

Boston Borough Council
Council Size Submission
for
Local Government Boundary Commission for England

Submitted 2011



One Team
working together for Boston

Executive Summary

We have based this submission on the principle of creating a Council Size which functions effectively. We have considered the factors that influence council size, as set out by the Local Government Boundary Commission for England (LGBCE):

- The decision making process
- Quasi-judicial processes – e.g. planning and licensing – what is the workload and how is it managed
- The scrutiny process – what is scrutinised and how is the total scrutiny workload managed
- The representative role of the elected member

Since the last review in October 1996 the Council moved to a Leader/Cabinet model thus reducing the level of involvement necessary for decision making and leading to a suggestion that we could once again sustain a reduction in the number of councillors. We have also reviewed the supporting committee structures in order to strengthen the scrutiny role.

Although official statistics suggest that our population is approximately 61,000 we believe that this figure could be at least 10,000 higher. With this in mind we believe that our current electorate of 47,293 which is an average ratio of 1:1478 per councillor could be in the region of 2,500 higher.

We have taken into consideration the criteria used to determine the number of councillors and in particular:

- **Growth since the last boundary review and forecast of future electorate**
 - We are not anticipating a significant rise in the electorate based on the information from the past five years and the fact that there are no new or large scale developments identified in the local plan. However there has also been a need identified for approximately 250 new homes per year which could potentially increase the electorate by around 2,500. We also believe that the statistics for our population are higher than the official figures which could also be reflected in our electorate figures. We need to work with members, particularly those in town wards to address the issue of low registration.
- **Council structure and attendance at committee meetings**
 - In the year 2009/10 overall attendance at meetings, including substitutions, was 85%
 - In the year 2010/11 overall attendance at meetings, including substitutions was 76%
 - In the year 2009/10 attendance of the Planning Committee, with substitutes, was 91% and 91.55% of decisions were made by officers with delegated powers.
 - In the year 2010/11 attendance of the Planning Committee, with substitutes, was 85% and 93.5% of decisions were made by officers with delegated powers.
 - In the year 2009/10 attendance at Licensing/regulatory and appeals committees was 58% (substitutes are not allowed on this committee) and 99.14% of decisions were made by officers with delegated powers.
 - In the year 2010/11 attendance at Licensing/regulatory and appeals committees was 53% (substitutes are not allowed on this committee) and 99.87% of decisions were made by officers with delegated powers.

We recognise that the decline in attendance for 2010/11 could be attributed to the fact that it was a pre-election year and that some members may have decided to stand down. We also recognise, and more importantly, are not suggesting that a lack of attendance automatically equates to a lack of representation for the electorate.
- **Demands from individuals and communities on ward member time**
 - With many of our wards situated in rural locations there is an additional demand on the time of the councillors representing those wards. Additionally, some of our wards have more than one member which in itself can increase the workload as there is no designated 'patch'. For those members serving on wards within the town centre Parish Councils do not exist and so they cannot spread the workload.

Recommendations

Considering all of the evidence summarised above we recommend that the current Council Size be reduced by 2 councillors to 30.

The rationale for 30 is that we can allow 8 for Cabinet, 2 for Mayoralty and 20 to ensure that our regulatory, scrutiny and other committees have adequate representation and can continue to function effectively.

Although we cannot prescribe the number to sit on Cabinet, this would be up to individual Leaders, we have taken 8 as an average. Our intention is then to use the following model to structure our regulatory committees:

Licensing 13 a reduction from 15
Planning 11 a reduction from 13
Scrutiny 11 no change
Scrutiny 11 no change
Audit 9 no change

As it is good practice, we will continue to have an odd number on committees to try and avoid equality of votes.

If attendance on committees continues to decline we believe that they will still be sustainable with 30 members, but anything less may impact decision making. In addition to this a reduction of 2 members will increase the ratio of electorate to councillor by an average of 98, and it is our view that to reduce the number of members any further will detrimentally affect representation.

Introduction

This submission forms Boston Borough Council's response to the LGBCE for an Electoral Review.

Boston Borough Council has 32 Councillors who represent the people of its 18 wards. Following the May 2011 Local Government Election, the Council comprised: 18 Conservatives, 5 Independents, 4 Boston District Independents, 3 Labour and 2 English Democrats. All members are elected for a four year term. In May 2011, following the local elections, 19 new councillors were elected.

The Council moved to a Leader/Cabinet model (recently confirmed as the 'strong leader model) in 2000 and has recently reviewed the supporting Committee structures to strengthen the scrutiny role.

Background

The initial stage of an Electoral Review is to determine a preferred Council Size. This is the number of Councillors required to deliver effective and convenient local government (choosing the appropriate number of members to allow the council and individual councillors to perform most effectively).

This will subsequently determine the average (optimum) number of Electors per councillor to be achieved across all wards of the authority. This number is reached by dividing the electorate by the number of Councillors on the authority. Guidance from the LGBCE states that "All proposals on Council size, whether for changing the existing size or not, should be justified and evidence must be provided in support of the proposal."

Guidance on Calculating Council Size

Guidance issued by the LGBCE suggests that the following issues should be considered when developing a proposal for Council Size:

Managing the business of the Council

The model of local governance used by the local authority impacts on the workload of councillors and the working practices of the council, and therefore will have an effect on the number of councillors needed by the Council.

The functions of Scrutiny, regulatory committees, Outside Bodies and Others –

The structure and responsibilities of these functions impact on the workload of councillors.

Representational Role: Representing Electors to the Council and the Council in the Community –

The role and responsibilities of councillors, especially if there have been any significant changes since the introduction of the Local Government Act 2000 (LGA) and the Local Government Public Involvement in Health Act 2007 (LGPIH 2007).

Each of these issues is considered in the following pages of this Submission, which presents the case for the recommended Council size for Boston Borough Council.

Managing the Business of the Council

The Local Government Act 2000 fundamentally altered the political management of local authorities by separating executive from non executive functions. Previously Boston Borough Council had a range of committees each with its own remit and responsibility for overseeing a function of the Council. Each committee was politically proportionate.

The LGA 2000 is significant as, whilst Full Council now sets the broad Policy and Budgetary framework, executive decision-making is the responsibility of the Cabinet. There is no requirement for the Executive to be politically proportionate and it is currently comprised solely of the members of the controlling group. The role of the executive is to 'propose the policy framework and implement policies within the agreed framework'. The role of non-executive councillors is to represent their constituents, share in the policy and

budget decisions of the full Council, suggest policy improvements, and scrutinise the Executive's policy proposals and their implementation.'

Electoral Reviews

The Local Government Boundary Commission for England (LGBCE) is the body responsible for electoral arrangements in England. The Commission keeps under review the levels of electoral representation to ensure that equality of representation is maintained in light of population changes within areas. The Commission has a programme of periodic electoral reviews, the last Electoral Review of Boston was carried out in October 1996; at this point the Council was served by 34 councillors across 17 wards.

During the review the Electoral Commission found that the existing electoral arrangements provided unequal representation of electors in Boston because:

- In 11 of the 17 wards, the number of electors represented by each council varied by more than 10% from the average for the borough
- In two of the wards, Swineshead and Holland Fen, the number of electors represented by each councillor varied by more than 40 per cent from the average
- By 2001 the number of electors per councillor was thought likely to vary by over 10% from the average in 12 of the wards

The final recommendations following the review were that

- Boston Borough Council should be served by 32 councillors, as at present
- There should be 18 wards, as at present
- The ward boundaries of 14 of the existing wards should be modified, while three wards should retain their existing boundaries
- Elections should continue to take place every four years

When undertaking a review the Commission has regard to a statutory criteria based around three broad principles. These are:-

- The need to reflect the identities and interests of local communities
- The need to secure effective and convenient local government
- The need to secure equality of representation.

The Commission can make the following recommendations for local authority electoral arrangements:

- The total number of councillors to be elected to the council (known as 'council size')
- The number and boundaries of wards or divisions
- The number of councillors to be elected for each ward or division, and
- The name of any ward or division

In summary the objective of an electoral review is to provide for good or improved levels of electoral representation across a local authority area. This means ensuring that, as far as possible, each councillor represents the same number of electors as his or her colleagues.

The criteria adopted by the Commission is that it will undertake a review if more than 30% of a council's wards/divisions have an electoral imbalance of more than 10% from the average for that authority; and/or if there is one ward/division with an electoral imbalance of more than 30%, and the imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period.

Currently in Boston 38% of our wards/divisions have an electoral imbalance of either more than or less than 10%.

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 or divisions of that authority. In advance of a review, the Council would be required to submit to the Commission various information including electoral data, maps, information about governance arrangements, information about the Council, parish councils, community groups, partners and stakeholders.

We are currently in the preliminary stage of the review and must have our 'council size' submission to the LGBCE by the end of October, following which a decision will be reached by the 12th December as to the type of review that will be undertaken.

There are three types of review process:

Type A – no clear need of desire for significant change

Type B – fairly small change in council desired or necessary

Type C – prospect of substantial change in council size

These tables give an indication of the timescales involved in a review for Boston.

| Type A | | |
|--|-------------------|----------------------|
| Stage | Date start | Date finished |
| Preliminary period | 27 July 2011 | 12 December |
| LGBCE: decisions on type of review and 'minded council size' | 13 December 2011 | |
| LGBCE analysis and deliberation on warding arrangements | 14 December 2011 | 12 March 2012 |
| Draft recommendations published | 13 March 2012 | |
| Draft recommendations consultation | 12 March 2012 | 18 May 2012 |
| LGBCE analysis and deliberation | 19 May 2012 | 5 August 2012 |
| Final recommendations published | 6 August 2012 | |

| Type B | | |
|--|-------------------|----------------------|
| Stage | Date start | Date finished |
| Preliminary period | 27 July 2011 | 12 December |
| LGBCE: Decisions on type of review and 'minded' council size | 13 December 2011 | |
| Further information gathering for warding arrangements | 17 January 2012 | 9 April 2012 |
| LGBCE analysis and deliberation | 10 April 2012 | 11 June 2012 |
| Draft recommendations published | 12 June 2012 | |
| Draft recommendations consultation | 12 June 2012 | 23 July 2012 |
| LGBCE analysis and deliberation | 24 July 2012 | 14 October 2012 |
| Final recommendations published | 15 October 2012 | |

| Type C | | |
|---|-------------------|----------------------|
| Stage | Date start | Date finished |
| Preliminary period | 27 July 2011 | 12 December |
| LGBCE: Decision on type of review | 13 December 2011 | |
| Council size consultation | 17 January 2012 | 27 February 2012 |
| LGBCE analysis and deliberation for 'minded' council size | 28 February 2012 | 14 March 2012 |
| Further information gathering for warding arrangements | 27 March 2012 | 18 June 2012 |
| LGBCE analysis and deliberation | 19 June 2012 | 17 September 2012 |
| Draft recommendations published | 18 September 2012 | |
| Draft recommendations consultation | 18 September 2012 | 12 November 2012 |
| LGBCE analysis and deliberation | 13 November 2012 | 18 February 2013 |
| Final recommendations published | 19 February 2013 | |

The Borough of Boston

Boston is in south-east Lincolnshire bordered by the east coast and The Wash and by East Lindsey, South Holland and North Kesteven districts. It is an area of significant farming and food production and is one of the smallest districts in England.

Our population is officially recognised as approximately 61,000 and is expected to increase at a rate slightly above the national average by 2020. In line with the County, we have a significant population of older people and the majority of our population are from white ethnic backgrounds. We have the highest percentage of migrant workers in Lincolnshire, which contributes to our higher levels of employment when comparing regionally and nationally, however despite this there are considerable lower earnings and skill levels. We recognise that population figures do not equate to electorate, however we believe from various forms of evidence that our population could be significantly higher than official figures, perhaps by at least 10,000. If this is the case then we also believe that there could be an additional 2,500 people that are eligible to be on the electoral roll.

Currently we have an electorate of 47,293 which is an average ratio of 1:1478 per councillor and we recognise that there will be parts of our population that are not eligible to vote in addition to those who do not wish to make the state aware of their existence.

We do encourage people to register: they are sent a form on three separate occasions and if they still do not register our canvassers will make a personal visit (twice if necessary). Our canvassers are provided with a translation of the canvass information. We have started to carry out a campaign to encourage an increase in registration by providing information in alternative languages and working with schools and colleges to increase understanding and awareness. Prior to the May 2011 elections we ran a campaign to increase public awareness and the number of people that we have on the register of electors. We targeted young people through the use of posters displayed in the local college, and commissioned a short advert which was played continually on large screens in local youth centres. It is however difficult to provide any estimates for an increase in electorate over the next 5 years based upon this work. Out of the 47,293 electors in our borough 3,381 are European Union citizens, 299 are Commonwealth citizens and the remainder are British citizens.

Increase in electorate and new developments

Whilst the Local Plan does not identify any new or large scale developments, we are involved in a Strategic Housing Market Assessment with neighbouring authorities which indicates that there is a need for approximately 250 new homes per year within the borough. Based on this we could assume that these homes would be occupied by a family of two adults eligible to vote and so a forecast over the next five years could equate to an additional electorate of 2,500.

Rurality and Parish Councils

Due to the geography of the County of Lincolnshire a number of our wards are in very rural locations putting additional demand on the time of those ward members. Furthermore some of those wards are two member wards and there are instances where this may double the workload of those members. For instance, the ward of Swineshead & Holland Fen has three parishes and in order to effectively serve the communities, both of the elected members attend all three parish meetings.

In addition to the rural wards there are 10 wards located within the town of Boston, and whilst electorate figures may be similar they do not have Parish Councils. There is a belief that the town wards may suffer from the lack of Parish Councils as it is perceived that there is a benefit in having additional Parish Councillors to help share the workload. Additionally we understand that there are low levels of registration in the town wards and we will work with ward members to try to address this.

There are currently 11 borough councillors elected onto 8 Parish Councils, the frequency of their meetings is unique to each one and not influenced by the Council. It is difficult to indicate the impact of the workload of these councillors as although they may be elected to one Parish Council in reality councillors invariably

attend other Parish Council meetings in their 'patch'. For instance we know of one councillor who is elected onto a parish council but also attends four other Parish Council meetings as an observer.

| BOROUGH COUNCILLORS WHO ARE ELECTED ON PARISH COUNCILS 2011 - 2012 | |
|---|------------------------------|
| MEMBER | PARISH |
| RAYMOND SINGLETON-MCGUIRE | FISHTOFT |
| OSWALD SNELL | FISHTOFT |
| PETER BEDFORD | FREISTON |
| RICHARD LEGGOTT | HOLLAND FEN WITH BROTHERTOFT |
| COLIN BROTHERTON | KIRTON VILLAGE |
| MAUREEN DENNIS | OLD LEAKE |
| FRANK PICKETT | OLD LEAKE |
| MICHAEL BROOKES | SWINESHEAD |
| RICHARD AUSTIN | WYBERTON |
| JAMES KNOWLES | WYBERTON |
| ALAN LEE | KIRTON VILLAGE |

Political Management of the Council

The Executive

The Executive is the part of the Council which is responsible for most day to day decisions, other than those delegated to officers. In the case of Boston, the Executive is the Leader and cabinet. The Cabinet meets monthly. Key items to be considered by the Cabinet over the next few months are set out in the Forward Plan.

The Leader and the Cabinet have to make decisions, which are in line with the Borough Council's overall policies and budget. If it wishes to make a decision, which is outside the budget or policy framework, this must be referred to the Council as a whole to decide, although there are some exceptions to this rule.

In this Borough, the Council appoints a Leader who then appoints a Deputy Leader and between one and eight other councillors to serve on the Cabinet. The Cabinet is comprised of seven councillors with specific areas of responsibility or portfolios as follows:

- Coastal Strategy, Strategic Planning – Conservation/Heritage/LDF, County and Regional Partnerships, Transformation Programme, Development Control, Port of Boston, Regeneration, and Media
- Finance (including Revs and Bens), Procurement, IT, Corporate Governance, Customer Services, Freedom of Information, and Complaints
- Street Cleansing, Green Waste, Refuse and Recycling, Democratic Services, Parish Councils, Performance and Improvement
- Building Control, Environmental Health, Community Safety, Emergency Planning, Health and Safety, Licensing and Land Charges
- Town Centre Development and Management, Car Parks, BID, Markets and Public Toilets
- Leisure Services, Parks and Open Spaces, Country Parks and Reserves, Playing Fields, Tree Management, Crematoria and Cemeteries, Allotments and Grounds Maintenance.
- Housing, Community Transport, Property, Homelessness, Older People, Community Development and Voluntary Sector Support

Roles and Responsibilities of Councillors

Full Council

All Members of Council meet together in the Council Chamber to debate and conduct business which is appropriate to the full assembly of Boston Borough Councillors.

Cabinet

The Cabinet provides political leadership and is at the heart of the day-to-day decision making process. It also has a key role in proposing the budget and policy framework to the Council.

The Mayor is not permitted to be a member of the Cabinet.

Cabinet members are not permitted to serve on the two scrutiny committees – the Environment and Performance Committee and the Corporate and Community Committee.

The table below provides an overview of committees and membership

| Forum | No. of Members | Frequency |
|--|----------------|---------------|
| Cabinet | 7 | |
| Overview and Scrutiny Committee – Environment and Performance Committee | 11 | Every 8 weeks |
| Overview and Scrutiny Committee – Corporate and Community Committee | 11 | Every 8 weeks |
| Audit Committee | 9 | Every 8 weeks |
| Planning Committee | 13 | Every 4 weeks |
| Licensing/Regulatory & Appeals Committee | 15 | Quarterly |
| Standards Committee (6 Councillors, 3 Lay Members, 3 Parish Councillors) | 12 | Quarterly |
| Chief Officer Employment Panel | 6 | Ad hoc |
| International Links Committee | 4 | Ad hoc |
| South East Lincolnshire Joint Strategic Planning Committee (joint committee with South Holland DC) | 3 | Quarterly |
| Boston Town Area Committee (Town Ward Members ex officio) | 16 | Quarterly |
| # Way Forward Group | 10 | See footnote |
| Member Development Group | 9 | Every 4 weeks |

A recommendation to disband the Way Forward Group was agreed by full Council on 26 September 2011.

Overview and Scrutiny

We have recently reviewed our overview and scrutiny arrangements by aligning them with Cabinet portfolios and are known as:

- Environment and Performance Committee
- Corporate and Community Committee

The committees both meet every eight weeks and both undertake policy development, policy review, performance management and reviews of the areas within their remit. Both committees also hear 'Call Ins' on issues which fall within their allocated portfolio areas.

Joint Committees – ad hoc

The two Scrutiny Committees hold joint meetings to consider issues pertaining to all, for example to consider the budget.

Audit Committee – Meets 8 weekly

The Audit Committee is the body charged with governance and ensures the Council's governance and audit arrangements have regard to best practice. The Audit Committee is independent from the Scrutiny Committees and reports directly to Full Council.

Planning Committee – Meets every 4 weeks

The Planning Committee makes decisions about planning applications and Tree Preservation Orders and meets monthly. There is an opportunity at the meeting for members of the public to speak either in favour or against planning applications. Named and trained substitutes are required for the Planning Committee, and Members nominated to sit on the Planning Committee (and substitutes) must be prepared to undertake appropriate training.

| Year | Total planning applications | Committee Decision | Delegated Decision | % Delegated |
|----------|-----------------------------|--------------------|--------------------|-------------|
| 2008/09 | 568 | 40 | 528 | 92.96 |
| 2009/10 | 355 | 30 | 325 | 91.55 |
| 20010/11 | 431 | 28 | 403 | 93.50 |

There are 13 Members on the Planning Committee with an additional five named substitutes. The quorum for this committee is 5.

The table above indicates that there has been a decrease in decisions made by committee over the last three years.

Statistics for planning including substitutions 2009/2010

| Meeting Date | Number of Committee Members in attendance | Number of substitutes in attendance | Total attendance including substitutes | % |
|--------------|---|-------------------------------------|--|-----|
| 02/06/09 | 12 | 1 | 13 | 100 |
| 30/03/09 | 9 | 1 | 10 | 77 |
| 28/07/09 | 10 | 1 | 11 | 85 |
| 10/08/09 | 11 | 1 | 12 | 92 |
| 25/08/09 | 10 | 0 | 10 | 77 |
| 20/10/09 | 11 | 1 | 12 | 92 |
| 17/11/09 | 11 | 1 | 12 | 92 |
| 15/12/09 | 12 | 1 | 13 | 100 |
| 12/01/10 | 11 | 1 | 12 | 92 |
| 09/02/10 | 8 | 4 | 12 | 92 |
| 09/03/10 | 10 | 2 | 12 | 92 |
| 06/04/10 | 11 | 2 | 13 | 100 |
| 04/05/10 | 10 | 2 | 12 | 92 |

The optimum attendance for committees across the years 2009/10 without substitutes could have been 169. However, the table above indicates:

- Actual attendances were 136 which equates to 80%.

- With substitute's actual attendance rises to 154 which equates to 91%.

Statistics for planning including substitutions 2010/2011

| Meeting Date | Number of Committee Members in attendance | Number of substitutes in attendance | Total attendance including substitutes | % |
|--------------|---|-------------------------------------|--|-----|
| 1/06/10 | 8 | 2 | 10 | 77 |
| 29/06/10 | 8 | 1 | 9 | 69 |
| 27/07/10 | 9 | 3 | 12 | 92 |
| 24/08/10 | 10 | 0 | 10 | 77 |
| 21/09/10 | 9 | 2 | 11 | 85 |
| 19/10/10 | 10 | 1 | 11 | 85 |
| 16/11/10 | 10 | 1 | 11 | 85 |
| 11/01/11 | 10 | 1 | 11 | 85 |
| 08/03/11 | 12 | 0 | 12 | 92 |
| 12/04/11 | 12 | 1 | 13 | 100 |

The optimum attendance for committees across the years 2010/11 without substitutes could have been 130. However, the table above indicates:

- Actual attendances were 98 which equates to 75%.
- With substitutes attendance rises to 110 which equates to 85%.

Councillor attendance statistics at committees

Planning 2009/10 – 13 meetings

| Councillor | Attendance | Percentage |
|------------|------------|------------|
| 1 | 10 | 77% |
| 2 | 12 | 92% |
| 3 | 11 | 85% |
| 4 | 12 | 92% |
| 5 | 13 | 100% |
| 6 | 11 | 85% |
| 7 | 11 | 85% |
| 8 | 11 | 85% |
| 9 | 11 | 85% |
| 10 | 8 | 62% |
| 11 | 13 | 100% |
| 12 | 6 | 46% |
| 13 | 7 | 54% |

Planning 2010/11 – 10 meetings

| Councillor | Attendance | Percentage |
|------------|------------|------------|
| 1 | 9 | 90% |
| 2 | 5 | 50% |
| 3 | 10 | 100% |
| 4 | 6 | 60% |
| 5 | 8 | 80% |
| 6 | 10 | 100% |
| 7 | 10 | 100% |
| 8 | 5 | 50% |
| 9 | 5 | 50% |
| 10 | 10 | 100% |
| 11 | 8 | 80% |
| 12 | 7 | 70% |
| 13 | 5 | 63% |

The above tables reflect individual member attendance at planning committees. Councillors have been numbered to provide anonymity.

The statistics for planning are as follows:

A high number of planning decisions were made by officers with delegated powers:

- In 2008/09 92.96% of decisions were made by officers
- In 2009/10 91.55% of decisions were made by officers
- In 2010/11 93.50% of decisions were made by officers

Councillor attendance at planning committees has declined

- In 2009/10 there was 80% committee attendance (with substitutions this number rose to 91%)
- In 2010/11 there was 75% committee attendance (with substitutions this number rose to 85%)

We recognise that the decline in attendance for 2010/11 could be attributed to the fact that it was a pre-election year and that some members may have decided to stand down. We also recognise, and more importantly, are not suggesting that a lack of attendance automatically equates to a lack of representation for the electorate. The statistics do however indicate that this committee is functioning effectively at a reduced level and for that reason we are suggesting that there is a reduction of the core members from 13 to 11.

Licensing/ Regulatory and Appeals Committee – Meets Quarterly

The Council has delegated authority to the Licensing/Regulatory & Appeals Committee as follows:

- (a) In relation to employment matters:
 - To conduct hearings concerning employees' rights in connection with dismissal, the Council's Grievance Procedure and appeals for re-grading.
- (b) In relation to licensing matters:
 - To consider applications for licenses and registrations covering persons, premises, vehicles, businesses, activities and gambling where an officer chooses not to exercise delegated powers.
 - To determine whether to revoke, suspend or refuse to renew any license or registration.
- (c) To determine appeals for National Non-Domestic Rates Hardship Relief and Discretionary Rate Relief and to determine appeals under S13A Local Government Finance Act 1992 for a reduction in the amount of Council Tax payable.
- (d) To consider and determine appeals on housing matters, including housing allocations and discretionary improvement grants.
- (d) To consider high hedge complaints.
- (e) To monitor and review policy relating to licensing matters and make recommendations to Cabinet or Council as appropriate in relation to any proposed changes.
- (f) To determine appeals for Discretionary Housing Payments under the Discretionary Financial Assistance Regulations 2001.

Licensing/regulatory and appeals committee statistics

| Year | Total licensing applications | Committee Decision | Delegated Decision | % Delegated |
|---------|------------------------------|--------------------|--------------------|-------------|
| 2008/09 | 807 | 7 | 800 | 99.13 |
| 2009/10 | 818 | 7 | 811 | 99.14 |
| 2010/11 | 770 | 1 | 769 | 99.87 |

The table above indicates that the majority of decisions on applications have always been by delegated powers to officers.

There are 15 Members on the Licensing Committee, substitutes are not allowed. The quorum for this committee is 3.

Statistics for licensing by meeting 2009/10

| Meeting Date | Attendance | Percentage |
|--------------|------------|------------|
| 16/06/09 | 11 | 73% |
| 29/09/09 | 8 | 53% |
| 08/12/09 | 7 | 47% |
| 30/03/10 | 9 | 60% |
| | | |

Statistics for licensing by meeting 2010/11

| Meeting Date | Attendance | Percentage |
|--------------|------------|------------|
| 22/06/10 | 10 | 67% |
| 20/07/10 | 7 | 47% |
| 09/08/10 | 9 | 60% |
| 18/08/10 | 9 | 60% |
| 28/09/10 | 5 | 33% |

The optimum attendance for committees across the years 2009/10 and 2010/11 could have been 60 members and 75 members respectively. However, the tables above indicate:

- In 2009/10 the actual number was 35 which equates to 58%
- In 2010/11 the actual number was 40 equating to 53%

Licensing 2009/10 – 4 meetings

| Councillor | Attendance | Percentage |
|------------|------------|------------|
| 1 | 3 | 75% |
| 2 | 2 | 50% |
| 3 | 3 | 75% |
| 4 | 2 | 50% |
| 5 | 3 | 75% |
| 6 | 1 | 25% |
| 7 | 2 | 50% |
| 8 | 3 | 75% |
| 9 | 0 | 0% |
| 10 | 3 | 75% |
| 11 | 4 | 100% |
| 12 | 0 | 0% |
| 13 | 3 | 75% |
| 14 | 3 | 75% |
| 15 | 3 | 75% |

Licensing 2010/11 – 5 meetings

| Councillor | Attendance | Percentage |
|------------|------------|------------|
| 1 | 3 | 60% |
| 2 | 3 | 60% |
| 3 | 5 | 100% |
| 4 | 1 | 20% |
| 5 | 0 | 0% |
| 6 | 1 | 20% |
| 7 | 3 | 60% |
| 8 | 5 | 100% |
| 9 | 4 | 80% |
| 10 | 1 | 20% |
| 11 | 1 | 20% |
| 12 | 4 | 80% |
| 13 | 0 | 0% |
| 14 | 5 | 100% |
| 15 | 4 | 80% |

The above tables reflect individual member attendance at licensing committees. Councillors have been numbered to provide anonymity.

The statistics for licensing are as follows:

A high number of licensing decisions were made by officers with delegated powers:

- In 2008/09 99.13% of decisions were made by officers
- In 2009/10 99.14% of decisions were made by officers
- In 2010/11 99.87% of decisions were made by officers

Councillor attendance at licensing committees is on the decline

- In 2009/10 there was 58% committee attendance
- In 2010/11 there was 53% committee attendance

As with the Planning Committee we recognise that the decline in attendance for 2010/11 could be attributed to the fact that it was a pre-election year and that some members may have decided to stand down. We once again recognise, and more importantly, are not suggesting that a lack of attendance automatically equates to a lack of representation for the electorate.

Again the statistics indicate that this committee is functioning effectively at a reduced level and for that reason we are suggesting that there is a reduction of the core members from 15 to 13.

Standards Committee – Meets quarterly

The Standards Committee promotes monitors and enforces probity and high ethical standards in the Council and the local Parish Councils. The Mayor and Leader are not permitted to sit on the Standards Committee, and only one member of the Cabinet may be appointed.

The Constitution requires the Council to appoint three Parish Members and three Independent Lay Members to the Standards Committee, one of the Independent Lay Members to serve as Chairman. An Independent Lay Member may also serve as Vice-Chairman.

Chief Officer Employment Panel – ad hoc

The Chief Officer Employment Panel is a subcommittee of the Council with responsibility to carry out the recruitment, discipline and dismissal of any Chief Officers and in the most part to make recommendations on these matters for ratification at Council. Currently 6 councillors are appointed to this Panel.

International Links Committee – ad hoc

To deal with all matters relating to the Council's formally recognised international relationships, including allocation of funding (NOTE: funding recommendations are subject to Cabinet approval).

South East Lincolnshire Joint Strategic Planning Committee (joint committee with South Holland District Council)

Councillor Development Group – meets every four weeks.

The Councillor Development Group was established in September 2010 to oversee member learning and development and also to monitor the progress against the Councillor Development Charter Action Plan.

Boston Town Area Committee (BTAC) – Meets quarterly

The Committee comprises all elected Members representing the town wards of Boston. Its role is to:

- (a) Exercise and perform the powers and duties of the Council in respect of the non-parished Boston town area of the Borough for those services and functions delegated to it.
- (b) Take responsibility for the town's Special Area Expense Account (SAEA)
- (c) Reflect and represent the views of town wards and residents.

Council representation on external organisations

We currently have 83 places on external bodies, 11 of which are long term appointments i.e. 3-4 years. We are currently undertaking a review of all external appointment to ensure that membership on these bodies is meeting the current priorities of the Council.

Overlap on committees

We have looked at the representation on our regulatory, scrutiny and audit committees and there is a considerable amount of overlap of members as outlined below:

- There are 11 members on each of the scrutiny panels; with an overlap of 3 members i.e. there are 3 members who sit on both committees.
- Looking at Audit Committee alongside the scrutiny committees and there is an overlap of 6 members.
- Looking at our regulatory committees i.e. planning and licensing there is an overlap of 6 (this includes a cabinet member)

If we look at members individually against the same committees the details are as follows:

- Six members sit on 1 committee
- Twelve members sit on 2 committees
- Six members sit on 3 committees
- 1 member sits on four committees

| Committee Attendance Statistics | | | |
|--|-----------------------------|--|----------|
| Year | Potential Attendance | Actual Attendance including substitutions | % |
| 2009/10 | 925 | 789 | 85% |
| 2010/11 | 1074 | 818 | 76% |

As with the Planning and Licensing Committees we recognise that the decline in attendance for 2010/11 could be attributed to the fact that it was a pre-election year and that some members may have decided to stand down. We once again recognise, and more importantly, are not suggesting that a lack of attendance automatically equates to a lack of representation for the electorate.

There is though an argument that the regulatory committees are still functioning effectively with reduced levels of attendance and we are therefore recommending that we reduce the numbers of core members for both of these committees.

Council Management Structure and Decision Making Process

The current Chief Executive has held the post since 2009. He is supported by two Directors (one of which is the S151 Officer) and seven Heads of Service.

Delegations to Officers

The authority has a well developed and comprehensive Scheme of Delegation to Officers which sets out clearly where the responsibility and extent of delegation lies. Officers need to ensure that they make proper use of this scheme as previously items have been sent to committees when it has not been necessary, recent examples of this include the Equality and Diversity Strategy. Other mechanisms such as presentations and informal briefings could be put in place to ensure that members are fully informed of key activities. By ensuring that the scheme is properly adhered to committees can focus on their priorities.

Cabinet Decisions

The Forward Plan is circulated monthly, informing all members of the timetable for key and non key decisions being taken to Cabinet. The minutes are circulated within 48 hours and, in line with legislation, a 5 working day delay is in place to enable decisions to be called in. With sufficient support and guidance from officers, members of Cabinet can ensure that they accurately exercise their decision making power.

Member Allowances Review

At a meeting on 13 August 2010 the Council's Independent Remuneration Panel agreed that a review of the Members' Allowances Scheme would be undertaken, focussing primarily on the amount Councillors received as a basic allowance. A decision was also made that other aspects of the scheme, such as rates of special responsibility allowances, would be considered when the Panel undertakes a comprehensive review of the Members' Allowances Scheme in 2011/2012.

At the meeting it was acknowledged that the basic allowance figure of £2,378 per annum was the lowest in Lincolnshire and one of the lowest in the country. Basic allowance rates for Councillors from the other District Councils in Lincolnshire were considered, as outlined in the table below: -

| Local Authority | Basic allowance rate |
|---------------------------------|----------------------|
| City of Lincoln Council | £4,480 |
| East Lindsey District Council | £4,149 |
| North Kesteven District Council | £4,052 |
| South Holland District Council | £5,796 |
| South Kesteven District Council | £4,380 |
| West Lindsey District Council | £5,100 |
| Boston Borough Council | £2,378 |

Historically, the Independent Remuneration Panel's recommended increases to the basic allowance have been refused by the Council and as a result Boston Borough Council fell behind its neighbouring authorities and the majority of other authorities in the country. The Panel felt Boston Borough Council's allowance was too low and should be increased. Having made that decision, however, Panel members were also very mindful of the current economic climate and the anticipated media response to any increases in Councillor Remuneration, as well as the effect any increase could have on the public's perception of the authority's elected representatives.

The Panel highlighted the fact that Councillors had the ability to opt out of all or part of their basic allowance entitlement on an individual basis and that this approach was innovative and could help extinguish any negativity surrounding a perceived increase in allowances. Councillors would be able to stipulate how much of the new basic allowance entitlement they would like to receive to best suit their circumstances and requirements for undertaking their Council duties. This meant that a higher figure could be easier for the Council to adopt, so that it was not falling further behind the majority of the country's other local authorities.

At a meeting of Full Council on the 11th July 2011 it was agreed to increase member's allowances from the current £2,378 to £4,400 per annum over the three years 2011-12 to 2013-14.

The figures for each year would be:-

| | |
|---------|--------|
| 2011-12 | £3,052 |
| 2012-13 | £3,726 |
| 2013-14 | £4,400 |

Of the 32 councillors, 2 have exercised their right not to accept an increase in their basic allowance and will continue to receive £2,378 per annum. By reducing the number of members means there is potential to increase the allowance paid to individuals.

Member development/training

In 2010 the Council set up the Councillor Development Group (CDG) to support the development of councillors. The CDG reviewed the Induction Programme to ensure that it was fit for purpose and met the needs of both newly elected and re-elected councillors.

Newly elected councillors are expected to attend all of the induction sessions, apart from those relating to Planning, Licensing, Regulatory and Appeals Committees which are mandatory only for those councillors who sit on these committees.

We are in the process of introducing Role Profiles and Personal Development Plans for all councillors.

Parish Forums

We are developing Parish Forums, providing an opportunity for Parish Clerks to have a voice and keep abreast of developments within the Council.

Member activity

Whilst considering council size it is necessary for the work load of members to be taken into account and the ability of members to effectively represent their wards. In addition to community representation a number of members will also have additional responsibility in terms of being members of the Cabinet or will hold other positions of responsibility. We sent our councillors a questionnaire in order for us to gauge their activity within their wards and the pressures and constraints that this places on their time. Out of 32 councillors 13 (40%) sent back returned completed questionnaires.

These are the responses from the 13 members who completed the questionnaire.

Q. Are you in employment as well as being an elected member?

- 8 are retired
- 2 are in part time employment
- 3 are in full time employment

Q. Do you have any working arrangements with other district council ward members, County Council or Parish Councillors?

- 7 had general working arrangements with other Boston Councillors, with 3 specifically naming the other members they share arrangements with
- 5 had general working arrangements with County Councillors, with 3 specifically naming the other members they share arrangements with
- 5 had general working arrangements with Parish Councillors, with 3 specifically naming the other members they share arrangements with

Q. How do you keep in touch with your constituents?

- 5 said by attending parish council meetings
- 4 said through newsletters
- 1 said through a website
- 4 said through surgeries
- 1 said through ward visits
- 1 said through a village magazine
- 3 said through various charities and committees

Q. Roughly how many requests for advice/assistance do you receive a month?

| Requests per month | Members (of 11) |
|--------------------|-----------------|
| 1 to 2 | 4 |
| 3 to 4 | 4 |
| 5 to 6 | 2 |
| 7 to 8 | |
| 9 + | 1 |

Q. What do you do with the requests you receive?

| | Always | Sometimes | Rarely | Never |
|---------------------------------|--------|-----------|--------|-------|
| Deal with myself | 3 | 7 | 2 | 1 |
| Send to appropriate ward member | 4 | 4 | 1 | |
| send to officer at BBC | 3 | 7 | | |
| Send to officer at LCC | 3 | 7 | 2 | |
| Nothing | | | 1 | 2 |

Q. Approximately how many hours a week do you spend on the following tasks?

| Number of respondents reporting time spent on tasks listed below | | | | | | | |
|--|-----------|-----------|-----------|----------|---------|---------|-----|
| | 0-1 hours | 1-2 hours | 3-4 hours | 5+ hours | Max hrs | Average | |
| Dealing with ward issues | | 2 | 6 | 3 | 43 | 3.9 | |
| Attending community events | | | 5 | 2 | 33 | 2.8 | |
| Dealing with council correspondence | | | 3 | 4 | 42 | 3.8 | |
| Following up residents complaints/comments with officers | | | 7 | 5 | 39 | 3.0 | |
| Reading reports/minutes and agendas | | | 2 | 4 | 47 | 4.3 | |
| Attending council/committee meetings | | | 1 | 8 | 41 | 4.1 | |
| Attending area assemblies/partnership meetings | | | 5 | 4 | 31 | 2.6 | |
| Attending community/resident meetings within ward | | | 8 | 2 | 24 | 2.2 | |
| Political group meetings | 1 | 7 | 3 | | 26 | 2.4 | |
| Attendance at council appointed outside bodies | | | 4 | 1 | 22 | 2.0 | |
| Attending training/development events | 2 | 6 | 2 | 1 | 25 | 2.3 | |
| Attending civic events | 2 | 6 | 3 | | 24 | 2.2 | |
| If cabinet member time spent weekly on cabinet/portfolio holder business including external meetings | | | | 1 | 2 | 14 | 4.7 |

Number of respondents reporting time spent on tasks listed below

| | 0-1 hours | 1-2 hours | 3-4 hours | 5+ hours | Max hrs | Average |
|--|------------------|------------------|------------------|-----------------|----------------|----------------|
| Dealing with council correspondence | | | 3 | 4 | 42 | 3.8 |
| Reading reports/minutes and agendas | | | 2 | 4 | 45 | 4.1 |
| Attending council/committee meetings | | | 1 | 8 | 39 | 3.9 |
| Attending area assemblies/partnership meetings | 2 | | 5 | 4 | 31 | 2.6 |
| Attendance at council appointed outside bodies | 4 | | 4 | 1 | 22 | 2.0 |
| Attending training/development events | | 2 | 6 | 2 | 25 | 2.3 |
| attending civic events | | 2 | 6 | 3 | 24 | 2.2 |
| If cabinet member time spent weekly on cabinet/portfolio holder business including external meetings | | | | 1 | 14 | 4.7 |

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Community Identity

The borough has an electorate of 47,293 and is split into 18 wards, of which six are single wards, 10 are served by two councillors and the remaining two are served by three councillors.

There are 18 Parishes in the Borough and these are spread across 8 of our 18 Wards. The Parishes are situated within our rural wards.

| Ward | Councillors per ward | Electorate 2011 | Community Identity |
|------------------|----------------------|-----------------|--|
| Central | 1 | 1107 | Central Ward is located in the town of Boston and is served by a church and a railway station |
| Coastal | 2 | 3005 | Coastal Ward is made up of four parishes: Benington, Butterwick, Freiston and Leverton. <ul style="list-style-type: none"> • The Parish of Benington is served by a church (which is currently closed and has a butchers shop) • The Parish of Butterwick is served by a church and school • The Parish of Leverton is served by a church and shop • The Parish of Freiston is served by 3 pubs, a community centre, a church and a church hall. |
| Fenside | 2 | 2851 | Fenside ward is located in the town of Boston and is served by a community centre |
| Fishtoft | 3 | 4706 | The Parish of Fishtoft is served by a Post Office, primary school, a church and a pub |
| Five Village | 2 | 3090 | Five Village Ward contains five parishes: Bicker, Wigtoft, Sutterton, Algakirk and Fosdyke. <ul style="list-style-type: none"> • The Parish of Bicker – is served by: Post Office/Shop, two churches one Church of England and one Methodist church with adjoining hall. Village hall. • The Parish of Sutterton is served by a doctors surgery, primary school, Post Office and a shop • The parishes of Wigtoft, Algakirk and Fosdyke all have churches |
| Frampton & Holme | 1 | 1372 | Frampton and Holme Ward contains the Parish of Frampton and the Parish Ward of Kirton Holme |
| Kirton | 2 | 3682 | Parish of Kirton village ward is served by a Primary and secondary school, church, shops, town hall, library and a Post Office |
| North | 2 | 3072 | North Ward is located in the town of Boston and is served by a High School, a Hospital and a church |

| Ward | Councillors per ward | Electorate 2011 | Community Identity |
|--------------------------|----------------------|-----------------|---|
| Old Leake & Wrangle | 2 | 2703 | Parish of Old Leake is served by a church Parish of Wrangle is served by a school and church |
| Pilgrim | 1 | 1178 | Pilgrim Ward is located in the town of Boston and is served by a Grammar School, |
| Skirbeck | 3 | 3948 | Skirbeck is located in the town of Boston and is served by a leisure centre and a primary school |
| South | 1 | 1802 | South Ward is located in the town of Boston and is served by allotments |
| Staniland North | 1 | 1141 | Staniland North is located in the town of Boston and is served by a large Asda supermarket |
| Staniland South | 2 | 2814 | Staniland South is located in the town of Boston and is served by a primary school |
| Swineshead & Holland Fen | 2 | 3046 | The ward of Swineshead & Holland Fen contains three parishes: <ul style="list-style-type: none"> • Parish of Holland Fen with Brothertoft is served by Holland Fen Church, Brothertoft Church and two village halls • Parish of Swineshead is served by 2 village shops, a church and a primary school (which is federated with Sutterton Primary School) • Amber Hill Parish which has no amenities |
| West | 1 | 1674 | West Ward is located in the town of Boston and has a large sports centre |
| Witham | 2 | 3048 | Witham is located in the town of Boston and contains Central Park, a large green open space. |
| Wyberton | 2 | 3035 | Parish of Wyberton is served by a Primary school and a large Tesco supermarket, a church and a Post Office |

Conclusions

The previous electoral review in 1996 saw the number of councillors reduce from 34 to 32. Since this, in 2000, the Council has moved away from a Committee model to a Leader/Cabinet model thus reducing the level of involvement necessary for decision making and leading to a suggestion that we could once again sustain a reduction in the number of councillors.

Whilst attendance at meetings has declined, in the year 2010/11 the overall attendance figure was 76%, there are a high number of decisions made by officers under delegated powers and so there is scope to review the membership of our regulatory committees.

We need to remain mindful that many of our wards are in rural locations and are represented by more than one member; this in itself could double the workload of those members. Equally, those members serving town wards do not benefit from the assistance of Parish Councillors.

With all of this in mind we recommend that the Council Size be reduced by 2 councillors to 30.

The rationale for 30 is that we can allow 8 for Cabinet, 2 for Mayoralty and 20 to ensure that our regulatory, scrutiny and other committees have adequate representation and can continue to function effectively.

Although we cannot prescribe the number to sit on Cabinet, this would be up to individual Leaders, we have taken 8 as an average. Our intention is then to use the following model to structure our regulatory committees:

Licensing 13 a reduction from 15
Planning 11 a reduction from 13
Scrutiny 11 no change
Scrutiny 11 no change
Audit 9 no change

As it is good practice, we will continue to have an odd number on committees to try and avoid equality of votes.

If attendance on committees continues to decline we believe that they will still be sustainable with 30 members, but anything less may impact decision making. In addition to this a reduction of 2 members will increase the ratio of electorate to councillor by an average of 98, and it is our view that to reduce the number of members any further will detrimentally affect representation.

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