

LGBCE (12) 7th Meeting

Minutes of meeting held on 10 July 2012, at 9.30am, in Rooms A & B, Layden House, 76-86 Turnmill Street, London, EC1M 5LG

Commissioners Present

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

Invited Guests from the Local Government Boundary Commission for Wales:

Steve Halsall
Matt Redmond
Ralph Handscombe

LGBCE Officers Present:

Alan Cogbill	Chief Executive
Archie Gall	Director of Reviews
David Hewitt	Finance Director
Richard Buck	Implementation & Programme Manager
Tim Bowden	Review Manager
Jessica Metheringham-Owlett	Review Manager
Danny Edwards	Review Manager
Marcus Howell	Communications Manager
Sarah Vallotton	Business & Committee Services Manager
Simon Keal	Review Officer
Nicholas Dunkeyson	Review Officer
Alex Skerten	Review Officer
Arion Lawrence	Review Officer
Paul Kingsley	Review Advisor
David Owen	Policy & Research Officer
Julian Pellew-Martin	Business Assistant
Dean Faccini	Business Assistant (minutes)

Apologies for Absence

No apologies had been received.

Declarations of interest:

The Chair declared an interest in Swale and would withdraw from discussion of that item. The Chair also declared an interest in Suffolk Coastal, and said that, should this area become part of any discussion at the meeting, he would withdraw from that discussion.

Professor Colin Mellors declared an interest in York and would withdraw from any discussion of that item.

Professor Paul Wiles declared an interest in Derbyshire and would withdraw from any discussion of that item.

Minutes of LGBCE's meeting on 13 June 2012

It was agreed to remove extraneous lines in italics located on pages 7 and 8 of the draft minutes and with that amendment they were agreed as a correct record.

Matters Arising

The Chair referred to item 20 of the minutes relating to a proposed project plan update, noting that this did not appear as a substantive item on the agenda, nor was it planned to feature at the Strategic Planning Event.

It was agreed that two Commissioners would meet the Implementation and Programme Manager to discuss what was required and a report would be presented to the Commission in August.

1. Operational Report – LGBCE (12)81

The Director of Reviews informed the Commission that the Leader and Deputy Leader of Cumbria County Council had cancelled a meeting scheduled, at their request, with the Chair and the Chief Executive, to pursue their complaint. A letter explaining their reasons was expected

The draft recommendations for Warwick would be presented at the September Commission meeting. This followed the Commission's request that Warwick provide revised forecast figures and a rationale for them owing to concerns with the data previously submitted.

Ministers would be considering the Commission's PABRs for Northumberland/Gateshead and Stevenage/East Hertfordshire during the summer.

The Director of Reviews reminded the Commission that errors had been identified in the Wiltshire (Electoral Change) Order made by the Electoral Commission. Although, as transitional measure prior to 1 April 2012, the Boundary Committee was given a power to amend Electoral Commission Orders in the event of errors being identified, no provision had been made for the LGBCE to do so. This meant that the only remedy was for Wiltshire to carry out a Community Governance Review. Wiltshire had been informed.

The Chair had signed the orders for Oxfordshire and Surrey.

2. Three Rivers Council Size – LGBCE (12)82

It had been agreed to review Three Rivers at the request of the authority. The review had commenced in January 2012. According to the latest electoral figures, 25 per cent of wards had variances greater than 10 per cent.

The Commission had held meetings with local authority group 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 48 members.

Following receipt of information about future governance and representative arrangements, it was recommended by LGBCE officers that there was sufficient evidence to support the council size changing to 39 members.

The Commission considered all the available evidence. On the basis of the evidence the Commission agreed to consult on a council size of 39 members

Agreed

That a council size of 39 be used as the basis for consultation.

3. Uttlesford Council Size – LGBCE (12)83

It had been agreed to review Uttlesford District Council owing to electoral imbalance. The review had commenced in January 2012. According to the latest electoral figures, 33 per cent of wards had variances greater than 10 per cent with one being over 30 per cent.

The Commission had held meetings with local authority group 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 44 members.

Following receipt of information about future governance and representative arrangements, it was recommended by LGBCE officers that there was sufficient evidence to support the council size changing to 39 members.

The Commission considered all the available evidence. On the basis of the evidence the Commission agreed to consult on a council size of 39 members

Agreed

That a council size of 39 be used as the basis for consultation.

4. York Council Size – LGBCE (12)84

Professor Colin Mellors withdrew from the discussion for this item.

It had been agreed to review City of York Council owing to electoral imbalance. The review had commenced in May 2012. According to the latest electoral figures, one ward had a variance of over 30 per cent.

The Commission had held meetings with local authority group 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 47 members.

Following receipt of information about future governance and representative arrangements, it was recommended by LGBCE officers that there was sufficient evidence to support the council size remaining at 47 members.

The Commission considered all the available evidence. On the basis of the evidence the Commission agreed to consult on a council size of 47 members

Agreed

That a council size of 47 be used as the basis for consultation.

5. Milton Keynes Council Size Post Consultation – LGBCE (12)85

It had been agreed to review Milton Keynes Council owing to electoral imbalance. The review had commenced in January 2012. According to the latest electoral figures, 39 per cent of wards had variances greater than 10 per cent with one being over 30 per cent.

The Commission had held meetings with local authority group 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 51 members.

Following receipt of information about future governance and representative arrangements, it was recommended by LGBCE officers at the Commission's meeting in March, that there was insufficient evidence to support the council size changing to 57 members as set out in the joint-party draft proposal.

The Commission took the view that, at that time, insufficient evidence had been received to support a council size of 57, and agreed to consult on a council size of 51 (the current size). The consultation ended on 18 June 2012.

The Commission considered all the available evidence, including evidence that the Council would face additional responsibilities over the next ten years as responsibilities transferred from other bodies and would require further strategic resources to develop infrastructure and to manage an increasing councillor workload in a still developing unitary authority. Submissions from the public generally supported an increase in council size, and there was little significant opposition to an increase.

In reaching its decision, the Commission did not accept that an increase in the size of the electorate was, in itself, a valid argument for a consequential increase in council size. However, on the basis of the evidence submitted about the increasing councillor workloads and particularly the challenges of new powers transferring to the unitary authority, the Commission was minded to support an increase in council size to 57 members.

Agreed

That a council size of 57 be used as the basis for the preparation of draft recommendations.

6. Lancaster Council Size Post Consultation – LGBCE (12)86

It had been agreed to review Lancaster City Council owing to electoral imbalance. The review had commenced in August 2011. According to the latest electoral figures, one ward had a variance of over 30 per cent.

The Commission had held meetings with local authority group 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 60 members.

Following receipt of information about future governance and representative arrangements, it was agreed at the Commission meeting in April, exceptionally, to consult on a council size of 60, 50 and 40 members. The

object was to secure more and better evidence than disclosed in the original council submission to support a specific recommendation. The consultation ended on 11 June 2012.

The Commission considered all evidence received during consultation. It was agreed that insufficient evidence had been received to recommend a council size of 50 or 40 or any other specific reduced number, although a significant number of representations had been made for a reduction in council size. Notwithstanding the latter, on the balance of material available to it, the Commission was minded to recommend a council size of 60 members.

Agreed

That a council size of 60 be used as the basis for the preparation of the Draft Recommendations.

In the light of the difficulties encountered in obtaining suitable and sufficient evidence for a specific council size in this instance, Commissioners agreed that they should have a separate discussion on another occasion about how best to proceed when evidence was unconvincing or ambivalent.

7. Arun Draft Recommendations – LGBCE (12)87

The review of Arun District Council had commenced on January 2012. According to the latest electoral figures, 31 percent of wards had variances greater than 10 per cent.

At its meeting on 14 February 2012, the Commission was minded to agree a Council size of 53 and the Draft Recommendations being considered had been prepared on this basis.

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 seven three-member wards, and 16 two-member wards.

The Commission noted that the Council had based its warding proposals on 56 councillors. In the absence of any evidence to support such a number, the Commission re-affirmed its view that its Draft Recommendations should be based on a council size of 53 members

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 with option 2 the preferred warding pattern to place Ferring in a ward with part of Angmering Parish.

Agreed

Draft Recommendations for Arun District Council as modified.

8. Derbyshire Final Recommendations – LGBCE (12)88

Professor Paul Wiles withdrew from the discussion for this item.

The review of Derbyshire County Council had commenced on May 2011. According to the latest electoral figures, 39 per cent of divisions had variances greater than 10 per cent with one being over 30 per cent

At its meeting on 9 August 2011, the Commission was minded to agree a Council size of 64 and had subsequently agreed Draft Recommendations.

Following publication, 111 submissions had been received commenting on the Draft Recommendations. These had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account it had not been judged that there was sufficient evidence to move away from the Draft Recommendations except in respect of proposing a two-member division for the areas of Eckington and Killamarsh. Minor modifications were also agreed in Chesterfield Town and South Derbyshire.

The Final Recommendations proposed a pattern of three two-member wards, and 58 single-member wards.

The Commission considered the Final Recommendations in detail informed by the statutory criteria and taking into account the submissions received following publication of the Draft Recommendations.

It agreed the Final Recommendations as presented with modifications in the areas of Chesterfield Town and Breadsall.

Agreed

Final Recommendations for Derbyshire County Council as modified.

9. Swale Final Recommendations – LGBCE (12)89

The Chair withdrew from the discussion for this item and the Deputy Chair chaired the meeting.

The review of Swale Borough Council had commenced in June 2011. According to the latest electoral figures, one ward had a variance of over 30 per cent.

At its meeting in November 2011, the Commission was minded to agree a Council size of 47 and had subsequently agreed Draft Recommendations.

Following publication, 19 submissions had been received commenting on the Draft Recommendations. These had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account it had not been judged that there was sufficient evidence to move away from the Draft Recommendations except in respect of minor amendments to Sittingbourne (two name changes) and a minor amendment to a boundary between St Ann's and Priory wards in the Faversham area, and these were proposed as the Final Recommendations for Swale Borough Council.

The Final Recommendations proposed a pattern of four three-member wards, 15 two-member wards, and five single-member wards.

The Commission considered the Final Recommendations in detail informed by the statutory criteria and taking into account the submissions received following publication of the Draft Recommendations. It agreed the Final Recommendations as presented with modifications in the area of Faversham.

Agreed

Final Recommendations for Swale Borough Council as modified.

10. Review of December 2010 electorates, requests for reviews and recommendations for 2013/14 review programme – LGBCE (12)90

The Implementation & Programme Manager invited the Commission to agree to the recommendations as presented in the report on the Electoral Review Programme 2013-14.

The revised review programme contained 22 new reviews, 15 in authorities that meet the intervention criteria and 7 arising from formal requests.

Counties have not been included in the programme as full council elections will not take place until the next financial year, and insufficient electoral data will be available as a result.

The review programme also outlined financial and staff resources required to complete the programme. It was estimated that each review officer could be working on three reviews at any one time, and the Commission might have capacity to undertake additional reviews. However, a final decision could not be made until the end of 2012 when the operational and financial viability of undertaking additional reviews could be assessed.

Agreed

1. The proposed Electoral Review Programme 2013-2014 as presented.

2. The Commission to discuss at the strategic planning event how to handle increasing requests for reviews that could not be undertaken within restricted resources.

11. Electoral Forecasts – LGBCE (12)91

The Policy & Research Officer presented an update on Electoral Forecasts.

The Commission noted the content of the report.

12. Post Election Surveys – LGBCE (12)92

The Policy & Research Officer presented the report on the Post Election Survey carried out in May-June 2012.

The Commission noted the content of the report.

13. New Technical Electoral Review Guidance – LGBCE (12)93

The Director of Reviews presented the new technical guidance for electoral reviews.

Agreed

The new technical electoral review guidance as presented.

14. Chair's Report (oral)

The Chair updated the Commission that he had met Bob Neill MP (Department for Communities and Local Government) at a meeting to discuss the challenges facing some smaller district authorities. The Chair circulated to fellow Commissioners a letter he had sent to Mr Neill subsequently.

15. Chief Executive's Report (oral)

The Chief Executive updated the Commission on the forthcoming strategic planning event. Themes had been discussed and agreed. A paper setting out the objectives and agenda had been circulated by email, and was tabled. One feature would be to look at commitments made at last year's event, as prelude to the same exercise at the end of this year's event.

The meeting would start promptly at 11am.

The Chief Executive updated the Commission on the recent LGA Conference and the value of attending. The Communications Manager would circulate a report. One recurring theme had been the apparent level of demand from authorities for reviews, typically to address council size. It would be useful to host a fringe event at next year's conference, tailored to the conference theme.

16. Finance progress report, including 1st Quarter Results (tabled), Unit Costs, first look at budget issues for 2012-14 – LGBCE (12)94

The Director of Finance presented a wide-ranging paper, covering:

- Re-appraisal of 2012-13 budget
- First quarter results
- Costs of reviews
- The 5 year budget prospectus
- Challenges in resourcing the review programme
- Strategic opportunities and threats

He outlined how the management team continually tests spending to date, to ensure effectiveness and to deliver an optimum number of reviews. It was agreed to record the outcomes of these processes, for audit purposes.

The Commission noted that:

- The 2012-13 budget had been checked against an analysis of 2011-12 out-turn, as recommended by the National Audit Office.
- Expenditure in 2012-13, Quarter 1 was close to budget profile
- As enjoined by the Treasury, the budget included a contingency, of £50,000 which could not be carried forward at year-end.
- The Commission would be looking to refine its understanding of cost drivers over the next few months, building on the work thus far. In particular, improved cost attribution had improved assessment of overhead costs.
- The Commission would also be looking at the potential for other economies as part of review process, eg cutting travel or accommodation costs by managing scheduling and attendance at review meetings.
- The printing and despatch of mapping and publicity materials for public consultations was costly, but Commissioners were reluctant to move away from hard copies for this purpose recognising the importance of ensuring good communications with areas being reviewed.

The Corporate Plan required the LGBCE to complete 22 reviews a year, which at average duration of 16 months implied a live caseload approaching 30 reviews at any time, each Review Officer working on three simultaneously (the planning assumption for re-organisation). This was tight financially and

operationally. It was noted that a county heavy review programme could limit how many reviews the LGBCE could undertake within staff resources.

The Commission thanked the Director of Finance for his report and for the discussion that had been stimulated.

17. Corporate Governance Framework – LGBCE (12)95

The Business & Committee Services Manager introduced the Corporate Governance Framework for the Commission to consider and approve.

The Chair requested that this item was deferred to the next meeting so that the Commission would have time to review its content and submit any draft changes.

Agreed

1. That the Corporate Governance Framework be deferred to the next meeting.
2. That any draft changes requested by the Commission should be forwarded by email to the Business & Committee Services Manager.
3. That the relevant sections of the Local Government, Economic Development and Construction Act should appended in full.

18. Registration/Declaration of Interests Policy – LGBCE (12)96

This item was deferred to the next meeting to allow for the circulation of the Audit Committee's consideration and proposed amendments.

19. Report of July Audit Committee (oral)

The Chair of the Audit Committee reported on business at the Audit Committee meeting the previous day.

20. Future Business – LGBCE (12)97

The Commission noted the content of the Future Business paper.

Agreed

That the agenda for October's Commission meeting provide for the discussion on Wyre to be towards the end of the meeting.

21. Review of Commission's Performance – LGBCE (12)98

It was agreed to note the content of the report. The Chair and Chief Executive would prepare a paper which would provide challenge on the Commission's performance for discussion at a later date.

14:35 Meeting Closed