

LGBCE (13) 6th Meeting

Minutes of meeting held on 11 June 2013, at 09:30am, 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

Professor Paul Wiles CB

LGBCE Officers Present:

Alan Cogbill

Archie Gall

Lynn Ingram

Alison Evison

Marcus Bowell

Tim Bowden

David Owen (from item 8)

Richard Otterway

Nick Clarke (for item 10)

Chief Executive

Director of Reviews

Director of Finance

Review & Programme Manager

Communications and Public Affairs Manager

Review Manager

Policy and Research Officer

Review Officer

National Audit Office

Apologies for Absence

Dr Colin Sinclair.

The Chair noted that this was Richard Otterway's last meeting prior to his taking up a new post outside the organisation and thanked him for his work at LGBCE and extended the Commission's best wishes for his new role

Declarations of interest

None.

Minutes of LGBCE's meeting on 21 May 2013

The minutes were agreed as a correct record.

Matters Arising

None.

1. Operational Report - LGBCE (13)84

The Director of Reviews informed the Commission that a formal request for an electoral review – as part of the 2014/15 programme - had been received from the Mayor of Bristol. Arrangements would be made for the Chair and the Director to meet the Mayor and group leaders to discuss the request.

2. Darlington Council Size - LGBCE (13)85

The Review & Programme Manager introduced the item and reported that the Lead Commissioner (Dr Colin Sinclair) had indicated his endorsement of the recommendation that the Commission should consult on a council size of 50 for Darlington Borough Council.

Agreed

After considering the evidence received, the Commission agreed that a council size of 50 be used as the basis for the council size consultation.

3. Canterbury Council Size - LGBCE (13)86

Richard Otterway introduced the item. The council had requested the review and the Chair and Director of Reviews had met the authority before their inclusion in the programme.

Agreed

After considering the evidence received, the Commission agreed that a council size of 38 be used as the basis for the council size consultation.

4. Wyre Forest Council Size - LGBCE (13)87

The Review and Programme Manager introduced the item explaining that the council had requested to become part of the Commission's work programme. The council are expected to take a decision on moving to whole-council elections later in the year.

Agreed

After considering the evidence received, the Commission agreed that a council size of 33 be used as the basis for the council size consultation.

5. Breckland Council Size Post Consultation - LGBCE (13)88

The Review and Programme Manager introduced the item on the outcome of the council size consultation and evidence received.

Agreed

After considering the evidence received, the Commission agreed that a council size of 50 be used as the basis to proceed to consultation on warding arrangements and preparation of draft recommendations

6. Corby Council Size Post Consultation - LGBCE (13)89

The Review and Programme Manager introduced the item on the outcome of the council size consultation and evidence received.

Agreed

After considering the evidence received, the Commission agreed that a council size of 29 be used as the basis to proceed to consultation on warding arrangements and preparation of draft recommendations.

7. Braintree Council Size Post Consultation - LGBCE (13)90

The Review and Programme Manager introduced the item on the outcome of the council size consultation and evidence received.

Agreed

After considering the evidence received, the Commission agreed that a council size of 50 be used as the basis to proceed to consultation on warding arrangements and preparation of draft recommendations.

8. Chair's Report (oral)

Doncaster – the Chair reported on arrangements for a meeting with the council to discuss the forthcoming review and outline the Commission's approach and practice for electoral reviews.

Commission evening meeting – the Chair reported that Jenny Watson (Chair of the Electoral Commission) would be invited to a future discussion meeting with Commissioners following a future Audit Committee meeting. The main issues to be discussed might include:

- The Electoral Commission's view on the potential impact of Individual Electoral Registration and the potential effect on the Commission's future work programme.
- The Electoral Commission's view on the trend towards smaller council sizes, the inevitable increase in electoral areas and the effect this may have on the representation of smaller parties on local authorities.

The Chair reported on his meeting with Gary Streeter MP on 4 June primarily to discuss the electoral review of South Hams District Council. It was thought appropriate to invite Mr Streeter to a future evening meeting.

Fenland electoral review – the Chair reported that he was due to meet Steve Barclay MP (North East Cambridgeshire) on 12 June to discuss the outcome of the electoral review of Fenland District Council and, in particular, the consequential creation of additional parish wards in the town of Chatteris.

Agreed

The Commission should invite Gary Streeter MP and Jenny Watson to future Commission evening discussion meetings.

9. Chief Executive's Report (oral)

LGA Conference 2013 – the Chief Executive reported on preparations for the conference which is due to take place on 2-4 July in Manchester and where the Commission is due to host a fringe event. The Chair reported that he had conducted

an interview with the *Municipal Journal* to highlight the Commission's invitation to local authorities to put themselves forward for review and encourage them to attend the fringe session.

Industrial action – the Chief Executive had briefed the Commission privately on the on-going industrial action by staff.

Speaker's Committee – the Committee is due to meet on 2 July to discuss the Electoral Commission's budget. The Chief Executive has been asked to provide a factual briefing, in advance of that meeting, on the industrial action at the Commission. The Chief Executive has also been asked to be present for the meeting if members wish to discuss the proportionality of levels of scrutiny placed on the Commission (primarily by National Audit Office Value for Money studies) and/or legislation prescribing the status of independent Audit Committee members.

10. Finalise Annual Report and Accounts 2012-13 – LGBCE (13)92

The Director of Finance introduced the item and distributed additional papers: National Audit Office's Audit Completion report 2012-13, Summary of Resource and Capital Outturn, Statement of Cash Flows for 2012-13 and details of director pensions.

Nick Clarke (National Audit Office - NAO) introduced the Audit Completion Report and described the actions expected to be taken by the Commission in response. He explained that the NAO was content for the accounts to be signed off by the Accounting Officer. The accounts are expected to be signed off by the Comptroller and Auditor and General without qualification.

The Director of Finance confirmed that the recommendation from the previous year re. outstanding debts has been followed up.

Agreed

- The Commission noted the National Audit Office's Audit Completion Report (including Management Letter) on the 2012-13 financial statement audit.
- The Commission approved the Commission's Annual Report and Accounts subject to the revisions to the Financial Statements (re. Summary of Resource and Capital Outturn 2012/13 and Statement of Cash Flows for Year Ended 31 March 2013) which were tabled at the meeting, a correction to the details of a secondment described in the report and any further typographical errors.

11. Audit Committee Annual Report to the Commission – LGBCE (13)92

Sir Tony Redmond introduced the item and described how the Audit Committee had had a positive year.

Sir Tony emphasised the on-going concern of the Committee regarding the formal designated status of Ms Butler (as required by the legislation) as an independent external advisor rather than as a full member. He stressed the importance of this role and the value it brings to the work of the Audit Committee.

He described how good progress had been made by the Committee in its risk management responsibilities but there remained work to do on producing clearing plans for mitigating risks. He suggested that the Commission could be more robust in the way it handles internal audit recommendations which may be inherently unexceptionable but which are seen to offer little value to the organisation.

On the effectiveness of the Committee, Sir Tony reported that the current situation was positive but that the Committee was alert to the possibility of requesting additional training as required.

Professor Colin Mellors endorsed Sir Tony's views.

The Chair thanked the Committee for its work throughout the year and emphasised the need for action on the status of its independent member and the proportionality of the Value for Money study.

12. May Audit Committee Minutes – LGBCE (13) AC 2nd

The minutes were noted.

13. Report on the Year – LGBCE (13)94

The Policy and Research Officer introduced the item and identified three particular highlights of the report:

- Levels of activity by the Commission during the course of the year.
- Impact of the Commission's work on council size and warding arrangements.
- Stakeholder and public views on the Commission's conduct and outputs.

Agreed

The report should be sent to members of the Speaker's Committee, the peers who have agreed to speak for the Commission in the House of Lords, Clive Betts MP (Chair of the Communities and Local Government Select Committee) as well as being published on the Commission's website.

Future editions of the report should include where helpful comparisons with previous years of Commission activity (e.g. trends over five years).

14. Council Size Nearest Neighbour Averages – LGBCE (13)95

The Commission thanked the Policy and Research Officer for his work to devise the new policy and discussed the methodology set out in his report. It was noted that there would be monitoring of the CIPFA data so that updates could be included as soon as possible.

It was proposed that the data concerned would be included in the pen portrait provided to Commissioners at an early stage of a review and in advance of meetings with the council.

Agreed

- The Commission agreed to adopt the CIPFA Nearest Neighbours model in its consideration of council size
- A current or proposed council size for an authority that varies from the average for the authority's grouping by more than 47.5% of the range of sizes in that grouping should be regarded as having a 'significant variance' and that a strong justification would be required to justify it.
- In the absence of strong justification by an authority for a significant variance, the Commission should hold a public consultation on a council size which is within the limits set out above. In the absence of strong evidence received during public consultation for an alternative council size, the Commission should proceed to the further stages of the review with the size indicated using the methodology above, bringing the council within the edge of the range defined.
- The Commission's Technical Guidance should be updated to include the new policy.

15. Future Business – LGBCE (13)96

The Chair reported that he may not be able to attend the Commission meeting in October. However, the meeting remains set to be quorate.

AOB

There was no other business

Meeting closed at 11:28am