

LGBCE (11) 7th Meeting

Minutes of meeting held on 9 August 2011, at 11.45am, 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
David Owen	Policy & Research Officer
Eleanor Gregory	Review Assistant (Item 3)
Jessica Metherringham Owlett	Review Officer (Item 4)
Sarah Murphy	Review Officer (Item 5)
Danny Edwards	Review Officer (Items 6 & 9)
William Morrison	Review Officer (Item 7)
Richard Otterway	Review Officer (Item 8)
Alex Skerten	Review Officer (Item 9)
Arion Lawrence	Review Officer (Item 10)
Kathleen Peacock	Business Support Officer (Minutes)

Apologies for Absence

No Apologies for absence were received.

Minutes of LGBCE's meeting on 12 July 2011

The Commission agreed the minutes of the 12 July 2011 Commission meeting as an accurate record subject to minor presentational corrections.

Matters Arising

The Policy & Research Officer updated the Commission on the LGBCE's Equalities Assessment. The analysis of the organisation's policies is now underway and details will be presented to the Commission in due course.

Agreed:

1. A rolling-log of action points from Commission meetings would be prepared and included in the future business paper.

Declarations of interest:

Max Caller, Professor Paul Wiles, Dr Peter Knight and Dr Colin Sinclair reaffirmed their interests in Swale, Derbyshire, Staffordshire and Cumbria respectively.

No new interests were registered by Commissioners or officers.

1. Operational Report – LGBCE (11)82

The Director of Reviews presented the August Operational Report and the Commission noted its content.

It was noted that South Cambridgeshire has now officially withdrawn their request for a PABR.

Agreed:

1. The Commission would review its current approach for gaining agreement for PABR proposals from both the public and local authorities, during its Strategic Planning event in September.

2. Updated Review Programme - LGBCE (11)83

The Commission was asked to agree an updated Review Programme for 2011 to 2013. The revised programme as circulated prior to the meeting, included eight additional FERs not included in the timetable agreed at the March Commission. However, since the paper had been circulated, Maidstone had withdrawn its electoral review request.

The additional reviews had been drawn from local authority requests and included: Lancaster, Vale of White Horse, South Oxfordshire, Barking & Dagenham, Watford, North-West Leicestershire, Basildon and Braintree.

No supplementary review was scheduled to fill the vacant slot left by Maidstone, due to time restraints. The team would need to identify another review at a later date in the work programme.

The increase in FERs would require Review Officers to manage three reviews concurrently at any one time.

The revised timetable had been agreed on the basis that the budget for the 2011/12 and 2012/13 financial years could cover the cost of the additional FERs, although this would be more challenging in 2012 – 2013. The result of the additional FERs included in the programme would enable the LGBCE to exceed its five-year plan targets.

Agreed:

1. The recommendations to amend the 2011-2012 and 2012-2013 review timetables as proposed by the report.

3. Overview Report – LGBCE (11)84

The content of the Overview Report was noted.

Agreed:

1. The population density figures for Hartlepool in appendix A would be amended and re-circulated to the Commission. **EG**

4. Hartlepool Final Recommendations – LGBCE (11)85

The further electoral review of Hartlepool Borough Council was being carried out due to the December 2009 electorate figures indicating that 35% of its wards had electoral variances of at least 10%. Extensive developments were planned by the Council within the area over the next few years which would further increase electoral variances. The Borough had 47 members serving 17 wards. 15 3-member wards and 2 single-member wards.

Hartlepool's review began in July 2010 with the Commission subsequently minded to recommend a Council size of 33 members. During the first stage of the consultation 67 submissions were received regarding warding patterns with borough-wide schemes being submitted from the Mayor, Hartlepool Borough Council, Hartlepool Labour Group, an independent group and a local resident.

Under the draft recommendations a uniform three-member warding pattern had been produced comprising 11 wards. The recommendations were largely based on the Mayor's and Hartlepool Borough Council's submissions as these offered the highest levels of electoral equality.

During consultation on the draft recommendations, 64 responses were received from Councillors, Parish Councils, Community Groups and local

residents. Hartlepool Borough Council also recommended a number of changes to ward names.

Having considered these representations, 6 of the 11 ward names included in the final recommendations were changed from those in the draft recommendations. The only boundary change from the draft recommendations was a minor boundary change in the south of the borough to reflect community identity better in the Greatham Parish area.

Agreed:

1. The scheme detailed within the report be adopted without amendment, as the final recommendations for Hartlepool Borough Council.

5. Rugby Final Recommendations - LGBCE(11)86

A further electoral review of Rugby Borough Council was being conducted as the December 2009 electorate figures indicated that Brownsover North Ward had 51% more electors than the borough's average.

During the initial consultation 11 submissions had been received with a substantive borough-wide scheme being proposed by Rugby Borough Council. The proposal recommended reducing the Council's size by 6 to 42 members across 16 wards. In September 2010 the Commission endorsed this proposal and was minded to recommend a Council size of 42 members for Rugby Borough Council.

The warding scheme was based on the 13 three-member wards and three single-member wards as proposed in Rugby Borough Council's scheme.

The parishes of Dunsmore and Churchover have been warded as part of the recommendations to anticipate the substantial developments which had been forecast in these areas by 2016.

The consultation on the draft recommendations resulted in 22 submissions including submissions from the Rugby Labour Party and Green Party. Seven of these submissions related to the inclusion of Binley Woods with the Revels area.

In response to the consultation on the draft recommendations the following changes had been reflected in the final recommendations. These included the change of four wards names and minor boundary changes within Rugby town to take account of community identities.

Agreed:

1. The scheme detailed within the report be adopted without amendment, as the final recommendations for Rugby Borough Council.

6. Swindon Final Recommendations – LGBCE (11)87

A further electoral review of Swindon Borough Council was being undertaken as the December 2009 electorate figures demonstrated that both FER intervention criteria had been reached - with 36% of wards having a variance of at least 10% and Abbey Meads having a variance of 65% from the Borough's average.

The Council currently has 59 members. At the September 2010 meeting the Commission were minded to reduce the Council's size to 57 members with the presumption for a uniform three-member warding pattern.

Both the Swindon Conservative Group and the Swindon Labour Party Group submitted borough-wide schemes during the initial consultation and the draft recommendations had been based on a mixture of these schemes with some modifications.

During the draft recommendations consultation (stage three) a further 78 submissions had been received, including submissions from the Conservative and Liberal Democrat groups, Councillors, Parish Councils, community groups and several residents.

The evidence received at stage three from written submissions persuaded the team to move away from a uniform three-member warding pattern and a single-member ward and a two-member ward are now included in the final recommendations. This change had been made to ensure that distinct community identities were reflected in the rural areas to the south and east of the town. The evidence for this decision was given weight by a tour of the Swindon area.

Other changes made to the draft recommendations included changes to the boundary arrangements in north Swindon, including Gorse Hill, Haydon Wick, Penhill, Pinehurst and Rodbourne Cheney wards. Furthermore, name changes to several of the wards were also made, to better reflect local community identity.

Agreed:

1. The scheme detailed within the report was adopted without amendment, as the final recommendations for Swindon Borough Council.
2. A community Governance Review would be suggested to the authority for the area around the hospital to improve boundary co-terminosity.
3. The Commission would consider carefully its response to future requests by councils that they should accompany Commissioners on tours of review areas, on a case by case basis.

7. West Lindsey Final Recommendations – LGBCE (11)88

A further electoral review of West Lindsey District Council was being conducted on the basis that according to the December 2009 electoral figures the District met both FER intervention criteria; with Caister Ward having 31% more electors than the district's average and 44% of wards having an electoral variance of at least 10%.

During the initial stage of the review 14 submissions had been received on council size. The District Council and the Conservative group proposed reducing the council size from 37 to 32.

At its meeting in September 2010 the Commission was minded to reduce the council size to 33, to allow for a uniform three-member warding pattern.

However after further consultation with local authority officers an updated submission was received proposing a 36 member model, based on a change of electoral cycle to whole council elections from elections by thirds. The Commission reviewed additional evidence received from the Council at its February 2011 meeting. As a result, the Commission supported the Council's request for a 36-member warding pattern spread across both single-member and multi-member wards.

The draft recommendations had been based on a mixture of the Conservative Group Office's and the District Council's schemes with some modifications to reflect the statutory criteria.

During stage three, the Commission received 28 submissions in response to the draft recommendations. Many of these submissions related to the Caistor area and the north-west Lincoln area. The Council suggested changes to 5 of the proposed ward boundaries. A name change was also proposed, to change North Kelsey ward to Kelsey Wold ward.

The Commission considered each area where changes to the draft recommendations were recommended.

Agreed:

1. The scheme detailed within the report be adopted without amendment, as the final recommendations for West Lindsey District Council.

8. Daventry Final Recommendations – LGBCE (11)89

A further electoral review of Daventry District Council was being conducted on the basis that the December 2009 electorate figures demonstrate that Abbey North ward has 43% more electors than the District's average.

Twelve submissions were received relating to Daventry's council size with four different sizes proposed. The District Council proposed increasing its council size from 38 to 39 councillors. However, at its September 2010 meeting, based on evidence relating to the District's governance arrangements, the Commission was minded to reduce council size from 38 to 36 councillors. Daventry District Council was opposed to this decision and continued to request a council size of 39 throughout the consultation process.

During stage one consultation, a further 27 submissions were received. The District Council produced the only district-wide scheme and the only scheme for Daventry town.

As part of its draft recommendations the Commission recommended a 36-member scheme based on 12 three-member wards which provided for good electoral variances up to 2016. However, the draft recommendations differed from the District Council's submission received at stage one, which proposed mixed warding patterns in rural areas. The draft recommendations reflected that a uniform three-member warding pattern produced the least electoral variance.

At stage three, 42 submissions had been received on the draft recommendations. The comments mainly related to rural areas and the uniform pattern of three-member wards. Also, the council re-stated its case for a Council size of 39 members.

The team gave careful consideration to the council size issue and extended the deadline in order to give the council further time to provide evidence about both community identity and councillor workload. The Council outlined a change in the Council's senior management structure which will result in a projected decrease of 8 delegated decisions over the period 2011/12. However, the team did not consider the weight of this additional evidence was sufficient to recommend moving away from the proposed 36-member council size.

In response to all the submissions received at stage three, the Commission did, however, recognise the case that was made to move away from a strictly uniform pattern of three-member wards in some specific instances. Consequently, the proposed wards of Braunston, Boughton, Welford and Moulton would be re-modelled into single and two member warding pattern. The final recommendations included 16 wards made up of 8 three member wards, 4 two member wards and 4 single member wards.

Agreed:

1. The scheme detailed within the report be adopted without amendment, as the final recommendations for Daventry District Council.

9. Somerset Council Size – LGBCE (11) 90

A further electoral review of Somerset County Council was being conducted as, according to the December 2010 electorate figures, the County met both of the Commission's intervention criteria. The figures indicated that 36% of its divisions had variances of at least 10% from the County's average and the Ilchester division an electoral variance of 40%.

A Task & Finish group had been set up by the County Council comprising of representatives from all political groups to decide upon an appropriate council size. As a result, the County Council submitted its proposal to reduce the current size by 3 members to 55. Three dissenting submissions had also been received; the opposition group on the Council recommended a council size of 59, Yeovil Town Council proposed a council size of 59 and Wiveliscombe Parish Council recommended no change at 58.

The Commission noted the evidence received from the County Council including expected efficiencies to councillor working practices and a potential move of governance model to a Committee system. It also noted that the opposition group proposal focused more on councillor allocation between districts and that a 55-member council would also provide a good allocation. The Commission were satisfied that further consultation on the issue of Council size would elicit no further useful evidence.

Agreed:

1. The Commission were minded to recommend a Council size of 55 members for Somerset County Council.
2. The FER of Somerset County Council would be designated as a 'Type B' review and the next stage of the review process which would consist of warding pattern information gathering would commence on 23 August.
3. The potential for press involvement in the new review processes consultation periods would be discussed at the Strategic Planning event in September. **MB**

10. Purbeck Council Size – LGBCE (11)91

A further electoral review of Purbeck District Council was being conducted as the January 2011 electorate figures indicated that 43% of its wards exceeded the district's average. The two-member St Martin ward was the biggest outlier, with 28% fewer electors than the district's average.

Purbeck District Council currently elects by thirds and is represented by 24 Councillors across 14 wards. The Council operates on a Leader and Policy Group structure with the majority of decisions being taken at Full Council. Whilst intensive for councillor workload, the Council believed that the structure remained appropriate for the District.

The team proposed the Commission recommend increasing the District's council size by three members to 27. This recommendation was based on the submission received from the Council's Political Group Leaders, which had been considered by the full council on the 2 August 2011. The Full Council had voted in favour of approving the council size of 27 members.

The complex role of the district's Planning Board and the numerous environmental and landscape designations, had been given as evidence by the District Council to increase council size. The District Council's submission also detailed the amount of work on outside bodies that councillors carried out.

Agreed:

1. The Commission were minded to recommend a council size of 27 members for Purbeck District Council.
2. The FER of Purbeck District Council would be designated as a 'Type B' review and the next stage of the review process, which would consist of warding pattern information gathering, would start on 23 August 2011.

11. Derbyshire Council Size – LGBCE (11)92

A further electoral review of Derbyshire County Council was being conducted as according to the December 2010 electorate figures the County met both intervention criteria. 39% of its divisions had a variance of 10% from the County's average and the Hatton & Hilton ward demonstrated an electoral variance of 39%. Furthermore, the County Council made a formal request that the Commission carry out an electoral review to address these electoral imbalances.

The County Council currently operates on the Cabinet and Leader model and has 64 elected members. The authority elects by whole council elections.

Having considered the evidence provided by the Council and Labour Group the team proposed retaining Derbyshire's current size of 64 Councillors. The evidence provided by the Council and Labour group included a detailed description of the County's governance structure and details of Councillor case-work portfolios. An increase in councillor workload due to the Localism bill was anticipated.

Agreed:

1. The Commission were minded to adopt a Council size of 64 members for Derbyshire County Council.
2. The FER of Derbyshire County Council would be designated as a 'Type A' review, with the development of draft recommendations at the next stage. A consultation would then take place.
3. An amendment would be made to a table in the paper's appendix to show that Amber Valley currently has an allocation of 11 members.

12. Swale Council Size – LGBCE (11)93

The Chair withdrew from the discussion relating to Swale and the Deputy Chair chaired this discussion.

A further electoral review of Swale Borough Council was being undertaken as the January 2011 electorate figures indicated that the Iwade & Lower Halstow ward exceeded the variance threshold of 30% from the borough's average.

The Council currently operates on the Leader and Cabinet governance system and has 47 Councillors across 25 wards in mixed-member wards. The authority holds whole council elections every four years.

The team considered that insufficient evidence had been received in order for the Commission to take an informed view on council size or review type to be recommended.

Agreed:

1. The decision on Council size and review type for the Swale Borough Council FER would be deferred. A period of 6 weeks would be given for preliminary consultation by the Council and further evidence gathering.
2. A meeting would be arranged between the lead Commissioner (Dr Sinclair), the team and the Council's group leaders to discuss the content of Swale's submission.

13. St Albans/Welwyn Hatfield PABR

The Director of Reviews updated the Commission on the progress made with the St Albans/Welwyn Hatfield PABR.

The public consultation period closed on 29 July and all the submissions received had been in favour of the draft proposal outlined in consultation.

Of the 14 households involved, 6 had responded to the letters sent directly to them. Support had also been received from District Councillors, County Councillors local MPs and one parish councillor.

The PABR would therefore progress to the next stage.

14.1 Chair's Report

The Chair reported that a meeting has been scheduled on 17 August with Sir Bob Kerslake, the Department of Communities and Local Government Permanent Secretary. This meeting would also be attended by the Chief Executive.

A letter of support had been received from the LGA regarding the Commission's attendance at the recent LGA conference.

14.2 External Relations Report – LGBCE (11)94

The content of the external relations report was noted by the Commission.

15. Chief Executive's Report

Both the Chief Executive and the Director of Reviews were giving thought to the management of the expanding review programme and how better end-to-end planning, greater security in delivery, and efficiencies in time management could be achieved through changes to the review/implementation process.

The Senior Management Team had begun preparations on the Speaker's Committee submission required for mid-September.

16. Budget and Finance Report – LGBCE (11) 95

The paper summarised the preliminary work undertaken to enable more accurate unit costs to be calculated by the Commission.

Since April 2010 all review officers and managers had been recording the working hours they spent on each review. A broad estimate based on 2010/11 expenditure was that each review costs approximately £206,000. This estimate was consistent with the NAO's VFM study estimate of £200,000 per review.

During the 2011/12 financial year it was anticipated that the £206,000 would reduce as this figure included start up costs and development work by review teams that was required throughout the LGBCE's first year, and would not be replicated. There would also be a significant increase in output.

Even though this unit cost analysis was in its early stages, it was proving useful in raising cost awareness and prompting questions. Work was ongoing with review teams to refine this process. The data so far also did not include the cost of reviews being undertaken under the new processes.

At this stage the Commission did not envisage a direct charging process for review work as a result of more predictable unit costs in the future, as this type of process would be likely to compromise the Commission's independence.

17. Minutes of the Audit Committee Meeting on 11 July 2011 Including Review of Performance & Terms of Reference – LGBCE (11) 96

The Chair of the Audit Committee updated the Commission on the developments made at the July Audit Committee.

Agreed:

1. The Audit Committee minutes would be amended to reflect minor presentational changes.
2. A copy of the Audit Committee minutes would be added to the Commission's agenda as a standard item.
3. The Audit Committee's revised terms of reference would be adopted.
4. A three year planning horizon process would be introduced for the Audit Committee, to reflect the internal audit programme.

18. Future Business – LGBCE (11) 97

The Commission noted the content of the future business paper.

AOB

No other items were discussed, as the meeting was cut short by unforeseen circumstances.

16.10pm Meeting Closed