

DONCASTER METROPOLITAN BOROUGH COUNCIL

ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE

9TH JULY, 2013

A meeting of the ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE was held at the CIVIC OFFICE, DONCASTER on TUESDAY, 9TH JULY, 2013 at 10.00 a.m.

PRESENT:

Chair - Councillor Moira Hood
Vice-Chair - Councillor Kevin Rodgers

Councillors Patricia Bartlett, Phil Cole, Nuala Fennelly, Deborah Hutchinson, Bill Mordue, Jane Nightingale, Sue Wilkinson and Martin Williams.

APOLOGIES:

An apology for absence was received from Councillor Hilary McNamee.

1. ACCEPTANCE OF URGENT ITEM OF BUSINESS

In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair agreed to accept an urgent item of business (Review of the Overview and Scrutiny function) as contained in Minute No. 7 below, on the ground that this would enable the Committee to make a recommendation to the Full Council Meeting to be held on 25th July 2013.

2. DECLARATIONS OF INTEREST, IF ANY

No declarations were made at the meeting.

3. MINUTES OF THE MEETING OF THE ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE HELD ON 12TH FEBRUARY, 2013

RESOLVED that the minutes of the meeting of the Elections and Democratic Structures Committee held on 12th February, 2013 be approved as a correct record and signed by the Chair.

4. MAYORAL ELECTION 2ND MAY 2013 EVALUATION REPORT

The Committee considered a report which provided an evaluation of the Mayoral Election held on 2nd May, 2013.

In presenting the report, the Assistant Director of Legal and Democratic Services summarised the salient points and stated that he was pleased to report that, on the whole, the Mayoral Election had run very smoothly and effectively. It was noted that the Electoral Commission had analysed the Council's performance against their Performance Indicators and the Council had met the standard across all areas, with positive feedback on the proceedings being received on the day from the Commission's observers.

General discussion followed, during which Members asked various questions and commented on a number of issues in relation to the Election. In response to a query as to why 3 different venues had been used for the administration of the Election at various stages of the process, the Assistant Director of Legal and Democratic Services explained that the Council did not have at its disposal enough dedicated space for the duration of the Election period in any one venue. This being the case, the Council had to make the best use of the available space and resources.

Members were particularly pleased to note the saving of £20,000 achieved on the delivery of poll cards through the provision of a mailing house service by the printers, together with the marked reduction in the number of postal votes rejected this time, compared to the number rejected in the Police and Crime Commissioner Elections in November 2012. In reply to a query by Councillor Phil Cole seeking clarity as to the meaning of the reference in paragraph 13 of the report to the 'total number of rejected postal envelopes', the Assistant Director of Legal and Democratic Services stated that he would find out and advise Councillor Cole outside of the meeting.

After Members had welcomed the improvements made in the running of the Election and asked for the Committee's thanks to be forwarded to the Electoral Services Manager and her team for their successful delivery of the Mayoral Election, it was

RESOLVED to note the report and request that this Committee's thanks be conveyed to the Electoral Services Manager and her team for the successful delivery of the Mayoral Election in May, 2013.

5. UPDATE ON ELECTORAL REVIEW

The Committee considered a report which outlined the present position with regard to the Electoral Review of Doncaster, being conducted by the Local Government Boundary Commission for England, and helped to identify the role that this Committee would have in the Review as it progressed.

In presenting the report, the Assistant Director of Legal and Democratic Services referred to the proposed timeframe for the forthcoming Electoral Review and confirmed that before the formal start of the Review, the Boundary Commission had asked the Council to put forward its views about the number of Councillors for Doncaster. The Council and any other interested parties had until late July 2013 to submit their initial proposals to the Commission. A Cross-Party Working Group had been established and held its first meeting to develop a detailed submission from the Council. The Chair and Vice-Chair of this Committee, Councillors Moira Hood and Kevin Rodgers respectively, and Councillor Phil Cole, also a member of the Committee, had been appointed to this Group. It was noted that the Chair had agreed to hold an Extraordinary Meeting of this Committee on 23rd July 2013, in order to be able to make a recommendation to the Full Council Meeting on 25th July on Council size. It was also noted that further meetings of this Committee were likely to be needed at key points throughout the Review process to consider the work of the Cross-Party Working Group and

make recommendations to the Working Group and the Council as required.

It was noted that the Boundary Commission had made it clear that, in considering the Council size submissions, the strength of the case and the argument would be taken into account and submissions from all parties would be given equal weight, before it came to any final decision.

Discussion followed, during which Councillor Martin Williams referred to the last major review conducted in 2004, when all Wards had been divided equally with the same number of Electors in each. He felt that the key point to consider was the timing of any changes in Council size in relation to when Elections were held and stated that he would not mind seeing a reduction in the number of Councillors from 3 to 2 per Ward in the future, but suggested that this should be done with minimal disruption by waiving the Elections in 2016 and instead implementing the changes to coincide with the Mayoral Election in May 2017.

In response, the Assistant Director of Legal and Democratic Services confirmed that the decision on Council size was to be determined first, and then it would be a case of considering how best to accommodate any proposed changes. With regard to the timing of any changes, the Boundary Commission had indicated that these would eventually coincide with the Mayoral Election but it would take several years for this alignment to take place. It was noted that the Intervention Commissioners had recommended to the Boundary Commission that whole Council elections should be held in 2015.

During discussion on the merits of whole Council elections as opposed to elections by thirds, which the Council currently utilised, the Assistant Director of Legal and Democratic Services confirmed that this was a matter for the Council to decide or it could be determined by the Secretary of State by way of a direction.

With regard to the number of Councillors in each Ward, Members noted that there was a presumption towards having 3 Councillors per Ward, but there could be some exceptions, such as rural Wards, where fewer than 3 Councillors may be recommended. It was also noted that, in considering the options for Council size and warding arrangements in the Borough, the Boundary Commission would take into account a wide range of factors and information submitted by the Council, covering issues such as the extent of Ward Councillors' workloads, how the Overview and Scrutiny function operated in Doncaster and how the Council's decision making structures worked.

The Assistant Director of Legal and Democratic Services informed the Committee that the Boundary Commission would carry out a further public consultation exercise on warding arrangements after November 2013, based on the proposed number of Councillors. He added that the role of Parish Councils going forward was another issue being debated at the present time, and he pointed out that there was a groundswell of opinion that some things currently done by Ward Members could be carried out by Parish Councillors in the future, allowing Borough Councillors to take on a more strategic role. In

reply, Members stressed that the workloads and casework for Ward Members were increasing rather than lessening, with more work being done at a local level these days, and they felt that it would be impractical to expect Parish Councillors to be able to take on any additional casework. It was also pointed out that many areas did not currently have Parish Councils.

It was then

RESOLVED that:

- (a) the Committee notes the report and agrees to meet at key points throughout the process to consider the work of the Cross-Party Working Group and make recommendations to the Working Group and Council as required; and
- (b) in order to be able to make a recommendation to Full Council on Council size, this Committee holds an Extraordinary Meeting on Tuesday 23rd July 2013 at 10.00 a.m.

6. ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE – WORK PROGRAMME 2013/14

Members considered a report which sought agreement of the key issues that would form this Committee's Work Programme for the 2013/14 Municipal Year and outlined the Electoral Services Work Plan for the period June 2013 – June 2014.

In presenting the report, the Assistant Director of Legal and Democratic Services referred to the Polling District, Place and Polling Station Review Update scheduled for the Committee's meeting in March 2014 and suggested that the Electoral Commission be asked to agree to defer this review for the time being, as this could prove to be abortive work in the light of the Electoral Review being undertaken. Members concurred with this suggestion.

During discussion, Members acknowledged that due to the large amount of business requiring this Committee's attention over the coming months, it was likely to prove necessary to schedule additional EDSC meeting dates into the Committee's Work Programme for 2013/14.

In referring to the canvass, Councillor Phil Cole explained that Barnsley Council had been offering unemployed people in its area the opportunity to undertake the canvass in order to provide them with meaningful work and he asked whether a similar arrangement could be introduced for the next canvass in Doncaster. In reply, the Assistant Director of Legal and Democratic Services stated that Officers would consult with Barnsley Council and ascertain lead-in times for implementing these arrangements in order to determine whether it would be feasible to introduce a similar initiative in Doncaster in time for the next canvass.

RESOLVED that:

- (a) this Committee's draft Work Programme for 2013/14 be approved,

subject to requesting the Electoral Commission to defer the Review of Polling Districts, Places and Polling Stations and noting the likely need for additional meetings of EDSC during the coming year; and

- (b) the Electoral Services Work Plan for June 2013 – June 2014, as detailed in Appendix A to the report, be noted.

7. REVIEW OF OVERVIEW AND SCRUTINY

The Chair referred to a paper tabled by Councillor Kevin Rodgers at the meeting (copy attached to these minutes at Appendix 1) which sought the Committee's agreement to make a number of recommendations to Full Council in relation to carrying out a review of the Council's Overview and Scrutiny function. Councillor Rodgers explained that this issue was closely linked to the work currently being carried out in relation to the Electoral Review, particularly in respect of the work by the Cross-Party Working Group in examining the changing role of Councillors and their involvement in the Council's decision making structures.

Discussion followed, during which Councillor Phil Cole supported the recommendations and expressed the view that there was a need to look at ways of improving the effectiveness of the Council's Overview and Scrutiny function. Other Members felt that the existing Scrutiny Panels had excessive workloads to deal with, due to having very wide remits and there was a need to review the number of Panels together with their respective areas of work, whilst also acknowledging that any changes could potentially have significant resource implications, particularly in terms of staffing, due to the limited number of Scrutiny Officers in the Scrutiny Team. On this issue, Members queried whether there might be scope for utilising the Council's Policy Officers within the various Directorates to help support the Overview and Scrutiny function. Councillor Phil Cole stressed the need to ensure that conflicts of interest did not come into play. He explained that where reports were being commissioned by Overview and Scrutiny that might be critical of a particular Directorate's services, it was important to be able to call upon 'neutral Officers' sitting outside of those Directorates to prepare such reports. Members agreed that the above points needed taking into account when looking at the resources required to meet the needs of an effective Overview and Scrutiny function and any possible restructuring arising from the review.

The Assistant Director of Legal and Democratic Services confirmed that some useful work to inform a review of current Scrutiny arrangements was already scheduled to take place during the next few weeks. A workshop for Overview and Scrutiny Chairs and Vice-Chairs, the Mayor and Cabinet and Directors was to be held on 15th July to consider effective Executive/Scrutiny relationships. A further workshop was scheduled for 22nd July to consider the role and relationships between Overview and Scrutiny and the Health and Wellbeing Board. The Assistant Director suggested that the outcomes from both these workshops should be factored into the review.

After it had been noted that any review of Overview and Scrutiny would stand alone from the Electoral Review, but that the Council's submission to the

Boundary Commission on Council size would reflect the fact that this work was being conducted, it was

RESOLVED TO RECOMMEND THAT THE COUNCIL:

- (a) Supports a review of the Overview and Scrutiny function of the Authority to identify improvements that take account of best practice from leading Councils;
- (b) Considers a refocus of the work of Overview and Scrutiny into Commissions to examine the strategic aspects of council functions and partners and the establishment of select Committees to do in depth work into particular topics;
- (c) In undertaking its review have due regard to the transfer of the Public Health function to local authorities; and
- (d) Review the resources and support for Overview and Scrutiny.

Paper tabled at EDSC Meeting held on 9 July 2013

“Under Part 3.8.2vii of the Council’s Constitution this committee recognises:

- The fundamental changes that local government is undergoing
- The reprioritisation of Council services and changes in delivery models and the need for coproduction with key partners
- The need for wider engagement between Council and citizen to build quality public services

Recommends to Full Council:

- A review of the Overview & Scrutiny function of the Authority following best practise from leading councils
- A refocus of the work of Overview & Scrutiny into Scrutiny Commissions to examine the strategic aspects of council functions and Select Committees to do in-depth work into particular topics
- Have regard to the impact of the transfer of Public Health function to local authorities and whether the Scrutiny of that function is best undertaken through a dedicated Health Panel
- A review of the resources and support for Overview & Scrutiny”