

COUNCIL

10 OCTOBER 2019

ELECTORAL ARRANGEMENTS REVIEW

Portfolio Holder: Councillor Alan Jarrett, Leader
Report from: Neil Davies, Chief Executive
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Summary

This report sets out the recommendations of the Electoral Review Working Group on the Councils submission to the Local Government Boundary Commission for England (LGBCE) on Council size as part of the review of the electoral arrangements in Medway. It also provides the electorate forecast for 2025 and other information that has already been submitted to the LGBCE.

1. Budget and Policy Framework

- 1.1 Council is being asked to approve the submission to the LGBCE on Council size as required by the LGBCE and to note the information that has already been submitted to the LGBCE in preparation for their review.

2. Background

- 2.1 At its meeting on 21 February 2019, Full Council was advised that the LGBCE would undertake a review starting in 2019 as a result of identifying poor electoral equality in one or more Ward. That report set out the criteria which the LGBCE have to have regard to as well as the Review timetable.
- 2.2 Full Council at that meeting also established a cross-party Electoral Review Working Group to undertake the gathering and analysis of information, liaison with parish councils, developing options and to submit recommended proposals to Full Council on council size and the future warding arrangements. The Working Group's membership consisted of Councillors Buckwell, Rodney Chambers OBE, Doe, Fearn, Gulvin, Jarrett, Mahil, Maple and McDonald.

3. Preliminary period

- 3.1 Prior to the formal start of the Review period, the LGBCE provided several guidance documents to assist the Council at various stages of the Review, including a detailed document setting out its information requirements. The deadline for receipt of this

preliminary information was 20 September 2019 and accordingly the LGBCE have been sent the following:

- A Geocoded version of the electoral register showing only properties
- The current electorate and a forecast of the electorate at 2025 along with a description of the methodology for calculating that figure which is attached at Appendix A
- Mapping data showing current polling districts, housing developments and Parishes
- A copy of the report considered at Full Council on 28 April 2016 that gives details of the last compulsory polling district review
- the details of all the parishes (and parish wards)
- A list of contacts for stakeholders which can be used by the LGBCE to encourage them to take part in the consultation later in the Review period
- The contact details of an officer in the Communications team to act as liaison for Review communications purposes, including consultation

Electorate forecast 2025

- 3.2 The LGBCE provided specific detailed guidance about the electorate forecast it requires for 2025 and officers developed the figure for Medway using ONS projections, rates of electoral registration and future housing development. The final forecast figure is 219,786. A copy of the briefing paper considered and agreed by the Electoral Review Working Group is attached as Appendix A and it explains in some detail the methodology used.
- 3.3 The Working Group took great care to ensure that officers undertook a site by site assessment of the likelihood of development of all the future housing sites identified so that the LGBCE can be confident that no blanket, unrealistic assumptions have been made.
- 3.4 The Working Group noted that the calculations of population took account of natural change, internal and international migration and that recent trends have been for reducing birth rates and lower migration.
- 3.5 The LGBCE are required to take into account any changes to the number or distribution of electors that is likely to take place within the five years after the end of the Review. Therefore the forecast we provided will be used by the LGBCE to calculate the elector to councillor ratio once the council size has been set by them. They then seek to achieve electoral equality when looking at the warding pattern later in the Review process.

4. Council size submission

- 4.1 One of the other key documents the LGBCE require is the Council's submission on the future size it recommends. While the final decision on council size rests with the LGBCE, it clearly states that its approach has always been one of dialogue with each council that it reviews. The LGBCEs view is that a 'good' review is one where the local authority actively engages with the process. Ideally, the LGBCEs decision will be informed by locally-generated proposals and underpinned by sound evidence and reasoning.

- 4.2 The LGBCE will always recommend a council size that, in its judgement, enables the council to take its decisions effectively, to discharge the business and responsibilities of the council successfully, and to provide for effective community leadership and representation.
- 4.3 In its guidance, the LGBCE recognises that there is considerable variation in council size across England, not only between different types of local authority but also between authorities of the same type. The LGBCE recognises that local government is as diverse as the communities it serves - providing leadership, services and representation suited to the characteristics and needs of individual areas. They aim to recommend electoral arrangements, including council size, which are appropriate for the particular local authority and in doing so will neither apply any strict mathematical criteria nor impose a formula for the national determination of council size.
- 4.4 An electoral review provides the opportunity for the Council to think carefully about current arrangements in the context of modern governance and service delivery needs; and what these mean for the future in terms of the number of elected members. The LGBCE wants to see evidence that several different council size options have been explored together with the reasons why a particular figure has, or has not, been selected. This should be done irrespective of whether the Council arrives at the same or a different number of elected members. Their guidance states that the most persuasive submissions are those which, rather than considering whether the current number ought not to be changed, reflect on what number of councillors would be required if the council was being newly established.
- 4.5 The LGBCE expects the Council's submission to address elected member requirements across three aspects:
- **Strategic Leadership** - how many councillors are needed to give strategic leadership and direction to the authority?
 - **Accountability**
 - i. *Scrutiny* - how many councillors are needed to provide scrutiny to the authority?
 - ii. *Regulatory* - how many councillors are needed to meet the regulatory requirements of the authority?
 - iii. *Partnerships* - how many councillors are required to manage partnerships between the local authority and other organisations?
 - **Community Leadership** - how the representational role of councillors in the local community is discharged and how they engage with people and conduct casework.
- 4.6 The LGBCE recommend that submissions clearly demonstrate the characteristics and needs of each local authority, and its communities, and how such factors have informed both the proposed and alternative council sizes considered.

- 4.7 The LGBCE guidance sets out that the Council should be mindful of the overall appropriateness of the proposed council size in terms of governance, specifically in ensuring that an authority is neither too small to discharge its statutory functions nor too large to function in an effective manner and with purposeful roles for all elected members. Accordingly, whilst recognising that such thresholds might vary depending on the type of local authority and its specific setting, the LGBCE will look for particularly strong evidence in support of proposals that place the authority amongst the highest and lowest levels of similar councils nationwide, especially where authorities would be below 30 or exceed 85 councillors in size
- 4.8 The LGBCE will compile comparative data sheets of statistically similar councils based on the groupings given by CIPFA's Nearest Neighbour Model for English authorities. This data may be used to help them understand and, on occasion, to query any proposals that appear unexpected. They recognise that this comparative data may also assist in generating the evidence needed to support a proposal. This comparative data will be made available to everyone on the Commission's website.
- 4.9 The Commission may look at the 'expected range' as shown on the appropriate data sheet for both the overall council size and the councillor to elector ratio.
- 4.10 The LGBCEs decision about an authority's council size will mark the formal start to the review process.

Electoral Review Working Group deliberations and recommendations

- 4.11 The Council size submission compiled and recommended by the Working Group is attached as Appendix B.
- 4.12 The submission provides a profile of Medway, how councillors provide strategic leadership for the authority, how the authority and its decision makers and partners are held to account, how councillors are required to provide effective community leadership and what support the council offers them in this role. It then addresses the options to maintain the status quo (55), reduce the number of Councillors or increase the number to 59. The increase to 59 is the recommendation of the Working Group, for approval by Full Council.
- 4.13 Although recognising that elector ratios and ward patterns would not normally feature as part of this stage of the Boundary Review process, the Working Group sets out in the document an argument that the geography of the area north of the River Medway and the fact that only one relatively small, urban area of Strood is not Parished, does mean it has kept an open mind about this in respect of council size. The submission seeks to explain that the geographic limitations of the river, motorway and neighbouring local authority boundaries create challenges in trying to achieve an effective warding pattern and electorate equality north of the river in particular. This is further exacerbated by the fact that Parishes and Parish Wards usually feature as the building blocks for Warding proposals since they represent a community identity and would not normally be split or broken up. Thus the Council are concerned that the Council size submission must recognise the impact on warding proposals more than they would in other cases.

- 4.14 The Working Group is of the view that increasing to 59 Councillors would maintain the current levels of time spent on average by councillors on the whole range of their Council duties as the case work from an increased electorate and their allocation to committee places would be spread across more councillors, meaning they could provide better community representation and leadership and the diversity of councillors would be less impacted.
- 4.15 The other justification for an increase in Councillors is that it is the only way to achieve better electoral equality and effective warding patterns later in the process, particularly bearing in mind the projected electorate increase by 2025 of nearly 10%. The Working Group is of the view that if the council size remains at 55 and with the current split of Councillors north and south of the river, it is not possible to formulate an effective warding proposal that places each Parish ward or whole non-warded Parish within a single Council ward and achieves the LGBCE statutory criteria for equality of representation, reflect the identities and interests of local communities or secure effective and convenient local government.

5. The next stages of the Review

- 5.1 The LGBCEs decision about an authority's council size is due to be made around 20 November 2019 and marks the formal start to the review process. However, its decision on council size will not be formalised until the Final Recommendations are agreed and published. This is because the number of councillors may change marginally (generally ± 1) from the initial decision if it is considered that modifying the number of councillors may provide for a pattern of wards that better reflects the three statutory criteria.
- 5.2 The remainder of the Review timetable is set out below:

<p><u>Formal start of Review</u> Consultation on future warding arrangements Commission publishes its initial conclusions on council size. General invitation to submit warding proposals based on Commission's conclusions on council size</p>	<p>26 November 2019 to 4 February 2020</p>
<p>Development of draft recommendations Analysis of all representations received. Commission reaches conclusions on its draft recommendations</p>	<p>17 March 2020</p>

Consultation on draft recommendations Publication of draft recommendations and public consultation on them	31 March 2020 to 8 June 2020
Further consultation (if required) Further consultation only takes place where the Commission is minded to make significant changes to its draft recommendations and where it lacks sufficient evidence of local views in relation to those changes	up to 5 weeks
Development of final recommendation Analysis of all representations received. Commission reaches conclusions on its final recommendations	4 August 2020
Order made Statutory Instrument approved	average seems to be 4 months from being laid <i>November 2020</i>
New arrangements come into place for elections on	4 May 2023

- 5.3 The “minded to” decision on council size by the LGBCE and start of the consultation on future warding patterns will be communicated to all Councillors. If it becomes clear that cross-party warding proposals will be developed a further report will be submitted to Full Council in January 2020 seeking approval before submission to the LGBCE by the deadline in February 2020.

6. Financial implications

- 6.1 As reported to Full Council in February 2019 it is proposed to purchase two pieces of software to assist with the development of warding proposals and to make the detailed changes to the electoral register database more accurate and quicker. These will cost no more than £3,500 in the financial year 2019-20 and an ongoing commitment of £3300 in future years. Purchase of the software will be funded from an existing capital scheme. Ongoing revenue costs will be met from the Democracy & Governance revenue budget. The cost of unfunded additional Members’ Allowances will not come into effect until 2023 and are therefore difficult to forecast. As a guide, the cost of the additional four Basic Allowances only would be £41,684 based on the recent Independent Remuneration Panel’s 2019 Review recommendations.

7. Legal implications

- 7.1 The legal implications for this matter are set out in the body of the report.

8. Advice and analysis

- 8.1 Sustainability

The cross-party working group have considered the sustainability implications of the proposals and outcome recommended and have concluded that there are no such implications.

8.2 Diversity

If the changes to the size of the council and ward arrangements implemented by the LGBCE are significant enough to affect service provision, then a Diversity Impact Assessment (DIA) would be required. However, it is likely that this would be generic and that individual DIAs would be completed by any service affected.

9. Risk management

9.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community. The following table shows any significant risks arising from the matters in this report.

Risk	Description	Action to avoid or mitigate risk	Risk rating
The Council fails to produce a submission on council size	Submission of information and proposals to the LGBCE are not made on time or are not sufficiently comprehensive so views are not taken into consideration and changed electoral arrangements are not effective or convenient	Chairman of the Working Group has sought to ensure cross-party support of proposals and worked with officers to ensure timetable agreed with LGBCE is met	D2

10. Recommendations

10.1 Council is recommended to:

10.1.1 Note the 2025 Electorate forecast and methodology for calculating it as set out in Appendix A to the report as well as the other information provided to the LGBCE as part of the Review of electoral arrangements in Medway.

10.1.2 Approve the council size submission as set out in Appendix B to the report as the formal representations to the LGBCE as part of the Review of electoral arrangements in Medway.

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Appendices

Appendix A – 2025 Electorate Forecast

Appendix B – Council Size Submission to the the Local Government Boundary Commission for England (LGBCE)

Background papers

None