



GREAT YARMOUTH
BOROUGH COUNCIL

Council

Date: Thursday, 12 January 2017

Time: 20:00

Venue: Council Chamber

Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

3 ELECTORAL CYCLE 3 - 8

Report attached.

4 EMPLOYMENT COMMITTEE 9 - 12

Report attached.

5 VENETIAN WATERWAYS

Report to follow.

6 MOTIONS ON NOTICE

In accordance with Paragraph 26.11 (Motions on Notice) Council will be asked to consider the following motions :-

(a) Motion on Notice from Councillors Jeal, Pratt, Wainwright, Walker and Wright :-

" In view of the current Universal Credit crisis, we call upon this Council to write to Brandon Lewis MP and request that he attends a public meeting (to be arranged) where agencies and those affected are encouraged to voice their own experience of this new benefit."

(b) Motion on Notice from Councillors Fairhead, Jeal, Pratt, Wainwright and Walker :-

" In view of the Leaders remarks at the 22 December 2016 meeting regarding Voluntary Sector Grants, and as a decision was taken last year by the current administration to re-evaluate / reduce voluntary sector grants from 2017/18, and open up the application process to other voluntary sector organisations, Council is now asked to agree:-

RESOLVED - That the Council issues a public statement to explain the impact of any such cuts on existing organisations in receipt of grants, in view of the fact that these organisations are under more pressure than ever."

Subject: Electoral Cycle

Report to: Council – 12th January 2016

Report by: Licensing and Elections Manager

SUBJECT MATTER AND DECISIONS REQUIRED:

The Council has the choice of moving from elections by thirds to whole Council elections. If the Council wishes to change its electoral cycle, it must first follow a formal consultation process.

Members are therefore asked if they wish to consider the change in the electoral cycle for Great Yarmouth and to authorise consultation with interested parties on a proposal to change the Council's electoral cycle from elections by thirds to whole council elections.

1. Introduction

Great Yarmouth Borough Council has operated under a system of elections by thirds since it was formed in 1974. Each Member serves a term of four years, producing a four-yearly cycle of elections. The last cycle of Borough Council elections were held in 2014, 2015 and 2016 and the next cycle will be 2018, 2019 and 2020. When elections are held by thirds around 59,000 of the borough's 73,000 electors are entitled to vote each time.

A move to whole council elections would mean that borough elections would be held once every four years, rather than in three out of every four years. These are the same arrangements that exist in all other Norfolk authorities with the exception of Norwich, which still holds election by thirds.

Current Thirds Cycle

2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
County	Borough	Borough	Borough	County	Borough	Borough	Borough	County	Borough
			UK Parl				PCC	UK Parl	
			PCC						
		Parish	Parish			Parish	Parish		

Four Year Cycle

2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
County	Borough		UK Parl	County	Borough		PCC	County	Borough
			PCC					UK Parl	
	Parish				Parish				Parish

District Council	Election cycle	Percentage poll in 2011
Broadland	Whole Council Elections	45
Great Yarmouth	Thirds	38.34
Kings Lynn and West Norfolk	Whole Council Elections	41.72
North Norfolk	Whole Council Elections	49.71
Norwich	Thirds	36.3

The Localism Act 2011 amended the provisions of the 2007 Act so that Members have the opportunity to decide which year whole council elections will first be held. The cycle could start in 2018, 2019 or 2020.

There are currently a total of 132 District which operate the four yearly election model with only 62 operating by thirds elections.

2. Reasons to change to whole council elections

- A clear mandate from the electorate once every four years would enable the Council to adopt a more strategic, long term approach to policy and decision making and focus less on yearly election campaigning;
- The results from whole council elections are simpler and more easily understood by the electorate.
- Potential increased turn out at local elections;
- There would be a clearer opportunity for the electorate to change the political composition of the council once every four years;
- Whole council elections would enable comprehensive induction and training for all Councillors at the commencement of the four year cycle.
- Holding whole council elections once every four years would result in a significant cashable saving of £50k per annum for the council. (please see below) *Please note however this does not take into account any by-elections within the 4 years*

Cost of annual elections	Cost of 4 yearly elections
Staff - £40,000 Stations – £4,500 Booths & Storage – £2,000 Printing and Stationery - £10,200 Postage - £22,000	Staff - £50,000 Stations - £6,000 Booths & Storage - £2,000 Printing and stationery - £15,000 Postage - £30,000
Total approx. cost - £80,000	Total approx. cost - £120,000 (allowing for any extra costs)
	Saving - £120,000

3. Reasons to keep elections by thirds:

- Elections in three years out of every four provide more frequent opportunity for electors to vote and to influence the political make-up of the Council.
- Electing by thirds means there is more continuity of councillors without any chance of them all being replaced in a single election.
- An election by thirds provides a regular influx of newly elected councillors who can bring new ideas and fresh approaches to the Council
- More frequent elections help to keep voters engaged.

4. Other Items to consider

If the Council decides to move towards whole-council elections consequential changes could be made to Parish electoral arrangements, as well those of the borough council, to bring them in line with the new elections' period. The current parish election cycle is as follows:

2019	2020	2022
Belton with Browston	Bradwell	No parishes
Burgh Castle	Hemsby	
Caister	Hopton on sea	
Filby	Martham	
Fleggburgh	Ormesby St. Margaret with Scratby	
Fritton with St. Olaves	Somerton	
Mautby	Winterton	
Ormesby St. Michael		
Repps		
Rollesby		
Stokesby		
Thurne		
West Caister		

It may also be an opportunity to consider whether any changes to ward boundaries and number of councillors are required. The last boundary review was in 2004.

Ideally the electoral arrangements for an authority should:

- Provide the optimum number of councillors to discharge the functions of the authority
- Ensure that each councillor represents approximately the same number of voters
- Reflect the interests and identities of our local communities and
- Promote effective local government

In order for a review of electoral arrangements to be undertaken the Council must make a request to the Local Government Boundary Commission for England (LGBCE) to undertake a consultation and review. Such reviews will only be considered once a decision to move to all out elections have been taken and will typically take around 12 months.

A suggested timeline if a change to four yearly elections was agreed could be as follows:

Date	Action	Decision By
12 th January 2017	Approval of consultation	Full Council
6 th February – 6 th March 2017	Public consultation	Public
6 th April 2017	Final decision on election cycle	Full Council

5. Conclusion

If members decide to move to whole council elections, detailed work will be required in drawing up an order for the new scheme of electoral arrangements for the Borough wards and the Parish Councils. However, the first step is for Members to decide whether they are minded to consider a resolution for a move to whole council and elections and if so consult with appropriate persons.

A proposed consultation form is attached, appendix A. Following consultation, consideration by Full Council will be needed to pass a resolution to change to whole council elections. There is a requirement that two-thirds of the Members present at the meeting must vote in favour for the resolution to be approved.

6. Recommendations

- To investigate the merits of a change to whole council elections and if so approve a consultation exercise with appropriate persons.
- If agreed, consultation to commence on 6th February 2017 and run for a period of four weeks to the 6th March 2017.

LEGAL IMPLICATIONS:

Section 31 to 36 and 53 of the Local Government and Public Involvement in Health Act 2007, as amended in Schedule 2 of the Localism Act 2011.

FINANCIAL IMPLICATIONS:

Efficiencies will be achieved by changing the electoral cycle from elections by thirds to whole council elections. These efficiencies will result in improvements to the overall workings of the Council, in addition to annual cash savings.

If the Council decides to proceed with whole council elections there would be additional costs initially but these would be more than offset by savings from the two years when there will be no district council elections.

Does this report raise any legal, financial, sustainability, equality, crime and disorder or human rights issues and, if so, have they been considered?	Issues	
	Legal	Yes
	Financial	Yes
	Sustainability	Yes
	Equality	Yes
	Crime and Disorder	No
	Human Rights	No
	Risk Considerations	Yes

Council launches consultation on election cycle

We are interested in your views on whether we should change to whole council elections every four years or retain the existing system of 'elections by thirds'.

The change would see the whole council elected at the same time resulting in a £120,000 saving.

Following the meeting of Full Council on 12th January the Leaders of all political groups in Great Yarmouth showed support for the consultation.

Below is some background information and the arguments for both electoral cycles to help you give an informed view on the issue.

The consultation will run from 6th February to 6th March 2017 inclusive.

Our Council

Great Yarmouth Borough Council has 39 councillors representing 17 wards. Each ward is represented by up to three councillors and each councillor is elected for a four-year term of office.

Current cycle - elections by thirds

Currently the council holds 'elections by thirds' which means elections are held for approximately a third of all seats each year for three successive years out of four. This means those electors who live in a ward supported by three Councillors will vote in elections in all three years. Those with two councillors will only vote in two of the four years and Fleggburgh ward will only vote once as they have only one Councillor.

Whole council elections

Under the Local Government and Public Involvement in Health Act 2007, the Council has the power to change its electoral arrangements to 'whole council elections' which would mean that all seats on the Council would be elected at the same time, once every four years.

Please note no other elections will be affected by any future change in Great Yarmouth Borough Council's electoral cycle, Parliamentary elections, European elections and Police and crime commissioner elections will continue on their normal electoral cycle.

Timing of any change

If approved, the council will consider the earliest opportunity to implement the changes.

Full council meeting – outcome of the consultation

A full council meeting to consider the consultation will be held on 6th April 2017.

Reasons to change to whole council elections

- A clear mandate from the electorate once every four years would enable the Council to adopt a more strategic, long term approach to policy and decision making and focus less on yearly election campaigning;
- The results from whole council elections are simpler and more easily understood by the electorate;

- Potential to increase turn out at local elections;
- There would be a clearer opportunity for the electorate to change the political composition of the council once every four years;
- Whole council elections would enable comprehensive induction and training for all Councillors at the commencement of the four year cycle.
- Holding whole council elections once every four years would result in a £120k cashable saving.

Reasons to keep elections by thirds

- Elections in three years out of every four provide more frequent opportunity for electors to vote and to influence the political make-up of the Council.
- Electing by thirds means there is more continuity of councillors without any chance of them all being replaced in a single election.
- An election by thirds provides a regular influx of newly elected councillors who can bring new ideas and fresh approaches to the Council
- More frequent elections help to keep voters engaged.

Have your say

☐

Change to whole
Council elections

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Keep it as it is, elections
by thirds

Please leave your response with the staff, put them in the special box or return to:

Elections Team, Great Yarmouth Borough Council, Greyfriar's House, Greyfriar's Way, Great Yarmouth NR30 2QF

If you, or someone you know cannot understand the information in this document, or if you would like a large print, Braille or audio version please call the Elections Team on 01493 846327 or email elections@great-yarmouth.gov.uk

Subject: Employment Committee

Report to: Council – 22 December 2016

Report by: David Johnson - nplaw

SUBJECT MATTER/RECOMMENDATIONS

- 1. To approve the Terms of Reference for the Council's Employment Committee.**
- 2. That the political balance rule be waived.**
- 3. The Group Leaders of each political group are appointed to the Employment Committee with Deputies to act as substitutes.**
- 4. Should recommendations 2 & 3 not be approved, political balance rules should apply with a Committee membership of 5.**

1. BACKGROUND

The Council has not previously had an Employment Committee but there are from time to time matters that require members' input into employment related matters. This will be at a high level. The Head of Paid Service and the Directors will deal with routine HR / employment issues.

The May 2016 Constitution makes reference to an Employment Committee but has no terms of reference for such, and no appointments were made at the May Council. Therefore this needs to be properly established with Terms of Reference and appointments. Suggested terms of reference are set out below.

In any event, it is proposed that the Leader of the Council should be a member having regard to some of the functions the committee may have to discharge. The Members appointments will last until the 2017 Annual General Meeting.

In respect of appointments the Constitution requires a political balance, however Council may consider it more appropriate for such a Committee to include all Group Leaders for cross party representation. This would require a unanimous decision by Council.

2. EMPLOYMENT COMMITTEE TERMS OF REFERENCE

EMPLOYMENT COMMITTEE

COMPOSITION:

To be determined by Council.

TERMS OF REFERENCE OF EMPLOYMENT COMMITTEE:

1. Except to the extent delegated to Chief Officers in accordance with the Officer Employment Procedure Rules set out in Part 41 of the Constitution, to determine the terms and conditions on which staff hold office (including procedures for their dismissal).
2. To be responsible for the appointment of the Head of Paid Service, statutory and non-statutory Chief Officers and Deputy Chief Officers (all as defined in the Local Government and Housing Act 1989). This power includes the establishment of ad hoc Appointment Panels to carry out this function.
3. To be responsible for taking disciplinary action in respect of the Head of Paid Service, in accordance with the procedures required by the Officer Employment Procedure Rules.
4. To designate an officer as Head of Paid Service (subject to approval by the full Council) and to provide staff etc. for that officer.
5. To designate an officer as the Monitoring Officer and to provide staff etc. for that officer.

6. To make arrangements for the proper administration of the Council's financial affairs including the appointment of the Chief Finance Officer.
7. To designate the Council's "Proper Officers".
8. Consider appeals against disciplinary decisions, unresolved grievances and grading appeals from employees (where specified in the relevant policy).
9. Monitor compliance with public sector equality duties and gender reporting duties"

NOTE: The procedures for taking disciplinary action in respect of Chief Officers, Deputy Chief Officers, the Chief Finance Officer and Monitoring Officer are set out in the Officer Employment Procedure Rules.

3. FINANCIAL IMPLICATIONS

N/A

4. RISK IMPLICATIONS

N/A

5. RECOMMENDATIONS

1. To approve the Terms of Reference for the Council's Employment Committee
2. The Group Leaders of each political group are appointed to the Employment Committee with Deputies to act as substitutes.
3. Should recommendations 2 & 3 not be approved, political balance rules should apply with a Committee membership of 5.
4. That the political balance rule be waived.

6. BACKGROUND PAPERS

Great Yarmouth Borough Council's Constitution

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	Yes
Section 151 Officer Consultation:	
Existing Council Policies:	Constitution
Financial Implications:	
Legal Implications (including human rights):	
Risk Implications:	
Equality Issues/EQIA assessment:	
Crime & Disorder:	
Every Child Matters:	