

## LGBCE (11) 6th Meeting

Minutes of meeting held on 12 July 2011, at 10.00am, 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:

Archie Gall	Director of Reviews
David Hewitt	Director of Finance
Joan D'Souza	Review Manager
Richard Buck	Review Manager
Timothy Bowden	Review Manager
Marcus Howell	Communications & Public Affairs Manager
Sarah Vallotton	Business & Committee Services Manager
Alison Wildig	Review Advisor (PABR)
Kathleen Peacock	Business Support Officer (Minutes)

### Minutes of LGBCE's meeting on 14 June 2011

Apologies for absence had been received from Alan Cogbill – Chief Executive  
and David Owen – Policy & Research Officer.

The Commission agreed the minutes of the 14 June 2011 Commission  
meeting as an accurate record.

### Matters Arising

All matters arising from the minutes were discussed as part of the meeting  
agenda.

## Declarations of interest

No new interests were registered by Commissioners or Officers during the meeting.

### 1. Briefing for Commissioners on Review Policies– LGBCE (11)71

The Director of Reviews gave a presentation summarising the Commission's electoral review policies. Each of the Commission's policies was debated in turn and the implications of each explored. The following provisions are set out in Schedule 2 of the Local Democracy, Economic Development and Construction Act 2009 and the Commission must apply these principles when making review decisions:

1. an electoral area of a county council must not fall partly inside and partly outside any district;
2. every ward of a parish having a parish council (whether separate or common) must lie wholly within a single electoral area of a principal council;
3. every parish which is not divided into parish wards must lie wholly within a single electoral area of a principal council.

In addition to the above provisions, the Commission was also required to have regard to the following criteria when taking decisions on its recommendations:

4. providing for electoral equality throughout the authority;
5. the need to reflect the identities and interests of local communities through producing boundaries which are, and will remain, easily identifiable and which do not break local ties;
6. the need to secure effective and convenient local government;
7. the desirability of reflecting an authority's electoral cycle, in determining the number of councillors to be returned from each ward; and,
8. in reviews of two-tier county council areas, achieving coterminosity between county divisions and district wards.

The above provide a framework on which to base review decisions and allow a level of flexibility for the Commission to exercise its discretion.

The Commission discussed the criteria and how they might be addressed and balanced in undertaking reviews. It was felt helpful to highlight to local authorities, in the preliminary stages of a review, that review decisions are not based purely on achieving electoral equality, stressing that community identity and securing effective and convenient local government were also important principles.

The Commission felt that local authorities should be encouraged to use the review process as an opportunity to evaluate the role that councillors play

within their local authorities' governance structures and how these roles reflected the needs of the communities served.

Agreed:

- 1.1. Authorities included in the 2012-13 programme should be contacted at the earliest opportunity to arrange informal discussions. At these meetings, the need for political groups to evaluate councillors' roles as part of the review process would be explained. This would enable authorities to be better prepared to reach conclusions on council size and to gain long term benefits from the review process.
- 1.2. The presentation and Review Policy briefing paper should be used during future staff and Commissioner Inductions.

## 2. Operational Report - LGBCE (11)72

The Director of Reviews presented July's Operational Report and the Commission noted the content.

The Commission were informed that plans were underway to extend the 2011-12 review programme to include a further two FER requests and the 2012-13 programme to include a further five FER requests. Review Managers were currently in negotiation with local authorities which had previously requested FERs.

The planned FER of Newark & Sherwood for 2011 had now been deleted from the 2011-12 review programme at the local authority's request. This review would be replaced with another review request which will commence later in the year.

Agreed:

- 2.1. Revised review programmes for 2011-12 and 2012-13 would be submitted to the Commission for agreement in August.
- 2.2. Any review meetings requiring Commissioners to be present should be booked as early as possible to prevent diary clashes.

## 3. Update on Equalities Assessment – LGBCE (11)64

The Commission discussed the Equalities Assessment paper prepared by the Research & Policy Officer. The paper summarised the implications of the Equalities Act 2010 for the LGBCE both as an organisation and in undertaking its review functions. In response to the Act, an Equalities Working Group had been set up within the LGBCE, to review all of the organisation's policies and working practices. Equalities impact screening of the LGBCE's review guidance and report templates had also taken place.

The Commission highlighted the importance of expanding the working group's remit, to include not only a review of the organisation's internal working

practices, but also the policies operated by Commissioners throughout the review process.

As a result of this consideration, the Commissioners were keen to increase both their skills base and that of review staff. There would also be a benefit in a Commissioner being involved in the working group's review.

Agreed:

- 3.1. Any policies or working practices identified by the working group as being in contravention of the 2010 Equalities Act would be brought to the Commission's attention.
- 3.2. Legal advice concerning the Act would be sought from TSoL, where necessary, during the policy and working practices review.
- 3.3. Sir Tony Redmond would join the Equalities Working Group.
- 3.4. Training requirements would be identified by the Working Group and a proposition put forward to the Chief Executive.

#### 4. PABR Update – LGBCE (11)73

The Review Advisor summarised the presented paper. The St Albans and Welwyn Hatfield PABR consultation closes on 29 July. At the time of the meeting, seven consultation responses had been received.

The Review Advisor updated the Commission on discussions with East Sussex and the Saltdean Residents' Association to agree a way forward for the residents' association's request. The Saltdean area is currently split between Brighton & Hove and Lewes and the residents association had requested that the Saltdean area be placed within either Brighton & Hove or Lewes/East Sussex.

The Review Advisor noted that there may no longer be support for a PABR between Cambridge City and South Cambridgeshire as the implications of changing to a uniform three-member warding pattern in South Cambridgeshire appeared unlikely to be supported by the Local Authority.

A meeting has been arranged with the chief executives and Leaders of Chorley and South Ribble Borough Councils and the Director of Reviews to discuss a potential PABR around Buckshaw Village. The current boundary splits Buckshaw Village between the two authorities.

As a result of the investigations into PABR requests, four cases have now been closed and 16 cases are still being investigated.

Agreed:

- 4.1. The four cases that do not have support from all affected authorities will be removed from the list of potential PABRs. **AW**

## 5. Election Turnout Data - LGBCE(11)74

At its meeting in June, the Commission had requested further information on election turnout data. The paper concluded that electoral turnout had not been negatively affected in areas where reviews had take place, but further research would be required over time to draw firm conclusions.

Agreed:

- 5.1. That a summary paper should be produced by the Policy & Research Officer on the implications for the Commission of the recently published White Paper on individual electoral registration. **DO**

## 6. Post Election Survey – LGBCE (11)75

The Commission noted the content of the survey results, and commented that the current practice of measuring local authorities' satisfaction after the results of a review are published may distort the validity of the findings about satisfaction with the process. It was suggested that the practicability of undertaking satisfaction surveys during the process itself should be explored in order to avoid opinion on the results of a review overshadowing views about the process itself.

The Commission also suggested carrying out subsequent satisfaction surveys over time so that the changes to boundaries and governance arrangements on local communities could be tracked. The next survey should be undertaken in councillors' mid term.

Agreed:

- 6.1. A technical point was also raised concerning the use of confidence limits on a quota sample, which should be raised with the company contracted to carry out the survey. **DO**

## 7. Buckinghamshire County Council Draft Recommendations Amended – LGBCE (11)81

During the internal audit process, electoral figures differences were discovered in the divisions of Chalfont St. Peter, Chalfont St. Giles, Ridgeway East, Ridgeway West, Buckingham South-West, Buckingham North and Winslow. As a result, of these differences, slight modifications to the proposed boundaries in the Buckingham South-West and Winslow area were recommended.

Agreed:

- 7.1. The necessary modifications contained within the report to the draft recommendations for Buckinghamshire County Council.

7.2. Subject to time available, the internal review audit process would in future be conducted before draft recommendation reports are submitted to the Commission for consideration.

## 8.1 Chair's Report– LGBCE (11)76

The Chair summarised the Mathias Review – an independent review into the electoral reports and electoral review processes as conducted by the Local Government Boundary Commission for Wales. In light of the review's findings the Commission was urged to consider lessons that could be learnt and the circumstances which resulted in the replacement of the LGBCW's members.

The Commission noted that Max Caller CBE has now been appointed as the interim Chair of the LGBCW for a short fixed period. The Chair assured the Commission that this role would not conflict with, or compromise, his ability to undertake his full range of duties in relation to the LGBCE.

## 8.2 Public Affairs LGBCE (11) 77

The Commission noted the content of the Public Affairs briefing paper, which included details of the organisation's participation at the Local Government Association's conference.

An update meeting had been booked with Gary Street MP, details of which would be included in next months report.

## 9. Chief Executive's Report – LGBCE (11)78

The Commission noted the content of the report.

## 10. First Quarter Finance & Performance Progress Report – LGBCE (11)79

The Commission received the First Quarter Finance & Performance Progress Report. The Director of Finance drew the Commission's attention to the organisation's budgetary position up to 30 June 2011. A small underspend was apparent at the end of the first quarter. This was due to the phasing of payments and spending and it was not anticipated that this underspend would continue throughout the year as increases in spending were forecast for the later half of the year due to increases in review output.

The 2011-12 budget 2<sup>nd</sup> quarter figures would be presented to the Commission in September, prior to their examination by the Speaker's Committee.

NAO was scheduled to examine the 1<sup>st</sup> quarter budget in August.

Agreed:

- 10.1. A record of efficiency savings made throughout the year to base line costs, would be kept by the Director of Finance.

## 11. Audit Committee Oral Report

The Chair of the Audit Committee updated the Commission on the progress made at the 11 July Audit Committee meeting. In addition to the Audit Committee's usual meeting, an extra session had been arranged to review the Committee's progress throughout its founding year and to consider its Terms of Reference in the light of experience over the last twelve months.

The Committee measured its progress against the NAO's guidance for Audit Committees which indicated that significant progress had been made in the first year.

Audit Committee members felt that a wider discussion would be required with the Commission as a whole, to crystallise the Committee's remit within the organisation and set the Committee's goals for future years.

A discussion had also taken place regarding the organisation's Key Performance Indicators. The Committee was concerned that the 'satisfaction with processes' indicator prevented methodological challenges since it might be compromised by an inevitable focus by respondents on the outcome of a review rather than the process. Methods used to measure this KPI and the way data was collected should be considered further and modified if appropriate.

The Committee had reviewed the organisation's draft risk strategy and, in light of this, the risk register would shortly undergo a revision and reformat.

The Committee had agreed that a fourth meeting each year might be necessary. This would be arranged sometime in April or May to sign off the Internal Audit Plan.

The NAO had formally signed off LGBCE's Resource Accounts for 2010-2011.

Agreed:

- 11.1. The Audit Committee's role and direction would be added to the September strategic planning event.
- 11.2. Minutes of each Audit Committee would be circulated to Commissioners as soon as they had been agreed.
- 11.3. Audit Committee minutes would also be included as an item on the agenda for Commission meetings, the month after an Audit Committee meeting had taken place.

## 12. Future Business – LGBCE (11)80

The content of the future business paper was noted.

**13.30pm Meeting Closed**