

Durham County Council

Council Size Submission

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How to Make a Submission

It is recommended that submissions on future governance arrangements and council size follow the guidance provided and use the format below as a template. Submissions should be treated as an opportunity to 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.**

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.

'Good' submissions, i.e. those that are considered to be most robust and persuasive, combine the following *key success components* (as set out in the guidance that accompanies this template):

- Clarity on objectives
- A straightforward and evidence-led style
- An understanding of local place and communities
- An understanding of councillors' roles and responsibilities

About You

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, a resident group, or an individual.

This submission was developed by a cross-party Electoral Review Member Working Group.

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 - 20 years. **The consideration of future governance arrangements and council size should be set in the wider local and national policy context.** 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 influence will local and national policy trends likely have on the Council as an institution?
- What impact on the Council's effectiveness will your council size proposal have?

The last review of the Council's internal governance arrangements was implemented in 2009, when County Durham's seven district councils merged to form a single unitary authority. The re-organisation to form a new single purpose authority was significant and improved the effectiveness of local government across the County as it provided economies of scale and enhanced focus and efficiency across all aspects of Council services. Since re-organisation, no governance or capacity issues have been raised.

National policy in respect of Devolution may impact upon the Council with a change in governance required if the Council is to benefit from a devolution deal. The nature of change will depend upon the type of any devolution deal. Similarly, any changes regionally in respect of Devolution may impact on the Council's role within the North East Combined Authority (NECA).

The outcome of the Government's White Paper of Fire Reform is also likely to have an impact on the Council's arrangements for the Durham and Darlington Combined Fire Authority and Police and Crime Panel.

At a local level, the Council is currently reviewing the way in which it engages with the community and other stakeholders, which may impact on the operation/composition of the Area Action Partnerships (AAPs).

The Council's proposals in respect of size are intended to make the Council more efficient but still able to deliver its statutory functions.

Local Authority Profile

Please provide a short description of the authority and its setting, in particular the local geography, demographics and community characteristics. This should set the scene for the Commission and give it a greater understanding of any current issues. The description should cover all 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?
- Community characteristics – is there presence of “hidden” or otherwise complex deprivation?
- Are there any other constraints, challenges, issues or changes ahead? This has not been addressed

Further to providing a description, the Commission will be looking for a submission that demonstrates an understanding of place and communities by putting forth arguments on council size based upon local evidence and insight. For example, how does local geography, demographics and community characteristics impact on councillor casework, workload and community engagement?

Durham County Council’s response – Local Authority Profile

County Durham is a large and diverse area; a place of distinctive character, predominantly rural, and with a strong sense of its own identity. Situated in North East England, the county covers an area of approximately 862 square miles (around a third of which is accessible green space). It is home to over half a million people it is, in terms of population size, the largest local authority in the North East and the seventh largest single tier local authority in England. There are 21 settlements in County Durham with an estimated population of over 5,000 people including Durham City, Chester-le-Street, Newton Aycliffe, Consett and Peterlee.

County Durham varies in character from remote and sparsely populated areas in the west to former coalfield communities in the centre and east, where villages tend to accommodate thousands rather than hundreds. The county stretches from the North Pennines Area of Outstanding Natural Beauty (AONB) in the west to the North Sea Heritage Coast in the east and shares a border with seven other local authorities: Sunderland, Gateshead, Northumberland, Cumbria, North Yorkshire, Darlington, Stockton-on- Tees and Hartlepool. Around 93% of the population lives east of the A68 road in approximately 40% of the county by area.

Boasting one of the first sites in the UK to be listed as a UNESCO World Heritage Site (Durham Cathedral and Castle), the county has 12 miles of Heritage Coast recognised internationally for its rare plants and wildlife, over 150 miles of accessible former railway paths, a top ranking university, 260 ancient monuments, almost 100 Sites of Special Scientific Interest (SSSI), nationally-recognised museums at Beamish, Bowes and Locomotion and is home to Durham Cricket and Lumiere, the UK’s largest light festival.

The county has a large and increasingly ageing population and has higher levels of deprivation than the national average. The county is in the top 40% most deprived upper-tier local authorities in England, ranking as the 48th most deprived of 151 upper tier local authorities in England.

Nearly half of our population live in the 30% most deprived areas nationally. For children this rises to 54% (IMD2019). and the County also experiences significant health inequalities including lower life expectancy and healthy life expectancy (with large inequality in both measures between the most and least deprived), and poorer health outcomes than the national average. Other significant challenges include the impacts of COVID and Brexit, climate change, the reduction of public funds, the rising cost of living and increasing levels of poverty, a relatively static employment rate, relatively low levels of labour market participation, graduate retention, and an ageing population. As a rural area, the county's economy lacks scale and diversity and needs to grow the business services sector.

Our 65+ population is projected to increase by 34% by 2043, with our 85+ population projected to double to nearly double by 2043, rising by 92%. Our student population is increasing in Durham City and the immediate surrounding areas as Durham University expands its footprint in the city. This is putting additional pressures on services and inadvertently skewing local national statistics, for example the percentage of the 18-24 population claiming out of work benefits (claimant count) is artificially lowered due to the high number of students in the area.

[Durham Insight](#) is our publicly available shared intelligence, research and knowledge platform for County Durham, informing strategic planning across the council and partnerships. The site contains a variety of data and intelligence including in-depth topic sections, interactive content and infographics, maps and story maps. Durham Insight provides data and analysis for a number of themes including Economy and Employment, Children and Young People, Deprivation and Poverty, Health and Wellbeing, Population, Crime and Community Safety, Housing and the Environment. It also reports at different geographic levels within the boundary of County Durham to help inform strategic decision making and support the work of Durham County Council and its partners in these areas. This is also available to the public and can be used by local communities to support projects they are involved with. These geographical areas can generally be broken down into three main categories:

- Statistical: Lower and Middle Super Output Areas
- Administrative: Electoral Wards
- Council service provision structures:
 - Area Action Partnerships,
 - Local Plan Monitoring Areas,
 - Family First Areas and
 - One Point Think Family Areas

In some cases, these boundaries can also cover other service categories.

For further information on these geographical areas please visit: <https://www.durhaminsight.info/geography-descriptions/> and reviewed

<p>533,149</p> <p>Total estimated population (2020) ⓘ</p> <p>Source: ONS*</p>	<p>262,253 (49.2%)</p> <p>Male estimated population (2020) ⓘ</p> <p>Source: ONS*</p>	<p>270,896 (50.8%)</p> <p>Female estimated population (2020) ⓘ</p> <p>Source: ONS*</p>
<p>561,423</p> <p>Total projected population (2043) ⓘ</p> <p>Source: ONS*</p>	<p>277,074</p> <p>Male projected population (2043) ⓘ</p> <p>Source: ONS*</p>	<p>284,349</p> <p>Female projected population (2043) ⓘ</p> <p>Source: ONS*</p>
<p>76.8</p> <p>Male life expectancy at birth (2020) ⓘ</p> <p>Source: ONS*</p>	<p>8.3</p> <p>Male life expectancy at 65 (2017 - 19) ⓘ</p> <p>Source: ONS*</p>	<p>56.1</p> <p>Male Disability Free life expectancy at Birth (2017 - 19) ⓘ</p> <p>Source: ONS*</p>
<p>80.1</p> <p>Female life expectancy at birth (2020) ⓘ</p> <p>Source: ONS*</p>	<p>9.0</p> <p>Female life expectancy at 65 (2017 - 19) ⓘ</p> <p>Source: ONS*</p>	<p>57.2</p> <p>Female Disability Free life expectancy at Birth (2017 - 19) ⓘ</p> <p>Source: ONS*</p>

Table 1. Summary of key indicators for County Durham. Source: Durham Insight.

Summary of population growth in County Durham

- In 2020, the total population of County Durham was 533,000 which was an increase of 3.9% (20,200) from 2011 and was lower than the 6.5% increase in population during the same period in England. County Durham now has the second largest population compared to the other 12 unitary authorities in the North East region.

Source: ONS 2020 Population projections for local authorities

Table 2. Change in population 2011-2020, North East Local Authorities.

2020 Rank (on % change)	Population			% Change
	Authority	2011	2020	
1	Newcastle upon Tyne	279,092	306,824	9.9
2	County Durham	512,994	533,149	3.9
3	North Tyneside	201,206	208,871	3.8
4	Stockton-on-Tees	191,824	197,419	2.9
5	Northumberland	316,278	323,820	2.4
6	Middlesbrough	138,368	141,285	2.1
7	South Tyneside	148,164	151,133	2.0
8	Hartlepool	92,088	93,836	1.9
9	Darlington	105,584	107,402	1.7
10	Redcar & Cleveland	135,164	137,228	1.5
11	Sunderland	275,330	277,846	0.9
12	Gateshead	200,349	201,950	0.8
	North East	2,596,441	2,680,763	3.2
	England	53,107,169	56,550,138	6.5

Source: ONS Population Estimates

- The rate of growth for the 18+ population is similar to the overall County Durham figures, with 4.4% growth between 2011 and 2020. This is lower than growth reported in England of 6.4% between 2011 and 2020.
- The population size of the wards within the county vary from ? Is this right?, which is the largest at 16,000 people, to the smallest Durham South, with 2,200 people.
- Although the County Durham population increased during 2011 and 2020, at a ward level these population changes ranged from a 2.9% reduction in Bishop Middleham and Cornforth, to a 5.4% increase in Elvet and Gilesgate. The wards with the biggest population growth correspond to the areas with either major new housing developments or large student populations.

Source ONS Ward-level population estimates

- In 2020 County Durham had an old age dependency ratio of 33.8 (65+ year olds) per 100 working age (16-64 year olds). This compares with an old age dependency ratio in England of 29.7 (65+ year olds) per 100 working age (16-64 year old) population.

Source: ONS Old age dependency ratio

- Of the 533,000 people in County Durham, 19.1% (102,000) are children aged under 18 years old, 59.9% (319,600) are adults aged 18 to 64 and 20.9% (113,600) are aged 65 and over. 2.4% (12,600) of the resident population are 85 and over.

Source: ONS Population Estimates

For more in-depth content relating to population data, including estimates and projections see the Population theme on Durham Insight: www.durhaminsight.info/population

Summary of deprivation in County Durham

- There are almost 14,000 businesses based in County Durham, an increase of almost 20% over the last 10 years.

- 72.1% of people of working age in County Durham are in employment. This is higher than regionally (71.8%), but lower than nationally (76.4%).
- ONS estimate that around one third of people in employment work in key worker occupations (33.1%/76,000 people, Jan 2019 to Dec 2019).
- 39 Lower Super Output Areas (LSOAs) in County Durham (12% of 324 LSOAs) are ranked in the top 10 percent most deprived areas in England. These 39 LSOAs cover an area representing 10.8% of the county's population.
- 158 LSOAs (48.8% of our 324 LSOAs) are within the top 30% most deprived nationally. 47.3% of the county's population live in these areas.
- Trends overall indicate a reversal of the previous continuation of the steady improvements in relative deprivation in previous indices. However, this masks opposite trends for specific aspects of deprivation: the health domain and housing have demonstrated improvement in relative deprivation.

For more in-depth and interactive content relating to deprivation and poverty in County Durham, see the Deprivation and Poverty theme on Durham Insight, including our Poverty dashboard and interactive Poverty summary map covering child poverty, Free School Meal eligibility, Index of Deprivation, Universal Credit Claimants, Claimant counts and Fuel Poverty for sub-county areas (LSOA, Ward, Action Area Partnership (AAP), Family First Area (FFA) and Local Plan Monitoring Area (LPMA)).

Council Size

The Commission believes that councillors have three broad aspects to their role.

These are categorised as: **Strategic Leadership, Accountability (Scrutiny, Regulatory 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

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. **Responses should demonstrate that alternative council sizes have been explored.**

Topic		
Governance Model	Analysis	Durham County Council is made up of 63 electoral divisions. The current council size is 126 councillors.

	<p>The Council operates with a Leader and Cabinet form of governance and a well-established Overview and Scrutiny arrangement. There are no plans to change this model.</p> <p>Cabinet is made up of the Leader of the Council together with at least two, but not more than nine councillors appointed by the Leader. One of these councillors is designated as the Deputy Leader by the Leader.</p> <p>The executive functions are all council functions which are not the responsibility of any other part of the council, by law, or under the council's constitution, together with some local choice functions. Key Decisions and ordinary decisions are taken collectively by the executive. The Cabinet meets monthly to make decisions to implement the Council's policies and budget. As well as formal meetings of the Cabinet, there are a number of briefing meetings, which are used to brief the Cabinet on key issues for them to formulate policy and provide strategic direction. These briefings inform decisions to be taken by Cabinet and where appropriate, recommended to Council.</p> <p>The executive agrees annually its scheme of delegation. Officers can take decisions, often in consultation with Members. This is set out in more detail under the appropriate section on delegated powers.</p> <p>Corporate Overview and Scrutiny Management Board and its thematic committees monitor Cabinet decisions and can call-in a decision of the Cabinet which has been made but not implemented. Scrutiny also has a role in relation to policy development.</p> <p>Full Council, with all 126 Members, is a forum for open debate, and is responsible for a number of specific functions. Its rules and procedures for how the council operates and how it makes decisions, are contained in the Constitution. The Council agrees each year its committee structure and terms of reference.</p> <p>Although some committees are non-statutory they are critical to the efficient organisation of council business. Some advisory, and operational matters may also be carried out by working groups, and boards.</p> <p>As well as attending meetings of committees of which they are members, Members also need to attend committees where they are substitute members. Substitutions are arranged in accordance with the Council's Constitution.</p>
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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>There are currently ten portfolios, which cover the breadth of Council Services and support the strategic direction of the Council. Portfolios are determined by the Leader and confirmed at each Annual Council. Currently, Portfolio Holders do not have delegated powers.</p> <p>The Leader may appoint and remove at their discretion up to 10 councillors to be executive support members, to support and assist the executive as a whole or individual members of the executive. These members cannot substitute for, or exercise any executive function delegated to the executive member. As a member of the decision-making executive, an executive councillor is responsible for making decisions on a wide range of issues which affect and shape quality of life in the county. Their role is essentially a full-time role and represents a significant time commitment. The roles and responsibilities of the Executive are set out in Article 6 of the Constitution of the Council. www.durham.gov.uk/constitution</p> <p>The Cabinet held 14 meetings from May 2021 to May 2022 and considered 90 reports. Of those 14 meetings:</p> <p>6 meetings lasted between 1.5 to 2.5 hours; 4 meetings lasted between 1 to 1.5 hours; and 4 meetings were under an hour</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 Council agrees annually its committee structure and their terms of reference. The Executive retains responsibility for major decisions. Having taken a decision, the executive may delegate authority to relevant Officers to take the necessary steps to implement that decision. The Executive also agrees the officer scheme of delegation in Part 3 of the Constitution on an annual basis. www.durham.gov.uk/constitution</p> <p>A considerable amount of decisions are made in conjunction with the officer scheme:</p>

		<p>Jan – Dec 2019 – 1,722 officer decisions Jan – Dec 2020 – 1,619 officer decisions Jan – Dec 2021 – 1,889 officer decisions</p> <p>In exercising delegated powers, Chief officers are expected to follow the principles of decision making set out in Article 10 of the Constitution. In making decisions they are to consult where appropriate with the relevant Cabinet portfolio holder, or other Member as appropriate, and make the records available. Decisions are recorded through a centralised system, and records which do not release confidential or exempt information are available for the public on the council’s website. Supplementary schemes of delegations are in place in individual service areas, further delegating certain responsibilities to appropriate officers in the authority.</p>
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Accountability

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. **Responses should demonstrate that alternative council sizes have been explored. There is nothing in the response to indicate what alternative council sizes have been explored – it just details the status quo.**

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>The Council’s Overview and Scrutiny function is the main way in which decisions of the Executive are scrutinised and decision makers held to account. Scrutiny make recommendations on policy development and implementation as well as providing challenge to service performance as part of the Council’s performance management framework.</p> <p>Scrutiny supports the council by remaining focussed on the four key principles of good scrutiny. These have been defined by the Centre for Governance and Scrutiny:</p>

- To provide a constructive “critical friend” challenge to executive policy-makers and decisions-makers.
- To amplify the voice and concerns of the public.
- To ensure scrutiny is carried out by ‘independent minded governors’ who lead and own the scrutiny role.
- To drive improvement in public services.

Durham County Council appoints a Corporate Overview and Scrutiny Management Board (COSMB) and five “thematic” Overview and Scrutiny Committees each year to carry out the work of overview and scrutiny. These are aligned to the County Durham Vision ambitions of more and better jobs; people live long and independent lives and connected communities together with the fourth ambition in the Council Plan of an excellent council. They also oversee the agreed objectives associated with the ambitions.

The COSMB provides strategic leadership and oversees and co-ordinates the work of overview and scrutiny and the following five thematic committees:

- Adults Wellbeing and Health Overview and Scrutiny Committee (AWHOSC)
- Children and Young People’s Overview and Scrutiny Committee (CYPOSC)
- Economy and Enterprise Overview and Scrutiny Committee (EEOOSC)
- Environment and Sustainable Communities Overview and Scrutiny Committee (ESCOSC)
- Safer and Stronger Communities Overview and Scrutiny Committee (SSCOSC)

Details of the areas of responsibility for each OSC can be found in Article 5 of the Council’s Constitution.

www.durham.gov.uk/constitution

The general responsibilities of the OSCs are to:

- review and/or scrutinise decisions or actions taken in connection with the discharge of any of the council’s functions;
- make reports and/or recommendations to full council or the executive in connection with the discharge of any functions;
- consider and make reports or recommendations on any matter affecting the area or its inhabitants;
- exercise the right to call-in decisions made but not yet implemented by the executive;
- work to ensure that communities are engaged in the scrutiny process; and consider and implement mechanisms to encourage and enhance community participation in the development of policy options;

- promote equality and diversity across all of its work and the work of the County Council.

The Safer and Stronger Communities OSC has a statutory role in scrutinising the work of the statutory crime and reduction partnership - the Safe Durham Partnership.

The Adults Wellbeing and Health OSC undertakes the statutory health scrutiny role scrutinising health and social care provision by the council and its health care partners including NHS providers and commissioners.

The COSMB provides the main challenge and scrutiny of the Council's Medium Term Financial Plan and annual budget setting process with commentary and recommendations made to Cabinet and Full Council as part of their respective deliberations.

The Council's Constitution provides for elected members to call-in decisions made but not yet implemented by the executive. These provisions are set out in the Overview and Scrutiny Procedure rules within the Constitution. There have been a small number of call-in requests made by Members reflecting the principle that wherever possible, controversial items or decisions on which there may be significant public interest will be considered by Overview and Scrutiny prior to a decision being taken or will have been informed by OS member representations during the decision-making process.

The OSCs also provide a key opportunity for residents to ask questions and provide stakeholder challenge to the council's decision-making process with recent examples of these including environment and climate change/ecological concerns and NHS service change proposals. In order to complement public involvement and participation, each thematic OSC also appoints two non-voting co-opted members to add a degree of public challenge to the decision-making process.

Each OSC also has the ability to undertake bespoke review activity as required to examine proposals for new policies, challenge existing policy or investigate areas of under- performance to establish reasons for this and make recommendations to address these issues and concerns. These reviews are generally undertaken over a period of 3-6 months and involve task and finish group activity for a smaller number of OSC members by way of special meetings and site visit/field study activity where necessary. Task and Finish activity generally involves an additional 6-8 meetings during the review period with review reports signed off by the OSC before being submitted to Cabinet for consideration.

The total number of councillor positions across the COSMB and thematic OSCs is 131 comprising:-

COSMB – 26 members including the Chair and Vice Chair of the four thematic OSC, which each consist of 21 members.

The size of the OSC membership reflects the geographical size of County Durham, its diverse socio-economic and health challenges and also the need to ensure sufficient capacity amongst the membership to provide an effective overview and scrutiny function across all of the required disciplines of executive challenge, policy development, performance review and external partner scrutiny. In the 2012 LGA peer review the Overview and Scrutiny functions were highlighted as useful contribution through influencing policy development in areas related to the Council Plan and that 126 members appeared to be fit for purpose.

It would be necessary to reduce the number of members on both the Council Overview and Scrutiny Management Board (COSMB) and the Overview and Scrutiny thematic committees with a reduction in Council Size.

Maintaining a Council Size of 126 Members would allow the Council's Overview and Scrutiny Committee's to continue to function without change. However, there are currently more seats than there are Councillors eligible to sit on the Committees.

Presently these Committees have seats for 131 Councillors. As none of the Cabinet (10) can sit on any of the Overview and Scrutiny Committees (OSC) all 131 seats must be filled by other Councillors (116) meaning that some Councillors sit on more than one of the Committees. A reduction in the number of seats on scrutiny without undermining the important role that scrutiny plays or disbanding the thematic committees could be achievable. It is however likely that this would require an even greater time commitment from Members both inside and outside of meetings.

Assuming Cabinet were to remain at ten members, a council size of 98 would leave 88 members to undertake significant scrutiny responsibilities. To accommodate a reduced number of Councillors, it is proposed that the number of Councillors of COSMB could be reduced to 21 which would include the Chair and Vice-Chair of each thematic OSC (12 members) and nine other Members. The thematic OSCs would reduce to 16. This would still mean that some Councillors will be appointed to more than one OSC but based on the existing arrangements, that is considered to be realistic. A council size of 98 would have the most impact in relation to the scrutiny arrangements, which currently engages the largest cohort of Members. The reduction in numbers is unlikely to result in a reduction in services/activity being delivered by the Council. A smaller and/or a reduced number of thematic scrutiny committees would impact on the ability of Members to effectively scrutinise Council performance across all service areas and delivery against the Council plan. It is therefore desirable to retain the existing Overview and Scrutiny framework.

It is considered that a Council size of anything lower than 98, for example, 85 would make it extremely difficult to retain the existing Overview and Scrutiny framework, which serves the Council very well. Many members would be required to serve on

	several of the OSC's which would place too great a time pressure on them. Care must be taken to ensure that Councillors do not have an excessive workload in this respect. They must be able to continue to have a work/life balance.	
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>
	<i>Analysis</i>	<p>The council's constitution provides for most planning applications to be determined via delegated powers. However, there are a small number of applications which are determined by Members. These include: the most controversial applications, those applications which have significant environmental impacts or those where the application is made by a member of the council or a planning officer (or certain close family members). In addition, certain applications can be 'called in' to committee by any Member, subject to providing material planning reasons for doing so. The council's constitution also provides that, where certain conditions are met, applications where Town or Parish Councils have made representations in respect of that matter and the planning officer is minded to arrive at a recommendation contrary to the views of the Town or Parish Council, such applications will be determined by members.</p> <p>For the period 2021-2022, the council determined 2,611 applications for planning permission. Of the applications determined, 2560 were determined via delegated powers, with approximately 2% of applications being determined by Members.</p> <p>As can be seen from the table below, since 2017-2018, there has been a modest downward trend in the proportion of applications determined by Members. During the Covid-19 pandemic, Planning Committees continued to conduct business, however, this was on a reduced scale, therefore the number of applications determined by Committee's were lower over that period. As a result there was an increase in the number of applications determined by delegated powers in 2021/22.</p>

	17/18	18/19	19/20	20/21	21/22
Total number of decisions	2623	2488	2586	2442	2611
Number of which were delegated	2514	2392	2500	2393	2560
Delegated %	96	96	97	98	98

Since Local Government Reorganisation in 2009, the council has utilised a committee system of three Area Planning Committees plus a County Planning Committee. Please refer to Article 4 of the Constitution, paragraphs 4.6 and 4.11. www.durham.gov.uk/constitution

Each area committee comprises 16 Members of the Council. Until May 2022, Committees comprised eight Members representing electoral divisions within the Committee's area and eight other Members from the rest of the county excluding members of the executive (except where the matter is delegated to an officer). This Council agreed to change this at its annual meeting in May 2022 so that seats are allocated in accordance with political balance only and there is no longer a split between local and countywide members. There was less appetite from members to sit on an area planning committee which is outside of their local area. The arrangements had also been criticised on occasion by the public who did not consider it appropriate for local planning matters to be determined by Councillors from outside the area. There was no such restriction on allocation to seats to members from a geographical area when benchmarking was undertaken with other councils in the region and other Unitary Authorities which have similar population. It is expected that Planning Committee's will continue to be structured in the same way given the amount of Electoral Divisions the Council is likely to have, even with a reduced Council size. Cabinet members are excluded from serving on any of the Planning Committee's.

It is difficult to quantify the time commitment to a Planning Committee for members, as each committee has differing numbers of applications and registered speakers. However, in general, members will be required to spend time reading the committee reports in advance of the committee, spend time attending the committee (and in the case of the Chair and Vice Chair of each committee, attend pre-committee briefing sessions),

		<p>receiving the reports, listening to the speakers and taking part in the debate. Committee's usually last between 1.5 to 2.5 hours (longer in exceptional circumstances).</p> <p>Data for the period May 2021-May 2022 is provided below for each Planning Committee.</p> <table border="1" data-bbox="600 359 1697 625"> <thead> <tr> <th>Committee</th> <th>Number of meetings</th> <th>Time spent in meetings (hours)</th> </tr> </thead> <tbody> <tr> <td>County Planning</td> <td>7</td> <td>14</td> </tr> <tr> <td>Central and East</td> <td>12</td> <td>26</td> </tr> <tr> <td>South and West</td> <td>7</td> <td>8</td> </tr> <tr> <td>North</td> <td>4</td> <td>7</td> </tr> <tr> <td>Total</td> <td>30</td> <td>55</td> </tr> </tbody> </table> <p>In addition to these Committee meetings, 14 site visits took place between May 2021 to May 2022 as we transitioned out of the coronavirus pandemic. Each site visit usually takes between 1.5 to 2 hours. It should also be acknowledged that Members travel to and from County Hall in Durham to attend the site visit. They are usually briefed about the site on the transport provided. Prior to covid there were anywhere between 40-50 site visits in a year.</p>	Committee	Number of meetings	Time spent in meetings (hours)	County Planning	7	14	Central and East	12	26	South and West	7	8	North	4	7	Total	30	55
Committee	Number of meetings	Time spent in meetings (hours)																		
County Planning	7	14																		
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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 Council has a General Licensing and Registration Committee comprising 27 Members and reviews/makes recommendations to the Council where appropriate on policies in relation to the licensing functions (except where the matter is delegated to a Sub Committee or to an officer). Three General Licensing and Registration Sub-Committees are scheduled quarterly and fortnightly. They each comprise of four Members plus either a Chair or Vice-Chair. The Sub-Committees discharge all of the functions of the General Licensing Committees except policy development and matters delegated to officers.</p> <ul style="list-style-type: none"> • Based on 21/22 the average number of meetings held is 25. • Time commitment varies depending on whether there are one or two taxi drivers before the Sub-Committee at one meeting and the nature of the cases, but can usually last anywhere between one 																		

hour and two and a half to three hours. Where there are two panels scheduled in one day, the same members would sit on both.

- Hearings are scheduled in the Council diary fortnightly.
- Council has appointed three chairs who rotate so they chair meeting once every six weeks. The remaining members sit on a rota basis; the rota is drawn up annually from the membership of the General Licensing and Registration Committee (excluding the Statutory Licensing Committee members) on a random basis, with each member sitting on an equal number of panels (as far as possible).

Statutory Licensing Committee - (As and when required)

The Statutory Licensing Committee is a sub-committee of the General Licensing and Registration Committee and is comprised of 15 Members of the Council drawn from the 27 members of the General Licensing and Registration Committee. who, whilst predominantly serving the Statutory Licensing Committee and its sub committees, can when occasion demands also serve on other sub committees of the General Licensing and Registration Committee.

Statutory Licensing Sub-Committees (fortnightly)

There are three Statutory Licensing Sub-Committees, each comprised of four Members sitting with the Chair or Vice-Chair. Each Statutory Licensing Sub-Committee discharges all of the functions of the Statutory Licensing Committee except policy development and matters delegated to officers.

- Based on 2021/22, the average number of meetings held is 25.
- Time commitment varies depending on the nature of the hearing but can usually last anywhere between one and a half to two and a half hours up to around four hours. Where there are two panels scheduled in one day, the same members would sit on both.
- Hearings are scheduled in the Council diary fortnightly but ad-hoc meetings are also required on occasions.
- Council has appointed three chairs who rotate so they chair meeting once every six weeks. The remaining members sit on a rota basis; the rota is drawn up annually from the membership of the Statutory Licensing Committee on a random basis, with each member sitting on an equal number of panels (as far as possible)

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>Highways Committee (monthly) The Committee comprises 21 Members. The Committee discharges the Council’s licensing, registration and regulatory functions in relation to common land and town and village greens and functions relating to public rights of way in cases where objections have been made and not withdrawn. The Committee also considers non-executive functions relating to highways or public rights of way which require a statutory notice or consultation and where objections have been made and not withdrawn and offers guidance in relation to some delegated functions.</p> <p>Appeals and Complaints Committee and Sub-Committees These meet as and when required. Thirty Members of the Council form this Committee, with individual appeals or complaint hearings being conducted by Sub-Committees of three Members of the Committee.</p> <p>Audit Committee (bi-monthly) The Audit Committee is comprised of nine Members of the Council. The Committee approves the council’s Final Accounts and is an advisory committee to the Council and the executive on audit and governance issues in order to provide independent assurance over the adequacy of the council’s risk management framework and associated control environment.</p> <p>Standards Committee (Quarterly) The Standards Committee comprises 11 Council Members with two non-voting co-optees from the parish councils. The Committee is responsible for promoting and maintaining high standards of conduct by Members, co-opted members of the council and parish and town council members. It monitors and advises on the operation of the Code of Conduct and relevant training. It also deals with allegations of misconduct by Members of the council, parish councillors and co-opted members.</p> <p>The number of regulatory Committees are broadly expected to remain the same. There is likely to be a proportionate reduction in the number of Councillors serving on these Committee’s associated with any reduction in Council size and consideration given to some responsibilities being delegated.</p>

		<p>In addition to this, the council also has a number of strategic joint and other committees, panels and committees to discharge functions set out in the Constitution, including.</p> <ul style="list-style-type: none"> • Central Durham Crematorium Joint Committee (Quarterly) • Charter Trustees for the City of Durham (Quarterly) • Chief Officer Appointments Committee (as and when) • Combined Fire Authority for County Durham and Darlington (Quarterly) • Constitution Working Group (as and when) • Corporate Parenting Panel (monthly) • Mountsett Crematorium Joint Committee (Quarterly) • Pension Fund Committee and Local Pension Board (Quarterly) • Police and Crime Panel (Bi-monthly) • Standing Advisory Council on Religious Education (SACRE) (Tri-annually)
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>
<i>Key lines of explanation</i>		<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>The Council is involved in numerous bodies at a local, regional, sub-regional and national level with a range of partners, many of which have decision-making powers that includes the following:</p> <ul style="list-style-type: none"> • County Durham Partnership Leader of the Council (CDP Chair) and Portfolio Holder for Adult and Health Services (HWB Chair) – eight meetings per year plus half day event <ul style="list-style-type: none"> - Health and Wellbeing Board Portfolio Holder for Adult and Health Services (HWB Chair) – six meetings per year plus development sessions - Safe Durham Partnership Portfolio Holder for Rural Communities and Highways – six meetings per year - County Durham Economic Partnership

	<p>Portfolio Holder for Economy and Partnerships – four to six meetings per year</p> <ul style="list-style-type: none"> - Environment and Climate Change Partnership Portfolio Holder for Neighbourhoods and Climate Change – four to five meetings per year • County Durham and Darlington Police and Crime Panel (12 members). • County Durham and Darlington Fire and Rescue Authority (CDDFRA) contains 21 members. Usually hold around 6-7 meetings per year in addition to a Strategic Planning Session. The CDDFRA also have a number of small Sub-Committees covering the areas of Fire and Risk, Audit and Finance, Human Resources, Performance. • County Durham Care Partnership Forum (between three and 11 members) • Business Durham Advisory Board, contains seven members and meets quarterly. Five of the seven members are by position as Executive Members. • Charter Trust of the City of Durham contains 24 members. Three Executive Members currently serve as Charter Trustees based on the former City of Durham District Boundary. • Joint Audit Committee (one member) • North East Combined Authority (nine members – various committees) <p>Information on outside bodies is available at: joint and outside bodies 2021.pdf (durham.gov.uk)</p> <p>The Council agrees at its annual meeting the appointments to the joint bodies and other bodies to which the Council are invited to nominate representatives. Appointments to other bodies to which the Council are invited to nominate are made by the Head of Legal and Democratic Services in consultation with the appropriate Group Leaders with consideration to purpose alignment with a specific Cabinet Portfolio, electoral division, political proportionality of the Council.</p>
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Community Leadership

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? The Commission also wants to see a consideration of **how the use of technology and social media by the council as a whole, and by councillors individually, will affect casework, community engagement and local democratic representation. Responses should demonstrate that alternative council sizes have been explored.**

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>The typical councillor caseload differs depending on the demographics, locality and geography of the division they represent. Councillors represent their communities in the following ways:-</p> <ul style="list-style-type: none"> • hold surgeries • attend meetings of the Area Action Partnerships • use social media platforms, email and teams • attend meetings of Parish and Town Councils • represent their communities in Council meetings • facilitate the handling of complaints and queries either directly with officers or via the Councils customer relations management system • attend meeting of residents and community groups • impromptu contacts from constituents • street walkabouts • home visits. <p>Area Action Partnerships (AAPs)</p> <p>There are 14 AAPs each managed by a Partnership Board which has up to 6 positions for Durham County Councillors and is the decision-making mechanism for the AAP. Each Board meets between 6 – 12 times per year. Councillors are also encouraged to sit on the AAPs task and finish groups, Public Representative recruitment panels and to attend the AAP Forums which take place between 1 – 2 times per year and are open to anyone in the area.</p>

A recent members survey (January '22) saw Elected Members voting their top 2 priorities for AAPs as “Local Action” and “Engagement” with 79% of respondents saying it’s important that the County Council has a Countywide Engagement mechanism like the current AAP Forum which has over 15,000 members countywide.

Each AAP has a budget attached to them to develop projects that address local need and are focused on locally voted priorities.

In 2021/2022 each AAPs budget was £454,902

Alongside the above, each County Councillor has their own budget for local projects and in 2021/22 this was £29,400

AAPs are also fundamental in tackling local neighbourhood issues, as well as being the key consultation vehicle for the council and our key partners.

Further information on the background and work of AAPs can be viewed here [AAPs](#). Examples of what projects elected Members support locally can be viewed via the individual councillor pages here [DCC Councillors](#).

The meetings and functions of AAPs provide an opportunity for elected Members to become more visible and connected within their respective communities as well as cementing their role as community leaders and ambassadors. A reduction in the number of Councillors, particularly to 85 is likely to impact on Members’ ability to participate in the AAPs. A reduction to 98 is likely to be more manageable.

However, the council is currently conducting a review of its community engagement structures and opportunities for communities to connect with the local authority in a meaningful way, ensuring residents feel empowered, able to influence service provision and support community action in the coming years. This review will need to take account of the potential reduction in Councillors.

There are 104 parish and town councils in County Durham in addition to 24 parish meetings. Fourteen of these councils meet the National Associations of Local Councils larger local councils’ criteria of having a budget of over £250,000 and or an electorate of over 6,000.

		<p>All but three areas of the county remain unparished: Chester-le-Street central area; South Crook and parts of Bishop Auckland; and the north Consett area. In the absence of parish councils raising local issues in these areas, the respective unitary councillors play an important role in communicating local issues between the authority and the community, a role enhanced by their representation on the Area Action Partnership Boards for these areas.</p> <p>A Local Councils Charter was developed in the wake of Local Government Reorganisation in 2009 to support the working relationship between the local councils and the newly-established unitary authority. Post LGR, changes to working practices of both tiers of local government have strengthened and the Charter was recently simplified to a shorter working document which focuses on the principles of communication, co-operation and consultation. A key principle of the co-operation element of the Charter is the link supported through unitary councillors to local councils and parish meetings within their area, either through regular contact or because many unitary councillors also hold the office of town or parish councillor.</p> <p>The Local Councils Working Group was formed in September 2012 as a formal engagement mechanism for the relationship between the unitary council and the 104 town and parish councils in the county. The vision of the working group is to enhance and support the working relationship between the authority and local councils for the benefit of the community. The working group comprises elected member and officer representatives nominated from both County Durham Association of Local Council (CDALC) forums and its executive. The county council representation includes Portfolio Holders for Partnerships, Finance and Neighbourhoods and Climate Change and service heads and is chaired by the Head of Partnerships & Community Engagement.</p> <p>A survey of members was undertaken to ascertain their views of the time commitment the role carries. A copy of the survey and summary of results is attached as Appendix 1.</p> <p>A significant majority of those responding believed that they worked in excess of the 16 hours per week suggested as an average for Councillor work. 30 out of the 45 respondents believe they spend an additional 16 hours on top of the 16 hour average carrying out their representational role. In an extreme case some members believed it to be an additional 40 hours. The latter is attributed to Councillors who are members of the Cabinet, as their roles could be said to be full time.</p> <p>The working group reflected that the following issues are all known barriers to the number of meetings</p> <ul style="list-style-type: none"> • The time it takes to prepare for meetings
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		<ul style="list-style-type: none"> • The amount of casework • Travel to and from meetings • Caring responsibilities • Work commitments <p>It is acknowledged that the approach taken by Councillors in respect of community engagement differs widely across the Council and differs not only as a result of the geography and demography of their divisions but also their personal circumstances. Whilst the majority of Councillors responding to the survey commented that they find the job rewarding, the working group are keen to ensure that a reduction in Council size does not adversely impact on that sense of “job satisfaction” or that increased workloads deter people from standing for election or re-election.</p> <p>It was noted that to some extent the workload of a Councillor, regardless of Council size will be high. Whilst those responding to the survey reflected high workloads, no Councillors have resigned as a result of heavy workloads, which would suggest that a council size of 126 Councillors remains appropriate. However, this would not address the electoral imbalance in certain parts of the County. If arrangements were to deliver greater electoral equality, there may be greater equality in the community representation workloads of Councillors.</p> <p>A reduction to 85 Councillors is likely to put an increased strain on Councillors, particularly if as a result of the reduction Members were required to take on additional roles/responsibilities. Councillors may find it increasingly difficult to represent their communities as they would like/expect, which may result in a democratic deficit.</p> <p>In the absence of being able to maintain the status quo, a reduction to 98 Councillors is considered to be reasonable. Although it is acknowledged that the workload for some Councillors may increase as a result.</p>
Casework	<i>Key lines of explanation</i>	<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>
	Analysis	Councillors deal with their casework in a variety of ways. There is a dedicated Member Services Team which assists Members with their constituent enquiries. If a councillor has asked Member Services to report a

		<p>resident's enquiry on their behalf this will either be logged via the council's Customer Relationship Management System (CRM) or direct with a service area/officer. Some Members do go direct to officers, however this is not the council's preferred option for reporting enquiries. Enquiries should be logged where possible on the CRM so they can be sent direct to the appropriate service area to be actioned.</p> <p>Councillors are provided with a laptop, tablet and mobile phone. Councillors also have access to a Members' Portal, which can be used to log enquiries with service areas or request assistance from Member Services. The portal also has a number of other functions including access to the committee diary.</p> <p>Technology has influenced the way councillors work and interact with residents. This can be via, email, Teams and social media platforms. The council actively advertises 'Save time do it online' to encourage residents to report issues to the council in this way.</p> <p>In our survey of members we asked for an indication on the total number of hours a week that they spent dealing with casework. Of those who responded the average time spent dealing with casework was 18 hours. A copy of the survey and summary of results is attached as Appendix 1.</p>
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Other Issues

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

Financial

The working group considered the financial implications of maintaining the Council's current size or reducing it to 98 or 85. The Council could save between £545,300 (85 Councillors) and £372,400 in respect of basic allowances (98 Councillors). Members allowances have remained unchanged since 2009, despite the Independent Remuneration Panel (IRP) making recommendations to increase the Basic Allowance on four separate occasions across the last 13 years.

It should be noted that if a reduction in the number of Councillors increased the workload, there may be a requirement to increase the basic allowance to reflect this. It will be for the new Council to set the allowances based on recommendations of the IRP. It is not known at this stage what the IRP recommendations are likely to be in light of any changes to Council size.

Any potential savings needed to be considered alongside any potential democratic deficit as a result of a reduction in Council size. The working group considered that the potential financial savings should not be a sole determinative factor when considering Council size. It is more important to ensure that the Council can make decisions effectively and for local communities to be represented appropriately.

Summary

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 governance arrangements and number of councillors required to represent the authority in the future. Use this space to summarise the proposals and indicate 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.

As one of the largest unitary councils in the country, with gross expenditure of more than £1 billion each year, the council is responsible for the delivery of a wide range of public services to residents across all aspects of people's lives. The Council has a clear vision for the future set out in the vision for County Durham. The vision document sets out the Council's strategic direction and what it would like to achieve over the next 15 years and is written around three broad ambitions, developed following extensive consultation, for the people of County Durham:

- More and better jobs
- People live long and independent lives
- Connected communities

The Council Plan aspires to deliver and build on these ambitions. The Council has supplemented these themes with priorities around our environment and our council.

The Council's current structures are designed to deliver on all three strands of strategic and community leadership and accountability and is set-up in achieving the people's vision and to ensure that resources are used in a transparent and effective way. Councillors' workloads are demanding and the potential for devolution presents an increased demand.

The County covers an area of 862 square miles. There are concerns that the demographic area and equality of size has a detrimental impact on those residents in more rural areas not being served equally as those in more urban areas. When considering Council size thought should be given to the requirement for those Members who represent communities outside of the administrative centre of Durham having to travel long distances to attend meetings, as the ability to hold formal meetings of decision-making bodies via hybrid or remote meetings is not legislated for currently.

Those Councillors are having to commit up to at least 40 minutes travel time (or longer) each way in order to carry out their corporate responsibilities. This requirement can be daily for those who hold Executive Portfolios and special responsibilities. Taking such a proportion of time out of a Councillors' day means less time is available to be spent representing the community. Reducing Councillor numbers greatly will likely contribute to a democratic deficit in these areas and there is a risk of democratic deficit with too small a council size.

Therefore, taking into account the information provided by way of the Council Size template, the working group recommends a council size of 98 Councillors. In doing so, it acknowledges that officer support will need to be reviewed to ensure it is appropriate and enables the Council to continue to discharge its statutory functions effectively.