

**LABOUR GROUP OF COUNCILLORS
ON NORTH YORKSHIRE COUNCIL**

Council Size Submission

North Yorkshire Council Review

CONTEXT FOR LABOUR GROUP PROPOSAL

The Labour Group of Councillors on North Yorkshire Council welcome this opportunity to put the case for reducing the 'democratic deficit' created by the loss of over 200 elected representatives since May 2023.

We argue that having too few Councillors is detrimental to democracy and makes it unreasonably difficult for Councillors to represent their communities and to assist those constituents who need help to negotiate the increasing complexity of public service delivery.

In its recent reviews of new Unitary Authorities based on former County Councils, we are pleased to note that the LGBCE has set the average number of electors as Durham - 1: 4,150¹; East Riding of Yorkshire - 1:4,196²; Wiltshire - 1: 4,257³; or Buckinghamshire - 1: 4,569⁴. We see no reason why the citizens of North Yorkshire should be significantly less well represented than citizens in those areas. We note particularly that the geographic area covered by North Yorkshire Council is about 4 times larger than Buckinghamshire.

The danger of building a democratic deficit into any new structure must be avoided

The key duties that Labour Councillors undertake to fulfil when selected to stand as Councillors are:

- To attend full council, the council executive and/or overview and scrutiny committee(s) and other committee meetings as necessary
- To monitor performance against targets in all areas of the council activity
- To engage with local residents to consult them, feedback on council activity, take up their concerns as appropriate and be their voice in the council
- To contribute effectively to the work of the Council, in line with Labour group policy as appropriate
- To help to decide service priorities and participate in agreeing and setting a budget, in line with Labour group policy.

As North Yorkshire Councillors, the Labour Group is committed to:

- ensuring that the number of Councillors and the size of area they represent are practical, ensuring workloads are manageable and help increase diversity of the Council.
- creating strong links with local areas by making sure all senior staff and all the authority's structures have an area focus as well as service responsibilities.

In the time between the statutory order creating the unitary North Yorkshire Council (March 2022), the May 2022 elections and the May 2023 commencement date, there was little opportunity for in-depth consideration of internal governance arrangements and their impact on effectiveness.

All the vital changes necessary for the new Council to function were accomplished by commencement date with little discernible disruption to the public. This is a tribute to all the staff concerned.

However, inevitably, the processes and operating ethos of the former County Council are dominant, especially in relation to the role of Councillors. There has been no fora for debate about the role of Councillors in an all-purpose Council operating at the size, scale and diversity of areas in North Yorkshire.

¹ LGBCE Review Final Report November 2023

² LGBCE News Release 7 May 2024 and Electoral Data

³ LGBCE Review Final Report October 2019

⁴ LGBCE Review Final Report May 2023

The only Councillor workload assessment that has been done was by the Independent Panel on Remuneration and is unpublished. However, the Panel's report recommending an increase in Councillor allowances notes:

'...the role of Councillors in the new unitary council is different as it has taken on the responsibilities of all eight councils that previously provided services in the county. In particular, there is a strong emphasis upon locality working, community leadership and linking in with parish and town councils and other local representative bodies. The new unitary council also has more statutory and regulatory responsibilities than the previous county council, such as domestic and commercial planning, licensing, and environmental health as well as housing...'

'...69% (38 out of 55) Councillors responding said that their council workload requires approximately 20 hours each week or more.'

And, of the Councillors interviewed by the Panel:

'The overarching concerns expressed were in respect of increased workload and the perceived need for the Basic Allowance to be sufficient to attract younger people and those who do not have independent financial means. Most Councillors stated that the current Basic Allowance was too low to achieve this and/or did not fairly reflect the time commitment required to do the job properly.'

We do not consider that an increase in the Basic Allowance is an adequate response to these significant concerns about the workload pressures on so many Councillors. An increase in the number of Councillors with a concomitant reduction in the number of electors per division is essential.

North Yorkshire Council is now the third largest local authority in England by population and by far the largest in area. The geographic area is not only large but also diverse in terms of the factors influencing current and future social and economic development.

For example the County's larger urban settlements of Harrogate and Selby to the central and south west are deeply affected by the Leeds conurbation housing market and its health system whilst Scarborough, Whitby and Filey face the challenges common to coastal towns at distance from other centres of population. The nature of the issues in the rural village of Bentham in the north west of the County which looks to Lancaster, 15 miles away, for its non-Council services and with poor road connections, is markedly different to those of, say, Roxby in the north east just some 22 miles from Middlesborough and close to good road connections, or Wormersley in the south west - fewer than 20 miles from the major South and West Yorkshire cities of Doncaster and Wakefield and close to the main north/south and east/west road network.

This means that policy development and decision making needs to be informed by a sufficiently large number of elected representatives to encompass the wide range of characteristics arising from the location of communities as well as their urban/rural nature.

From its inception North Yorkshire Council recognised the need for locality based structures for community engagement and planning - proposing 30 'local community partnerships'. Progress in developing effective models has been disappointingly slow. As Labour Councillors, we have seen little to address our concerns that the idea had not been properly thought-through. Nevertheless, it is a useful indication of the number of 'natural' communities across North Yorkshire that strengthens argument for an increase in the number of elected Councillors.

In all circumstances, we consider that the 'target' average number of electors per Councillor should be commensurate with that recently agreed for the unitary authority of Buckinghamshire - 4,600. On the Commission's estimate of future electors that would mean a Council of 108 Councillors. Should the NYC forecast of electors turn out to be correct, 108 Councillors would each have an average of 4,790 electors. Whilst higher than ideal, we consider this would be a tolerable workload.

Local authority profile

We have one point to add to NYC's submission on this section.

Most of the LSOAs in the quintile of the most deprived areas are represented by Labour Councillors. However, our concern about deprivation and poverty is not limited to these areas. The population dispersal across rural areas means that the number of people living in poverty does not register in such statistics.

We are concerned that some 22,800 North Yorkshire children are living in poverty⁵ and across all the rural North Yorkshire Parliamentary constituencies at least 2 in 10 children are living in poverty. In contrast to the idyllic image created by the TV series 'Heartbeat, in the parish where it was filmed 60% of children are living in relative low-income households⁶ and would have to travel 70 minutes to the nearest FE College. It is hard to imagine greater isolation in the UK than a population density of 0.1 person per hectare (one 40th of the national average).

Although the number in any one rural area may be small, the total numbers mean there is no less need for thoughtful, tailored action where initiatives developed in urban settings are inappropriate. We consider that an increased number of Councillors would create the conditions necessary for each Councillor to better understand the fine detail of the needs in their division.

Governance model, Portfolios, Delegated Responsibilities

The current Leader & Executive model of governance is supported by only a bare majority - 56% - of the elected Councillors⁷. The Labour Group considers that 10 individuals (Leader and 9 'portfolio' holders) cannot provide effective, democratic or representative leadership over the range and complexity of issues dealt with by North Yorkshire Council.

In our experience, strategic and operational policies are formulated by officers with little evidence of input from Executive members and without consultation with those Councillors who have a particular locus by virtue of the areas they represent or an interest in the issues.

For example, a housing enforcement policy is scheduled to be presented to the Executive for approval without discussion with Councillors representing Scarborough - which is acknowledged to have a concentration of poor quality housing, and without prior consideration by the appropriate Scrutiny Committee.

In reality, decision making is delegated to officers and it is difficult to see what role Executive portfolio holders are playing. For example, in the current calendar year to 11 July:

- the Executive Member 'Open for Business' is recorded as making 3 decisions despite having a portfolio covering Planning Policy and Local Plan development, Economic Development & Regeneration, Visitor Economy, Broadband, Harbours and relationship with the York and North Yorkshire Combined Authority Skills and Employability Working Group;
 - the Executive Member for Managing our Environment covering: Natural Capital, which includes Climate Change, Carbon Reduction and Bio-diversity, Waste Collection and Disposal, Regulatory Services which includes Environmental Health, Trading Standards and Licensing, Bereavement Services, Registrars and Coroners is recorded as making 1 decision;
- and
- the Executive Member for Highways & Transport is recorded as making 0 decisions.

Although major decisions are made by Council this is invariably 'at the end of the line' when no meaningful contribution can be made.

⁵ as assessed by the End Child Poverty Coalition <https://endchildpoverty.org.uk/wp-content/uploads/2023/06/End-Child-Poverty-MP-Briefing.pdf>

⁶ <https://www.gov.uk/government/collections/children-in-low-income-families-local-area-statistics>

⁷ Only 51 Councillors voted against moving to a Committee system debated at the Council on 22 February 2023.

Over a third of Councillors support the proposition that NYC should move to a Committee system of governance. The Labour Group will continue to push for that to happen. We therefore submit that there should be an increased number of Councillors to ensure that all the disparate parts of North Yorkshire are adequately represented in the democratic decision making and oversight through Committees. 108 Councillors would enable elected representatives of a good cross-section of areas to inform and be properly represented in decision making across the full spectrum of the Council's roles, relationships and service delivery.

For the reasons below, an increase in the number of Councillors would be beneficial even if the current governance model is retained.

Internal scrutiny

The current governance model of Executive and Scrutiny is not functioning properly as it is dominated by preserving the interests of the political group forming the Executive. Scrutiny Committees are not even free to select their own Chairs since just 52% of Councillors determined that the appointments should be made by Council - effectively the majority group.

We argue, that with the current governance model, scrutiny cannot be effective without an increase in the number of Councillors. There are only 5 Scrutiny & Overview Committees that relate directly to the work of NYC. The dominant expectation of Scrutiny Committee meetings is that Councillors will be passive recipients of briefings rather than active participants in holding decision makers to account.

In our view, for so long as the current governance arrangements persist, there should be an Overview & Scrutiny Committee for each Executive 'portfolio' that meet regularly with business scheduled to allow discussion prior to major issues going out to public consultation and being presented for final decisions.

Having 108 Councillors with the current governance model would, through an expanded Scrutiny system, ensure the necessary democratic input to policy development together with rigorous oversight of Executive decisions, standards of service delivery, and NYC's contributions to strategic partnerships.

STATUTORY FUNCTIONS

Planning

With 98% of planning decisions delegated to Council officers and 5,526⁸ planning applications received in 2023/24 (of which 218 were 'major'), the total number of Councillors has little bearing on the administrative processes of planning applications.

However, Councillors also fulfil a community representational role and even 'minor' householder applications can result in applicants or neighbours wanting advice and assistance. In this regard, Councillors provide a bridge between the community and the decision makers. The number of planning applications are not evenly distributed across the Council area and so the workload for Councillors varies considerably. An increase in the number of Councillors would result in a welcome reduction in the average number of applications per Councillor from 61.4 p.a. to 52.5.

We do not consider that the 6 Area Planning Committees, each with 70,000+ electors, can be regarded as 'local'. They are currently based on Parliamentary constituencies, 3 of which cover extremely large geographic areas. This means, for example, a Councillor elected for Filey qualifies to be regarded as a 'local' decision-maker for applications in, say, West Tanfield some 65 -70 miles and a car journey of 1hour 40 minutes away. Given North Yorkshire Council's declared commitment to making 30 community networks central to '*... ensuring local communities are at*

⁸ National Planning statistics for 2023/24 https://assets.publishing.service.gov.uk/media/666870b79d27ae501186db01/Planning_Performance_Dashboard_Table_Final.xlsx

the forefront...' of all that it does, we would expect greater Councillor involvement in local planning matters in future.

Licensing

We have nothing to add to North Yorkshire Council's submission

Other Regulatory Bodies

We have nothing to add to North Yorkshire Council's submission

External partnerships

Appointments of NY Councillors to strategic partnerships is almost entirely restricted to Councillors from the majority group. This limits the range of experience and extent of community representation contributed to the work of these important groups. Whilst we recognise that the current, inadequate number of Councillors is not the root cause of this situation, an increase to 108 would facilitate broader and more representative involvement and participation in the future.

The creation of the York and North Yorkshire Mayoral Combined Authority must place considerable demands on the time and attention of not only the Leader and Deputy Leader who are full members of the MCA but also the 2 Executive members appointed as their substitutes, the 4 Councillors who serve on the Audit & Governance Committee, the 6 who serve on the Overview & Scrutiny Committee and the 2 serving on the Business Committee. Irrespective of the number of meetings, each serving Councillor must do the background work necessary to understand and remain abreast of the work of the MCA in its entirety as the context for their role.

COMMUNITY LEADERSHIP

The way that Councillors carry out their representational role varies according to individual circumstances and the nature of their Divisions.

Labour Councillors stand for election to:

- develop links with all parts of the community e.g. visiting schools, meeting local businesses, attending tenants' meetings, visiting local projects and community groups
- conduct regular walkabouts in the ward to identify issues of concern and tackle nuisance e.g. fly-tipping, graffiti, abandoned cars
- promote and represent the Council in the local community and on community bodies (e.g. school governing bodies, residents associations)
- conduct regular surgeries to allow constituents to raise issues of importance or personal concern with their elected representatives
- take action on issues raised by constituents and lobby for resources for the ward within the constraints of the group's overall priorities and financial strategy for the Council
- attend local community events on a regular basis.

As stated above, the areas represented by Labour Councillors include those suffering the greatest concentrations of deprivation. The increasingly complex pattern of public service delivery, the impact of the cost-of-living crisis, and the intense pressure of the charitable and voluntary sector have impacted on the role of Councillors. We now spend increasing amounts of time sign-posting, referring and supporting residents to access services beyond the usual Council provision. .

In our experience, the extent to which Area Constituency Committees (ACCs) act as fora for community leadership and reflect the local needs and priorities is variable. There is a tendency for ACC agendas to be set by officers and to consist of information reports from various Council functions rather than led by Councillors reflecting the needs and concerns of their localities. With each ACC covering a large geographical area, the range of issues can be wide with often only one or two Councillors having a particular interest. More Councillors serving on a greater number of

more locality-focussed Committees would facilitate deeper debate and understanding of the issues facing residents.

North Yorkshire Council relies heavily on-line surveys as a means of public consultation. Whilst accepting that surveys can play a limited role, we regard a process that has reached no more than 1% of the number of electors in responding to pre-determined questions as wholly inadequate form of engagement. Elected Councillors could and should be involved in creating meaningful dialogues between the Council and the people we represent enabled by a smaller average number of electors.

Casework

In our experience there has been an increase in both volume and complexity of casework for Councillors. In some former District Councils there may have been as many as 4 Councillors across two authorities dealing directly with residents' queries. Some queries may be fairly straightforward and easily answered and resolved but nevertheless require a response and usually a follow-up. The greater the number of electors the greater the workload.

Recent illustrations of the range of casework contacts made to one Councillor on the same day are: a query about why no bus service information is readily available in one place; and a complex issue of the impact on entitlement to full council tax rebate of moving from employment support allowance to universal credit.

The range of NYC services require Councillors to have a sound working knowledge across the board to be able to answer the next incoming phone call or email. Examples drawn from one caseload include employment support, no-fault evictions, tree lopping.

NYC provides no support to Councillors to assist with case-work. There is no dedicated officer support to help elected representatives navigate the plethora of functions and no purpose-designed software for Councillors to keep track of progress on issues we raise.

Labour Councillors are visible in our local communities and are often the first port of call for a range of questions, many of which are not directly related to Council functions. As previously explained, we can spend a great deal of time sign-posting and referring constituents to various other agencies. Many of the individuals who contact us need encouragement, advice and support to progress their concerns.

The relationship that Councillors develop with other public services and agencies such as health, police, charities are key to being effective. It is part of our representational role to articulate residents' concerns to such organisations as well as to identify issues in which the Council needs to improve or make interventions.

For NYC to be serious about being the biggest 'local' Council it must invest in having a sufficient number of appropriately supported Councillors so that all residents across the geography can have ready access to an elected representative with the local knowledge, skills and resources to address their concerns.

Other issues

It is important to take issue with the argument that the size of the Council should be limited because of the cost of Member allowances and expenses. The total staffing budget for NYC is around £289,000,000 - the additional cost of allowances for 108 Councillors would amount to 0.1% of this. Effective local government requires a culture of mutual respect and partnership between elected representatives and appointed staff. The suggestion that NYC cannot 'afford' an adequate number of Councillors is risible.

SUMMARY

In making this submission, Labour Councillors on North Yorkshire Council have endeavoured to make a constructive argument, supported by appropriate evidence. We submit that the size of the Council should be increased to 108 Councillors each representing an average of 4,600 electors.

This is at the higher end of the range recently set by the LGBCE for other large unitary authorities but close to that of Buckinghamshire (4,569). Our case is based on the need to have sufficient Councillors to:

- adequately represent the various, distinctive interests of the numerous communities spread over more than 3,000 square miles of urban, coastal and rural terrain;
- enable meaningful engagement with their electors;
- respond appropriately to those who need assistance navigating the complex web of public service provision; and
- inform policy development and decision-making taking account of the wide range of characteristics arising from the diverse locations of communities across 3,000 square miles of urban, rural and coastal terrain.

Ends.