

Draft – Brighton & Hove City Council Council Size Submission

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How to Make a Submission

1. It is recommended that submissions on council size follow the format provided below. Submissions should focus on the future needs of the council and not simply describe the current arrangements. Submissions should also demonstrate that alternative council sizes have been considered in drawing up the proposal and why you have discounted them.
2. The template allows respondents to enter comments directly under each heading. It is not recommended that responses be unduly long; as a guide, it is anticipated that a 15 to 20-page document using this template should suffice. Individual section length may vary depending on the issues to be explained. Where internal documents are referred to URLs should be provided, rather than the document itself. It is also recommended that a table is included that highlights the key paragraphs for the Commission's attention.

About You

3. The respondent should use this space to provide the Commission with a little detail about who is making the submission, whether it is the full Council, Officers on behalf of the Council, a political party or group, or an individual.

This submission is being made by Officers following consultation with Members representing each of the three political groups in the Council (Green, Labour and Conservative.) It has not been through a formal decision making process. It is focused on providing factual information and projections rather than recommending a particular outcome.

Reason for Review (Request Reviews Only)

4. Please explain the authority's reasons for requesting this electoral review; it is useful for the Commission to have context. *NB/ If the Commission has identified the authority for review under one of its published criteria, then you are not required to answer this question.*

This review was initiated by the Local Authority Boundary Commission as part of its periodic review /A – Commission identified.

Local Authority Profile

5. Please provide a short description of the authority and its setting. This should set the scene for the Commission and give it a greater understanding of any current issues. The description may cover all, or some of the following:
 - Brief outline of area - are there any notable geographic constraints for example that may affect the review?

- Rural or urban - what are the characteristics of the authority?
- Demographic pressures - such as distinctive age profiles, migrant or transient populations, is there any large growth anticipated?
- Are there any other constraints, challenges, issues or changes ahead?

- Brighton & Hove City Council is a unitary authority created with the merger of the former Brighton Borough Council and Hove Borough Council on 1st April 1997 under the East Sussex (Boroughs of Brighton & Hove) (Structural Changes) Order 1995. It was granted city status in 2000.
- The Structural Change Order kept the original wards and councillor numbers for Brighton & Hove resulting in 26 wards with a total number of 78 Councillors. A review was undertaken in 2003 by the Boundary Commission which resulted in the reduction in the number of Councillors to the current 54 Councillors with 21 wards. It has a mixture of two and three member wards.
- There has been no change to the number of members or wards since the last review, but the names of two wards (Hollingbury & Stanmer Ward to Hollingdean & Stanmer Ward and Stanford Ward to Hove Park Ward) were changed. Proposals to review the external boundaries of the city to incorporate West Saltdean were considered but not progressed.
- You can find a breakdown of the population in the attached Brighton & Hove Population Joint Strategic Needs Assessment for 2020: <https://infogram.com/1pkzn2v3xn2095s97znn967jndc3lq1g0w5?live>
- Key information from the report includes:
 - Estimated population 290,900 (2019)
 - City populations is increasing (3.6% over the past five years). Similar to the South East and England
 - Similar to previous years, population growth between 2018 and 2019 is estimated to be the result of inward international migration (1,900 people). There were 500 more births than deaths while net internal migration (between the and the rest of the UK) was -1,400. This trend is expected to continue.
 - Children aged 0 -15 years are concentrated towards the west and north of the city with comparatively few children in the centre of the city.
 - Residents aged 16 – 64 years are most concentrated in central wards either side of the Lewes Road with fewer adults of working age in the wards to the east and west.
 - Older people in Brighton & Hove tend to live to the north and east of the city.
 - More than a fifth of Brighton & Hove's total population (22%, 63,200 people) is aged 19 to 28 compared to only 12% in the South East and 13% in England.

- The city is a destination for migrants from outside the UK. It's estimated that between 42,000 and 64,000 people (14%-22%) were born outside the UK. A half of migrants in the city were born in the EU.
- For the academic year 2018/19 there was 39,625 students at the University of Sussex and University of Brighton.
- The Electorate projection based on proposed new housing in the city is attached on the following links.

The Context for your proposal

Your submission gives you the opportunity to examine how you wish to organise and run the council for the next 15 years. The Commission expects you to challenge your current arrangements and determine the most appropriate arrangements going forward. In providing context for your submission below, please demonstrate that you have considered the following issues.

- When did your Council last change/reorganise its internal governance arrangements and what impact on effectiveness did that activity have?
- To what extent has transference of strategic and/or service functions impacted on the effectiveness of service delivery and the ability of the Council to focus on its remaining functions?
- Have any governance or capacity issues been raised by any Inspectorate or similar?
- What impact on the Council's effectiveness will your council size proposal have?

In 2001, following the introduction of the Localism Act 2000, a referendum proposing an elected Mayor was held. The proposal was not supported by the population and the Council continued with a committee system (known as "alternative arrangements" under the legislation) as that was its "fall back" proposal.

The Council changed from a committee system to an executive system of governance in 2008 as required by the Local Authorities (Public Involvement in Health) Act 2006. It moved back to a committee-based system of governance in 2011 following the introduction of the Localism Act 2011.

The council reviews its constitution regularly through the cross-party Constitutional Working Group with any amendments presented to the Policy & Resources Committee or full Council as necessary.

A review of the Council's governance arrangements was made by an LGA peer review in 2016 as part of a general peer review. The review did not propose changing the governance system

The arrangements seem to work well and are informed by the fact that the Council is in no overall control with a local culture of active public engagement (we have more questions, petitions, and deputations than most comparable authorities.)

The elector per member ratio is among the highest in unitary authorities although it has gone down slightly because of a reduction in the number of registered voters following the pandemic. Brighton & Hove has a large student population with two local universities.

NB: No suggested change to the size of the Council at this stage pending consultation with Members

Council Size

6. The Commission believes that councillors have three broad aspects to their role. These are categorised as: Strategic Leadership, Accountability (Scrutiny, Regulation and Partnerships), and Community Leadership. Submissions should address each of these in turn and provide supporting evidence. Prompts in the boxes below should help shape responses.

Strategic Leadership-

7. Respondents should provide the Commission with details as to how elected members will provide strategic leadership for the authority. Responses should also indicate how many members will be required for this role and why this is justified.

Topic		
Governance Model	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>What governance model will your authority operate? e.g. Committee System, Executive or other?</i> ➤ <i>The Cabinet model, for example, usually requires 6 to 10 members. How many members will you require?</i> ➤ <i>If the authority runs a Committee system, we want to understand why the number and size of the committees you propose represents the most appropriate for the authority.</i> ➤ <i>By what process does the council aim to formulate strategic and operational policies? How will members in executive, executive support and/or scrutiny positions be involved? What particular demands will this make of them?</i> ➤ <i>Whichever governance model you currently operate, a simple assertion that you want to keep the current structure does not in itself, provide an explanation of why that structure best meets the needs of the council and your communities.</i>
	Analysis	The Council will continue to operate a committee system of governance There is no proposal to change the number of the committees listed in the previous section.

Most of the committees consist of 10 Members which gives the right size for cross-party representation, substitution, development of a pool of expertise and democratic representation

Strategic and operational policies are developed by officers working with the relevant lead member before being submitted for approval by the relevant committee.

The current structure was developed following extensive consultation with Members of all Groups and after considering all alternatives. The Council has experimented with Executive Board in Waiting, a Committee system and a Leader and Cabinet form of governance. The current system has the broad support of all the political groups.

We currently have the following committees and sub-committees in addition to full Council:

- Policy & Resources Committee – 7 meetings per year
- Environment, Transport & Sustainability Committee – 6 meetings per year
- Housing Committee - 6 meetings per year
- Children, Young People and Skills Committee - 6 meetings per year
- Tourism, Equalities, Communities & Culture Committee - 6 meetings per year
- Planning Committee – 12 meetings per year
- Licensing Committee – 3 meetings per year
- Audit & Standards Committee – 4 meetings per year
- Health & Wellbeing Board – 8 meetings per year
- Health Overview & Scrutiny Committee – 4 meetings per year
- Greater Brighton Economics Board - Quarterly
- Orbis Joint Committee - Quarterly
- Policy & Resources (recovery) Sub-Committee - 6 meetings next municipal year but can always be more
- Personnel Appeals Sub-Committee - 3 to 20 meetings (appeals against dismissal and collective disputes).
- Licensing Panels (with sub-committee status) -20 to 30 meetings per year

The Council has 31 permanent Member Working Groups, which are listed below:

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| | <ol style="list-style-type: none"> 1. Asset Management Board 2. Budget Review Group 3. Constitution Working Group 4. Corporate Parenting Board 5. Joint Staff Consultation Forum 6. Leaders Group 7. Member Development Working Group 8. Member Advisory Group: Grants 9. Planning Committee Working Group 10. Procurement Advisory Board 11. Strategic Delivery Board 12. Housing Supply Member Board 13. King Alfred Project Board 14. Waterfront Project Board 15. Madeira Terraces Project Board 16. Brighton i360 Working Group 17. School Organisation Working Group 18. Cross Party Member and Stakeholder Steering Group for the Disability and Special Educational Needs Review 19. Cross Party Youth Group 20. Health & Social Care Integration Cross Party Members Working Group 21. Performance & Information Group 22. Community Safety Partnership Board 23. Cross-Party KPI Development Group 24. Modernisation Member Oversight Group 25. Brexit Working Group 26. Community Wealth Building Group 27. Valley Gardens Member Working Group 28. Local Cycling & Walking Infrastructure Plan Group 29. Stanmer Park Restoration Project Member Working Group 30. Homelessness Reduction Board 31. 2030 Carbon Neutral Cross-Party Member Working Group |
|--|---|

		<p>Advisory Bodies:</p> <ol style="list-style-type: none"> 1. Arts and Creative Industries Commission 2. Independent Remuneration Panel 3. Conservation Advisory Group 4. Housing Area Panels 5. Adoption and Permanence Panel 6. Brighton & Hove, and Barnardo's Link Plus, Joint Fostering Panel <p>The arrangements are reviewed regularly through the constitutional working group with any changes submitted to Council, on average, every 6 months. The system therefore has built in flexibilities and ability to change and adapt.</p> <p>The Council has been in no overall control since 2003 and the committee system is better suited to this as it enables all political groups to have a say in decision-making and the outcome reflects the views of the majority.</p> <p>Besides the formal constitutional roles, Members also sit on various Outside Bodies, from the Coast to Capital Local Economic Partnership, to the city's own Partnerships (collected together under Brighton & Hove Connected), and various Boards and Trusts.</p>
Portfolios	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>How many portfolios will there be?</i> ➤ <i>What will the role of a portfolio holder be?</i> ➤ <i>Will this be a full-time position?</i> ➤ <i>Will decisions be delegated to portfolio holders? Or will the executive/mayor take decisions?</i>
	Analysis	<p>We have a committee system and there is therefore no individual decision-making</p> <p>The number of committees are as set out earlier in this document.</p> <p>The Council operates a job-share arrangement for any position of special responsibility. Currently the Chairs of Housing, Tourism, Equalities, Communities and Culture and the Deputy Leader positions are job shared.</p>

		<p>The Council has adopted a constitution which sets out in detail the arrangements for delegation of powers to committee, sub-committees, and officers. You can access the constitution on the following link Link to constitution</p> <p>The Council has had a strong commitment to the committee system but has sought to keep the numbers to a minimum and cut the number of sub-committees down as far as possible and the P&R Committee reviews the number of the working groups on an annual basis.</p> <p>As stated above, the Committee system is under regular review via the Constitutional Working Group.</p>
Delegated Responsibilities	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>What responsibilities will be delegated to officers or committees?</i> ➤ <i>How many councillors will be involved in taking major decisions?</i>
	Analysis	<p>These are set out in the constitution. It is not proposed to make any significant changes</p> <p>All 54 Councillors will continue to be involved in making major decisions, such as the budget anything that is in the budget and policy framework. The Policy & Resources Committee which takes decisions that have major policy or budgetary implications has 10 Councillors and a Standing Invitee.</p>

Accountability

8. Give the Commission details as to how the authority and its decision makers and partners will be held to account. The Commission is interested in both the internal and external dimensions of this role.

Topic	
Internal Scrutiny	<p>The only official scrutiny committee the Council has relates to Health scrutiny. The cross-party nature of all the committees makes sure that proposals are scrutinised and challenged before a decision is made.</p> <p>Every member can ask to present a letter to any committee for consideration whether it is to propose a new policy or scrutinise a decision taken or any faults in implementation. The Policy committees can set up ad-hoc policy panels which serve a similar purpose to a scrutiny committee.</p>

Key lines of explanation		<ul style="list-style-type: none"> ➤ How will decision makers be held to account? ➤ How many committees will be required? And what will their functions be? ➤ How many task and finish groups will there be? And what will their functions be? What time commitment will be involved for members? And how often will meetings take place? ➤ How many members will be required to fulfil these positions? ➤ Explain why you have increased, decreased, or not changed the number of scrutiny committees in the authority. ➤ Explain the reasoning behind the number of members per committee in terms of adding value.
Analysis		<p>The scrutiny role of each Committee is set out in its Terms of reference. Equalities for example, is a function of the Policy & Resources Committee, but is scrutinised by the Tourism, Equalities, Communities & Culture Committee. These arrangements replaced a former 'generic' Overview & Scrutiny Committee which was set up in 2015.</p> <p>The role of the Health Overview & Scrutiny Committee is set out by statute and complemented by the role of the Health & Wellbeing Board.</p> <p>Member Working Groups are kept under regular review by the Constitutional Working Group, and fulfil an important scrutiny function, from oversight of the council's Modernisation agenda, budget, procurement, or Health and Social Care Integration.</p>
Statutory Functions		This includes planning, licencing and any other regulatory responsibilities. Consider under each of the headings the extent to which decisions will be delegated to officers. How many members will be required to fulfil the statutory requirements of the council?
Planning	Key lines of explanation	<ul style="list-style-type: none"> ➤ What proportion of planning applications will be determined by members? ➤ Has this changed in the last few years? And are further changes anticipated? ➤ Will there be area planning committees? Or a single council-wide committee? ➤ Will executive members serve on the planning committees? ➤ What will be the time commitment to the planning committee for members?
	Analysis	Four percent of approximately 3,400 planning application per year are determined by members at Planning Committee. This has been the case for some years. Arrangements have been recently introduced to allow more major applications to be delegated to officers and this may help to reduce this proportion over future years. It is not intended to move to area committees. Senior councillors have served on Planning Committee (Policy Committee Chairs). There is no specific period that councillors serve on Planning Committee (some stay on committee for many years). There are 12 meetings a year with additional meetings called for strategic planning applications.

		Brighton & Hove became a Community Infrastructure Levy (CIL) charging authority in October 2020. It is intended to take forward CIL governance proposals to the planning policy committee in June 2021. The proposals include a significant role for ward councillors in supporting or sponsoring 6-monthly bids into the neighbourhood pot for their wards. Citywide this will amount to approximately £300k pa (15% of the £2m likely to be generated). This will be piloted in 2021-22.
Licensing	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>How many licencing panels will the council have in the average year?</i> ➤ <i>And what will be the time commitment for members?</i> ➤ <i>Will there be standing licencing panels, or will they be ad-hoc?</i> ➤ <i>Will there be core members and regular attendees, or will different members serve on them?</i>
	Analysis	<p>For the 2019/20 municipal year there were 31 Licensing Panels which is a good example of an average year. The average length of a meeting is 4 hours and councillors will spend a couple of hours ahead of the meeting to go through the papers etc.</p> <p>The membership of the Licensing Panel is appointed at Annual Council, but they are called on an ad-hoc basis as and when required, with the 3 Members being taken from the parent Licensing Committee based on availability.</p>
Other Regulatory Bodies	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>What will they be, and how many members will they require?</i> ➤ <i>Explain the number and membership of your Regulatory Committees with respect to greater delegation to officers.</i>
	Analysis	<p>The 3 regulatory committees are currently as follows:</p> <p>Audit & Standards – 8 Cllrs with 2 independent co-optees – 4 meetings per year Licensing Committee – 15 Cllrs – 3 meetings per year Planning Committee – 10 Cllrs – 12 meetings per year</p>
External Partnerships		<p>Service delivery has changed for councils over time, and many authorities now have a range of delivery partners to work with and hold to account.</p> <p>The main partnerships for member involvement are BH Connected – 3 Group Leaders and one extra Member from the Administration, Community Safety Partnership, Economic Partnership, Transport partnership (Member chairing, all parties represented) , Strategic Housing Partnership (Member chairing) Equalities and</p>

	<p>Inclusion partnership (Member co-chairing) . Other partnerships have been affected by pandemic and will be reviewed in terms of operation and membership going forward.</p> <p>Public sector - Community Works (bhcommunityworks.org.uk)</p>
Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>Will council members serve on decision-making partnerships, sub-regional, regional or national bodies? In doing so, are they able to take decisions/make commitments on behalf of the council?</i> ➤ <i>How many councillors will be involved in this activity? And what is their expected workload? What proportion of this work is undertaken by portfolio holders?</i> ➤ <i>What other external bodies will members be involved in? And what is the anticipated workload?</i>
Analysis	<p>Members sit on a range of bodies, but in general do not have ability to make decisions on behalf of council</p>

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Community Involvement

9. The Commission understands that there is no single approach to community leadership and that members represent, and provide leadership to, their communities in different ways. The Commission wants to know how members are required to provide effective community leadership and what support the council offers them in this role. For example, does the authority have a defined role and performance system for its elected members? And what support networks are available within the council to help members in their duties?

Topic		Description
Community Leadership	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>In general terms how do councillors carry out their representational role with electors?</i> ➤ <i>Does the council have area committees and what are their powers?</i> ➤ <i>How do councillors seek to engage with their constituents? Do they hold surgeries, send newsletters, hold public meetings or maintain blogs?</i> ➤ <i>Are there any mechanisms in place that help councillors interact with young people, those not on the electoral register, and/or other minority groups and their representative bodies?</i> ➤ <i>Are councillors expected to attend community meetings, such as parish or resident's association meetings? If so, what is their level of involvement and what roles do they play?</i> ➤ <i>Explain your approach to the Area Governance structure. Is your Area Governance a decision-making forum or an advisory board? What is their relationship with locally elected members and Community bodies such as Town and Parish Councils? Looking forward how could they be improved to enhance decision-making?</i>
	Analysis	<p>Councillors have an online presence and are generally contacted by their constituents via email or social media.</p> <p>There are no area committees in Brighton & Hove, but the Council does support 4 Area Panels, Central, East, North and West which involve tenants and residents' associations in those four areas, and recommendations are reported to the Housing Committee.</p> <p>Councillors are able to hold ward surgeries although a number choose to use an online forum rather than hold physical sessions. There are also some councillors who use local newsletters/publications to put information into about their work and contact details; whilst others use their own social media accounts or join groups on Facebook that relate to their communities.</p> <p>The Youth Council is looking to extend its contact with the Council and to engage with Councillors.</p>

		<p>There are a wide range of groups that exist for Members to engage with that are run independent to the council e.g. the racial harassment forum and some specific council led groups through which Cllrs can engage – mainly the lead members on equality – groups such as Trans sub-group, anti-racism community advisory group.</p> <p>Resident expectation is that their ward member may attend community meetings, but it is not obligatory for them to do so; e.g. many Cllrs attend or indeed Chair Local Action Teams.</p>
<p>Casework</p>	<p><i>Key lines of explanation</i></p>	<ul style="list-style-type: none"> ➤ <i>How do councillors deal with their casework? Do they pass it on to council officers? Or do they take a more in-depth approach to resolving issues?</i> ➤ <i>What support do members receive?</i> ➤ <i>How has technology influenced the way in which councillors work? And interact with their electorate?</i> ➤ <i>In what ways does the council promote service users' engagement/dispute resolution with service providers and managers rather than through councillors?</i>
	<p>Analysis</p>	<p>The majority of councillors rely on email and setting up their own records for casework, however the council is developing a casework management system that will be offered to Members to use, which is hoped will be beneficial and enable more effective management of casework.</p> <p>Officers are required to respond to a Member enquiry within 10 working days and should provide a holding response earlier if the matter is complex and likely to take some time. Councillors will usually want the information returned to them so that they can respond to the enquiry but on occasion will ask officers to deal directly with the query.</p> <p>The Council's website offers residents the option to use a complaints system which they can use as an alternative to going through their local councillor, although it is likely that both options will be used.</p>

Other Issues

10. Respondent may use this space to bring any other issues of relevance to the attention of the Commission.

Summary

11. In following this template respondents should have been able to provide the Commission with a robust and well-evidenced case for their proposed council size; one which gives a clear explanation as to the number of councillors required to represent the authority in the future. Use this space to summarise the proposals and indicate any other options considered. Explain why these alternatives were not appropriate in terms of their ability to deliver effective Strategic Leadership, Accountability (Scrutiny, Regulation and Partnerships), and Community Leadership.

- The number of Councillors in Brighton & Hove is near the average for unitary authorities. When one looks at the number of electors on the register or the number of residents per Member, we have one of the highest ratios among unitary authorities.
- The volume of work handled by Members remains high. We are exploring electronic case management system to help them manage their workload
- The level of public engagement in Council decision making remains high with significant number of public questions, petitions and deputations
- The current governance system was developed following consultation with and the agreement of all political groups
- The Council has over the last 24 years considered and experimented with different governance systems and it is unlikely there will be support to change the system in the foreseeable future
- There statistical comparison suggests we have more electors per councillor than the average for unitary authorities. There is, however, no consensus on the right number for the authority.