

LGBCE (11) 5th Meeting

Minutes of meeting held on 14 June 2011, at 11.15am, in
Room A & B, Layden House, 76-86 Turnmill Street,
London, EC1M 5LG

Commissioners Present:

Max Caller CBE (Chair)
Professor Colin Mellors (Deputy Chair)
Dr Peter Knight CBE DL
Sir Tony Redmond
Dr Colin Sinclair CBE
Professor Paul Wiles CB

LGBCE Officers Present:

Alan Cogbill	Chief Executive
Archie Gall	Director of Reviews
David Hewitt	Director of Finance
Joan D'Souza	Review Manager
Richard Buck	Review Manager
Timothy Bowden	Review Manager
Marcus Bowell	Communications & Public Affairs Manager
Sarah Vallotton	Business & Committee Services Manager
David Owen	Policy & Research Officer
Kathleen Peacock	Business Support Officer (Minutes)
Nicholas Dunkeyson	Review Assistant – Item 2
Richard Otterway	Review Officer – Item 3
Sarah Murphy	Review Officer – Item 4
Jessica Metheringham-Owlett	Review Officer – Item 5
William Morrison	Review Officer – Item 6
Arion Lawrence	Review Officer – Item 7
Alison Wildig	Review Advisor – Item 8

Others:

Elizabeth Butler	External Member of the Audit Committee
Nick Clarke	National Audit Office - Audit Manager

Minutes of LGBCE's meeting on 12 April 2011

No apologies for absence were received.

The Commission agreed the minutes of the 12 April 2011 Commission meeting as an accurate record.

Matters Arising

The results of Mid-Suffolk and Babergh's local referendum were discussed. A majority of Babergh's residents had voted against a merger with Mid-Suffolk. The Councils' joint Chief Executive had advised that the Commission that, in the circumstances, Babergh and Mid Suffolk would not be proceeding with the request to conduct a PABR.

Declarations of interest

Dr Peter Knight, David Hewitt, Sir Tony Redmond and Dr Colin Sinclair reaffirmed their interests in the Staffordshire, Rushmoor, Buckinghamshire and Cumbria reviews respectively.

1. Operational Report – LGBCE (11)55

The Director of Reviews presented the June operational report with the 2011-13 review programme. Changes included the replacement of Warwickshire and Lancashire with reviews of Warwick District Council and Arun District Council, plus some minor changes to lead Commissioner allocations. The proposed Mid Suffolk & Babergh PABR had been removed from the programme.

The Commission discussed the possibility of including more Electoral Reviews in the 2012-13 programme. Plans would need to be agreed by the Commission and submitted to the Speaker's Committee for October 2011.

Changes in the five-year forecast for two of Staffordshire's divisions had been made as a result of data quality issues which had been picked up during audit trail. A number of minor errors had been identified in the Gloucestershire draft recommendations. This would have no impact on the proposed division boundaries as currently drawn but would require clarification where necessary in the final recommendations.

The Commission agreed that a tour of the Swindon area by the lead Commissioner for that review with group leaders in attendance would be a useful exercise in this instance but would not be a precedent for other reviews. This tour had been requested by the Council.

Turnout data for eight authorities that had implemented new electoral arrangements at the election on 5 May 2011 had been made available, along with turnout figures for the Alternative Vote (AV) referendum that had been

held on the same day. In all but one case, turnout for the referendum had been marginally higher than the average ward turnout; the exception being in Cheshire West & Chester where average ward turnout was 1% higher than the referendum turnout. West Somerset, having the highest referendum turnout, showed the biggest variance from the ward average with a 6.57% increase.

To understand better the impact of electoral reviews on turnout, the Commission requested comparisons with past elections.

Agreed:

- 1.1. To adopt the updated 2011-13 Review Programme.
- 1.2. A tour of the Swindon Borough area would be arranged by officers and the Lead Commissioner. Local Authority officers and group leaders will be invited to attend, but would be advised that only written evidence would be taken into account when final recommendations were prepared.
- 1.3. The changes to five-year forecast for the divisions of Westlands & Thistleberry and Newcastle South in Staffordshire.
- 1.4. The changes to the Gloucestershire draft recommendation electorate figures. An erratum would be circulated to Commissioners and the Director of Reviews would write to group leaders and MPs.
- 1.5. Further work would be undertaken on turnout in areas that have recently introduced new electoral arrangements, comparing it with past election turnout figures. The updated turnout data and the results of the post-election survey of electors and councillors would be presented at the July meeting of the Commission. **DO**

2. Overview Report – LGBCE (11)56

Nicholas Dunkeyson presented the Overview Report of the draft FERs recommendations on the agenda.

3. Slough Recommendations on Council Size & Type of Review – LGBCE (11)57

A review of Slough Borough Council was being conducted because 50% of its wards had a variance of more than 10% from the average in December 2010's electorate figures. Slough had predicted an increase in electorate of 3% over the next five years.

The Borough elected by thirds and had 41 members representing 14 wards, comprising 13 three-member and 1 two-member wards.

The paper recommended that the Commission increase Council size to 42 and that the review be designated as a type B. The Council had recommended 42 members on evidence that the borough was growing in both size and cultural diversity, increasing the workload for elected member

services. It was also consistent with their management arrangements. Additionally it was argued that increasing or retaining Councillor numbers would also give more opportunities for culturally diverse Councillors to be elected.

Officers commented that the Council's submission provided evidence to support the Council's governance arrangements and included councillor attendance records for key meetings and training. The lead Commissioner congratulated the officers involved in this review for developing good working relationships with the local authority.

The Commission discussed the differences in Slough's population figures compared with the recorded electorate. The Chair questioned how Slough's adoption of the strong leader model would impact on their executive arrangements.

Agreed:

- 3.1. The Commission were minded to agree a Council size of 42 members.
- 3.2. The FER would be a 'Type B' Review.

4. Surrey County Council Draft Recommendations – LGBCE (11)58

A Further Electoral Review of Surrey was being conducted because 31% of its wards had electoral variances of more than 10%. Surrey County Council had 80 single-member divisions and was comprised of 11 districts.

The Commission considered Surrey County's recommended council size in December 2010 and were minded, at that time, to retain the current Council size of 80 members.

During consultation on division patterns, 40 submissions had been received, with Surrey County Council submitting the only county-wide scheme. Surrey's scheme proposed allocating an extra member to the Reigate & Banstead area, which would achieve a better electoral variance throughout the County. The scheme proposed by the team was based on the County Council's scheme, together with a number of other submissions received from District Councils, Parish Councils, Residents' Associations and local residents regarding individual areas.

The Commission considered in detail the scheme proposed for each district. During discussion of the East Molesey & Esher division, the Commission carefully considered the requirement to provide for convenient and effective local government alongside the need to consider community identity.

The Commission took the view that, in order to ensure effective and convenient government, it was minded to accept the submission received from the County Council in relation to this particular area. However, they recognised that this would split the area of Weston Green and, following the

publication of the draft recommendations, would welcome evidence from the wider local community about the desirability or otherwise of dividing Weston Green in this manner..

Agreed:

- 4.1. Surrey County Council would be increased in Council size to 81 members.
- 4.2. The draft division patterns proposed for the County contained within the report, subject to the following amendments;
 - a. The County Council's scheme for division patterns in East Molesey & Esher division would be adopted as opposed to the scheme suggested by local Councillors and residents of this area.
 - b. A change to the proposed Lightwater, West End & Bisley division to avoid the detachment of part of the division.
- 4.3. The draft recommendation report should invite Surrey Heath Borough Council to consider a Community Governance Review of Bisley Parish to commence directly after the FER had been implemented, to address the issue of the detached part of the parish.

5. Oxfordshire County Council Draft Recommendations – LGBCE (11)59

A Further Electoral Review of Oxfordshire County Council was being conducted in light of December 2009 electoral figures demonstrating that the Witney East electoral division had an electoral variance 35% above the county's average. Oxfordshire had 43 single-member divisions, 14 two-member divisions and one three-member division.

The Commission considered Oxfordshire's council size in December 2010 and was minded, at that time, to reduce the current Council size of 74 members to 64. Oxfordshire comprised five districts.

During consultation, 48 submissions had been received, with Oxfordshire County Council submitting the only county-wide scheme. Oxfordshire's scheme proposed a council size of 63, providing for a better allocation among the districts than a 64 member scheme. The proposed scheme would create 59 single-member divisions and two two-member divisions and has been based on the Council's proposals, with slight variations where robust local evidence had been received.

The Commission reviewed the proposals for each district. The proposals had taken into account the military base in Cherwell and several large developments planned to occur across the county by 2016. A recent tour of the area verified the progress of the developments forecast by the Council and the evidence gathered had helped to formulate the proposed scheme.

Officers had taken particular care when considering the development planned for the North of Bicester as planning permission had not yet been granted. However, should the development be completed before 2016, the electoral variance produced would be less than 10%.

Agreed:

5.1. The proposed draft recommendations for Oxfordshire County Council.

6. Buckinghamshire County Council Draft Recommendations - LGBCE (11)60

A Further Electoral Review of Buckinghamshire County Council was being conducted as 30% of Buckinghamshire's divisions had electoral variances of at least 10% from the county average. Buckinghamshire currently had 57 councillors, 37 single-member divisions and 10 two-member divisions. The County was made up of 4 districts.

The Commission considered Buckinghamshire's council size in December 2010 and had been minded, at that time, to recommend a Council size of 49 councillors. Confirmation had been received from the county council for a single-member division review, and the council had submitted a scheme based on 49 councillors in a uniform pattern of single-member divisions.

During the consultation 19 submissions had been received, with the county council submitting the only County-wide scheme.

The Commission considered the proposed warding patterns for each district.

Agreed:

6.1. The proposed draft recommendations for Buckinghamshire County Council, subject to a minor modification to use a stronger boundary between two divisions in South Buckinghamshire.

7. Hart District Council Draft Recommendations – LGBCE (11)61

A Further Electoral Review of Hart District Council was being conducted because the December 2009 electorate figures showed Fleet North Ward had a variance of 34%. In total, 22% of wards in Hart had electoral variances of more than 10%. Hart District Council elected by thirds and had 35 Councillors.

At its meeting in December 2010, the Commission was minded to adopt a reduction in council size to 33 members for Hart District Council. The Council would, under such a council size, have 11 three-member wards.

12 submissions had been received during the consultation period, including district wide schemes-from Hart District Council and the Community Campaign (Hart) Group.

In the north of the district, the proposals were based on warding patterns put forward in both district-wide schemes. In the south of the district, the Community Campaign (Hart) Group's proposals appeared to best reflect the evidence of community identity in the area, subject to a number of modifications in Fleet town and Church Crookham.

Agreed:

7.1. The proposed draft recommendations for Hart District Council.

8. St Albans/Welwyn/Hatfield PABR draft recommendations – LGBCE (11)62

The Review Advisor presented the PABR draft recommendations report for St Albans/Welwyn/Hatfield. Interested parties would have six weeks in which to comment on the draft recommendations.

Agreed:

8.1. Publication of the draft recommendations as in the Commission paper and draft report.

8.2. Amendments would be made to the letter informing residents of the PABR, to make the letter more user-friendly, subject to legal requirements.

8.3. Feedback from the consultations would be orally report to the August meeting of the Commission and a formal report would be presented to its September meeting.

9. Electorate Forecasts – an Analysis – LGBCE (11)63

The Policy & Research Officer presented a paper examining the accuracy of population forecasts made in Electoral Reviews. 73 local authorities were examined which had undergone electoral reviews from 1998 to 2004.

For 68% of wards/divisions reviewed, the number of electors five years after the implementation of a review were within 5% of the forecast figures and 91% were within 10%.

It was noted that forecasts were twice as likely to over estimate future electorates than to under estimate them.

The Commission discussed the findings, the consequences, and how forecasting techniques might be enhanced. Also, it was raised whether assistance from other sources might be offered to local authorities that may not have the resources to develop their own long-range forecasts.

Agreed:

- 9.1. Data would be continue to be collected, with some suggestions about modifications how it might be analysed, and a further discussion take place in a year's time.

10. Update on Equalities Assessment – LGBCE (11)64

This item was deferred to the July Commission.

11.1 Chair's Report (oral)

A recent visit had been made to the LGBCE's offices by Communities and Local Government Select Committee members. A presentation was given to the Committee by the Chair, followed by a demonstration of how GIS systems are used when formulating warding patterns. This visit formed part of the Commission's communications strategy to ensure Parliamentary bodies and representatives both understand LGBCE's remit.

11.2 Public Affairs – LGBCE (11)65

The LGBCE will be hosting a fringe event at July's LGA conference and plans were now taking shape. Local Authority representatives from Councils included in the review programme had been invited and responses are coming back from many of these authorities.

12. Chief Executive's Report (oral)

Staff from councils included in the 2011-12 review programme had recently been invited to attend a presentation on the review process at Layden House. Feedback had been positive. Those attending were keen to find ways to network with colleagues from other authorities that had recently undergone, or would be going, through the review process.

In light of the success of the recent visit by the CLG Select Committee, a similar invitation would be extended to members of the Speaker's Committee. If the invitation were accepted, a visit this would be scheduled for September, and the opportunity would be taken to discuss the LGBCE review targets and strategic direction, in an informal setting.

Discussions had taken place with LGA regarding the LGBCE's Layden House tenancy. The LGA were looking to fill the empty office space within Layden House and were seeking new tenants. LGBCE might need to move to the second floor to facilitate this. Discussions were proceeding with LGA, which offer an opportunity for us to seek a longer term lease (in line with new tenants) and a better deal on rent and Liberata service costs.

Agreed:

15.1. The Chair and Chief Executive were authorised to pursue discussions as need be on the future office accommodation, reporting to the full Commission.

13. Audit Committee Oral Report supported by passage on the Audit Committee in Commission's Annual Report 2010/2011–LGBCE (11)66

The Chair of the Audit Committee summarised the outcomes from the meeting of 9 May 2011. A full discussion had taken place regarding the draft annual report, and representatives from NAO and RSM Tenon had been given an opportunity to suggest amendments to the draft.

An informal session had been planned to review the Committee's performance since April 2010. The Committee's terms of reference would be examined and used to measure the Committee's functions and progress. A report would be presented to the August Commission.

The Committee had discussed fully the organisation's plans for further development of the risk approach and a full report would be made to the Commission in due course. The risk policy had been drafted by a consultant from internal auditors, RSM Tenon. Members of the Senior Management Team would be discussing the strategy with the Chair of the Audit Committee and RSM Tenon to finalise the draft strategy.

The draft audit plan for 2011-12 had also been examined and agreed with some modifications at the Audit Committee meeting. .

Elizabeth Butler, external member of the Audit Committee, gave her reflections on progress made since April 2010. She felt that very impressive progress had been made and the audit reports included very few recommendations considering the organisation's recent formation.

The Chair took the opportunity to thank all those involved in the Audit Committee for their work over the last 14 months.

14.1. National Audit Office – Audit Completion Report

Nick Clarke presented the NAO audit completion report for 2010-11. The report contained the proposed final C&AG Certificate and a Letter of Representation to be signed by the Accounting Officer. The report stated that the standard of reporting and accounting had been good, especially considering that this was the first year of accounts preparation.

There were 5 findings in the report under the heading of Observations and Recommendations. The Chair asked about the one on bank reconciliations. The Director of Finance stated that reconciliations had been performed and reviewed during the year but not well evidenced until the final, year end

reconciliation. Retrospective evidencing had been handicapped because Liberata had not downloaded and made hard copies of bank statements in the early part of the year, though details of the transactions were available. The Director of Finance confirmed that bank reconciliations would be reviewed monthly in 2011/12, and duly evidenced. Hard copies of bank statements would be retained.

The Audit Committee would consider management's response to the findings at the meeting on 11 July 2011.

Agreed:

14.1.1. The Audit Completion Report on the 2010-11 financial statement audit was accepted by the Commission and the findings were duly noted

14.2. Approval of Annual Report & Accounts 2010-11 – LGBCE (11)67 & 68 Nick Clark had made recent minor amendments to the draft Annual Report that had previously been circulated. A summary of the changes made were tabled.

The Director of Finance presented the report to the Commission. The annual report and accounts had been combined into one integrated document for publication and laying in the House of Commons. A summary of the financial outcome would be included in publicity material.

The final expenditure for the year matched closely with the figures included in January and reflected in the NAO VfM study.

Agreed:

14.2.1. The draft Annual Report and Accounts for 2010-11 were approved for publication; subject to the amendments raised at the meeting.

15. Plans for Visit to OS and Strategic Planning Event– 8 & 9 September – LGBCE (11)69

The Commission's comments were sought on the proposed timings for the event's agenda and its content.

Agreed:

15.1. The agenda timings would be amended, if possible, to allow business to continue on 8 September until 8.00pm, and to begin at 9.00am on the morning of 9 September, with a view to the event ending at 3.30pm that day.

15.2. The Business & Committee Services Manager would speak to Commissioners individually about travel and accommodation plans for the event.

15.3. The Business & Committee Services manager would arrange meetings or telephone calls for Commissioners to discuss with the event's facilitator the agenda for the event and what they hoped to get out of it.

16. Future Business – LGBCE (11)70

The content of the Future Business paper was noted

17.25pm Meeting Closed