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From: CLLR D BIGBY <DAVID.BIGBY@nwleicestershire.gov.uk>
Sent: 20 January 2024 15:13
To: reviews
Cc: Ashby, Jonathan; Buck, Richard
Subject: North West Leicestershire District Council - Labour Group Council Size Submission
Attachments: NWLDC Council Size Labour Group submission final.pdf

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Dear Sirs,

Please find attached a submission on Council Size on behalf of the North West Leicestershire Group of Labour Councillors.

We appreciate that the Council itself has not yet made its submission, but the Council is only due to finally agree its submission on the evening immediately before your deadline and we do not wish to risk missing that deadline. Having seen the draft of the Council's submission, we are making our own as we expect that the Council's will differ from ours in terms of both council size and the issue of single or multi-member wards.

We have not reiterated the lengthy descriptions of the Council's Governance model which will form part of the Council's submission, as the draft we have seen is accurate in that respect and we are not proposing any modifications to the Governance model.

We would appreciate it if you could acknowledge receipt of our submission. Please do not hesitate in contacting us if you have any queries or require clarification.

Best regards

Cllr. Dave Bigby
NWLDC Labour Group Secretary



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North West Leicestershire District
Council Electoral Review

**COUNCIL SIZE SUBMISSION
TO LOCAL GOVERNMENT
BOUNDARY COMMISSION FOR
ENGLAND**

North West Leicestershire
District Council
Labour Group

Prepared by:
Cllr. Dave Bigby
Group Secretary
20 January 2024.



1. About Us

Labour is the largest single party on North West Leicestershire District Council (NWLDC), with 17 councillors elected in May 2023 with a fresh mandate. However, we are not currently in control of the council. The current administration comprises an alliance of 19 councillors; 12 Conservatives, 5 Liberal Democrats and two Independents, having gained control of the council by the outgoing chair's casting vote in May 2023. Retention of control is dependent on the current Chair's casting vote.

2. The Context for our Proposal

At the outset of the Boundary Review process, the Labour Group set up its own Boundary Review Working Group (BRWG), comprising 6 Councillors, to thoroughly consider the alternatives and make recommendations to the Group.

Labour are in a minority position on the Council's Electoral Review Working Party (ERWP) with two places compared with the Alliance's three places. Our two representatives are drawn from our own Boundary Review Working Party. They have attended and contributed extensively to the three meetings of the Council's Working Party (ERWP) and have regularly reported back to our own Working Group (BRWG) and the wider Labour Group.

The Alliance majority on the Council's Working Party (ERWP) has put forward a proposal to Council for maintaining the status quo of 38 councillors with single member wards. Having considered the evidence put forward by officers and a council-employed consultant, our representatives reached the differing conclusion that the council should be expanded to 39 members with multi-member wards. They strongly advocated this position to the Working Party (ERWP) but were unable to change the majority position.

After thorough debate, a council size of 39 with multi-member wards is the unanimously agreed preference of the Labour Group. The Alliance's preferred position will be put to a full council meeting on 30th January 2023, one day prior to the submission deadline, and we expect that option to be forwarded to the Commission as the Council's official submission.

The Labour Group is therefore making its own submission which advocates 39 councillors with multi-member wards.

The historical context of the Council structure is laid out in the Council's own submission and is not repeated here. However, the Labour Group do not believe that

the switch to single member wards in 2014 has been a success. Our experience has been that it has artificially divided many of our communities, particularly in our larger towns, and will hinder the Commission in meeting its aim “to build electoral wards to reflect communities”. A multi-member structure would be flexible with one, two or three members per ward depending upon the size and nature of each particular community. We also believe that it is not conducive to co-operation between councillors, hinders councillor specialisation and produces unequal workloads dependent upon the demographics of each small ward and the presence or absence of a council housing estate in a ward.

3. Local Authority Profile

The profile presented in the Council’s submission is accurate and does not need to be repeated here. One aspect that does need emphasising is that the two multi-lane trunk roads running through the District, the M1 and the A42, act as significant barriers between communities and this will need to be taken into account when ward boundaries are considered.

In particular, Kegworth and Castle Donington are separated by the M1 and a very busy, difficult to negotiate roundabout. Similarly, Ashby and Packington, though geographically close are separated by the A42 with a limited number of crossing points. Furthermore, the communities of Thringstone, Whitwick and Coalville see themselves as highly distinctive entities and this needs to be respected in future boundary decisions.

4. Council Size

4.1. Strategic Leadership

The current arrangements are accurately described in the Council’s submission. Below, we briefly outline where and how we believe that the current arrangements could be improved.

4.1.1. Governance Model

The Labour Group believes that the current even number of councillors hampers good governance of the Council. Our current experience of a hung council with a 19:19 split between administration and opposition, dependent for most contended decisions to be made through the chair’s casting vote, makes the Council inherently unstable and vulnerable to major changes in course if a single member is absent due to ill-health etc, with excessive

pressure on sick councillors to attend. We would argue that an odd number of Councillors, such as the 39 we advocate, is much more likely to ensure that an administration can be reasonably confident of commanding a working majority.

The Labour Group do not have immediate plans to change the basic constitutional structure of the Council, should we take control, but we would expect to undertake a review of the governance model once we had developed experience of working as an administration within the current system. We do have concerns about the high level of delegated powers within the Cabinet system and its limitations on individual members and opposition groups effectively to influence policy.

We view the current council size (38) as the minimum required to implement the existing Governance model.

4.1.2. Portfolios

We draw attention to the constitutional flexibility in the number of portfolios with a maximum of ten, the current administration having a Cabinet of seven. Should Labour take control of the council, we would certainly wish to increase the number of portfolios to at least eight, adding a post with Environmental and Climate Change responsibilities.

With the current balance of power comprising 19 administration councillors and 19 opposition councillors, the administration needs to appoint a minimum of five members to the Scrutiny Committees and a further five to the Audit and Governance Committee, leaving a maximum of nine councillors available as portfolio holders. It would therefore not be possible to expand the number of portfolio holders to the constitutional maximum of ten. This assumes that the five administration scrutiny members are appointed to both committees. Currently with seven portfolio holders, at least three members must sit on both scrutiny committees.

If the council size were increased to 39, the minimum number of councillors in a stable administration would be 20. This would allow an administration the flexibility to expand the cabinet to its maximum size under the constitution and still have sufficient members to populate the scrutiny and audit and governance committees. Also, it would allow an incoming Labour administration to expand the cabinet to eight places, retaining the current administration's distribution of places on scrutiny.

4.1.3. Delegated Responsibilities

As mentioned above, the Labour Group have reservations about the current level of delegated powers to the Cabinet. We are particularly concerned about aspects of the process whereby many decisions are made behind closed doors or in such a fragmented way as to prevent proper scrutiny before implementation. However, these concerns can be addressed by improvements to the scrutiny/cabinet process and a commitment to transparency, without major structural changes.

We are also concerned about the level of delegation to officers on planning decisions. We do not believe that only 2% of planning decisions going to Committee is a healthy indicator. However, this is more a matter of capacity within the Planning Department due to financial constraints than one relevant to council size.

4.2. Accountability

Again, the current arrangements are accurately described in the Council's submission.

4.2.1. Internal Scrutiny

Major improvements have been made with the Council's scrutiny processes in recent years, not least the recent ceding of Scrutiny chairs to the opposition, something we would like to permanently encapsulate within the Constitution. We have mentioned some of our concerns about the scrutiny process under "Delegated Responsibilities" above. We are also concerned that the ordering of the process brings some decisions to scrutiny after they have already been made by the Cabinet, rendering scrutiny of these items ineffective.

As mentioned above under "Portfolios", depending upon the size of the Cabinet and the power balance within the Council, having an additional member on the Council could allow more councillors to concentrate on one Scrutiny Committee only and thus improve the scrutiny function.

4.2.2. Planning

The Labour Group are concerned about a number of aspects of the current planning process. The small number of Planning Decisions coming to Committee has been described above under "Delegated Responsibilities". We have plans to reform this which would not be influenced by Council size.

We also have concerns about the delegated powers of the Local Plan Committee which can reject certain Cabinet decisions but only send these back to Cabinet for re-assessment rather than forwarding to Full Council. Again, these concerns can be addressed independently of the number of elected Councillors, provided they remain at 38 or 39 and are not reduced further.

4.2.3. Licensing

We have no comments on the licensing function, which is accurately described in the Council's submission.

4.2.4. Other Regulatory Bodies

Again, we have no relevant comments on these aspects.

4.2.5. External Partnerships

The number of external partnerships and joint arrangements requiring Cabinet members to sit on their governing bodies has and is likely to continue to increase. This is one aspect that could justify an increase in Cabinet size from the current seven members, thus better distributing these tasks. As argued elsewhere in this submission, an increase in Council size would help facilitate an increase in Cabinet size.

4.3. Community Leadership

4.3.1. Community Leadership

The Labour Group believe that reverting to a multi-member ward model would significantly improve individual Councillors' ability to provide community leadership through the following mechanisms:

- Larger wards would ensure that they better reflect established communities, with less arbitrary ward boundaries splitting communities as is the current case. All the following established communities are currently artificially split by the single member ward model: Castle Donington, Kegworth, Ibstock, Ashby, Whitwick, Coalville and Measham. Prime examples include the Ashby Holywell/Ashby Ivanhoe boundary, which splits a new, single-access estate in half, and Ashby Willesley/Ashby Castle which includes part of an established estate into Willesley with no other logic than to make up the numbers.
- It would enhance co-operation and collaboration between individual councillors.

4.4. Casework

The member survey carried out by officers showed a very wide variation in casework between councillors. The Labour Group's preference for multi-member wards would be beneficial in terms of facilitating a more even distribution of casework between individual councillors, as:

- It would enable more equitable sharing and division of casework. For example, currently councillors with a council estate within their ward have considerably more casework to deal with than councillors that do not. Larger wards would be more likely to include a significant amount of council housing.
- It would enable specialisation between individual councillors for a single ward, such as between housing, welfare, waste services, parks, community groups etc.

The ongoing trends, highlighted in the Council's own submission, of an increasingly ageing population and a rise in homelessness across the district, are likely to lead to an increase in casework (30% increase in over 65s in last 10 years). An additional councillor would go some way towards mitigating the resulting additional pressures on members and improving our service to electors.

5. Other Issues

The Labour Group would also argue that retaining single member wards would require a much more complex boundary manipulation exercise to achieve suitable elector numbers per ward than re-adopting multi-member wards.

5.1. Local Government Nearest Neighbour Group Comparisons

In their submission, the Council has presented a Table for the nearest neighbour comparison set based on the groupings given by the CIPFA Nearest Neighbour Model for English Authorities.

Their figures clearly show that:

- Currently NWLDC is already above the mean number of electors per councillor for nearby and similar councils (2132:2059)
- Retaining the number of councillors at 38, by 2030, would result in an average ratio of 2358, almost 300 electors per councillor above the mean for comparable councils. This would place NWLDC in the upper, fourth quartile of electors per councillor.

An increase in the number of NWLDC councillors to 39 would be expected to result in an average 2297 electors per councillor by 2030. This would bring the council down into the third quartile of similar and nearby councils; still above the mean but a more reasonable position.

We would also point out that the mean number of councillors in the sample of nearby and similar councils is 40.0, so 39 would still be below, though closer to, the mean.

Finally, we note that not one of the authorities in the CIPFA sample of nearby and similar councils use a system of single member wards, the mean number of councillors per ward being 1.8.

6. Summary

The NWLDC Labour Group, which is the largest political party on the Council, propose increasing the number of councillors by one to 39 and moving back to a multi-member ward arrangement. We have considered and rejected the Council's proposal to retain the current status quo for the following reasons:

- The forecast increase in electors to 2030 will result in an acceptably high elector councillor ratio, falling into the upper quartile for comparable councils and almost 300 above the comparable mean. This would result in increased casework for councillors and a poorer service to electors, particularly given our ageing population and increasing homelessness.
- In circumstances similar to the current power balance, the current number of councillors prevents an administration using the constitutional maximum size of cabinet and requires several councillors to sit on both scrutiny committees.
- An even number of councillors is more likely to result in an unstable council administration, as currently being experienced, with control depending upon the casting vote of the chair.
- The current single member ward system has resulted in a disproportionate distribution of casework and has artificially divided communities. We have provided specific examples.

We have considered a smaller council than the current size, but this would exacerbate the problems identified above with 38 councillors, particularly with implementing the current Governance Model.

We have considered an increase in council size above 39 but believe this would impose an unjustifiable level of additional costs on taxpayers. 40 councillors would again bring us to the less preferable position of an even number.

Our proposal to increase the council size to 39 has the advantages of:

- A more acceptable elector: councillor ratio without significantly increasing costs.
- Improving the flexibility of an administration to increase its cabinet size if it felt this was needed and reduce the number of councillors required to sit on both scrutiny committees, thus improving accountability.
- Being less likely to result in an unstable power balance.

Our proposal to adopt a flexible multi-member ward approach has the advantages of:

- Improving Community Leadership through better distribution of casework and avoiding artificially splitting communities.
- Enhancing co-operation between councillors.
- Enabling individual councillors to specialise in particular aspects of community service.
- Avoiding a more complex ward boundary drawing exercise.