



CONSERVATIVE GROUP – DEMOCRACY COMMISSION SUBMISSION

INTRODUCTION

The Conservative Group initially discussed the Democracy Commission proposals at their Group Meeting on 12 December 2016 when Cllr Andrew Palfreeman talked through the presentation which had been formulated for all Political Groups/Councillors.

It was agreed at this meeting to circulate the e-questionnaire to all Conservative Members and to organise a specific Group Meeting to discuss a collective Group response, and this was arranged for 18 January 2017.

The e-questionnaire was circulated as agreed and 17/20 of the Conservative Members have responded. 3/20 Members have not disclosed whether they have responded and as it is a confidential exercise that will be respected. A minimum of 17/20 responses though is considered a healthy return.

At the meeting on 18 January 2017 there was a healthy attendance and detailed discussion around the three key themes: Councillors; Elections; Decision-making. Not all questions were answered specifically, and there was not always a consensus of opinion from all present. Other Members who couldn't be present were invited to comment by e-mail and some took the opportunity to do so.

This document summarises the points made at the meeting under the three key themes and these follow in this paper. This document has been written up by the Group Support Officer (Andy Wood) and amended/agreed by the Group Leader (David Hall). It has been circulated to Shadow Cabinet for comment and then Group for final comment, and now finalised will be submitted to the Head of Service (Carl Whistlecraft) to forward to the Democracy Commission.

COUNCILLORS

The role of Councillors was discussed at length and whilst there was some consensus of opinion there was also much disgruntlement generally. Amongst views expressed:

How can we improve a lack of understanding about the role of Councillors?

- The view was expressed that there are many Councillors from some Political Groups that don't actually know what their own role is or what they are supposed to be

doing. Similarly many don't know what 'New Council' is supposed to be, and since many Officers don't know either this is hardly surprising.

- It was suggested that in terms of improving the understanding of a Councillor's role, and indeed the Council's functions, there should be some teaching of this in schools as part of the citizenship curriculum. It was accepted that to an extent this does happen but not in a clear programme across Kirklees, and more on an ad-hoc basis, presumably where those running the schools consider it worthwhile.
- Officer numbers have been so reduced, and so much experience lost in this area, that Councillors are now expected to take on roles that they do not receive allowances for and in many cases haven't got time for. The role of Councillor has become far more wide-ranging than the role it was originally conceived as.
- Officers' understanding of the way Members work is patchy and many Officers do not interact with Councillors anymore. This has been a gradual process and it is difficult to specifically lay the blame as to how/why this has happened, but it is obviously not ideal.
- This change has resulted in a lack of appreciation from Officers and a genuine role reversal. There needs to be a happy medium – Councillors with work or family commitments can not necessarily accommodate 9 to 5 meetings but some Officers expect them to do so and can often be inflexible in their own working patterns.

Should there be a reduction in the number of Councillors?

- In terms of reducing the numbers of Councillors in Kirklees no overall view could be expressed by the Group because of many of the points already raised. It should be noted that reducing the number of Councillors (and thus increasing electorates) without addressing Councillor roles and allowances is not feasible.
- Consequently the Group are open minded to the possibility of reducing the number of Wards/Councillors in Kirklees dependent on the proposals brought forward by the Democracy Commission in terms of Councillor roles.
- Any reshaping of Wards would need to equalise electorates as much as possible and it is acknowledged that this is a role for the Boundary Commission – but the Council, the Democracy Commission and the Political Groups all have a role to play in making appropriate representations.
- In addition any proposed electoral realignment which the Democracy Commission should support needs to also take account of the Local Plan and the housing intentions it specifies over the next few years. Currently the smallest electorate is in Kirkburton (11,915) and the largest is in Mirfield (15,235) – proposals in the Local Plan will change these figures across the Borough and this needs to be taken into account.
- Because of modern communications (e-mail/social media) Councillors work volume has increased disproportionately to the allowances they are paid. Councillors, rather than Officers, are in many cases now the first port of call.
- In addition to some of the points raised bureaucracy has replaced democracy and in many cases Councillors are subjected to 'meetings about meetings', and many during office hours.

How can we help communities do more for themselves?

- This is what Conservative Members already do. (I.e. responding to constituents' enquiries and meeting them where possible and when asked, to give advice). It may well be that other Political Groups or Councillors do not function in this way – but if that is the case it is for them to address.

How do we attract the next generation of Councillors?

- The obvious things for the Democracy Commission to consider are: more clearly define the role of Councillor; potentially improve the financial rewards for taking on this ever changing role; and show that Councillors can actually achieve results.
- A key way in which improvements could be made would be to improve the number of decisions that are made locally by devolution. Despite many Conservative calls over a number of years, devolution in Kirklees has been and remains almost non-existent, and therefore Councillors have very little influence over how the Council acts or functions.
- Finally there is an issue regarding ill-discipline amongst Councillors which needs to be addressed. That certain Councillors wilfully break the Code of Conduct (or the law) and then are not punished by their own Groups (merely suspended and subsequently re-admitted) was seen as a disgrace which unfairly tars the reputation of all Councillors.
- The public's assumption is that there are no standards and there are no punishments for ill-discipline. There is therefore reduced respect for our Councillors amongst residents. The Council's Constitution and the Councillors' Code of Conduct must be rewritten to ensure that members are disciplined for bad conduct.

ELECTIONS

What could be done to increase voter turnout in local elections?

- The Council has a role in increasing turnout – but that is by making the Council relevant in terms of decisions made, and local Councillors relevant. Under present arrangements, without any devolution of note, local Councillors are hardly relevant and are therefore not seen to make a difference across the borough.

How can you help increase the understanding at elections of who your candidates are and what they stand for?

- This is largely down to the individual candidate and their own campaign.
- Parties and candidates circulate their own literature and are directly responsible for the messages they convey to residents.

Do you agree with lowering the voting age to 16?

- There was no support for reducing the age of voting to 16. In addition, reducing the voting age was considered an issue for Government and not relevant to the Council, and an issue that should be agreed at national level.
- Furthermore the proposals that 'children' should remain in education/further education/or in apprenticeships until the age of 18 further cements the fact that they should not be voting and reduces the case for lowering the age.

Would you like to change the election cycle to once every four years?

- The Group agreed that moving the electoral cycle to every four years, and all out elections, was not an option that should be pursued at this time and under present political arrangements.
- Any such change would disengage the public, discourage participation in elections, and remove accountability from the democratic process.
- Such a move would result in the public having less opportunity to express their views, and allow Councillors to ignore public opinion and push through controversial decisions without the need for democratic accountability or explanation.

DECISION MAKING

Is our current model of governance and decision-making effective? How could it be improved?

- The current Cabinet/Scrutiny model is no longer effective and Scrutiny has become ineffective. The Labour administration has effectively 'killed it off'.
- If a Scrutiny function is to be successful it needs to be chaired by the largest Political Group that is not in power.
- The old Committee system was discussed, particularly for the benefit of newer Members who had never worked in that system. The Committee system allowed all-Member involvement in the decision-making process, and also allowed Full Council the opportunity to overturn decisions.
- The present Cabinet/Scrutiny system does not allow any overturning of decisions, particularly as Scrutiny is now toothless. The view was that the Cabinet system is only any good if you form the Cabinet (politically). This is not healthy irrespective of whatever Political Group runs the Cabinet.
- It was pointed out that the old Committee system would mean more meetings for Members and this was something that most wanted to move away from.
- The overall consensus was that the correct decision-making format lays somewhere between the existing Cabinet/Scrutiny system and the old Committee system, and perhaps identifying where should be a key task for the Democracy Commission to develop for Political Groups to consider in due course.

What do you think would be the implications for governance and accountability locally of regional devolution?

- It is unclear what form this devolution will take, and so it is difficult for the Group to form a view until such proposals become clearer.

Do you feel decisions should be taken more at the local level in Kirklees?

- There was a strong feeling that local Councillors should take decisions on local issues and this has long been the Conservative Group view.
- Frustration at local devolution was again expressed. Kirklees poor attempts at devising/implementing real local devolution to local areas/wards were seen as negative.

How can technology make decision-making more transparent and open?

- The minuting of various Council Meetings - this was considered by some to be inadequate, particularly of meetings which are not webcast.
- In terms of technology and the benefits it could bring the Group felt that the Council always seemed to take the cheap option with technology to help Councillors rather than bringing in the latest up-to-date technology. Similarly there has never been any movement towards proper software to help Councillors with casework management, despite the issue being discussed in the past. Technology will only help if the Council is prepared to invest in the best.

OTHER MATTERS

- The Group felt there was a serious political imbalance in terms of involvement of minority parties in the functioning of the Council. That smaller parties with two or three Members get equal billing with larger Groups, in terms of information, support and accessibility to Leaders Meetings, is disproportionate and unacceptable.
- Finally there was a consensus amongst the Group that the Official Opposition needs recognition in the Council's Constitution. It was felt that the failure to do so did not lead to good governance and left the Scrutiny function open to abuse politically.

SUMMARY

In addition to being discussed at three Conservative Group meetings, this submission has been agreed by the Group Leader, approved at the Group Leadership meeting and by Shadow Cabinet, and circulated and approved by the Group as a whole. It is, therefore, an approved Conservative submission to the Democracy Commission process.