REPORT OF: HEAD OF POLICY & PERFORMANCE

AUTHOR: Gavin Handford

TELEPHONE: 017373 276027

E-MAIL: Gavin.handford@reigate-banstead.gov.uk

TO: COUNCIL

DATE: 14 DECEMBER 2017

WARD (S) AFFECTED: ALL

SUBJECT: REIGATE & BANSTEAD BOROUGH COUNCIL: BOUNDARY REVIEW SUBMISSION (COUNCIL SIZE AND ELECTORAL ARRANGEMENTS)

RECOMMENDATIONS:
(i) That the boundary review proposal regarding council size and electoral arrangements, as set out in Annex 1 and recommended by the Member Working Group, be approved for submission to the Local Authority Boundary Commission for England

REASONS FOR RECOMMENDATIONS:
The Local Government Boundary Commission for England has commenced a review of the electoral arrangements at Reigate & Banstead. The first stage requires the Council to submit a proposal in relation to Council size and election cycle.

EXECUTIVE SUMMARY:
The Local Government Boundary Commission for England (LGBCE) is undertaking a review of electoral arrangements in Reigate & Banstead. The review has been triggered due to the population variances between wards across the borough, which exceed LGBCE criteria and the length of time since the last review. The results of the boundary review will be implemented for elections in May 2019.

The Council established a cross-party, politically balanced, Member Working Group to support this work. The Working Group has recommended the proposal attached as Annex 1, be submitted to the LGBCE. The proposal recommends a Council size of 45 Councillors, and that these Councillors be elected by thirds.

STATUTORY POWERS
1. The Local Government Boundary Commission for England (LGBCE) is an independent body established by Parliament and is responsible for conducting reviews of local authority electoral arrangements and making recommendations to Parliament for any changes.
BACKGROUND

2. The LGBCE is undertaking a review of electoral arrangements in Reigate & Banstead. The most recent review at Reigate & Banstead was undertaken in 1998.

3. The results of the current boundary review will be implemented for elections in May 2019.

Local Government Boundary Reviews

4. There are 4 criteria that are used by LGBCE to identify areas for boundary reviews
   - Population variances between wards (if one third wards are +/- 10%, or one ward +/- 30%)
   - Regular review from time to time
   - Reviews on request from local authority
   - Review where there are challenges facing a local authority

5. LGBCE have advised the Council that a review is required for the first two criteria above.

6. A cross-party, politically balanced, Member Working Group has been established to support this work. This group has met regularly to inform the proposal attached as Annex 1. The proposal was supported by the majority of the Working Group. Councillor Harrison, however, recorded his opposition to the proposal in relation to Council size.

7. There are 4 key aspects that must be considered within the review:
   a. Determine size of the Council: The Council must submit a proposal for the number of Councillors that are required to manage its budget and services for the next 15 years. Comparisons should not be made to other Councils. The argument must be based on what is considered appropriate for Reigate & Banstead. The Working Group has recommended that the Council size be 45 Councillors. This is set out in full in the proposal attached as Annex 1.
   b. Population forecasts: These are provided in accordance with LGBCE guidance, drawing on the planned housing delivery in accordance with our local planning policies.
   c. Electoral cycle: The review provides an opportunity to consider whether to move to whole council elections (held every four years) or remain on elections by thirds. Where elections by thirds take place, there is a requirement for all wards to have 3 Councillors. The Working Group has recommended that the Council retain election by thirds. This is set out in full in the proposal attached as Annex 1.
   d. Boundary pattern: As set out in the timetable below, the boundary pattern is subject to public consultation once the LGBCE has determined the Council size. The Member Working Group will develop a boundary pattern proposal for Council to consider. This is submitted as part of the public consultation in 2018. Having considered the above, proposals for ward boundaries will be required.
8. LGBCE seek the following from ward boundaries:
   - Each councillor to represent the same number of residents (with minimal variance) – linked to the electorate ratio established from the forecasts.
   - Wards should reflect local communities – and ward names should be locally recognised
   - Boundaries should be logical and easy to map

Boundary Review timescale
9. The outline timetable for the review is shown below:
   - Submission of Council proposals regarding council size and electoral arrangements (December 2017)
   - LGBCE determine Council size (January 2018)
   - LGBCE undertake public consultation regarding warding patterns (30 January – 9 April 2018):
   - LGBCE publish draft recommendations on warding patterns and names and undertake further public consultation (5 June – 13 August 2018)
   - LGBCE publish final recommendations and place order before Parliament (November 2018)
   - Elections held for all Councillors to new ward boundaries (2 May 2019)

OPTIONS
10. Approve the recommendation to submit the proposal to LGBCE. This is the recommended option. The proposal has been developed with input from Councillors across all parties through the Member Working Group. The proposal has been developed in accordance with the LGBCE guidance and criteria and is considered a sound, evidence led proposal.

11. Reject the recommendation and not submit a proposal to LGBCE. This is not recommended as the LGBCE may take a decision on the future size and electoral cycle for Reigate & Banstead without any recommendation from the Council.

12. Individual groups within the Council are able to submit a proposal directly to LGBCE if they wish to recommend a different Council size or electoral cycle.

LEGAL IMPLICATIONS
13. There are no legal implications arising from the report.

FINANCIAL IMPLICATIONS
14. There are no financial implications arising from the report.
EQUALITIES IMPLICATIONS

15. As set out earlier in the report, one of the criteria for undertaking the boundary review in Reigate & Banstead is to reduce the significant electorate variances that currently exist between different Wards. The boundary pattern review will seek to minimise the variances between Wards.

16. It is proposed that the Council retain elections by thirds. Where elections by thirds take place, there is a requirement for all wards to have 3 Councillors. This will ensure that all residents have an equal opportunity to have a say in the running of the Council (at present some residents only elect a Reigate & Banstead Borough Councillor once every 4 years, compared to some that elect three Councillors).

CONSULTATION

17. The public consultations will be managed by LGBCE. The Council has prepared a communications plan to raise awareness so that residents, stakeholders and groups have an opportunity to input to the review.

POLICY FRAMEWORK

18. There are no policy framework considerations arising from this report.

Background Papers:

Local Government Boundary Review

Council Size Submission
Reigate & Banstead Borough Council
Introduction
Summary of proposals
Council size: LGBCE Guidance

Reigate & Banstead Characteristics
Population and Housing
Economy, Education and Skills
Environment

Section 1: Governance and Decision Making
Current Borough Councillors
Context Compared to Last Boundary Review
Member Development and Training
The Mayor
Leadership and Executive Functions
Regulatory Functions
Other Non-Executive Functions

Section 2: Scrutiny Functions

Section 3: Community Leadership and Representation
Surrey County Council Local Committee
Outside bodies

Section 4: Electoral Arrangements

Section 5: Conclusions and Submission

Annexes and additional information
Introduction

The Local Government Boundary Commission for England has confirmed that a review of Reigate & Banstead Borough Council’s electoral arrangements would be undertaken, with a view to addressing the electoral variance across the Borough within the existing warding pattern. The last review was undertaken in 1997/1998, since when there have been significant developments and changes in population.

The first stage of any such review is the consideration of Council size, with a view to ensuring an efficient and effective structure is in place. The Boundary Review Member Working Group, a politically proportionate working group comprising 9 Members, was established by Council to lead this work. This included the development of a submission on Council size for consideration by the Full Council.

Summary of Proposals

This submission sets out the Council’s proposal to seek a reduction in the number of Borough Councillors from 51 to 45, representing a reduction of nearly 12%. In reaching this conclusion, the Council has taken into account a number of factors:

- the Strong Leader and Executive arrangements introduced since the last review;
- the Scheme of Delegation of Functions to Officers extended since the last review;
- changes in the Council’s functions since the last review;
- the technological advancements in communications and the changing way in which residents access information and services; and
- reduction in the committee structure and frequency of meetings including the way in which the Council fulfils its scrutiny responsibilities.

Council size: LGBCE guidance

Council size is the starting point in any electoral review since it determines the average number of electors per councillor to be achieved across all wards of the Council. The Local Government Boundary Commission for England cannot consider the patterns of wards without knowing the optimum number of electors per councillor, which is derived from dividing the electorate by the number of councillors to be elected to the authority.

There is wide variation in council size across England, not only between the different types of local authority – metropolitan and shire district councils, county councils and London boroughs – but also between authorities of the same type. As a result, the LGBCE seek electoral arrangements, including a council size, which reflects local circumstances.

There is, therefore, no formula or simple statistical method for calculating Council size. Instead, any proposal needs to demonstrate the individual characteristics and needs of the local authority area and its communities.

This document provides a summary of the local circumstances which then inform the proposals that are set out in relation to future Council size.
Reigate & Banstead Borough Characteristics

Reigate & Banstead is a great place to live and work. The borough is accessible, with good transport links to central London and the wider South East. It is attractive, with high quality environment, four distinctive towns, and a range of smaller settlements.

Population and Housing

The population of Reigate & Banstead has risen steadily over recent decades and is forecast to continue to do so. The Government predicts that our population could rise from 143,094 residents in 2014 to 161,126 in 2024 and 169,064 residents by 2029 - an increase of 18% between 2014 and 2027. In 1998, at the time of the last boundary review, the population was approximately 118,000 and we have therefore seen a population increase of 21.2% since the current governance arrangements were established.

Projections suggest that the number of older people (the over 65s) in Reigate & Banstead could increase by just over 40% between 2014 and 2029, compared to an overall population increase of 18%.

Nationally, household sizes are declining. Whilst recent years have seen an increase in household sizes in the borough, demographic changes – such as a growth in the numbers of older people, the impact of relationship breakdown and an increase in single and child-free households means that household sizes may start to decline again.

As part of the review process, the Council has prepared electorate forecasts for the period to 2023, having regard to the location and scale of housing development expected to take place. These forecasts were developed in accordance with the LGBCE guidance and are consistent with ONS expectations of growth.

Economy, Education and Skills

Reigate & Banstead is a relatively affluent and prosperous area, with low levels of unemployment compared to regional and national averages. It sits at the heart of the Coast to Capital Local Enterprise Partnership area and within the Gatwick Diamond sub-region.

The locational advantages offered by the borough have attracted many national and international companies. A large proportion of the population is well qualified and works in high-level managerial positions and professions, and across much of the borough, education and qualification levels are also above average.

Environment

The borough has a variety of natural landscapes, from the North Downs on the edge of outer London (largely included within the Surrey Hills Area of Outstanding Natural Beauty) to the Low Weald in the south bordering West Sussex. Within this varied landscape sit the borough’s four main settlements – Reigate, Redhill, Banstead and Horley, and a range of smaller settlements - all of which have very different characters and histories. A map showing the borough context is set out in Annex 1.

---

1 2014-based sub-national population projections (ONS 2014)
Section 1: Governance and Decision Making

Current Borough Councillors

Reigate & Banstead Borough Council currently has 51 Councillors and 19 wards. Each ward is represented by 1, 2 or 3 Councillors who are elected by thirds, with elections held three years out of every four.

The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

The political balance of the Council for 2017/18 is:

- 40 Conservative
- 7 Residents’ Association
- 2 Green
- 2 Liberal Democrat

There has never been an instance where the Council has been unable to discharge its duties due to a lack of Councillors.

The Council has adopted the following role profiles, which provide a description of the activities that different Councillors are required to undertake when elected to the Council:

- Mayor
- Ward Councillor
- Leader
- Deputy Leader
- Executive Portfolio Holder
- Committee Chairman
- Overview & Scrutiny Chairman

These are attached as Annexes 2 – 7. They provide a helpful summary of the key roles that the Council requires for effective governance and decision making. These role descriptions have proved to be a reliable framework for Councillors’ work in those roles and we expect that they would substantially serve Councillors in those roles in the future.

There are 6 Committees within the Council’s governance structure. On average, each Councillor is appointed to serve on 1.35 Committees. The highest number of Committees any single Councillors is appointed to is three. This is very low compared to the average of 3.3 Committees according to the Census of Local Authority Councillors, undertaken by the Local Government Association in 2013.

The Census also identified that Councillors spend an average of 25.1 hours per week on Council and Group / Party business. The Independent Remuneration Committee reviews Councillor workloads each year as part of its review of the Members Allowance Scheme. Whilst survey questions were not identical to the national Census, the majority of
Councillors responded that they spend up to 10 hours on Ward work and up to 10 hours on general council work.

Whilst the Boundary Review cannot rely on comparative data, these figures would suggest that there is sufficient basis for reviewing the future council size and consider an alternative number of Councillors.

**Context Compared to Last Boundary Review**

It is twenty years since the size and boundary pattern of Reigate & Banstead Borough Council was last reviewed in 1997/98. Before considering the individual aspects of the Council’s governance and decision making structures, it is important to recognise the significant changes that have occurred within the Council and the wider local government sector since the last review.

Prior to 2000, all Councils operated under a Committee system. This form of governance and decision making involved a significantly higher number of Committees and formal meetings than is the case now. Some decisions required multiple reports to various committees in order to consider all aspects of service and resource implications.

The Local Government Act 2000 required most Councils, including Reigate & Banstead, to change the governance and decision making structure to a more streamlined model. Reigate & Banstead moved to a Leader and Cabinet model. The majority of service decisions are now taken through one committee – the Executive (or Cabinet as it is referred to in the Act). This structure was strengthened further by the Local Government and Public Involvement in Health Act 2007.

Alongside the Leader and Cabinet model, the Council adopted a new Constitution to support efficient and effective decision making. The Council’s Constitution was based upon the model Constitution developed alongside the Local Government Act 2000. This included an expanded scheme of delegation to support streamlined decision making.

As well as a different governance structure, the size and shape of the Council’s services have changed since the last review. The Council completed a housing stock transfer in 2002, where the housing delivery and maintenance services were transferred to an independent Social Housing Provider. This service area previously consumed a significant proportion of Council resources, and a large volume of resident enquiries and ward level work. This has contributed to a significant reduction in the staffing levels of the Council, measured by staff FTE.

Finally, it is important to recognise the changes in wider society. Service and communication technology has changed dramatically. The internet and social media have created new opportunities for residents to self-serve, access information and request services. Email has replaced letters as the main communication channel for residents contacting their councillors.
Member Development and Training

Reigate & Banstead Borough Council provides a Member Induction Programme aimed at newly elected Members, although returning Members are invited to participate to share their experiences and attend mandatory training sessions.

In 2017, sessions were provided on the Code of Conduct and the Standards requirements, Planning training and Licensing training. In previous years other training sessions have included a finance seminar and introduction to scrutiny briefing. In addition, any newly elected Councillor is supported by a Member mentor (provided by their political group) and an Officer mentor (from Democratic Services). This provides support on matters such as Council procedures and processes, access to information and IT. Specialist training, such as Chairing meetings, ward member work, using social media and leadership development are provided as required and agreed with the Leader and Deputy Leader. This often involves external training organisations, including the Local Government Association.

As part of the Member development, the Leader of the Council has established ‘shadow’ portfolio holders. These informal roles, whilst not part of the formal governance arrangements, offer Councillors the opportunity to learn more about the role of Executive Portfolio Holder.

The Mayor

The Mayor is elected each year at the annual meeting of the Borough Council, which is held in May. The role of the Mayor is to represent the Council in the local community as the Borough’s "first citizen". The Mayor adopts a non-political role. In addition to this broad role, the Council has set out the following areas of work within the adopted role profile (which is attached in full at Annex 2):

- Chairing meetings of the full Council
- Supporting and promoting the ideals and aims of the Council
- Internal practices and ethical standards

Whilst this list may be shorter than other role profiles, the role of Mayor is one of the busiest roles within the Council. Supporting and promoting the ideals and aims of the Council is delivered through a wide range of community events, charity fundraising and formal functions. Whilst the volume of work and events will vary depending on the individual Mayor, it is common for the Mayor to attend over 300 events during the year, including:

- Opening functions, events and new businesses as the Council’s representative
- Attending award ceremonies and receptions at the request of local schools, businesses, voluntary and community groups
- Hosting civic receptions for overseas visitors, civic dignitaries and other guests
- Visiting individuals and groups throughout Reigate & Banstead to mark celebrations and key events.
The role played at these events varies, depending on their nature and the expectations of the organiser. The Mayor’s role may sometimes be purely passive where all that is required is the Mayor’s presence. There may be other occasions when the Mayor’s role is more active in terms of opening events, making a speech, awarding prizes and meeting guests.

At the beginning of each mayor's year, it is traditional for the Mayor to identify a Mayor’s charity to support a certain cause. During the course of the year, the Mayor will organise a number of events to raise money for the appeal.

As a result of the volume of activity and time commitment required to undertake the role of Mayor, the Councillor will not undertake other Councillor duties. They will not have any Committee role and ward work and constituent enquiries are typically supported by another Councillor in their area.

The Mayor asks the Deputy Mayor to stand in if the Mayor is not available. The Deputy Mayor has two distinct roles. When formally deputising for the Mayor, they have the same non-political responsibilities and prerogatives as the Mayor. When not formally deputising they, however, continue to function as regular Councillors.

What does this mean for future Council size?
The Mayor and Deputy Mayor are significant roles, which require the Councillor to contribute significant time and effort. These roles need to be factored in to the future size of the Council.

Leadership and Executive Functions
Reigate & Banstead Borough Council operates under the Strong Leader with Cabinet in line with the provisions of the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007. The Leader, Deputy Leader and Executive Portfolio Holder roles are the busiest roles within the Council’s governance structures.

The Leader is elected for a four year term of office at the Annual meeting of Council (the first meeting following May elections). Under Strong Leader arrangements, the Leader of the Council determines the make-up of the Executive. This model of governance is expected to continue at Reigate & Banstead Borough Council.

The role profile for the Leader of the Council (and the Deputy Leader when acting in his/her absence) is set out in Annex 3. This outlines the following key areas of work that the Leader is required to undertake in their role:

- Provide political leadership to the Council
- Appoint other Councillors to the Executive
- Representing Reigate & Banstead Borough Council and acting as an ambassador for the authority
• Manage and lead the work of the Executive
• Participate in the collective decision making of the Executive
• Demonstrate a commitment to high ethical standards of behaviour and governance
• Work with Overview and Scrutiny
• Work with Officers to lead the organisation
• Leading partnerships and community leadership

The Executive for 2017/18 consists of the Leader of the Council and nine further Members, each of whom is responsible for one of the following Portfolio areas:

• Business and Economy
• Community Safety
• Community Support
• Finance
• Housing and Infrastructure
• Leisure and Wellbeing
• Neighbourhood Services
• Planning Policy
• Property and Acquisitions

This is the maximum size permitted under legislation. Between 2000/01 when the structure was first introduced, and 2010/11, Reigate & Banstead has had an Executive of 9 Members. Since 2011/12, the membership has been 10 Councillors.

The role profile for an Executive Member is set out in Annex 4. This outlines the following key areas of work that the Executive Members are required to undertake in their role:

• Portfolio leadership
• Contribute to the setting of a strategic agenda and work programme for the portfolio
• Provide representation for the Portfolio
• Reporting and communicating on progress and key issues within the Portfolio
• Taking an active part in Executive meetings and decision making
• Work with Overview and Scrutiny
• Leading partnerships and community leadership in their Portfolio areas
On 10 May 2017, the Leader of the Council appointed the Executive and allocated the Portfolio areas of responsibilities. The Leader reported that all decisions would be taken collectively by the Executive, although as permitted under the legislation, the Leader has reserved the right to take individual decisions himself where required. However, individual decision making by the Leader is very rare (there have only been 3 decisions taken in this manner since 2008).

The Executive functions as delegated by the Executive are set out in Part 3 of the Council’s Constitution and are maintained by the Monitoring Officer. No executive authorities have been delegated to the Portfolio Holders and the roles, together with the role of Leader of the Council, are not considered to be full time. However, some portfolio holders establish informal panels and working groups to assist with key issues and support wider Member engagement. Recent panels have included Treasury Management and Development Management Plans.

Twelve meetings of the Executive took place in 2016/17, with 10 meetings held the previous year. Executive Portfolio Holders are often also required to attend briefing meetings and at least 12 informal Executive meetings and 12 portfolio briefings per year as part of their duties. The Overview & Scrutiny Committee also receive presentations from the Executive Portfolio Holders during the year.

### What does this mean for future Council size?

The Council will continue to operate a Leader and Cabinet model, with 10 Councillors forming the Executive Cabinet. The Leader and Executive Portfolio Holder roles are substantial and require the Councillors to contribute significant time and effort. These roles need to be factored in to the future size of the Council.

### Regulatory Functions

Reigate & Banstead Borough Council has 2 regulatory committees: the Planning Committee and the Licensing & Regulatory Committee. Each Committee elects a Chairman, whose key work is set out in the Committee Chairman role profile attached at Annex 5.

### Planning Committee

The Planning Committee meets approximately every four weeks. Its main function is to determine planning applications that have been reported to it complete with a recommendation from the Development Management Officers. The full functions of the Committee are set out in Part 3 of the Council’s Constitution.
Members of the public and applicants are entitled to address the Planning Committee on certain planning applications. Ward Councillors, who are not members of the Planning Committee, are allowed to speak at the Planning Committee, regardless of Party. The Planning Committee has 19 Members, with a proportional allocation of seats. It is a standing Committee, the membership of which is determined annually at the first business meeting of Council in May. The meetings of the Committee are normally held at Reigate Town Hall at 7:30 p.m. on Wednesdays. Attendance at the Planning Committee is high and there have been no occasions when the Committee has not been quorate.

The Council has adopted an informal practice of not appointing the Leader, Deputy Leader or Executive Portfolio Holders to the Planning Committee. This is considered best practice by the Local Government Association, but limits the number of Councillors available to support this function.

The Council adopted a Core Strategy in July 2014. This is an approved “Development Plan” for the purposes of the Town and Country Planning Act 1990. The Council will consider applications for Neighbourhood Forums and Neighbourhood Plans in the normal way. Although such applications will impose an additional workload on Officers, it is not anticipated that there will be any effect on Members.

The full scheme of Officer Delegations in relation to Development Management is maintained in the Council’s Constitution. The scheme is extensive and covers a wide range of categories of planning applications and other matters. However there is provision for a councillor to request the Executive Head of Service to refer an application to the next appropriate meeting of the Planning Committee for determination. There are other occasions, such as when a member of staff or Councillor submits a planning application. The Head of Service (or in her absence an authorised Deputy) determines applications under delegated authority.

In 2016/17, the Council determined 1,654 planning applications. Of these, 68 applications were determined by the Planning Committee.

However, planning matters and enquiries make up a significant proportion of correspondence for Ward Members. The average duration of Planning Committee meetings is longer than any other Committee in the Council, although this has reduced in recent years. Members of the Planning Committee are required to undertake site visits ahead of the Committee meetings, and the volume of reports and papers also tend to be higher than other Committees. Two area forums support Members to receive presentations on various applications and to seek further information and advice ahead of each Planning Committee meeting.

The current Committee size of 19 is equal to the number of Wards within the Borough. The Council has informally developed an approach where each Ward is represented on the Planning Committee. This ensures that residents have a local representative on the Planning Committee.

It is therefore proposed that this arrangement is continued and the Council retains a Planning Committee size equivalent to the number of Wards within the Borough.

---

What does this mean for future Council size?

The Planning Committee has a higher level of business than any other Regulatory Committee. This volume of business, combined with the requirement to attend site inspections and area forum meetings, make this a high volume of work for Councillors. It is therefore important to allocate Councillor capacity to complete this role within the proposal.

Licensing & Regulatory Committee

The Licensing Committee is scheduled to meet four times a year and is responsible for any matter which falls under the remit of the Licensing Act 2003 and the Gambling Act 2005 in accordance with the Council’s approved statement of Licensing Policy.

Specifically the Committee is responsible for the policies of the Council relating to licensing and regulatory functions, considering a wide variety of license applications. The functions of the Committee are set out in part 3 of the Council’s Constitution.

The full Committee meets at the start of the year to confirm appointments for Sub Committee Chairman. The Sub-Committees consider premises licences, club premises certificates, temporary events notices and personal licences in the Borough in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment where representations have been made. The committee sits in full session (15 members) when regulatory matters are considered (e.g. taxis, animals, films).

The Licensing & Regulatory Committee has 15 Members, with a proportional allocation of seats. It is a standing Committee, the membership of which is determined annually at the first business meeting of Council in May. Attendance at the Licensing & Regulatory Committee is high and there have been no occasions when the Committee has not been quorate.

The Licensing & Regulatory Sub-Committees meet during the daytime and consists of three Members. A named reserve Councillor is appointed to ensure that the quorum can be achieved even if the Sub-Committees are called at short notice. The dates of the meetings are ad hoc, determined by the necessity to consider any matters within their remit.

Six Sub Committee meetings were held during the 2016/17 Municipal Year and two meetings were held the previous year.
**What does this mean for future Council size?**

The level of activity within Licensing & Regulatory Committee is not expected to change in the future. The majority of decisions will continue to be determined under delegated powers, with only a small number of Committee meetings required. As a result, it is proposed that these functions can be undertaken alongside other Member roles.

**Other Non-Executive Functions**

The Council also establishes a Standards Committee and an Employment Committee. The full list of functions undertaken by these Committees is set out in part 3 of the Council’s Constitution.

The Standards and Employment Committees have 5 Members each, with a proportional allocation of seats. The Committees are appointed annually at the first business meeting of the Council in May.

The main responsibility of the Standards Committee is to promote standards within the Council and to monitor the operation of the Code of Conduct. Where required, it may establish a Hearing Sub-Committee to hear and determine complaints of alleged breaches of the Codes of Conduct by borough or parish councillors referred to it by the Monitoring Officer.

The Monitoring Officer has delegated authority to appoint 3 members to the Sub Committee from the membership of the Standards Committee. The meetings are only called when an allegation of a breach of the Code of Conduct has been alleged. The Sub-Committee has not met since its establishment in 2012. To assist the Sub-Committee, as part of a consortium of councils namely Mole Valley, Guildford, Waverley, Spelthorne and Surrey Heath, the Council has appointed 5 Independent Persons as part of a pool of Independent Persons pursuant to Section 28(7) of the Localism Act 2011. Their Term of Office expires in May 2019.

The main responsibility of the Employment Committee is to manage the appointment, dismissal and disciplinary procedures for senior Officers in accordance with the Employment Procedure Rules set out in part 4 of the Council’s Constitution.

Both Committees meet on an ad hoc basis as required. Over the last two Municipal Years each Committee has met a total of 3 times. Attendance at both Committees is high and there have been no occasions when the Committees have not been quorate.
What does this mean for future Council size?

The Standards and Employment Committees only meet on an ad hoc basis. As a result, it is proposed that these functions can be undertaken alongside other Member roles.

Section 2: Scrutiny Functions

Reigate & Banstead Borough Council has one Overview and Scrutiny Committee comprising 15 Councillors, which provides a wide range of views, interests and skills. The Committee is politically balanced and appointed at the Annual Council meeting in May each year. The Local Government Act 2000 prohibits the Leader, Deputy Leader and Executive Portfolio Holders from being Members of the Overview and Scrutiny Committee.

The Committee ensures that its level of activity is manageable through its annual work programme, which is set by the Committee in consultation with the Executive, and approved by Council each year. The content of the work programme is carefully considered to ensure that adequate resources are available and that the potential outcomes of such reviews justify the resource and time necessary.

Reigate & Banstead is a high performing Council, with a strong reputation for quality service provision, strong financial management and community leadership. The Council has excellent performance and risk management arrangements in place, and therefore the Committee’s scrutiny activities of these areas reflect this. The Chief Executive provides senior officer support to the Committee.

The Committee supports the work of the Leader, Executive and the Council as a whole. The work of the Committee may lead to reports and recommendations which advise the Executive and the Council as a whole on its policies, budget and service delivery.

The Committee also monitors decisions made under the Council’s Executive arrangements. It can ‘call-in’ any Executive decision taken by the Executive. This enables the Committees to consider whether the decision is in accordance with the Constitution and provides an important ‘check and balance’ role for the Council. The Committee may recommend that the Executive decision be reconsidered. This, however, is highly unusual and there are excellent working relationships between the Executive and the Overview & Scrutiny Committee.

Portfolio Holders regularly attend meetings of the Overview & Scrutiny Committee to report on activities within their portfolio areas. These presentations provide an opportunity for the Committee to raise questions, seek information and make recommendations on each Portfolio. Feedback on this approach, from both Executive and Committee Members is very positive.

The Leader of the Council meets with the Overview & Scrutiny Committee at least twice a year to discuss the work of the Committee and the Executive. Informal meeting and regular communication take place between these meetings.
The Committee is also consulted on forthcoming decisions and the development of policy in accordance with the Budget and Policy Framework set out in part 4 of the Council’s Constitution. Where appropriate, the Committee establishes task groups to undertake more detailed scrutiny and investigation. Over the last 5 years, task groups have been established to support the development of the annual budget and the Local Development Framework.

The Committee has incorporated the statutory roles of Audit Committee and Crime & Disorder Scrutiny Committee within its functions.

The Committee also has a strong external focus, supporting the Council’s role as community champion. External partners and stakeholders are regularly invited to present to the Committee. This provides Members with an opportunity to hold external bodies to account for their performance to residents and businesses.

The Committee is normally chaired by a Member outside of the Majority Group. The meetings are usually held on Wednesday evenings at Reigate Town Hall and attendance levels of Councillors are high. There were eight meetings of the Committee held in 2016/17 and 2015/16. No meetings have been cancelled on the basis that a quorum has failed to be achieved.

The volume of work in completing the scrutiny function is expected to remain stable for the foreseeable future.

What does this mean for future Council size?

The Scrutiny Committee covers a wide variety of activities, covering all aspects of Council service and performance, as well as the service and performance of external organisations and stakeholders. It is critical, therefore, that the Committee membership is drawn from a wide range of Councillors. As a result, it is proposed that these functions can be undertaken alongside other Member roles.

Section 3: Community Leadership and Representation

The Council has adopted a role profile which sets out the various activities that all Councillors are expected to undertake. This is set out in Annex 7.

One of the key reasons individuals become a Councillor is the role they can play in the community, seeking improvements for local residents. It is therefore understandable that a significant proportion of their time is spent on engaging with their residents and issues within their Ward. The actual time commitment will vary significantly between Councillors, dependent on their other responsibilities, the nature of the area they represent and the number of Councillors for that Ward.
Regardless, community engagement continues to form a substantial element of the overall role of a Councillor. The way in which Councillors undertake this engagement again varies though will involve local meetings, attending public meetings, newsletters, social media and responding to correspondence.

Significant changes have occurred in the way in which members of the public access information. The public, for example, is far more likely to find out information for themselves through the website or social media than was the case when the Council size was last reviewed.

Telephone calls from members of public have fallen, with more and more enquiries to Councillors being received by e-mail and social media. Councillors attend local community meetings, such as resident association meetings, Business Forum meetings and meetings organised through other local community groups.

The nature of the ward, and the number of Councillors representing the ward, has an impact on the level of commitment taken up by a Councillor for such events. Each ward is different. For example, there is one Town and one Parish Council in the borough. Councillors in these areas are often expected to attend Town and Parish Council meetings. The geography of wards also varies – more rural areas have larger ward areas to cover.

The main purpose of the Ward Councillor in these settings is to listen to the views of the residents and, where appropriate, represent those views within the Council. It is clear that Councillors deal with their caseloads in a variety of ways. Overall, Councillors seek to assist their constituents directly though will seek the assistance of Officers if necessary. In the majority of cases, the Councillors will remain engaged until the matter has been resolved to the satisfaction of the resident.

**Surrey County Council Local Committee**

Surrey County Council operates a Local Committee in each Borough / District. The Borough Council appoints 10 Councillors to the Local Committee. The Committee meets 8 times a year (4 formal meetings in public, 4 informal meetings in private). The Local Committee has delegated budget powers over highways and youth matters. It also acts as a local scrutiny body for county council services in addition to the county council select committees.

**Outside Bodies**

Each year, the Borough Council appoints Councillors and other community representatives to a wide range of outside bodies. These include Management Committees of Borough and Surrey-wide organisations, including a number of voluntary organisations serving the community. The workload associated with the appointments varies, though would normally involve the attendance of the Councillor at between 4 and 6 meetings a year at different venues in the County. The number of appointments to each Group is normally determined by the needs of the body concerned and varies between 1 and 3 Councillors.
A schedule setting out the nature of the positions is provided to all Councillors prior to the confirmation of appointments by the first business meeting of the Council in May each year.

What does this mean for future Council size?

Community leadership and representation is critically important. The Council size should be sufficient that at least one Councillor per Ward is not undertaking an Executive or Planning role, in order to provide sufficient capacity within the Ward to support community leadership and representation.

Alternative Options

The Boundary Review Member Working Group considered, and rejected, alternative Council size options. All political groups were encouraged to discuss options for Council size and submit these to the working group.

In considering a smaller Council size, the Working Group felt that this would not be able to provide sufficient Councillor capacity to undertake the range of roles set out in this proposal and offer sufficient community leadership. It was also recognised that the Borough will continue to see population growth.

In considering a larger Council size, the Working Group felt that the existing Council size had been established for a very different governance structure. There is a significantly more streamlined decision making process in place now and the Council’s structure and services have also undergone significant change. Whilst there had been a significant increase in population, the Working Group concluded that these governance and structure changes did not justify an increase in Council size.

Section 4: Electoral Arrangements

Reigate & Banstead Borough Council currently has 51 Councillors and 19 wards. Each ward is represented by 1, 2 or 3 Councillors who are elected by thirds, with elections held three years out of every four.

As part of the Boundary Review, the Council has the opportunity to request a change in the electoral arrangements. The following options are available:

- Remain with elections by thirds
- Move to whole Council elections

There are advantages and disadvantages to both systems, including retention of knowledge and skills, financial cost and democratic engagement.
The Council believes that the existing arrangements serve the Council and the residents well.

What does this mean for future electoral arrangements?

Therefore it is proposed that Reigate & Banstead continues to hold elections by thirds. It is understood that this will require the new Council size and ward boundaries to provide a pattern of 3-Member Wards.
Section 5: Conclusions and Submission

It is twenty years since the size and boundary pattern of Reigate & Banstead Borough Council was last reviewed in 1997/98. There have been substantial changes in the borough and the wider structure of local government that influence the size of the Council going forward:

• At the time of the last review, the Council operated under a Committee system. This involved a significantly higher number of Committees and formal meetings within the Council’s governance and decision making. Since the Local Government Act 2000, the Council has operated under a Leader and Cabinet model. This streamlined the decision making significantly. This structure was strengthened further by the Local Government and Public Involvement in Health Act 2007.

• The scheme of delegation has expanded to further support streamlined decision making.

• The Council completed a housing stock transfer in 2002, where the housing delivery and maintenance services were transferred to an independent Social Housing Provider. This service area previously consumed a significant proportion of Council resources, and a large volume of resident enquiries and ward level work. This has contributed to a significant reduction in the staffing levels of the Council, measured by staff FTE.

• Service and communication technology has changed dramatically. The internet and social media have created new opportunities for residents to self-serve, access information and request services. Email has replaced letters as the main communication channel for residents contacting their councillors.

However, it is also important to recognise that there has been a significant population increase and that this is expected to continue. This requires a number of Councillors, and at least one per ward not undertaking other roles, to support strong community leadership and representation

As set out throughout the document, the following Council roles are required:

<table>
<thead>
<tr>
<th>Role</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor / Deputy Mayor</td>
<td>2</td>
</tr>
<tr>
<td>Leader / Deputy Leader</td>
<td>2</td>
</tr>
<tr>
<td>Executive Portfolio Holders</td>
<td>8</td>
</tr>
<tr>
<td>Committee decision making capacity(^3)</td>
<td>15</td>
</tr>
<tr>
<td>Committee Chairman capacity</td>
<td>3</td>
</tr>
<tr>
<td>Community Leadership capacity</td>
<td>15</td>
</tr>
<tr>
<td><strong>Total Council size</strong></td>
<td><strong>45</strong></td>
</tr>
</tbody>
</table>

\(^3\) Planning Committee in particular
As a result, and balancing the different factors set out within this paper, the Council has concluded that a small reduction in the number of Councillors, from 51 to 45 would be appropriate.

The Council has concluded that this small reduction in the Council size would achieve the aims of the review without impacting on the Council’s ability to deliver its services or adversely affecting the needs of constituents and Councillors in terms of engagement.

The Council considers that the proposed reduction to 45 Councillors is correct in the context of the Council’s current arrangements, and will also be “future proof”. This is because the number has been determined by reference to a Strong Leader structure where the Leader has chosen to delegate responsibility for executive decisions to the Executive. This is a significant change since the last review and would support a reduction in size.
Annex 2: Role Profile (Mayor)

Representing the Council and the Borough as First Citizen of the Borough

- To carry out the roles and functions of the First Citizen of the Borough, representing the Council at civic and ceremonial events with the full dignity commensurate with the position and the tradition of the office of the Mayor.
- To remain politically neutral whilst acting as an ambassador for the council and its community, promoting the council's corporate policies, promoting the borough to the business community and visitors and raising awareness of citizenship and democracy issues.
- To act as senior representative of the Council and conduct ceremonial functions at the Council’s key civic events.
- To undertake to behave, and to be seen to behave, in a manner which at all times represents the highest ideals and virtues of the Council and the Borough.

Chairing meetings of the Full Council

- To preside over meetings of the Full Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community.
- To act as an impartial chair, supporting the Council's Constitution (including Procedure Rules governing the conduct of business at meetings).
- To ensure the council meeting is a forum for the debate of matters of concern for the local community and the place at which members who are not on the executive are able to hold the executive to account.

Supporting and promoting the ideals and aims of the Council.

- Engage with the public at community events organised both by the Council and by the citizens of the Borough.
- Support the development of a cohesive and considerate community by reaching out to all citizens of the Borough and recognising their contributions.
- Help develop active local democracy by supporting the Council’s efforts to engage with and encourage participation from all aspects of the population.

Internal Practices and Ethical Standards

- Adhere to and exemplify the Members’ Code of Conduct, the Constitution, the Protocol on Officer/Member Relations and to promote the highest standards of behaviour in public office.
- Provide leadership and set an example on constitutional conduct by members.
- Promote and support good relations between members, officers and the public.
Personal Development

- Participate in personal development opportunities that will enable duties to be better perform as a Member of the Authority, particularly those identified as core skills.

Skillset

- Understanding the community.
- Communication skills.
- Procedural and constitutional knowledge.
Annex 3: Role Profile (Leader / Deputy Leader)

Provide Political Leadership to the Council

- Be a figurehead for the Council.
- Provide leadership in building a political consensus around Council policies.
- Work with stakeholders in building a vision for the Council and community.
- Provide strong, clear leadership in the co-ordination of policies, strategies and service delivery.

Appointment of Councillors to the Executive

- Appoint Councillors to the Executive and allocate portfolios.

Representing and acting as Ambassador for the Authority

- Represent the Authority and provide a strong, competent and eloquent figure both within the Council and the Community.
- Represent the Authority on the Local Government Association.
- Provide leadership and support to local partnerships and organisations, including the Local Strategic Partnership.
- Represent the Authority and its interests in regional and national bodies as appropriate.

Provide Leadership within a Portfolio

- Fulfil the role of a portfolio holder in relation to any executive responsibilities that fall within the remit of the Leader or Deputy Leader.

Manage and Lead the Work of the Executive

- Ensure the work of the Executive meets Council policy objectives under its Corporate Plan.
- Advise and mentor other Executive Members in their work.
- Chair meetings of the Executive in line with the Constitution. (In the Leader’s absence the Deputy Leader should fulfil this role).
- Be aware of individual and collective performance within the Executive and facilitate appropriate future development.

Participate in the Collective Decision Making of the Executive

- Work closely with other Executive Members to ensure the development of effective Council policies and the budgetary framework for the Council, and the delivery of high quality services to local people.
- Accept collective responsibility and support decisions made by the Executive.
Ethical Standards and Governance

- Demonstrate a commitment to high ethical standards of behaviour and governance.

To Work with Overview and Scrutiny

- Support open and transparent overview and scrutiny.
- Ensure Executive Members work collaboratively with Overview and Scrutiny Members (including attendance at overview and scrutiny meetings, as requested).

To Work with Officers to Lead the Organisation

- Liaise with the Chief Executive and other appropriate officers on a regular basis.
- Work with employees of the Council in relation to the strategic vision and direction of the Council, the management roles of officers and the development of policy issues, showing due care and respect in all relationships as required by the Member Code of Conduct and the Officer/Member Relationship Protocol.

Leading Partnerships and Community Leadership

- Give leadership to local partnerships and partners in the pursuit of common aims and priorities.
- Negotiate and facilitate the most appropriate solutions in cases of differing priorities and disagreement.
- Act as a leader of the local community by showing vision and foresight.

Skillset (in addition to that required by an elected Member)

- Leadership and strategic direction.
- Partnership working.
- Regulating and monitoring.
- React to and respond to Overview and Scrutiny challenges.
- Delegation.
Annex 4: Role Profile (Executive Portfolio Holder)

Portfolio Leadership

- Give political and policy direction to officers working within their portfolios.
- Provide support to officers in the implementation of portfolio programmes.
- Provide leadership in the portfolio.
- Be accountable for the key outcomes of the portfolio.
- Have an overview of the performance management, efficiency and effectiveness of the portfolio.
- Make Executive decisions within the portfolio (in all cases where specific individual responsibilities for making decisions have been delegated by the Leader in the Constitution).

Contribute to the Setting of a Strategic Agenda and Work Programme for the Portfolio

- Work closely and liaise with the relevant Chief Officer to establish and set strategic direction.
- Work with officers to formulate policy documents both strategic and statutory.
- Provide assistance in working up and carrying through a strategic work programme both political and statutory.

Provide Representation for the Portfolio

- Provide a strong, competent and persuasive figure to represent the portfolio.
- Be a figurehead in meetings with stakeholders.
- Carry out consultations with stakeholders as required.
- Take responsibility for decisions and outcomes on matters within the portfolio.

Reporting and Accounting

- Report as appropriate to the Leader, Full Council, appropriate chair of Overview and Scrutiny, Regulatory bodies and the media.
- Appear before the Overview and Scrutiny Committee in respect of matters within the portfolio, as required.
- Communicate and consult with other Members, including own political group, on key issues.

Take an active part in Executive Meetings and Decision Making

- Show an interest in and support for the portfolios of others.
- Recognise and contribute to issues which cut across portfolios or are issues of collective responsibility.
- Accept collective responsibility for Executive decisions.
To Work with Overview and Scrutiny

- Support open and transparent overview and scrutiny.
- Work collaboratively with Overview and Scrutiny Members (including attendance at overview and scrutiny meetings, as requested).

Leading Partnerships and Community Leadership

- Give leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities.
- Negotiate and facilitate the most appropriate solutions in cases of differing priorities and disagreement.
- Act as a leader of the local community by showing vision and foresight in their portfolio areas.

Skillset (in addition to that required by any elected Member)

- Strategic direction.
- Partnership working.
- To react to and respond to Overview and Scrutiny challenges and reviews.
- Regulating and monitoring.
- Delegation.
Annex 5: Role Profile (Committee Chairman)

Provide Leadership and Direction
- Provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.
- Ensure that applicants and other interested parties are satisfied as to the transparency of the regulatory process.
- Demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements.

Promoting the Role of the Committee and Quasi-judicial Decision Making
- Act as an ambassador for Committees, facilitating understanding of the role.
- Ensure quasi judicial decision making is understood and properly implemented.
- Adhere to technical, legal and procedural requirements to oversee the functions of the Committee fairly and correctly.
- Ensure thoroughness and objectivity in the Committee, receiving and responding to professional advice in the conduct of meetings and in individual cases/applications before formal Committee meetings.

Internal Governance, Ethical Standards and Relationships
- Develop the standing and integrity of the Committee and its decision making.
- Understand the respective roles of Members, officers and external parties operating within the Committee’s area of responsibility.
- Promote and support good governance by the Council.
- Act in accordance with the requirements of Council policies governing the function and in the case of planning, the Planning Code of Conduct.

Skillset (in addition to that required by an elected Member)
- Regulating and monitoring.
- Effective meeting management
Annex 6: Role Profile (Overview & Scrutiny Committee Chairman)

Hold the Executive to Account
- Develop a constructive critical friend/support relationship with the Executive, Strategic Management Team and Partners.
- Evaluate the validity of Executive decisions against agreed Council policy and budget and challenge decisions through agreed processes, where appropriate.
- Ensure effective engagement with policy development.

Provide Leadership and Direction
- Provide confident and effective management of the Committee.
- Promote the role of Overview and Scrutiny within and outside the Council, liaising effectively both internally within the Council and externally with the Council’s partners.
- Co-ordinate the work of the Committee and development of a work programme.
- Ensure the programme takes account of relevant factors such as the Executive forward plan and other Committees, corporate priorities and risks, and relevant community issues.
- Demonstrate an objective and evidence based approach to Overview and Scrutiny.
- Evaluate the impact and added value of Overview and Scrutiny activity and identify areas for improvement.

Manage the Work Programme
- Lead on prioritisation of the Overview and Scrutiny work programme.
- Ensure that the work programme is delivered.
- Report on progress against the work programme to Council, and others as appropriate.
- Liaise with Officers, other Members, Community Representatives and Partners to resource and deliver the work programme.

Community Leadership
- Act as a focus for liaison between the Council, community and external bodies in relation to the Overview and Scrutiny function.
- Build understanding and ownership of the Overview and Scrutiny function within the community.
- Identify relevant community based issues for Overview and Scrutiny.
- Involve fully external stakeholders for example, service users, expert witnesses and partners in Overview and Scrutiny activity.

Involvement and Development of Committee Members
- Encourage high performance from all Committee Members in both Committee and review panels, as well as in informal scrutiny activity.
- Assess individual and collective performance within the Committee and facilitate appropriate future development.
**Skillset** (in addition to that required by any elected Member)

- Partnership working.
- Scrutiny and challenge.
- Policy development.
- Financial awareness.
- Performance management.

**Effective Meeting Management**

- Set agendas containing clear objectives and outcomes for the meeting.
- Manage the progress of business at meetings, ensuring that meeting objectives are met, and the Code of Conduct, Overview and Scrutiny Procedural Rules and other constitutional requirements are adhered to.
- Meet regularly in advance with key officers to ensure the necessary work for the meeting and ongoing issues are in hand.
- Ensure that all participants have an opportunity to make an appropriate contribution, in accordance with the scrutiny procedural rules.
Annex 7: Role Profile (Ward Councillor)

Representing and Supporting Communities

- Have an understanding of the needs and aspirations of all members of the community that are represented within the Borough as well as in the Member’s Ward.
- Champion and be an advocate of ward interests.
- Reflect clearly to the Council the views of their communities in response to changes in Council strategies, policies, services and procedures.
- Represent individual constituents and local organisations, undertaking casework on their behalf and serving all fairly and equally.
- Liaise with Executive Members, other Council Members, Council Officers and Partner Organisations to ensure that the needs of the local communities are identified and understood.
- Promote cohesion in local communities.
- Feed back to individuals or groups within their Ward regarding Council policies and actions.

Making Decisions and Overseeing Council Performance

- Contribute to the formulation of Council policies.
- Participate in Full Council meetings, reaching and making informed and balanced decisions, and overseeing Council performance.
- Participate in informed and reasoned decision making on Committees and Panels etc. to which they might be appointed.
- Promote and ensure efficiency and effectiveness in the provision of Council and other public services.
- Comply with the Council’s Constitution (including Procedure Rules governing the conduct of business at meetings).

Representing the Council

- Represent and report back to the Council on outside bodies to which they have been appointed.
- Represent the Council on local partnership bodies, promoting common interest and co-operation if appointed to do so.
- Represent and be an advocate for the Council on national bodies and at national events, if appointed to do so.

Internal Governance, Ethical Standards and Relationships

- Promote and support good governance of the Council and its affairs at all times.
- Provide community leadership and promote active citizenship.
- Promote and support open and transparent government.
- Support and adhere to respectful, appropriate and effective relationships with employees of the Council.
• Adhere to the Members’ Code of Conduct, the Constitution, the Protocol on Officer/Member Relations and to promote the highest standards of behaviour in public office.

**Personal Development**

• Participate in personal development opportunities that will enable duties to be better perform as a Member of the Authority, particularly those identified as core skills.

**Skillset**

• Local leadership.
• Communication skills.
• Political understanding.
Additional information:

Census of Local Authority Councillors 2013:  
https://www.nfer.ac.uk/publications/LGCL01/LGCL01.pdf

Council’s Constitution:  http://www.reigate-banstead.gov.uk/info/20205/plans_and_policies/278/the_constitution

Current Committee structure and Membership:  http://www.reigate-banstead.gov.uk/info/20323/council_and_committees