

**ELECTORAL REVIEW OF NOTTINGHAMSHIRE COUNTY COUNCIL - APPENDIX 1**  
**Submission by Nottinghamshire County Council on Council Size**

<b>Governance and Decision Making – How does the Council manage its business and take decisions across its full range of responsibilities?</b>	
<p><b>Leadership</b></p> <p>1.1 What kind of Governance arrangements are in place for the Authority?</p>	<p>The Council operated Executive governance arrangements with a Leader/Cabinet model from 2001-2012. In 2012, and in response to the provisions of the Localism Act 2011, the Council reviewed its governance arrangements and, for the reasons set out below, decided that a move to a modern Committee system was appropriate. It was recognised that local government in general had become more transparent and accountable in the years since the Council had last operated a Committee system. The current committee system was designed to take account of lessons learned from previous governance arrangements enabling an agile and streamlined system of decision-making.</p> <p>After thorough consideration and public consultation on the proposal (referred to below), the Council changed its governance arrangements effective from 17<sup>th</sup> May 2012. The reasons for the change as set out in the report to Council were that this is the most democratic form of governance enabling all Councillors to be involved in decision making, gain experience of a wide range of Council functions and shape the policy of the Council. In addition, Committees, rather than individual Councillors, make decisions ensuring greater transparency as reports are publically available prior to decisions being made, meetings are held in public and it is clear who is making decisions.</p> <p>As indicated the proposal was subject to public consultation, which showed</p>

general support as it was felt that the change gave Councillors more influence and better access to information and, thus, greater ability to respond to constituents' needs. There were some concerns that scrutiny would be impaired and that there should be no additional costs arising. The scrutiny aspect is discussed in section 2 below. In terms of costs, the overall cost of Councillors' Allowances did not rise and has subsequently decreased since the introduction of the arrangements.

As indicated in the Council's summary case, Boundary Reviews are often the catalyst for wider governance reviews. As demonstrated above, the Council has already undertaken such a review. When the new governance arrangements were introduced, six monthly reviews were agreed to ensure that the requirement for effective and responsive decision making was monitored. These reviews have confirmed that as well as more Councillors being involved in decision making and policy formation than was the case under Executive arrangements, there have been no inherent delays in decision making. The opportunity was also taken to review reporting arrangements to ensure more consistent reporting across the Council on such issues as the work of outside bodies and service performance. The status and frequency of Committees was reviewed to ensure business needs were being met. As a result some changes were made to meeting cycles to better reflect workflow.

Each Committee is required to operate a twelve month rolling work programme which is reviewed at every meeting. Such work programmes have increased transparency and accountability, enabling the public to highlight issues to their local Councillor and request representations to be made at Committee when items are considered.

The County Council at its Annual Meeting in May 2014 approved a revised Committee structure, the details of which are set out in the attached Annex A.

1.2 How many portfolios are there?	As detailed above, the Council now operates a Committee system, details of the Committee structure are attached at Annex A.
1.3 Describe how a portfolio holder carries out his/her work on a day to day basis	<p>There are no portfolio holders as the Council operates a Committee system. The equivalent of a portfolio holder is a Committee Chairman's role and this typically involves five days a week work. Committee Chairmen act as spokespersons and main point of contact for their Committee's area of business and are required to answer questions at Council meetings about the Committee's activities. Chairmen are required to regularly attend meetings and briefings and undertake related work. It should be noted that some of the Committee Chairmen are appointed from the Opposition Groups.</p> <p>For each Committee's area of activity, Opposition Spokespersons are also appointed by their relevant group. These roles increase the relevant Councillors' workload as they are required to attend briefings and meetings in order to perform this role.</p>
1.4 To what extent are decisions delegated to portfolio holders or are most decisions taken by the full Executive? What is the volume of decisions taken? How many decisions are taken by officers?	Decisions are made by Committees. Whilst there are some powers delegated to officers this is only for day to day operational decisions. Details of those operational decisions are reported regularly to Committee. It is open to a Committee to require that such decisions are in future made by Committee if Councillors feel that this would provide more transparency and better governance.
1.5 Do Executive (or other) Councillors serve on other decision making partnerships, sub-regional or national bodies?	A significant number of Councillors (including the Political Group Leaders and Committee Chairmen and Vice-Chairmen) are involved in other decision making bodies both formal and informal. These are included in the Council's list of Outside Bodies and include County Councils Network, East Midlands Councils, the D2N2 Local Area Partnership, Local Government Association and Crime and Disorder Reduction Partnerships. A complete list of the Outside Bodies which the Council is formally represented on is attached as Annex B.

<p>1.6 Is the role of the Executive Councillor considered to be full time?</p>	<p>Without doubt, the role of Committee Chairmen, Vice-Chairmen and Opposition Spokespersons equates to the equivalent of an average full-time working week and a number of Councillors work in excess of such hours.</p>
<p><b>Regulatory</b></p> <p>1.7 How does the Council discharge its regulation functions? How many Councillors are involved in committees?</p>	<p>The Council discharges all its functions by Committee but in respect of what are described as regulatory functions under executive arrangements these functions are discharged through the following:-</p> <p><u>Planning &amp; Licensing Committee</u> There are 11 Councillors on this Committee.</p> <p><u>Audit Committee</u> There are 9 Councillors on this Committee which is chaired by an Opposition Councillor.</p> <p><u>Pensions Fund Committee, Pensions Investment Sub-Committee and Pensions Sub-Committee</u> There are 9 County Council Councillors on in these Committees. The Sub-Committees also have City Councillor, Nottinghamshire Local Authorities Association, Trade Union and Scheduled Bodies representatives.</p> <p><u>Conduct Committee :</u> There are 5 Councillors on this Committee.</p> <p>The terms of reference of these various bodies are included in Annex C.</p>
<p>1.8 Describe the arrangements for the delegation of decisions in respect of regulatory functions? To what</p>	<p>A number of decisions on planning applications are made by planning officers under powers delegated to the Corporate Director for Policy, Planning and Corporate Services. Planning officers are authorised to determine all</p>

<p>extent are decisions delegated to officers?</p>	<p>applications with the following exceptions:</p> <ul style="list-style-type: none"> <li>• development involving a site area greater than 15 hectares or extraction/input in excess of 30,000 tonnes per annum or new development with a floor space in excess of 10,000sqm</li> <li>• those involving a departure from the Development Plan</li> <li>• those accompanied by an Environmental Impact Assessment</li> <li>• those which have financial implications for the County, such as those which have an accompanying Planning obligation/S106 agreement</li> <li>• those which have received objections from the District or Parish Council or local Councillor</li> <li>• those which have been referred to Committee by a local Councillor</li> <li>• those which are recommended for refusal unless the refusal is on the grounds of insufficient information</li> <li>• those which have received significant* objections, within the statutory consultation period or other such period as agreed with the County Planning Authority, from consultees or neighbouring occupiers (* for clarification, 'significant' objections requiring referral must i) raise material planning consideration, ii) be irresolvable by amendment to the scheme or imposition of planning conditions, iii) involve more than three objections from separate properties)</li> <li>• those which are submitted by Policy, Planning and Corporate Services</li> <li>• those which raise issues of regional or national importance</li> <li>• those involving the determination of new conditions for minerals sites and</li> <li>• those involving the making and serving of orders for revocation, etc where compensation is likely to become payable.</li> </ul> <p>All the above applications are reported to the Planning &amp; Licensing for decision.</p>
<p>1.9 Is committee Councillorship standing or rotating?</p>	<p>Standing.</p>

<p>1.10 Are meetings ad hoc, frequent and/or area based? How are the Chairs allocated?</p>	<p>The Council's schedule of meetings is agreed following consultation with relevant Councillors and circulated in advance. As previously mentioned, the frequency of meetings has been reviewed as part of the ongoing review of governance arrangements. The frequency of the various Committees ranges from 4 weekly to quarterly. On occasion, as business requires, additional meetings are arranged or scheduled meetings cancelled, although this remains a rare occurrence.</p> <p>The Chairs of the Council's Committees are appointed annually by full Council at its Annual Meeting.</p>
<p>1.11 What level of attendance is achieved? Are meetings always quorate?</p>	<p>The level of attendance is excellent. Committee meetings are always quorate.</p>
<p>1.12 What future issues may impact on the role of non-executive councillors in respect of regulatory functions? How might the role develop?</p>	<p>Planning and Licensing remains a high profile Committee and all Councillors are required to undertake training before becoming a Committee member. Issues such as fracking applications are likely to attract considerable attention. Councillors of this Committee are therefore required to continually develop their knowledge of relevant issues. The remit of the Committee has recently been expanded to take on roles previously dealt with by the Rights of Way Committee</p> <p>The Council is required to have an Audit Committee and the time commitments involved in this Committee are unlikely to diminish in the future.</p> <p>For the Pensions bodies, all administering authorities must put in place a Pension Board by 1 April 2015 as part of the new LGPS Governance Regulations. Further consideration will be needed as to the implications of the Regulations on the Council's existing Pensions bodies. Councillors will require training in relation to the new Regulations.</p>

<b>Demands on Time</b>	
<p>1.13 Has the Council defined the role of Councillors? Has the Council adopted arrangements for training and developing Councillors and supporting them in their role?</p>	<p>The role of Councillors is defined in the Constitution as follows:-</p> <p><i>‘Councillors collectively are the ultimate policy makers. ... Their role is to act in the interests of the whole county of Nottinghamshire, and also to represent the communities which elected them, bringing their views to the decision-making process. In addition, they deal with individual casework and act on behalf of constituents in resolving particular problems.’</i></p> <p>Formal training arrangements are in place. Induction is provided following elections supplemented by ongoing Councillor development sessions. Specialist training in such areas as planning and licensing, employment appeals, media, information management and chairing skills is also provided.</p>
<p>1.14 Has the Council assessed how much time Councillors spend on Council business?</p>	<p>No formal assessment of the time which Councillors in general spend on Council business has been undertaken. Some Councillors log the time they spend and those that do report that this equates to a full time job.</p>
<p>1.15 Do Councillors generally find that the time they spend on council business is what they expected?</p>	<p>Newly elected Councillors will say that the workload is far higher than they expected and very few councilors are able to work on a full time or even part time basis and fulfill all the responsibilities of their Councillor role.</p> <p>The current financial issues affecting the Council have also required more work by Councillors, with increased consultation, evaluation of work and services in constituencies and analysis of business cases for potential service reductions/cessation.</p> <p>Councillors feel that their role has changed since the Council last considered how many elected Councillors it should have. This reflects changes in the delivery of services, the increasing requirement to work in partnership with other</p>

	<p>organisations, the need to keep up to date with changing policy/legislation and increasing constituent expectations (e.g. with regard to budget consultation exercises held against the background of continual financial restraint in the public sector).</p> <p>The use of e-mail, mobile phones and websites means that Councillors are effectively contactable 24 hours a day, 7 days a week.</p> <p>Due to the large size and nature of Nottinghamshire, travelling time can also be a significant factor with some divisions being significant in size. County Hall is located to the very South of the County and therefore travelling time can also be an issue in relation to Councillors attending County Hall to undertake their various duties.</p>
<p>1.16 What is the extent of Councillors representational role on and appointment to outside bodies? How many are involved in this activity and what is their expected workload?</p>	<p>Following the last review after the 2013 elections, the Council now appoints Councillors to a total of 108 outside bodies covering a full range of areas of activity, including social care, education, business, leisure, transport, the environment, young people's issues and community safety. Appointments to national and regional bodies are included in this list. Almost all Councillors are required to represent the Council on at least one of the bodies within this list – see Annex B.</p> <p>In addition, the majority of Councillors attend other community meetings as part of their role. This includes attendance at Town and Parish Council meetings. One Councillor attends the meetings of 19 Parish Councils and 1 Town Council within his electoral division on a regular basis.</p> <p>Some Opposition Councillors have estimated that they spend at least 10 hours per week on the work of Outside Bodies.</p>

<p>1.17 Does the Council have difficulty in retaining councillors or attracting new candidates?</p>	<p>The Council holds full elections every 4 years.</p> <p>In 2013, a total of 286 candidates stood for election (compared to 262 in 2009). Of the 286 candidates, 50 were County councillors standing again for election (of which 36 were re-elected).</p> <p>Since the 2001 elections there has only been 1 uncontested division.</p> <p>All by-elections have been filled promptly in accordance with elections law.</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>None.</p>
<p>1.19 Do Councillors have an individual or ward budget for allocation in their area? If so, how is the system administered?</p>	<p>In 2003 the Council established the Councillors' Divisional fund. Each Councillor is given a budget annually to be used (subject to the regulations of the fund) to support the communities which they represent. The size of the budget increased over time to £10,000 per Councillor. In response to the ongoing budget restrictions, this sum has been reduced to £5,000 for the 2014/15 financial year. These funds are under increasing demand and Councillors have very difficult decisions to make to ensure the best use of these funds in their communities.</p> <p>The number of applications each Councillor receives often exceeds monies available, thus leading to more involved and sensitive work in assessing applications</p> <p>Councillors are required to complete an application form to access the funds, a copy of which is attached at Annex D along with the relevant Policy and Guidance.</p>

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

<p>2.1 What's the structure? How does it operate</p>	<p>The Committee structure for current scrutiny arrangements is included in Annex A.</p> <p>The Council is required to maintain statutory overview and scrutiny functions in relation to health, crime and disorder and flooding.</p> <p>In this respect, the Council has continued to operate a Joint City / County Health Scrutiny Committee which meets on a monthly basis and considers health matters which impact both on the areas covered by Nottingham City Council and the County Council. As part of the revised governance arrangements the Council also established a further Health Scrutiny Committee and its remit is to scrutinise health matters in the County Council's area only.</p> <p>The Community Safety Committee has responsibility for statutory crime and disorder and flood risk management scrutiny.</p> <p>The County Council is also represented on the Nottinghamshire Police and Crime Panel, whose role is to scrutinise and support the Police and Crime Commissioner.</p> <p>In addition, all Committees are able to set up projects and cross-committee project steering groups to focus in detail on specific issues.</p>
<p>2.2 What is the general workload of scrutiny committees? Has the Council ever found that it has had too many active projects for the scrutiny process to function</p>	<p>The Joint Health Scrutiny Committee and the Health Scrutiny Committee continue to have full work programmes which are largely undertaken through ordinary meetings of the Committees. Specific Task and Finish activity has been reduced somewhat in light of the reduced resources available to support such activity.</p>

effectively?	The Police and Crime Panel also continues to have a full work programme.
2.3 How is its work programme developed and implemented? How many subjects at any one time? What's the time-span for a particular study?	Copies of the current work programmes for the Scrutiny Committees, developed through the Committees, are attached as Annex E.
2.4 Are Councillors involved in scrutinising external issues?	<p>Scrutiny plays a crucial role in examining the work of specific local public bodies, helping make sure they offer a good service to residents. The Council's scrutiny arrangements have included extensive scrutiny of external issues.</p> <p>The Health Scrutiny Committees scrutinise the services of the relevant Health bodies in that area.</p> <p>Community Safety Committee's scrutiny remit includes various external bodies including the Police, the Crime and Disorder Partnerships and Community Safety Partnerships, the new 'probation' bodies (Community Rehabilitation Companies and the National Probation Service), other Councils and the Environment Agency.</p> <p>The Nottinghamshire Police and Crime Panel scrutinises the work of the Police and Crime Commissioner.</p>
2.5 When not in scrutiny meetings what activities are councillors expected to undertake?	As Nottinghamshire operates a Committee system, Councillors are required to attend Committees in addition to those undertaking scrutiny work. Councillors are required to read relevant Committee papers, attend working groups, covering a number of issues including transformation work, local plans, and budget issues. Training events are held quarterly. This is in addition to their front line Councillor responsibilities.

<p>2.6 How will the role of the scrutiny Councillor change? What are the emerging issues and trends?</p>	<p>The outcomes of the Francis Inquiry into Mid Staffordshire NHS Foundation Trust underlined the importance of Councillors taking an active role in Health Scrutiny and Councillors are mindful of these expectations and their roles and responsibilities.</p> <p>Since their establishment in November 2012, research has been undertaken to highlight good practice in Police and Crime Panels. The Nottinghamshire Police and Crime Panel has recently joined a regional network designed to share best practice across the East Midlands and this brings further time commitments for relevant Councillors.</p>
<p>2.7 What kind of support do scrutiny Councillors receive?</p>	<p>Support is provided by Democratic Services Officers but Councillors no longer have a dedicated Scrutiny officer or team to call on for support.</p>
<p><b>3. Representational Role: Representing Electors to the Council</b></p>	
<p>3.1 Has the representational role of Councillors changed since the council last considered how many elected Councillors it should have?</p>	<p>See 1.15 above.</p>
<p>3.2 In general terms, how do Councillors carry out their representational role with electors? Do Councillors mainly respond to casework from constituents or do they have a more active role in the community?</p>	<p>Most Councillors take a proactive role within their area rather than simply responding to case work. The approach taken can vary from Councillor to Councillor but generally all Councillors undertake some or all of the following:-</p> <ul style="list-style-type: none"> <li>• Surgeries – dealing with queries such as street lights, vulnerable adults, unknown land;</li> <li>• Consultation events on specific issues (such as closures of police</li> </ul>

<p>3.3 How Councillors engage with constituents? Do they hold surgeries, public meetings, use IT etc ?</p>	<p>stations) and wider issues (such as the Council's budget);</p> <ul style="list-style-type: none"> <li>• Meetings with community groups and voluntary organisations;</li> <li>• Attending local community events;</li> <li>• Attending Parish Council meetings etc;</li> <li>• Attending outside body meetings – e.g. School Governing Bodies;</li> <li>• Working with local schools and colleges in general – e.g. promoting democracy;</li> <li>• Ward Visits;</li> <li>• Neighbourhood Tours;</li> <li>• Door-to-door visits and delivery of information leaflets;</li> <li>• Partnership meetings;</li> <li>• Websites and blogs;</li> <li>• Home Visits;</li> <li>• Written and E-mail correspondence;</li> <li>• Telephone Calls;</li> <li>• Community Activities – e.g. Speed Watch, Safer Neighbourhoods, Lorry Watch, Community Flooding Groups;</li> <li>• Specific capital projects – e.g. new war memorials, village noticeboards.</li> </ul>
<p>3.4 How do councillors generally deal with casework? Do they pass on issues directly to staff or do they take a more in depth approach to resolving issues?</p>	<p>Unlike some Councils, none of the Councillors have dedicated caseworkers. Each Group has access to a researcher but these have competing workloads and therefore are not able to offer extensive support for case work. Most Councillors tend to progress-chase issues themselves, including sending their own correspondence and making phone calls and visits etc.</p>
<p>3.5 What support do Councillors receive in discharging their duties in relation to casework and representational role in their ward?</p>	<p>It is felt that the current financial climate has also resulted in an increase in casework.</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's Corporate Parenting Sub-Committee is one formal means of seeking the views of young people.</p> <p>The County Council operates a Youth Parliament and most Councillors are active in promoting democracy through the schools and colleges in their area. Councillors also promote electoral registration at every opportunity.</p> <p>School Council visits to County Hall are encouraged and promoted by Councillors.</p> <p>Work has also been undertaken with Young Carers.</p> <p>Some Councillors have made links with specific minority groups within their area, such as Polish groups, Muslim groups and Buddhist groups. Links to minority groups are also promoted through representation on various outside bodies.</p>
<p>3.7 Are Councillors expected to attend meetings of community bodies such as parish councils or resident associations? What is the level of their involvement and what role do they play?</p>	<p>Councillors are expected to attend such meetings and involvement is high. Councillors act as a conduit, enabling a two-way exchange of information between the Council and such groups. Sometimes attendance is linked to the role of a specific Committee and the Councillors' role on that Committee (e.g. Chairman).</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</p>	<p>There is an increasing emphasis on services being delivered by accountable community groups and empowering communities to take on many of the responsibilities currently exercised by Councils. This is likely to increase the role of Councillors significantly as they will increasingly need to act as the facilitator</p>

<p>you think this might affect the role of councillors?</p>	<p>between those arrangements made running services more locally and those services where the scale or nature of them demands they remain operated and run by large Councils. The experience of Councillors will be invaluable to any communities taking on local provision. This is amply evidenced by the establishment of community resource centres.</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>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>Full consideration will be given to transferring assets to communities where it is appropriate to do so. As part of the Council's approach to Transformation set out in "Redefining your Council" it is likely that over time more services will be commissioned externally including from the third sector and increased digitalisation will allow more self-support within communities.</p> <p>Whilst it could be argued that partnership work and the development of other forms of service delivery dilutes the role of Councils, this is not always the case. The development of School Academies is a case in point. Although Academies are free standing organisations, the statutory role of the County Council in relation to school admissions remains (2012 School Admissions Code). This coordinating role is more complex as Academies are admission authorities in their own right. This changing educational landscape has seen local elected Councillor involvement increase as constituents approach Councillors, seeking support and guidance.</p> <p>Additionally, moving to a more Commissioning type Council involves Councillors in agreeing the specification for services and much greater contract and performance management skills are needed to ensure positive outcomes for residents.</p>
<p>4.4 Are there any developments in policy ongoing that might</p>	<p>The continuing pressure on the Council's budget is developed in 4.5 below. In this connection the Council has recognised the need to transform the way in</p>

<p>significantly affect the role of elected Councillors in the future?</p>	<p>which it operates to make further savings in order to balance the budget up to 2017/18. Such savings need to be made in a planned and strategic way to preserve the vital frontline services on which residents depend.</p> <p>To this end, the “Redefining Your Council” initiative has been adopted which will see the political leadership of the Council driving this transformational change by leading a number of portfolios covering a range of Council services. This enhanced strategic role for lead Councillors will review all areas of spending with a view to delivering future services in a more cost effective and innovative way.</p>
<p>4.5 What has been the impact of recent financial constraints on the council's activities?</p>	<p>Since the Council elections in 2009, £180m worth of savings have been delivered and clearly the Council has had to reduce spending significantly. Councillors have not only been required to make difficult decisions regarding service reductions but also had to ensure the public and particularly their own constituents understand the reasons for the reductions. This approach has presented increasing challenges to local Councillors in terms of difficult discussions with service users and local groups. Councillors have many more issues to consider in reducing services including ensuring they have a solid evidential basis on which to make decisions and have to consider all relevant issues including human rights and equality considerations. An increasing issue is the need to balance the requirements to make short term savings to achieve a balanced budget without prejudicing long term transformational change required to ensure services are retained, improved and viable for the future.</p>