

Mid Sussex District 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 is the submission of Mid Sussex District Council, which has been approved by the meeting of the full council on 27th January 2021.

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 is a Periodic Review of Mid Sussex District Council.

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?

Mid Sussex is a geographically large, mixed rural and urban district located within the County of West Sussex. The Council is a second-tier local authority, a principal authority in respect of planning and electoral services.

There are 3 Town Councils for the urban areas of East Grinstead, Haywards Heath and Burgess Hill and a further 21 Parish Councils for the remaining rural areas and villages. The administrative area wholly contains the parliamentary constituency of Mid Sussex and parts of the Horsham and Arundel & South Downs constituencies.

The Council is currently comprised of 26 Wards represented by 54 Councillors. The district has high levels of electoral registration, typically 97% of the eligible electorate register to vote in each year. The area is seeing high levels of inward investment, regeneration and economic activity. Our electoral forecast and housing development submissions (submitted to the LGBCE 08/10/20) show high levels of housing development and we anticipate a steadily rising electorate in most electoral areas with the total rising from its present 115,361 to c.130,000 – 132,000 by 2027.

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?

The Council has a Constitutional Review Group that meets each year and looks to refine the strong Leader Cabinet model. Most of the changes over the past 10 years have been around the way the Council deals with planning applications. There are now more delegations to officers, sometimes in consultation with Planning Committee Chairs and Vice-Chairs and therefore fewer planning committees are needed. We have also moved away from area-based planning committees because they resulted in inconsistent decision taking. In separating the role of Cabinet from Council we follow the statutory requirements which get amended from time to time.

We have not had governance or capacity issues raised by any inspectorate or similar, but we currently have an external governance review which Council agreed as part of its response to Covid to see if we could get better outcomes from our Committee work with less resources required. With a cabinet model we do think 54 members is too many and the reduction in Members by 10% to 15% will leave the Council, which has a growing electorate, with sufficient elected members to do the work of the Council.

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		
<p>Governance Model</p>	<p>Key lines of explanation</p>	<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>
	<p>Analysis</p>	<p>The Local Government Act 2000 introduced a requirement for Councils with a population of over 85,000 to introduce a Cabinet/Executive model. The Act also introduced recommended Standing Orders and the requirement to have a Constitution with some prescribed information.</p> <p>The reason for the Cabinet or Executive model was to improve the efficiency and effectiveness of decision taking. The previous committee system, all reporting to the Council, sometimes produced some very long delays in decisions being taken. If elections do not produce periods of No Overall Control (the last was 1973 -1979), it is envisaged that the Cabinet model will be retained (please see 50-year political control summary at section 10).</p> <p>In our strong Leader Cabinet model, the Cabinet is made up of the Leader and Deputy Leader who are elected by all Councillors for a 4-year term and a further 5 Councillors who are nominated by the Leader of the Council. There is a direct relationship between Scrutiny Committees and the Cabinet portfolios.</p> <p>The Council has a good track record of keeping its governance arrangements under regular review and annual amendments are made to reflect changing needs. However, the impact of the pandemic has the</p>

		potential to be so significant, that a more fundamental review is needed. A formal review of Council Governance has therefore been commissioned and is underway. It is due to report and make recommendations to Officers in March 2021, so at that time MSDC will need to update the LGBCE regarding any accepted changes.
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>The Cabinet is comprised of 7 Members. They have full-time portfolios, which are as follows:</p> <p>THE LEADER - Overall political management and direction of the Council, Overall communications and media, Strategic partnerships, Cabinet appointments and responsibilities, Council Budget and Corporate & Financial Planning, Gatwick Airport liaison.</p> <p>THE DEPUTY LEADER - To deputise for the Leader, to take responsibility for political leadership of significant and cross cutting policy areas, Burgess Hill Growth Area, Finance, Corporate Estates and Facilities, Performance Management.</p> <p>CABINET MEMBER FOR ECONOMIC GROWTH - Economic Development & Regeneration, Parking.</p> <p>CABINET MEMBER FOR CUSTOMER SERVICES – Customer Services and Communications, Revenues & Benefits, ICT and Digital, Equalities, Safeguarding.</p> <p>CABINET MEMBER FOR ENVIRONMENT & SERVICE DELIVERY- Leisure, Landscapes, Waste, Sustainability</p> <p>CABINET MEMBER FOR COMMUNITY - Community Services, Emergency Planning, Voluntary Sector, Legal Services, Democratic Services, Land Charges, Environmental Health, Building Control.</p> <p>CABINET MEMBER FOR HOUSING & PLANNING – Planning Policy, Development Management, Housing, Homelessness.</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>The 2000 Act provided for individual Cabinet Members to take decisions. All such Cabinet decisions are subject to a 5-day call in period to the relevant Scrutiny Committee. A Forward Plan highlights when decisions are likely to be made. There is also an urgency procedure, involving consultation with the Chairman of the relevant scrutiny committee, to ensure decisions can be made very quickly if necessary.</p>

		<p>Cabinet decisions can be taken by the Cabinet or by individual Cabinet Members. In both cases the decisions are subject to call in. The call-in period is 5 working days after the publication of the decision. Decisions are published in a Member Information Bulletin each week.</p> <p>A called in decision can either be referred back to the Cabinet, the relevant Scrutiny Committee or to full Council. The Constitution sets out reasons for calling in decisions. These mainly relate to the way a decision was taken rather than the substance of the decision itself.</p>
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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	The scrutiny function of authorities has changed considerably. Some use theme or task-and-finish groups, for example, and others have a committee system. Scrutiny arrangements may also be affected by the officer support available.
<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>How will decision makers be held to account?</i> ➤ <i>How many committees will be required? And what will their functions be?</i> ➤ <i>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?</i> ➤ <i>How many members will be required to fulfil these positions?</i> ➤ <i>Explain why you have increased, decreased, or not changed the number of scrutiny committees in the authority.</i> ➤ <i>Explain the reasoning behind the number of members per committee in terms of adding value.</i>
Analysis	<p>To complement the work of the Executive, Overview and Scrutiny Committees were introduced. Their role can involve both policy formulation and scrutiny and the Act envisages a clear separation of roles between the Executive and Scrutiny Committees. Councils are required to have at least one Scrutiny Committee. Scrutiny Committees make recommendations but do not take decisions. They can enable back bench members to take a longer-term view of the work and responsibilities of the Council through policy development and review.</p> <p>The Council currently has three Scrutiny Committees of 15 members each. There is a direct relationship between them and the portfolios of Cabinet Members. They undertake the dual role of both scrutinising activities within</p>

		<p>portfolios and supporting policy development within them. The Council’s corporate performance is scrutinised by the Leader, Finance and Performance Scrutiny Committee. More detailed work on the specific service areas is carried out by the two remaining Scrutiny Committees. There are approx. 15 meetings annually across the three committees. Scrutiny Committees play an important role in developing new policies or strategies. They also scrutinise the effectiveness of the Council’s work and can offer recommendations for improvement.</p> <p>Either the Scrutiny Committees or the Council can set up task and finish working groups and provide them with terms of reference. Their purpose is to enable a small group of Members to work alongside officers to achieve particular work. They function best when the work is complex and benefits from technical advice from officers and community-based perspectives from Members.</p> <p>We have considered either maintaining the 3 scrutiny committees as at present or proceeding in future with 2. Each of these options requires careful consideration, and we expect our commissioned Governance Review to make a recommendation on this. Either way the scrutiny function would meaningfully utilise up to 36 Members.</p>
Statutory Function		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	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>What proportion of planning applications will be determined by members?</i> ➤ <i>Has this changed in the last few years? And are further changes anticipated?</i> ➤ <i>Will there be area planning committees? Or a single council-wide committee?</i> ➤ <i>Will executive members serve on the planning committees?</i> ➤ <i>What will be the time commitment to the planning committee for members?</i>
	Analysis	The planning committees deal with applications in those areas that require determination. Their decisions can be challenged within a fixed time by the courts and not by any scrutiny process. There are currently two Planning Committees with 12 members each, and approx. 24 meetings annually. There are strict timescales for the consideration of planning applications.
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>The licensing committees deal with applications in those areas that require determination. Their decisions can be challenged within a fixed time by the courts and not by any scrutiny process.</p> <p>A Licensing Committee dealing with licensing policies and regulations meets on average 4 times per year and has 15 Members. There is an ad-hoc licensing sub-committee utilising 5 of the 15 Licensing Members on an equally shared rostered basis which hears and determines applications around 16 times per year. There is a liquor licensing panel utilising 3 of the Members on an equally shared rostered basis which hears and determines applications around 8 times per year.</p>
Other Regulatory Bodies	Key lines of explanation	<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 Audit Committee has a specific role in relation to the accounts and investments and reports to Council. It has 7 Members and meets 4 times per year.</p> <p>The Standards Committee is charged with promoting high ethical standards and determining any Code of Conduct complaints. It has 6 Members and meets 3 – 4 times per year. Standards Sub Committees of 3 Members supported by the Monitoring Officer are convened as required to deal with individual Code of Conduct Complaints relating to Members not just of this Council, but also of elected representatives of other Councils within the MSDC administrative area.</p>
External Partnerships		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.
	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	MSDC has Councillor representation on 49 Outside Bodies (please see list supplied previously with Information Requirements). The administration group has appointed 22 Members to perform these roles, so some of them serve on more than one.

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>Members contact details, typically telephone number and email address, are published at the Council's website. The political parties also publicise via their own websites the contact details for their elected Members.</p> <p>Councillors engage with their communities in various ways including through local surgeries, social media, blogs, websites, e-comms, public meetings and newsletters. Surgeries and public meetings are likely to be held virtually at the present time.</p> <p>Members are supported with training in how to use social media most effectively to communicate with all sections of their community. Many areas have social, parish or community hubs where Members are in regular attendance. Some Members do attend meetings of their Parish or Town Councils and meetings of their Resident and/or Business Associations.</p> <p>Our area governance structure is a consultative and mutually supportive model operated to an agreed Charter.</p>
Casework	Key lines of explanation	<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>

		<p>➤ <i>In what ways does the council promote service users' engagement/dispute resolution with service providers and managers rather than through councillors?</i></p>
	<p>Analysis</p>	<p>Councillors represent community or specific interest groups by working directly with relevant officers of the council. Sometimes they will represent individuals with personal casework matters – this is kept separate from their political or other work, but often they will help individuals to navigate to the department or team of the council, where they will receive an appropriate service.</p> <p>Members are trained to know the council's service areas and their key accountabilities, and they have a comprehensive service directory both in hard copy and online. Officers do support Members to find the most suitable contact(s) for the matters they are dealing with.</p> <p>All councillors have their own IT equipment and access is given to use the Council network. Most are proficient in using digital communication channels.</p> <p>Customers and service users are encouraged to self-service as much as possible via the council's website where most transactional services are available. They can speak to officers by telephoning our customer contact centre. Council staff work to established and published Customer Service Standards. The Council has a two stage Complaints Procedure which enables managers to resolve complaints fully and promptly where possible, or to escalate for senior level investigation if a customer remains dissatisfied.</p>

Other Issues

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

50 Year Political Control Summary

Over the last 50 years the Mid Sussex District Council has not experienced regular political change of the type that is seen at some near neighbouring authorities. Political control in that period has been as follows:

No overall control 1973 -1979, Conservative 1979 -1995, Liberal Democrat 1995 – 1999, Conservative 1999 – present.

Strategic Development Site 'Northern Arc' Burgess Hill

We would particularly highlight the strategic development site the 'Northern Arc', Burgess Hill. Most of this site is within the current Cuckfield Ward, with a smaller element within Hurstpierpoint and Downs. However, the development is connected most logically to Burgess Hill and it will be referenced as Burgess Hill in future – with its southern boundary adjacent to Burgess Hill Leylands and Burgess Hill Dunstall wards. For the purposes of the calculations within our Development Forecast and the locational spread of development, 925 dwellings have been assigned to Burgess Hill Dunstall, and 625 to Burgess Hill Leylands.

Additional Significant Development

There has been significant housing development in the 3 main towns of East Grinstead, Haywards and Burgess Hill and the areas of Copthorne, Crawley Down, Lindfield, Cuckfield, Pease Pottage, Hassocks and Hurstpierpoint

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.

Subject to our commissioned Governance Review making alternative recommendations, it is considered that this Council requires the following number of Members to perform the listed functions, as follows:

- Cabinet – 7
- Scrutiny Committees – up to 36
- Planning Committees – 24
- Regulatory Committees – 28
- Outside Bodies - 22

Having regard to our Development Forecast (130,000 – 132,000 electors by 2027) and our expected future governance arrangements as set out above, it is considered that the Council Size should be not less than 48.