

LGBCE (12) 1st Meeting

Minutes of meeting held on 17 January 2012, at 11:15am,
in Rooms 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:

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| Alan Cogbill | Chief Executive |
| David Hewitt | Director of Finance |
| Joan D'Souza | Review Manager |
| Richard Buck | Review Manager |
| Timothy Bowden | Review Manager |
| Alison Wildig | Implementation and Programme Manager |
| Sarah Vallotton | Business & Committee Services Manager (minutes) |
| David Owen | Policy & Research Officer |
| Danny Edwards | Review Officer (Item 2) |
| Nicholas Dunkeyson | Review Officer (Item 3) |
| William Morrison | Review Officer (Item 4) |
| Dean Faccini | Business Assistant (minutes) |

Apologies for Absence

Apologies for absence were received from Archie Gall, Director of Reviews
and Marcus Bowell, Communications & Public Affairs Manager.

Apologies for lateness received from Dr Peter Knight.

Minutes of LGBCE's meeting on 13 December 2011

The Commission agreed the minutes of the 13 December 2011 Commission meeting as an accurate record.

Matters Arising

There were no matters arising.

Declarations of interest:

It was noted that all Commissioners had been asked to supply updated Registers of Interests and that the Commission would shortly be discussing a revised Declarations of Interest Framework.

Sir Tony Redmond noted that one of the reviews (Tonbridge and Malling) included a letter he had sent whilst in his previous role as Local Government Ombudsman. This was of a kind that he had routinely sent to all councils in his role and did not indicate any particular involvement with the council. Also, his prior relationship with all local authorities had been considered by DCLG during the appointment process and was not considered to be an obstacle to Sir Tony's appointment. The Commission agreed that Sir Tony had no interest to declare in relation to the Tonbridge and Malling review but that he, like other Commissioners, would continue to declare an interest whenever it might be reasonably perceived that there might be such a conflict.

Professor Paul Wiles declared a particular interest in the item on Commissioners' fees & Commissioners' & officers' expenses and took no part in the Commission's discussion.

There were no specific declarations of interest in relation to reviews being considered at the meeting.

1. Operational Report – LGBCE (12)1

In the absence of the Director of Reviews, Richard Buck, Review Manager, presented the December Operational Report and the Commission noted its content.

Commissioners were steadily accumulating experience of using the new review procedures commencing from May 2011 and would consider how effectively these were operating and meeting their objectives, specifically enabling faster and smoother completion of reviews.

Emerging evidence was allowing consideration of the balance of short, medium and long reviews. Reviews planned in the coming months would provide further evidence. Officers would prepare a paper on preliminary lessons, how the procedure for testing council size proposals might be enhanced (including by use of best practice norms) and issues of principle and practicality in testing a council against them.

Agreed

1. The response to the official complaint made by the Leader and Deputy Leader of Cumbria County Council to be circulated to members of the Commission.
2. Officers to draft a paper for Commissioners to consider in February, to commence their review of procedures.

2. Somerset CC Draft Recommendations – LGBCE (12)2

The review of Somerset County Council had commenced in May 2011. According to the latest electoral figures, 36 percent of its divisions had variances greater than 10 per cent with one division being over 30 per cent.

At its meeting on 9 August 2011, the Commission was minded to agree a Council size of 55 (a reduction of three members) and the Draft Recommendations being considered had been prepared on this basis.

During the information gathering stage, the Commission received 39 submissions, including a county-wide scheme from the County Council and a more localised proposal for parts of the county from the Liberal Democrat Group. Representations were also received from West Somerset District Council, Taunton Deane Labour Party, a county councillor, 29 town and parish councils, two community groups and three members of the public.

In preparing the draft scheme, the team had taken into consideration both the submissions it had received and the statutory criteria. The Draft Recommendations proposed a pattern of 53 single-member divisions and one two-member division.

The draft scheme was based on the Council's scheme in Sedgemoor, South Somerset and West Somerset districts and the Liberal Democrat group scheme in Mendip. The team had moved away from locally generated proposals and put forward its own arrangements in the towns of Frome, Yeovil and the district of Taunton Deane to ensure a better balance between the statutory criteria.

The Commission considered the recommendations in detail informed by the statutory criteria and taking into account the submissions received. It agreed the Draft Recommendations as presented subject to the following change:

The Commission considered that the proposal for a single-member Yeovil West division and single-member Brympton & Brimsmore division would not take sufficient account of the uncertainty over the likely pace of development in the Brimsmore area. The Commission noted that the development had only achieved outline planning permission at this stage. In order to insulate the area from a high electoral variance, should the development not take place as planned, the Commission recommended combining the proposed divisions in a single two-member division of Brympton & Yeovil West.

Agreed

1. Draft Recommendations for Somerset as presented subject to recommending a two-member Brympton & Yeovil West division in place of a single-member Yeovil West division and a single-member Brympton & Brimsmore division.

3. Tonbridge & Malling Council Size & Review – LGBCE (12)3

On 3 November 2011, Tonbridge & Malling Borough Council made an official submission to the Commission. According to the latest electoral figures, 38 percent of its wards had variances greater than 10 per cent with one of its wards being over 30 per cent. The current size of the Council is 53 members.

The Commission met local authority group leaders on 1 December 2011 to discuss a number of issues in the Council submission, including attendance rates at committee meetings and time spent on casework. Further evidence was provided orally in support of a proposal to retain a council size of 53 members.

Following receipt of additional information from group leaders on the roles and demands of the councillors, including their more extensive involvement in some aspects of decision-making than is the norm, the team were prepared to recommend the council size remaining at 53 members.

The Commission considered all the available evidence. On the basis of the evidence submitted, including the council's representations in favour of its particular approach to member participation in planning decisions and other casework. they were minded to support a council size of 53 members.

Agreed

1. The Commission agreed that a council size of 53 be used as the basis for the preparation of the Draft Recommendations.

4. Northamptonshire County Council Size – LGBCE (12)4

It had been agreed to review Northamptonshire County Council at the Commission meeting in March 2011 and the review had commenced on 5 September 2011. According to the latest electoral figures, 41 percent of its divisions had variances greater than 10 per cent.

The Commission had held meetings with local authority leaders and officers both to explain the review process and to seek information about electorate forecasts and the basis of the proposed council size. The current size of the Council is 73 members.

During the council size stage, the County Council had proposed a reduction in council size to between 56 and 59 members. Having considered the evidence received the Commission decided to consult on the proposal in a reduction in council size to 57 members.

During the consultation on council size, the Commission received 26 submissions, including submissions from the County Council, the Labour Group on the County Council and South Northamptonshire District Council. Submissions were also received from Daventry Constituency Labour Party, South Northamptonshire Conservative Association, one county councillor, 13 parish and town councils, three residents associations and four local residents.

Some of the submissions received, including that of the County Council supported a reduction in council size to 57 members, whilst others opposed either this figure or any reduction.

The Commission considered all the available evidence. On the basis of the evidence submitted they were minded to support a council size of 57 members.

Agreed

1. The Commission was minded to recommend a council size of 57 members for Northamptonshire County Council.

5. Chair's Report

The Chair noted that the Commission would be briefing Gary Streeter MP, for South West Devon and member of the Speaker's Committee on the Electoral Commission, to speak in next week's Delegated Legislation Committee debate on the Daventry order.

The Chair also reported that the Law Commission would be undertaking a review of electoral law under the heading, 'Role of Boundary Commission in

Setting Electoral Boundaries'. The Commission would closely monitor this review and respond as necessary.

6. Chief Executive's Report

The Chief Executive reported that Alison Wildig had commenced her role as Implementation and Programme Manager but would be leaving for maternity leave later in the year. Richard Buck, Review Manager, would cover this role for the period of the maternity leave.

The Chief Executive also reported that the National Audit Office (NAO) had been receptive to a number of changes requested by the Commission in the Value for Money report.

7. Finance & Performance Review (3rd Quarter) – LGBCE (12)5

The report was not available for the Commission to review and would be distributed after the meeting for comment.

Agreed

1. Finance & Performance Review (3rd Quarter) to be circulated to the Commission for review and comment.

SV

8. Commissioners' Fees & Commissioner and Staff Expenses Policy – LGBCE (12)6

The Chair introduced a proposal for a minor amendment regarding the policy on Commissioners' Fees and Travel Expenses to cover the issue of Commissioner's expenses incurred if they chose not to stay overnight in a hotel while away from their main home on Commission business. The change proposed was consistent with that in several Government Departments, especially those with a specific territorial remit.

Agreed

1. The revised Commissioners' Fees & Commissioner and Staff Expenses Policy as presented.

9. Future Business – LGBCE (12)7

The Commission noted the content of the Future Business paper.

AOB

No further business.

13:15 Meeting Closed