

LGBCE (11) 2nd Meeting

Minutes of meeting held on 8 February 2011, at 10.15am,
in Room B, Layden House, 76-86 Turnmill Street, London,
EC1M 5LG

Commissioners Present:

Max Caller CBE (Chair)
Professor Colin Mellors (Deputy Chair)
Jane Earl
Dr Peter Knight CBE DL
Dr Colin Sinclair CBE
Professor Paul Wiles CB

Observer:

Sir Tony Redmond

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 Howell	Communications & Public Affairs Manager
Sarah Vallotton	Business & Committee Services Manager
Kathleen Peacock	Business Support Officer (Minutes)
Daniel Knag	Implementation Officer (Items 9 – 12)
Bolanle Ojoye	Implementation Officer (Items 9 – 12)
William Morrison	Review Officer (Item 13)
Paul Kingsley	Review Advisor (Item 14)
Jessica Metherringham Owlett	Review Officer (Item 16)
Sarah Murphy	Review Officer (Item 17)

Minutes from LGBCE's meeting on 11 January 2011 and Matters Arising

The minutes from the 11 January 2011 meeting were agreed as an accurate record. The Commission discussed matters arising from them.

Noted:

DCLG has yet to respond on the re-appointment of Jane Earl.

Declarations of Interest

No new declarations of interest were received.

1. Chair's Report

1.1. Schedule of Parliamentary Meetings – LGBCE (11)08

1.1.1. The Commission noted the schedule for January 2011.

1.2. Parliamentary Questions to LGBCE - LGBCE (11)09

1.2.1. Eight draft orders had been laid in Parliament on 29 November 2010. These orders had been made on 28 January 2011.

1.2.2. Although no prayers had been received against the orders, an Early Day Motion had been tabled by Joan Whalley MP against the Stoke order, after the order had completed its laying period and had been made, registered and published.

1.2.3. No Parliamentary Questions about the Commission had been tabled for reply by the Speaker's Committee in January.

2. Chief Executive's Report (oral)

2.1. The Chief Executive mentioned appointments issues, and updated the Commission on the NAO VfM audit.

Noted:

2.1.1. NAO representatives had given a presentation on its Value for Money (VfM) study at Audit Committee the previous day. The study focussed on LGBCE's ability to deliver its five-year plan. The NAO's draft report would be sent to the Finance Director shortly, and there would be an opportunity to propose changes to ensure accuracy and fairness. The Speaker's Committee would consider the final report, the draft Main Estimate and the Corporate Plan in March.

2.1.2. The Chief Executive would reach the end of his term of appointment on 31 December 2011. At the next meeting, a

working group of Commissioners would be appointed to decide strategy for the recruitment process.

Agreed:

- 2.1.3. The draft NAO report, while a privileged document, would be shared with Commissioners on a confidential basis.

3. Audit Committee Chair's Report (oral)

- 3.1. Internal Audit had finished their general auditing – save for the draft accounts - for this financial year. The Committee had received reports and management responses. The picture was generally reassuring. Deadlines for finalising audits had been tight and had required a great deal of effort by both LGBCE staff and RSM Tenon.
- 3.2. The Central Risk Register was being updated and reformatted in accordance with the Risk Maturity Audit recommendations.
- 3.3. NAO had yet to say if they confirmed that the Electoral Commission's start up costs should be written off fully this year.

Agreed:

- 3.4. The re-formatted Risk Register would be presented to the March Commission meeting.

4. Draft Corporate Plan, Final Budget Proposals and Approval for 2011-2012 - LGBCE (11)10

Noted:

- 4.1. The draft Corporate Plan was based on the submissions made to the Speaker's Committee in October 2010. The final draft of the plan was due to be submitted to the Speaker's Committee on or about 10 February. The Committee would then consider it, with advice from the Treasury and NAO, with a view to deciding whether to modify or adopt it.
- 4.2. The sections concerning KPIs and Performance Management had needed most new work. Devising meaningful measures of customer/stakeholder satisfaction, without incurring disproportionate costs, had proved challenging.
- 4.3. The number of electoral reviews planned had been set to bring a marked reduction in overall electoral inequality over the five years, while leaving some headroom for principal area boundary reviews. The draft plan incorporated a guarded assessment of how soon well-supported

proposals for PABRS would come forward, and how many there would be in each year.

- 4.4. In line with the Commission's wish to demonstrate responsiveness to local authority requests, the draft plan expressly set an expectation that the programme of reviews would be framed to meet a number of local authority requests - whether for electoral reviews to address council size or ward pattern, or boundary reviews - in addition to delivering progress on electoral inequality.
- 4.5. Officials would propose a specific programme of reviews for 2011/12 and 2012/13 for discussion at the March Commission meeting. Due priority would be given to reviews that both met intervention criteria, and were requested by the LAs.

Agreed:

- 4.6. The statement regarding the LGBCE's target of reducing electoral inequality to less than 10% would be re-worded to reflect the uncertainties inherent in the external environment, and a possible need in later years to re-balance electoral and boundary review work.
- 4.7. The number of reviews completed in previous years should be stated in the Foreword to support LGBCE's confidence in raising output.
- 4.8. A footnote should be added to emphasise how voter registration changes could much influence underlying levels of electoral inequality. The budget table should show the forecast outturn for 2010-11.
- 4.9. The draft Corporate Plan was agreed as amended.

5. Response to PABR Consultation Paper and Recommendations on Policy & Procedure – LGBCE (11)11

Noted:

- 5.1. Responses received throughout had been broadly supportive of the Commission's approach.
- 5.2. The definition of evidence of local support for PABRs should be made clearer. A stage of local consultation would be included in PABR reviews, as for an FER, to allow opinions to be expressed locally on proposed boundary changes and warding patterns.
- 5.3. The need for a DCLG policy to cover boundary changes to parished areas between local authorities was raised. The LGBCE had no power to make consequential recommendations for changes to external parish boundaries as a result of a PABR

Agreed:

- 5.4. The suggested amendments would be made to the summary points and a draft of the technical guidance would be considered through correspondence.

6. Response to Electoral Review Consultation Paper and Recommendations on Policy & Procedure – LGBCE (11)12

Noted:

- 6.1. Responses received throughout had been broadly supportive of the Commission's approach.
- 6.2. It was recognised that many local authorities lacked detailed knowledge of the electoral review process, because reviews happened only intermittently, and officers may be involved in only one review in their career. Local authorities therefore required clear guidance to help them through the process.
- 6.3. The Commission was pleased with the quality of the responses received in response to the consultation.
- 6.4. The Commission suggested placing a letter of thanks for the responses received in the local government press.

7. Carlisle Related Alterations - LGBCE (11)13

Agreed:

- 7.1. The related alterations request for Carlisle City Council is declined on the following grounds:
 - 7.1.1. On the basis of forecast electorate figures for 2014, the effect of the related alteration Order would be that Carlisle Council would incur electoral inequality that would meet the Commission's criteria for an electoral review.
 - 7.1.2. Parish administrative and ward boundaries were not coterminous and had not been for some considerable time.
 - 7.1.3. The Commission was aware that the City Council had sought discussions over a possible electoral and/or principal area boundary review.

8. New Forest Related Alterations - LGBCE (11)14

Agreed:

- 8.1. That an electoral changes order, implementing the district ward boundary alterations recommended by the New Forest District Council, be made.

9. Copeland Related Alterations – LGBCE (11)15

Agreed:

- 9.1. That the related alterations request for Copeland Borough Council be declined on the following grounds:
 - 9.1.1. The Commission's policy that related alteration orders should not normally be made where the requested alteration would worsen electoral equality in districts or counties that already qualify for a further electoral review.
 - 9.1.2. Copeland Borough Council currently meets one of the criteria for triggering of an electoral review, in that over 30% of its wards have an electoral variance of more than 10% from the average for the borough. If the proposed related alterations were made, two more wards would meet this criterion.
 - 9.1.3. The proposed alterations would also result in Copeland's meeting the second criterion of having one ward with an electoral variance over 30%.
 - 9.1.4. Additionally, the Commission noted that the request related to county divisions currently under electoral review.
 - 9.1.5. The Electoral Commission previously received advice that it could not implement a related alteration request only in part; such requests could only be implemented in their entirety, or not at all.

10. Rotherham Related Alterations – LGBCE (11)16

Agreed:

- 10.1. An electoral changes order, implementing the district ward boundary alterations recommended by Rotherham Metropolitan Borough Council, be made.

11. West Lindsey Draft Recommendations – LGBCE (11)17

Noted:

11.1. The review was being conducted on the basis that the electorate figures for the district in 2009 indicated that 44% of its wards had an electoral variance of greater than 10%. Caistor Ward had an electoral variance greater than 30%.

11.2. The Council had 37 councillors, elected by thirds but had passed a resolution to move to whole elections from May 2011.

11.3. At its meeting in September 2010, the Commission was minded to adopt a Council size of 33 members based on the weight of such representations as had been made.

11.4. During Stage One, 16 submissions had been received on warding arrangements and council size. A proposal had been received from the Council for 36 members. This proposal had cross-party support.

11.5. The Commission considered the electoral variances that would be produced by both a 33 and 36 member warding pattern. The Commission also considered three proposed amendments to the Council's submission which included,

11.5.1. Combining Scotter and Thonock wards to form a three-member ward,

11.5.2. Combining Dunholme and Welton ward to form a three-member ward,

11.5.3. Including the parish of Riby in the Council's proposed Caistor & Yarborough ward.

Agreed:

11.6. On the basis of the evidence received, the Commission was now minded to recommend a Council size of 36 members for West Lindsey District Council as warding patterns based on this Council size would best reflect the statutory criteria.

11.7. To adopt the draft recommendations detailed in the report, including the amendments outlined above.

12. Swindon Draft Recommendations – LGBCE (11)18

Noted:

12.1. The review was being conducted on the basis that the electorate figures for the borough for 2009 indicated that 36% of its wards had an electoral

variance of greater than 10% from the average. Abbey Meads Ward had an electoral variance of a 65%.

12.2. The Council had 59 members and elects by thirds. The Commission had previously agreed that the review should proceed on the basis of a council size of 57.

12.3. The warding scheme under consideration was based on elements of both the Conservative and Labour group proposals.

12.4. While a single-member warding pattern had been proposed for some of the outlying areas of the borough, insufficient evidence had been provided to justify departing from the presumption of a uniform pattern of three-member wards.

12.5. Combining the more rural parish of South Marsden with the urban wards of Swindon town would better reflect communication and transport links in this area.

Agreed:

12.6. To adopt draft recommendations detailed in the report.

13. Daventry Draft Recommendations – LGBCE (11)19

Noted:

13.1. The review was being conducted on the basis that the electoral figures for the District for 2009 indicated that Abbey North Ward had 43% more electors than the district average.

13.2. Daventry District Council has 38 councillors and elects by thirds

13.3. Having considered the warding scheme by the council for a council size of 39, to include an additional councillor in Daventry Town, the Commission did not consider there was sufficient evidence to alter the previous conclusion on a council size of 36 elected members.

13.4. The team therefore proposed 12 three-member wards, allocating four three member wards in Daventry Town and eight three-member wards in the rural area.

Agreed:

13.5. To adopt the draft recommendations detailed in the report.

14. Hartlepool Draft Recommendations – LGBCE (11)20

Noted:

- 14.1. The review was being conducted on the basis that the electoral figures for Hartlepool Borough Council for 2009 indicated that 35% of its wards had electoral variances greater than 10%. Dyke House Ward had 22% fewer electors than the District average.
- 14.2. Hartlepool had 47 members and had submitted a proposal for 11 three-member wards.
- 14.3. The Commission noted the authority wide schemes received on warding arrangements during this stage, and considered that, overall, the proposal put forward by the Council made for strong boundaries and would secure better electoral equality.

Agreed:

- 14.4. To adopt draft recommendations detailed in the report, based on 11 three-member wards.

15. Rugby Draft Recommendations – LGBCE (11)21

Noted:

- 15.1. The review of Rugby is being conducted on the basis that the electoral figures for Rugby Borough Council for 2009 indicated that Brownsover North Ward had 51% more electors than the Borough average.
- 15.2. The Commission discussed the warding of two parishes where development would take place by 2016.
- 15.3. The Commission considered the evidence provided and discussed a departure from its existing policy of a presumption in favour of three-member wards due to the area's particular geographic factors and population spread.
- 15.4. To adhere to the existing policy of not creating parish wards which would initially have few or no inhabitants would potentially result in district wards with substantial electoral variances and would rapidly require a further review once the proposed housing development took place.

Agreed:

- 15.5. Sufficient evidence had been received to warrant the Commission departing from a uniform pattern of three member wards.

- 15.6. Suitable provision should be made in the electoral changes order to alter the date parish elections took place.
- 15.7. To adopt the draft recommendations detailed in the report. This was based on a mixed warding pattern of 13 three member wards and 3 single member wards.

16. Operational Report – LGBCE (11)22

Noted:

- 16.1. The Operational Risk Register had been updated and one risk score had decreased as a result of actions taken.
- 16.2. The Operational Risk Register would be re-formatted in accordance with recommendations in the risk maturity audit report.
- 16.3. A meeting with Cumbria Council officials had been postponed and would be rearranged in time for the Commission to make a decision on council size at the March meeting.

17. Quarterly Finance Report (1st, 2nd & 3rd Quarters) – LGBCE (11)23

Noted:

- 17.1. The figures demonstrated that LGBCE's projected underspend had stabilised from November through to January.
- 17.2. The LGBCE's latest forecast for 2010/11 would be submitted to the Speaker's Committee along with the LGBCE's corporate plan.
- 17.3. Discussions with NAO and the Electoral Commission were ongoing regarding the write-off of the LGBCE's start up costs.
- 17.4. Systems were now in place to provide the LGBCE with estimated unit costs for reviews by the autumn. However, this would be an ongoing process that would become more useful over time, as the database built up.

18. Parish Name Change in Shropshire – LGBCE (11)24

Agreed:

- 18.1. Consent should be given to the proposed name change for the Parish.
- 18.2. The Chief Executive would write to Shropshire Council expressing concerns over how the name change proposal had arisen and been taken forward by the Council.

19. Future Business – LGBCE (11)25

Agreed:

19.1. Preparations for and attendance at the Speaker's Committee in September and October would be added.

19.2. A timetable for technical guidance on reviews would be added.

19.3. A selection criteria paper for PABRs would be added to the March agenda.

AOB

The Commission complimented the Review Officers on the quality of the draft recommendation reports, particularly given the short period of time that had been available to prepare them since the close of consultations in December 2010.

12.45pm Meeting Closed