making;</li> <li>c) Represent their communities and bring their views into the Council's decision-making process, ie become the advocate of and for their communities and effectively represent the interest of their ward and of individual constituents;</li> <li>d) Deal with individual casework and may act as an advocate for constituents in resolving particular concerns or grievances and respond to constituent's enquires and representations, fairly and impartially;</li> <li>e) Balance different interests identified within the ward and represent the ward as a whole;</li> <li>f) Be involved in decision-making;</li> <li>g) Be available, where possible, to represent the Council on other bodies; and</li> <li>h) Maintain the highest standards of conduct and ethics.</li> </ul> <p>The South West Charter for Member Development was originally awarded to the Council in November 2010 following a lengthy evidence gathering exercise which also included members and senior officers attending interviews with the examining board. Reassessment to secure the Charter took place in 2014 and again in April 2017.</p> <p>As a commitment to the charter, the Member Services manager reports annually to the Scrutiny outlining the training/development that has taken place in the previous year and an evaluation of that training which seeks to improve the arrangements that the authority has in place.</p> <p>The training programme is informed based on member 1 to 1 meetings, members survey results, discussions with specialists across the Council, Political Leads, Committee Chairs and Portfolio Holders to identify potential training needs.</p>
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	<p>The training programme is developed around members' needs:</p> <ul style="list-style-type: none"> <li>• As a collective group in terms of general skills and knowledge – legislation changes etc.</li> <li>• To reflect groups/committees specialisms and required skill sets.</li> <li>• To develop Individual's specialisms and skills for particular roles for example Portfolio Holders.</li> <li>• Developing individuals, reflecting their own personal needs and their plans for their future at MDDC including aspirations to take on more responsibility.</li> </ul> <p>We also consider future need, succession planning and looking to prevent or reduce risks around single points of failure.</p> <p>In addition to this formal/skills based training the Scrutiny Committee conduct specific Task and Finish reviews, this is an excellent opportunity for all members to develop a detailed knowledge of Council Services, partners, organisations operating in the MDDC area and policy development.</p> <p>The Council were re-awarded the Member Development Charter in 2017 and have a commitment to Member development. There is a shared service with other Devon Authorities in respect of Member Development which has helped to ensure our Councillors get up to date training and support.</p>
<p>1.14 Has the Council assessed how much time Councillors spend on Council business?</p>	<p>Evidence gathered in 2018/19 for the Independent Remuneration Panel review showed that on average, Councillors spend between 20 to 50 hours per month on general councillor duties. However some Councillors put in a lot more time and it can be almost a full time role for some. Attendance at meetings is on top of that with some Councillors having greater demands particularly if they are Chairs of PDG's or on the Cabinet/Scrutiny, Planning or Audit Committee. The role is often 24/7 with Councillors discussing receiving calls on Boxing Day for example and others saying they take their laptops with them when going away for the weekend or on holiday and continue to deal with the concerns of their constituents.</p>

<p>1.15 Do Councillors generally find that the time they spend on council business is what they expected?</p>	<p>During discussion with the Members working group on the Boundary Commission submission the question was asked “was the work of a ward member what you anticipated?” The response was that until you had actually experienced the role you were not going to have a real understanding of just what it entailed. Overwhelmingly it varied in connection with the type of situation Members were dealing with from signposting at its most basic to full on casework which meant meetings with constituents, officers of the Council and external bodies. There was also a large commitment on the part of ward members in terms of parish meetings which means attendance, updating and participation which did vary in terms of the requirements of the actual parish.</p>
<p>1.16 What is the extent of Councillors representational role on, and appointment to, outside bodies?</p> <p>How many are involved in this activity and what is their expected workload?</p>	<p>Service on outside bodies has always been an established part of a Councillor’s role. An appointed member on an outside body will be able to use their knowledge and skills as a Councillor to assist the organisation to which they are appointed.</p> <p>We appoint 39 members to 30 outside organisations.</p>
<p>1.17 Does the Council have difficulty in retaining Councillors or attracting new candidates?</p>	<p>The Council runs three sessions in the year of the District and Parish elections in each of the three major towns in Mid Devon. These sessions are designed to give those thinking about becoming a Councillor information and access to established ward members. There is cross party participation from Members and these sessions are run in the evening, publicised and promoted via the Council’s communications team. They are run several months prior to the election in order to give those with an interest plenty of time to access any information they need.</p> <p>As the majority of members are affiliated to a political party, the Council cannot become involved in who will be put forward as candidates. In the 2019 district elections all wards were contested and there have been no instances where the Council has been unable to discharge its duties due to lack of councillors.</p>
<p>1.18 Have there been any instances where the Council has been unable to discharge its duties due to a lack of Councillors?</p>	<p>There have been no instances where the Council has been unable to discharge its duties due to a lack of Councillors.</p>
<p>1.19 Do Councillors have an individual or ward budget for allocation in their area?</p> <p>If so, how is the system administered?</p>	<p>No.</p>

## 2. Scrutiny of the Council, outside bodies and others.

2.1 What's the structure?

There is one main Scrutiny Committee with 12 members, appointed in political balance. The Scrutiny Committee has 1 Chair and 1 Vice Chair.

How does it operate?

The Scrutiny Committee undertakes the statutory scrutiny functions such as policy development and review, monitoring the performance of the authority and holding the Executive to account. All non-executive members support the Committee and are invited to participate in reviews on a 'Task and Finish Project' basis as directed by the main Scrutiny Committee. The main Scrutiny Committee also has responsibility for managing the call-in function. The Scrutiny Committee can 'call-in' a decision that has been made by the Executive but not yet implemented. This enables members to consider whether the decision is appropriate. The Scrutiny Committee may recommend that the Executive reconsider the decision or can, if it wishes, ask Council to debate the issue.

The Leader and all portfolio holders present an annual report on their area of responsibility to the Scrutiny Committee outlining changes, achievements and any issues over the preceding 12 months.

<p>2.2 What is the general workload of scrutiny committees?</p> <p>Has the Council ever found that it has had too many active projects for the scrutiny process to function effectively?</p>	<p>The general workload is one committee meeting per month which follow the Cabinet meetings in order to allow for any call-ins unless special meetings are called due to urgent business.</p> <p>With regard to Task and Finish groups this can range from 1-5 Councillors depending on the urgency/need for the work to be undertaken, the amount of officer resource available, and the length of time it may take to collate information/collect evidence. Partnership or joint reviews can take considerably longer and take much more resource.</p> <p>Task and Finish groups are open to all non-Executive members as general rule, a scrutiny member chairs the review, and occasionally Executive members are invited to attend depending on the topic.</p> <p>Scrutiny Committee manage their own workload, they always consider all reports that are to be considered by the Executive to varying degrees.</p>
<p>2.3 How is the work programme developed and implemented?</p> <p>How many subjects at any one time?</p> <p>What's the time-span for a particular study?</p>	<p>All members are invited and encouraged to make suggestions to the work programme. These suggestions are considered at Scrutiny Committee unless urgent then other arrangements are made. The subject is then scored against a Selection Criteria (attached in Appendix A) and these subjects can be an item for a committee meeting or a Task and Finish review.</p> <p>We tend to operate on a maximum of 3 Task and Finish reviews; this is due to officer resourcing and being able to attract members to the Task and Finish groups. The maximum at any one time considers the complexity and the project plans/anticipated timescales for each.</p> <p>Most reviews take several months to conclude.</p>
<p>2.4 Are Councillors involved in scrutinising external issues?</p>	<p>Councillors can be involved in any issue that effects/impacts on the Mid Devon community. For example closure of several care homes in Mid Devon was the subject of a Task and Finish review which was presented to Devon County Council.</p>

<p>2.5 When not in scrutiny meetings what activities are Councillors expected to undertake?</p>	<p>Scrutiny members are expected to do preparatory work for both Scrutiny Committee meetings and contributing to Task and Finish reviews. This involves</p> <ul style="list-style-type: none"> <li>• Reading reports, articles, best practice etc.</li> <li>• Conducting online research</li> <li>• Carrying out public consultation, reviewing the responses</li> <li>• Meeting and questioning service users, witnesses and experts</li> <li>• Conducting site visits</li> <li>• Contacting other local authorities.</li> </ul>
<p>2.6 How will the role of the scrutiny Councillor change?</p> <p>What are the emerging issues and trends?</p>	<p>Due to a combination of financial pressures and a desire to improve services and modernise the Council, it will be even more important for members of the Scrutiny Committee to provide the check and challenge to the Executive.</p> <p>Scrutiny Committee will have a challenging and demanding role in its capacity as a critical friend throughout the process and monitoring the effectiveness of this transformation by reviewing:</p> <ul style="list-style-type: none"> <li>• The effectiveness of the delivery of the Council's services</li> <li>• The sustainable savings</li> <li>• Reviewing the policy's governance and performance</li> <li>• Contributing to the locality element of the programme</li> </ul> <p>The Council also has a number of ambitious programmes for realising growth and regeneration within the District, much focussed on the town centres of the district and in particular growth in the Cullompton area. The Council's Special Purpose Vehicle is delivering both market and affordable homes. The Council is also increasingly seeking to intervene to deliver new housing such as thorough bidding for and securing Housing Infrastructure Fund monies to deliver critical infrastructure. These areas of the Council's activities are both more prevalent than previously and also increasingly significant. These emerging areas of Council activity are expected to be mirrored by a widened scope of potential scrutiny.</p>
<p>2.7 What kind of support do scrutiny members receive?</p>	<p>At present members have 2 and a half days full support from a Scrutiny Officer and a Member Services Officer to support the Scrutiny Committee meetings. The Scrutiny Officer provides support to assist with Task &amp; Finish Reviews but members are required to do research etc. as part of their role on such reviews.</p>

### 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 Councillors it should have?

Councillors feel the public are more aware of them and their role along with a greater expectation of assistance and more opportunities for people to contact them. Social media provides the public with much greater access to them and there is a consequent expectation of instant replies. Many of our Councillors use social media as a way of interacting with their constituents and keeping them updated on matters they are dealing with.

It is also important to reflect that Councillors are seen more and more as advocates for their community and can get involved in issues that are not directly related to Council services but serve and are of benefit to a wider public interest.

3.2 In general terms, how do Councillors carry out their representational role with electors?

Do members mainly respond to casework from constituents or do they have a more active role in the community?

Most Councillors are proactively involved within their wards as opposed to simply responding to case work and consider that they play an active part within their communities. The approach they take varies from member to member, but most Councillors are involved in some or all of the following:

- Holding surgeries – dealing with queries, providing advice and engaging with their constituents face-to-face;
- Working with and/or offering support to community groups and local organisations;
- Attending Town and Parish Council meetings - this is more prevalent than previously as there is more an expectation that they will attend. We have a large number of town and parish councils (48) which creates quite an additional workload for our members;
- Maintaining blogs and/or websites and social media;
- Average caseload for District Councillors seems to fall into three distinct areas:-  
40% of enquires are with Devon County Council so Councillors signpost these  
40% of enquires are with Mid Devon and Councillors are therefore involved in the liaison with Council staff, their constituents and any external organisations  
20% of enquires arise from the electorate knowing their Councillor and seeking their advice and problem solving skills

<p>3.3 How Councillors engage with Constituents?</p> <p>Do they hold surgeries, public meetings, use IT etc?</p>	<p>Via the working party on the Boundary Commission submission every Councillor mentioned attendance at their town or parish council meetings and other community events as a major part of their engagement with their constituents. However, Councillors also mentioned 1 to 1 meetings with residents, monthly surgeries, emails and telephone calls, regular articles for parish magazines and parish websites. Also widespread use of the social media sites such as Facebook and Twitter.</p>
<p>3.4 How do Councillors generally deal with casework?</p> <p>Do they pass on issues directly to staff or do they take a more in depth approach to resolving issues?</p>	<p>Councillors are expected to take accountability for their casework and manage their work appropriately, albeit with officer support. Usually, Councillors will contact officers directly, whether in person or via telephone / e-mail, and then respond to the individual. There is a sense of ownership and need to ensure the resident's issue is satisfactorily resolved. On occasion this might mean following up with officers particularly if the case is more complex and involved.</p>
<p>3.5 What support do Councillors receive in discharging their duties in relation to casework and a representational role in their ward?</p>	<p>Councillors receive support and advice from staff at all levels of the Council. However, as the staff numbers at the Council have reduced, the amount of time officers are able to give to support Members is less than it used to be, meaning that they are having to shoulder more of the work themselves. This also means sometimes Councillors having to go back to officers more due to officers having less resource to deal with issues.</p>
<p>3.6 Has the Council put in place any mechanisms for Councillors to interact with young people, those not on the electoral register, or minority groups or their representative bodies?</p>	<p>The Council is involved with local schools on an ongoing basis, most notably this past year with the celebration of the Suffragette movement which included young people from local schools as well as the 100 year commemoration of the end of the First World War which included readings and representations from local school children.</p> <p>There is an Equalities Forum which will be re-established shortly and this will include representatives from mental health organisations, carer groups, minority groups and religious groups. There is also Housing Tenant Panel.</p> <p>The Council has recently set up the Mid Devon Gypsy and Traveller Forum. This is an advisory group that is open for members of the travelling community in Mid Devon to attend and provides a place to discuss matters and raise issues that the Council can use to help inform the preparation of policy and guidance. Forum meetings are currently held twice a year.</p>

<p>3.7 Are Councillors expected to attend meetings of community bodies such as parish councils or resident associations?</p> <p>What is the level of their involvement and what role do they play?</p>	<p>Attendance by Councillors at town and parish council meetings within their ward is expected and positively encouraged to keep them informed about District Council activities and to discuss ward matters with them as appropriate. As mentioned above, we have a large number of town and parish councils in our administrative area.</p> <p>District Councillors are expected to brief their parishes on key issues affecting their area and help to identify ways in which the District Council can support the resolution of parish level issues.</p>
<p><b>4. The Future</b></p>	
<p>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?</p>	<p>There is no evidence to suggest that the localism agenda has significantly impacted on this Council or will do so in the future. Few communities have an appetite for Neighbourhood Plans but the Council is supporting a small number – there are currently four Neighbourhood Plans being prepared in Mid Devon.</p>
<p>4.2 Does the Council have any plans to devolve responsibilities and/or assets to community organisations, or does the Council expect to take on more responsibilities in the medium to long term?</p>	<p>The Council has implemented a programme of devolving local facilities to some town and parish councils, eg public conveniences and grass cutting, where there has been a desire to take these on.</p>

<p>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)</p>	<p>The Council still retains its housing stock and the Portfolio holder for Housing is heavily involved in ensuring that the Council provides an excellent service for the tenants but also that areas and house conditions are given the necessary attention.</p> <p>The Council now delivers its Building Control function with North Devon District Council. The internal audit function is now run by the Devon Audit Partnership and plays a very active role via the Audit Committee which is another way in which Councillors get involved in the running of the Council. There is also participation in the Devon Home Choice project which enables tenancy transfers between local authorities.</p>
<p>4.4 Are there any developments in policy ongoing that might significantly affect the role of elected members in the future?</p>	<p>Through the transformation programme, the Council is looking at how it might support Members better including through ensuring they have more ready access to data and information on their area and the performance of the Council and other public services in their wards, as well as electronic mechanisms to support their ward case work.</p> <p>The Council has a number of significant policy developments that will be an additional and significant call on Member time for a number of years to come, notably:</p> <ul style="list-style-type: none"> <li>• The Local Plan Review and the preparation of the Greater Exeter Strategic Plan that the Council is preparing jointly with three other local authorities and Devon County Council. These development plans will identify significantly more land for housing and employment in Mid Devon up to 2040, which will generate a lot of public interest and representations to Members, as well as a growth in potential and hence constituents. Local Plan review takes place on a rolling programme of approximately 5 years. Following the adoption of the Greater Exeter Strategic Plan a further Local Plan Review will be commenced.</li> <li>• The commercial development of the Council including the investment in and development of new services that the Council does not currently provide such as commercial property; housing development with the Council as developer and also through the Special Purpose Vehicle.</li> </ul>

<p>4.5 What has been the impact of recent financial constraints on the Council's activities?</p>	<p>To date, the Council has managed to work within the financial constraints whilst still providing all of its core services and many of its discretionary services. Some elements of discretionary services have been removed or reduced and in some areas service standards and performance have been reduced.</p> <p>In order for the Council to deliver a continuing range of high performing services we have had to make a number of strategic decisions/choices. These include:-</p> <ul style="list-style-type: none"> <li>• increasing income from commercial asset acquisitions</li> <li>• charging for garden waste collections</li> <li>• a reduced level of funding to 3<sup>rd</sup> party organisations</li> <li>• pass-porting some areas of service delivery to towns/parishes</li> <li>• reductions in headcount</li> <li>• embedding business transformation</li> <li>• refocusing our property asset portfolio and prioritising work to help grow the level of economic activity within the District.</li> </ul> <p>All of these activities have helped to reduce cost or increase income, but moving forward it is corporately recognised that some of these decisions mean that the authority has to embrace and account for a higher degree of operational risk within its business.</p>
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**Appendix A**  
**Project Outline for Scrutiny Working Groups**

<u>Review Title</u>	
<u>Working Group Members</u>	
<u>Working Group Chairman</u>	
<u>Officer Support</u>	
<p><u>Rationale:</u></p> <p>Why is the review important?  For example:</p> <ul style="list-style-type: none"> <li>• Identified by Members as a key issue for the public?</li> <li>• Poor performing service?</li> <li>• Service considered important by the community?</li> <li>• Public interest covered in local media?</li> </ul>	
<p><u>Review aims, objectives</u></p> <p>What does the review hope to achieve?  Identify what will be included and what is achievable.  For example:</p> <ul style="list-style-type: none"> <li>• Identify what is being done and what the potential barriers are</li> <li>• Explore existing initiatives and determine if they are appropriately joined up</li> <li>• Review performance indicators</li> <li>• Compare our policies with those of a neighbouring authority</li> <li>• Assess the environmental /social impacts</li> </ul>	
<u>Desired Outcomes</u>	
<p><u>Methodology / Approach</u></p> <p>What type of enquiry will be used to gather evidence? For example:</p> <ul style="list-style-type: none"> <li>• Desk based review of papers</li> <li>• Site visits / observations</li> <li>• Comparisons with other authorities</li> <li>• Process mapping</li> <li>• Public meetings</li> <li>• Interviewing officers</li> <li>• Calling witnesses/experts to give evidence</li> </ul>	

<p><u>Witness / Experts</u></p> <p>An important part of the scoping process includes deciding what people should be asked for interview.</p> <ul style="list-style-type: none"> <li>• Executive Members and officers are required by the Constitution to attend to explain decisions.</li> <li>• Other people may be invited to discuss issues of local concern and / or answer questions but are not required to attend. It may be more beneficial to visit people for an informal chat.</li> </ul>	
<p><u>Timescales</u></p> <p>What will be done and by when. For example:</p> <ul style="list-style-type: none"> <li>• Start date</li> <li>• Meeting frequency</li> <li>• Draft report deadline</li> <li>• Projected completion date</li> </ul>	
<p><u>Target Body for Findings / Recommendations</u></p>	

## **Appendix B**

### **Councillor Job Role**

All Councillors must adhere to the code of conduct and the 7 Nolan Principles of Public Life. Councillors need to balance the needs and interests of their community, their political party or group (if they are a member) and the council as a whole.

As a Councillor you would have an important role in the major decisions that affect people's lives. Local councils are responsible for a whole range of services; waste, recycling, environmental services, planning, housing, benefits, leisure facilities and many more. As a Councillor you will help determine the way these services are provided, funded and prioritised.

All Councillors are advocates for their communities and are 'case workers' for their individual constituents when advice or support is requested. Whilst Councillors do spend time in council meetings, much of a Councillor's time is spent within their communities speaking and working with members of the public and community groups.

All Councillors are members of the full Council which sets the overall policies and budget.

A common role for all Councillors however, irrespective of any formal position or membership of a committee is that of 'community leadership'. For the individual Councillor, being a community leader can mean a number of things. Acting as an advocate for the best interests of one's ward; lobbying for local concerns; influencing partner organisations to work to a common vision; resolving conflict amongst community organisations; encouraging community organisations to develop solutions in their own communities; balancing competing demands for resources when making decisions in the best interests of the whole authority area.

In your role as a Mid Devon District Councillor you may be appointed to serve on outside bodies such as a partnership between the council and other organisations, or to the committee or board of a local voluntary organisation. These are important positions for the council to fulfil its community leadership role. Some of these positions can be very demanding and some may require you to build up new knowledge or develop specialist skills. Some positions have legal responsibilities and liabilities as you may be accepting the position of director of a company or trustee of a charity, depending on the legal structure of the organisation concerned. If in doubt, ask for full advice before being nominated for a position.

#### **All Councillors:-**

##### **Community Leader**

- Champion your Ward
- Represent individual constituents and local organisations, undertaking casework and enquiries on their behalf
- Represent the community within the Council and other agencies
- Campaign on local issues
- Able to engage with all groups within your Community
- Keep in touch with community issues and be accessible to constituents

##### **Decision maker and influencer**

- Make well informed decisions at Council meetings
- Make decisions based on the best interest of the whole District
- Represent the Council (subject to appointment) on outside bodies
- Liaise with Town and Parish Councils and Parish Meetings
- To contribute actively to the scrutiny of the Council

## **Day to Day Councillor**

- Adhere to the various codes of conduct and protocols that the Council may adopt and to act at all times with probity
- Develop and maintain a general working knowledge of the Council and other organisations and services within the District
- Develop good working relationships with Council officers
- Prioritise and manage own workload, managing conflicting demands on your time
- Understand, challenge and interpret information
- Maintain confidentiality in all relevant Council business and constituent casework
- Communicate effectively with different audiences
- Act as a facilitator
- Participate in training and development provided for Councillors by the Council
- Feedback information to the other Councillors from representation on an outside body or from any relevant training
- Being prepared for meetings – reading agendas and if you have questions contact the relevant department

## **Rights of Councillors**

- Submit a motion to Council
- Participate in a debate at Council
- Ask a question at Council
- Question the decision-making process by using the ‘call-in’ facility in respect of Cabinet decisions (if the principles of decision-making in Article 12.02 have not been followed)
- In your capacity as a Ward Councillor call in a planning application to the Planning Committee if there is an appropriate material planning consideration

## **Duties and responsibilities of Councillors**

- To declare any Disclosable Pecuniary Interests and Personal Interests as and when appropriate
- Councillors will not make public information which is confidential or exempt or divulge information given in confidence to anyone other than a Councillor or officer entitled to know it
- Find a substitute for a meeting for which substitution is permissible, when personal attendance is not possible and to brief the substitute on the meeting to be attended

## **Chairman of non-regulatory Committees**

The non-regulatory Committees are the Policy Development Groups, Audit Committee and Standards Committee.

For information on the roles of the Policy Development Groups, the Audit Committee and Standards Committee please see Articles 7 to 10

## **The Policy Development Group (PDG)/Committee chairman will:**

- Provide leadership and direction to the PDG/Committee
- Ensure that adequate resources (including officer support) are identified and sought from the Council
- Encourage Committee members to obtain necessary skills to contribute the work of the Committee and to work with officers to provide training if necessary
- Chair the PDG/Committee meetings and ensure that the PDG/Committee achieves its terms of reference
- Lead the PDG/committee in prioritising its work so as to ensure effectiveness
- Endeavour to engage all members of the PDG/Committee within the work of the PDG/Committee
- Develop a constructive relationship with relevant Cabinet Members and Heads of Service
- Co-ordinate work with the Scrutiny Committee and PDGs/Audit Committee

### **Members on the PDG/Committee will:**

- Assist with the development of an effective work programme
- Be responsible for the outputs and outcomes of the work of the PDG/Committee
- Receive evidence in an impartial manner
- Analyse and challenge information presented to the PDG/Committee
- Make recommendations based on the PDG's/Committee's deliberations
- Obtain necessary skills to carry out the role and to work with officers to provide specialist training if necessary
- Find a suitable substitute and brief them on the meeting due to be attended, on occasions when personal attendance is not possible and where substitutes are permissible
- Ensure that they treat visitors, whether other members or officers or people from outside of the Council, with respect, courtesy and politeness

### **Chairman of Regulatory Committees**

The regulatory Committees are Planning Committee, Licensing Committee and the Licensing Regulatory Committee

For information on the roles of the Planning Committee, Licensing Committee and Licensing Regulatory Committee please see Article 11

The Planning, Licensing or Licensing Regulatory Committee chairman will:

- Provide leadership to the Committee
- Demonstrate to the public, applicants, objectors etc, fair and open decision making by or on behalf of the Committee
- Ensure that adequate resources are identified and sought from the Council
- Chair and manage Committee meetings and ensure the Committee achieves its terms of reference.
- Encourage Committee members to obtain necessary skills to contribute the work of the Committee and to work with officers to provide training if necessary
- Endeavour to engage all members of the Committee in its activities
- Lead the Committee, in consultation with officers, in prioritising its work
- Develop a constructive relationship with the relevant Heads of Service and their staff and where appropriate, with the relevant Cabinet Member(s)
- Be willing to learn about the professional disciplines and services relevant to the work of the Committee
- Find a suitable substitute and to brief them on the meeting due to be attended, on occasions when personal attendance is not possible
- Chair the committee in a fair and open manner in accordance with the procedures of the committee, applicants and objectors to put their arguments to the committee
- Guide, with the assistance of officers, the committee to reach decisions based on the information presented to it.
- Chair all planning working groups and site visits in accordance with the specific procedures

### **Members on the Planning Committee will:**

- Undertake specialist planning committee training
- Have up to date knowledge of planning and development control, law and regulations
- Have up to date knowledge of local and national planning policy (including Local Development Plans, Code of Good Practice for Planning and the National Planning and Policy Framework)
- Have an understanding of case law
- Have an understanding of the Mid Devon District Council Local Plan

## **Members on the Licensing & Licensing Regulatory Committees will:**

- Undertake specialist training
- Have up to date knowledge of licensing regulations
- Have up to date knowledge of the Licensing Act 2003 and the Gambling Act 2005
- Have up to date knowledge of local and national licensing policy
- Have an understanding of case law
- Have an understanding of Community Plans and Crime and Disorder Strategies

## **Chairman of the Council**

The Chairman of the Council is elected annually by Full Council at the Annual General Meeting.

For information on the role of the Chairman of the Council please see Article 5

Chairman of the Council and in his/her absence, the Vice-Chairman will have the following roles and functions:

- Chairing the Council meeting, upholding and promoting the purposes of the Constitution, and interpreting the Constitution when necessary
- Presiding over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community
- Ensuring that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the Cabinet are able to hold the Cabinet to account
- The Chairman (or in their absence the deputy Chairman) to attend such civic and ceremonial functions as the Council, the Chairman or the Leader determines appropriate
- Be consulted by the Chief Executive in respect of any motions submitted by Councillors to ensure that all appropriate and relevant motions are included on the Council agenda

## **Leader of the Council**

- Provide an overall cohesive, political and strategic leadership and direction for the Council
- Appoint, manage and remove the Deputy Leader and Cabinet Members
- Lead and chair the Cabinet and ensure its overall effectiveness
- Work with Cabinet Members to ensure effective delivery of services
- Ensure effective communication and explanation of all Cabinet's decisions and recommendations to Council and the public
- Ensure that the Cabinet manages the business of the Council within the financial parameters and framework set by the Council
- Encourage Cabinet members to obtain necessary skills to contribute the work of the Cabinet and to work with officers to provide training if necessary
- Act as Line manager to the Chief Executive Officer
- Communicate the Administration's policies and priorities to the Management Team and to receive their advice
- Be the main political representative of the Council, with others as appropriate, in dealing with the Community, business, voluntary sector and other local and national organisations
- Contribute to fully effective liaison with political groups within the Council
- Call the annual State of the District debate

Note: The above duties and responsibilities are in addition to the member's role as a Councillor and as a Cabinet Member (see separate job profile)

## **Deputy Leader**

- Assist and work with the Leader of the Council in delivering his/her responsibilities to the Council
- Deputise for the Leader of the Council in his/her absence from Cabinet meetings and any other responsibilities as requested

- Carry out the requirements of his/her role so far as legally possible in the absence of the Leader of the Council
- Carry out such other duties and undertake portfolio responsibility as delegated by the Leader of the Council

Note: The above duties and responsibilities are in addition to the member's role as a Councillor and as a Cabinet Member (see separate job profile)

### **Cabinet Member**

The Cabinet is responsible for all local authority functions which are not the responsibility of any other part of the Council, provided the decisions made are within the Council's agreed policy and budget framework. For more information about the roles and functions of the Cabinet Member please see the Cabinet Member functions list – Appendix C

- Act as the Lead Member for a particular portfolio as may be determined by the Leader of the Council, but in doing so, have regard to the overall collective responsibilities of the Cabinet and the Council's corporate policy objectives. Champion the portfolio concerned within that strategic context
- Participate effectively as a Cabinet Member at Cabinet Meetings taking joint responsibility for all actions and be collectively accountable
- Make delegated decisions within the portfolio
- Build good relationships with appropriate officers and work with them in developing policy or strategic issues prior to formal reporting. Be supportive in dealing with any problems at a strategic level
- Take a proactive approach to the early engagement of overview through Policy Development Groups to help in policy development
- Provide political direction to Officers working within the portfolio
- Ensure up to date knowledge of related developments and policies at national, regional and local level
- Enhance the Council's reputation through taking the national stage where possible and participating in regional and national networks
- Attend Scrutiny Committee meetings in relation to Portfolio responsibilities and decision making
- Have an overview of performance management, efficiency and effectiveness of the portfolio
- Act as a strong, competent and persuasive figure to represent the portfolio and be a figurehead in meetings with stakeholders
- Be prepared to take part in learning and development opportunities to ensure that the role is undertaken as effectively as possible
- Represent the Council on external bodies and feed back to Cabinet or Council any issues of relevance and importance
- Influence operational decisions relating to the portfolio
- Deal with the media on issues relating to the portfolio
- With colleague Cabinet Members and the Leadership Team be available and accessible to other Members to discuss queries or matters of concern
- Communicate with ward members any issues taking place in their area and of any visits or meetings that are taking place in their ward area

### **Scrutiny Committee**

For information on the role of the Scrutiny Committee please see Article 7

### **Scrutiny Committee Chairman**

The Chairman of Scrutiny is elected annually by Full Council at the Annual General Meeting

The Scrutiny Committee chairman will:

- Provide leadership and direction to the Committee
- Ensure that adequate resources (including officer support) are identified and sought from the Council
- Chair the Scrutiny Committee meetings and ensure that the Committee achieves its terms of reference
- Lead the committee in prioritising its work so as to ensure effective scrutiny
- Endeavour to engage all members of the Committee within the Scrutiny process
- Develop a working relationship with the Cabinet

- Develop a constructive relationship with Management Team
- Co-ordinate work with the Policy Development Groups and Audit Committee
- Encourage Committee members to obtain necessary skills to contribute the work of the Committee and to work with officers to provide training if necessary

### **Scrutiny Committee Member**

Members on the Scrutiny Committee will:

- Assist with the development of an effective work programme
- Engage with all stages of the scrutiny process
- Be responsible for the outputs and outcomes of scrutiny
- Receive evidence in an impartial manner
- Analyse and challenge information presented to the Committee
- Make recommendations based on the Committee's deliberations
- Obtain necessary skills to carry out the Scrutiny role and to work with officers to provide training if necessary
- Find a suitable substitute and brief them on the meeting due to be attended, on occasions when personal attendance is not possible and where substitutes are permissible
- Ensure that they treat visitors, whether other members or officers or people from outside of the Council, with respect, courtesy and politeness