

ST EDMUNDSBURY BOROUGH COUNCIL

DEMOCRATIC RENEWAL WORKING PARTY

**Minutes of a meeting held on Thursday 24 November 2011 at 5.00 pm
in Room GFR12, West Suffolk House, Western Way, Bury St Edmunds**

PRESENT: Councillor Mrs P A Warby (Chairman)
Councillors Clifton-Brown, Cox, Farmer, Mrs Levack, Redhead and
Thorndyke

BY INVITATION: Councillor Everitt (Portfolio Holder for Tourism and Community
Services), Councillor Ray (Portfolio Holder for Performance and
Resources) and Councillor Nettleton

19. Substitutes

No substitutions were declared.

20. Apologies for Absence

There were no apologies for absence.

21. Minutes

The minutes of the meeting held on 8 September 2011 were confirmed as a correct record and signed by the Chairman.

22. Declarations of Interests

Members' declarations of interests are recorded under the item to which the declaration relates.

23. Consultation on the Proposal to Amend Parliamentary Constituency Boundaries

The Working Party considered Report C239 (previously circulated) which sought consideration of a consultation response to the Boundary Commission for England (BCE) on the 2013 Review of Parliamentary constituency boundaries.

Attached to the report were maps showing the initial proposals made by the BCE as follows:-

Appendix A: Bury St Edmunds;
Appendix B: South Suffolk; and
Appendix C: West Suffolk.

Appendix D provided a summary of the constituencies in Suffolk and East Cambridgeshire.

The 2013 Review of Parliamentary constituency boundaries would introduce substantial changes. It would reduce the number of constituencies in England from 533 to 502 and would make sure that each constituency had a similar number of registered electors. The rules in the legislation stated that every constituency in England (except two covering the Isle of Wight) must have an electorate of between 72,810 and 80,473,

that was 5% either side of the electoral quota of 76,641. The legislation also stated that when deciding on boundaries, the Commission may also take into account:-

- (a) special geographical considerations, including the size, shape and accessibility of a constituency;
- (b) local government boundaries as they existed on 6 May 2010;
- (c) boundaries of existing constituencies; and
- (d) any local ties that would be broken by changes in constituencies.

The Eastern Region had been allocated 56 constituencies, a reduction of two from the current arrangement. The proposals left nine of the 58 existing constituencies unchanged.

The electorate of the existing Bury St Edmunds constituency was currently 85,933 and, therefore, required reducing. The BCE was proposing to make minor changes to three of the seven existing constituencies in Suffolk in order to achieve this. The proposals affecting the Bury St Edmunds constituency were as follows:-

- (a) three wards of the District of Mid Suffolk (Badwell Ash, Gislingham and Rickingham and Walsham) be relocated to the proposed West Suffolk constituency; and
- (b) one ward of the Borough of St Edmundsbury (Pakenham) be relocated to the proposed West Suffolk constituency.

The Electoral Services Manager informed the Working Party that it had not been possible to allocate whole numbers of constituencies to individual counties or unitary authorities and so the BCE had grouped these into sub-regions. The number of constituencies allocated to each sub-region was determined by the electorate of the combined local authorities. Cambridgeshire, Norfolk and Suffolk formed one of these sub-regions with the proposed allocation of constituencies remaining at 23.

The Working Party held a wide ranging discussion on various matters, including the administration and funding of the elections. It was recognised that the proposals for constituencies were within the required range for the number of electors and, therefore, there was little reason for objecting. In addition, moving a ward from one constituency to another also had little impact for the electorate as the major factor on their representation was the 'quality' and achievements of their Member of Parliament.

RESOLVED:-

That no response be made to the consultation on the 2013 Review of Parliamentary Constituencies.

(Councillor Ray arrived during the discussion on this item.)

24. Electoral Reviews

The Working Party considered Report C240 (previously circulated) which sought consideration of a proposal from Councillor Nettleton regarding conducting a partial review of ward boundaries in Bury St Edmunds during 2012 before the County Council elections in 2013.

The submission made by Councillor Nettleton was tabled at the meeting. Councillor Nettleton expressed extreme disappointment that his submission to the Chairman and Vice-Chairman of the Working Party was not attached to the report being considered by the Working Party. He emphasised that his submission was in respect of reviewing the boundaries for the County Council divisions in Bury St Edmunds and not the wards within the Borough Council, therefore, the report did not address his request. During the discussion it was recognised that there had been a misunderstanding in the interpretation of Councillor Nettleton's request to review County Council divisions within Bury St Edmunds. However, it was emphasised that any request concerning County Council divisions had to be instigated by the County Council. It was further noted that once the Electoral Register was published on 1 December each year the information was forwarded to the Boundary Commission for England (BCE) who had the opportunity to review ward and division boundaries.

The meeting continued by discussing the report. It was noted that any reviews of ward boundaries in St Edmundsbury were the responsibility of the Local Government Boundary Commission for England (LGBCE). The Commission conducted either periodic electoral reviews (PERs), which were conducted "from time to time" in every principal local authority, or further electoral reviews (FERs), which could be conducted at any time for a particular area if it appeared to the Commission to be desirable.

One of the reasons for conducting a FER would be to correct an electoral imbalance. In these circumstances the criteria used by the Commission to initiate such a review were as follows:-

- (a) more than 30% of a council's wards had an electoral imbalance of more than 10% from the average ratio for the authority;
- (b) one or more wards had an electoral imbalance of more than 30%; and
- (c) the imbalance was unlikely to be corrected by foreseeable changes to the electorate within a reasonable period.

The table at Appendix A showed the electorate totals for all Borough wards and compared the ratio of electors to councillor across all wards. None of the Council's wards had an electoral imbalance of more than 30%, although 5 wards did have an electoral imbalance of more than 10% from the average ratio for the authority.

A council may request that a review be conducted if it felt that changes to ward boundaries were necessary because they were no longer clear and distinct or reflected community identities and local ties. The Commission was allowed to respond to such a request by conducting a review although they did not have to do so.

Where a review was carried out, the Commission had confirmed this would cover the whole of the Council's wards and they would seek to make electoral change orders six months in advance of the election in which the changes to electoral arrangements were implemented. They would start a review with no pre-determined view of its outcome. The next scheduled elections were in May 2015, therefore, any review would need to be concluded by December 2014.

The Working Party held a wide ranging discussion, including whether a reduction in the number of Borough Councillors was advisable. However, there was a consensus that a reduction in the number of Councillors would increase the workload of Councillors and may be detrimental to people standing for election. There was also a consensus that the statistics in Appendix D on the ratio of electors to Councillors, clearly showed that the LGBCE's criteria for a review on the grounds of imbalance were not met.

RESOLVED:-

That no representations be made to the Local Government Boundary Commission for England to undertake an Electoral Review of Borough Council Wards.

(Councillor Nettleton left the meeting at the conclusion of the discussion on this item.)

25. Member Development: Update

The Working Party considered Report C241 (previously circulated) which:-

- (1) noted the Council's success in re-achieving the East of England Local Government Association (EELGA) Charter for Elected Member Development and sought approval for the external development session evaluation form, as detailed in Appendix A to the report;
- (2) provided information on the Member Development Programme for the remainder of 2011/2012 and sought views on when the next Training Needs Analysis needed to be undertaken; and
- (3) monitored the Member Development Budget.

The Working Party noted that the Council had been awarded the Member Development Charter for a further three years from 5 October 2011. The Action Plan associated with the Member Development Charter had listed eight recommendations arising from the Council's assessment for the Member Development Charter and there was only one outstanding action, to provide a form which Members attending external development activities could use to produce a short synopsis of their attendance, including copies of slides/information where possible, which could then be fed back to other Members to share the learning. A draft form was attached as Appendix A to the report.

The Working Party considered the form and suggested a number of amendments, including:-

- (a) recording the type of activity;
- (b) revised layout to enable the details to be easily circulated to other Members; and
- (c) provide costs of attendance at the event.

Following consideration of the Training Needs Analysis forms at its last meeting, the second half of the 2011/2012 Member Development Programme had been finalised and details had been provided to all Members by means of a brochure, a copy of which was attached as Appendix B to the report. The majority of these sessions would be delivered internally by the Council's own officers.

Also following on from the previous meeting of the Working Party, details were provided of visits undertaken by Members to Council locations and to the waste recycling plant at Great Blakenham.

Training Needs Analysis forms were usually circulated to Members in January/February each year, in order to inform the Member Development Programme for that coming year, from May to the following April. As 2011 was an election year, the Training Analysis was conducted in July 2011 and it may be that January 2012 would seem too soon following the previous exercise. Consideration was given to circulating the necessary forms and it was concluded that in order to finalise the Member Development Programme for 2012/2013 the forms should be issued in March 2012.

Attached as Appendix C were details of the expenditure charged to the two Member Development budgets. A budget of £8,100 was used for the Member Development Programme, including funding externally sourced sessions which were delivered in-house, places on sessions offered by other councils or organisations, achieving the Member Development Charter and other costs. There was a further budget of £2,900 which paid for attendance at external conferences attended by individual Members.

The Working Party considered that it would be beneficial for details of the number of Members attending each training or development activity offered be circulated to Members. In this way the Working Party could monitor not only how many Members attended each session, but also the number of sessions attended by each individual Member, although the details circulated should be anonymous. It was considered appropriate to circulate a sample of the report to the Working Party for comment and include an item on the next agenda.

In response to a question, the Working Party was informed of the number of Members and substitutes of the Development Control Committee who had attended training during 2011/2012, and that the training record in respect of Members and substitutes of the Licensing and Regulatory Committee was maintained by the Licensing Services Manager.

A discussion was held on feedback from Members representing the Council on outside bodies. The Committee Services Manager informed the Working Party that monitoring of representation on outside bodies receiving grants from the Council was undertaken by the Grant Working Party. For the remainder there was a system whereby an annual form was issued to the Member on the outside body and the Committee Services Manager then produced an annual report which was initially considered by the Working Party prior to being presented to full Council. However, because of the low number of returns in the past and that 2011 was an election year no forms had been issued for the year.

It was agreed that a report be presented at the next meeting of the Working Party on the current monitoring procedures for representation on outside bodies, and the Committee Services Manager to also issue a reminder in the Members' Bulletin of the need for an annual report.

RESOLVED:- That

(a) Member Development Evaluation form for external activities

A revised form, based on Appendix A to Report C241, be presented at the next meeting of the Working Party.

(b) Training Needs Analysis

Training Needs Analysis forms be issued to all Members in March 2012.

(c) Monitoring Member Development

Details be presented at the next meeting of the Working Party of development activities undertaken by each Member.

(d) Representation on Outside Bodies

A report be presented at the next meeting of the Working Party detailing proposed arrangements for Councillors to report back on their work with Outside Bodies.

26. Full Council: Public Question Time

The Working Party considered Report C242 (previously circulated) which sought consideration as to the conduct of public question time at meetings of full Council.

On 27 September 2011 one member of the public had put a total of nine questions, including supplementary questions, to the Council. Some had been submitted in advance but others were without notice. Concerns had been expressed by some Members that it was not the intention for one member of the public to raise so many questions and that the Working Party should review this procedure. In addition, Councillor Nettleton had formally submitted a proposed amendment to the Council's Constitution.

Attached as Appendix A to the report was the current procedure as detailed in Section 9 of Part 4, Rules of Procedure, of the Council's Constitution. Appendix B attached to the report listed the key issues in public speaking procedures at meetings of full Council operated by other district/borough councils in Suffolk.

The Working Party held a wide ranging discussion especially regarding public speaking arrangements operated by other district/borough councils in Suffolk. Consideration was given to whether questions at the Borough Council's public question time should only be considered when due notice had been given of the question in writing, and also whether questions should only relate to items on the Council agenda for that meeting. However, it was concluded that the current procedures whereby a person should be allowed to ask one question only plus a supplementary question within the allotted five minutes should remain unaltered, and that the Mayor be asked to implement this 'rule' and use his discretion with the type of questions being asked.

RESOLVED:-

That no amendments be made to the current procedure for public question time at full Council, as detailed in Section 9 of Part 4, Rules of Procedure, of the Council's Constitution.

27. Amendments to the Constitution

The Working Party considered Report C243 (previously circulated) which sought amendments to the Council's Constitution.

The Working Party had as part of its Terms of Reference to 'recommend amendments to the Council's Constitution to full Council'.

Amendments in respect of the delegated authority to the Head of Legal and Democratic Services concerning procedures associated with responsibilities under the Data Protection Act 1998, Freedom of Information Act 2000 and Environmental Information Regulations 2004 were proposed in order to ensure that explicit delegation of these powers could be demonstrated. In addition, there was a need to amend an existing paragraph concerning proceedings in any court of law which was considered prudent because situations may arise when the most sensible course of action was to settle proceedings. Finally a further amendment was proposed to a delegated authority of the Head of Legal and Democratic Services which reflected that the Resources Directorate no longer existed.

The report contained a further proposal that the delegated authority of the Corporate Director for Community Services in respect of the Housing, Health and Safety Rating System: Enforcement Policy be transferred to the Head of Environmental Health and Housing as it was considered that it was more appropriate that the senior manager with the necessary technical expertise made these decisions.

RESOLVED:-

That the amendments to the Scheme of Delegation to Officers contained within Part 3, Responsibility for Functions, of the Council's Constitution, as detailed in Report C243 be approved.

28. Dates of Next Meetings

The Working Party confirmed that it would meet on 9 February and 26 April 2012. Both dates were Thursdays and meetings would commence at 5.00 pm.

The meeting concluded at 6.59 pm.

**MRS P A WARBY
CHAIRMAN**