

LGBCE (16)9th Meeting

Minutes of meeting held on Tuesday 20 September 2016, at 11.30am, in Meeting Room, Floor 29, Millbank Tower, Millbank, London, SW1P 4QP

Commissioners Present

Professor Colin Mellors (Chair)
Sir Tony Redmond (Deputy Chair)
Peter Knight CBE
Alison Lowton
Professor Paul Wiles CB

LGBCE Officers Present:

| | |
|--------------------|---------------------------------------|
| Jolyon Jackson CBE | Chief Executive |
| Lynn Ingram | Director of Finance |
| Marcus Bowell | Director of Strategy & Communications |
| Richard Buck | Review Manager |
| Jo Porter | Review Manager |
| Lucy Ward | Review Manager |
| Laura Taylor | Review Officer (item 10) |
| David Owen | Review Officer (item 11) |
| Dean Faccini | Business Assistant (minutes) |

Apologies for Absence

Apologies had been received from Peter Maddison.

Declarations of interest

Jo Porter declared an interest in item 6 (Croydon Council Size) and took no part in the discussions of that item.

Minutes of LGBCE's meeting on 8 August 2016

The minutes were agreed as a correct record and were signed by the Chair.

Matters Arising

There were no matters arising.

1. Operational Report - LGBCE (16)93

The Chief Executive presented the Operational Report for September and the Commission noted its content.

The following authorities had requested an electoral review:

| | |
|---------------------------------|-------------------|
| Scarborough (North Yorkshire) | Meeting confirmed |
| Pendle (Lancashire) | TBA |
| Forest Heath (Suffolk) | TBA |
| Richmondshire (North Yorkshire) | Meeting confirmed |

The Chief Executive briefed the Commission on the proposed mergers of Taunton Deane Borough Council and West Somerset Council. As leaders from both councils had resolved to push forward with a merger, the Commission agreed to pause the review of Taunton Deane until an understanding on the situation had been sought from the Department for Communities and Local Government (DCLG). There had been no update on Sedgemoor District Council's position in relation to this potential joint merger.

Both Mid Suffolk Council and Babergh Council have requested a delay to their timetable whilst they consider changes to their system of governance. This would allow them time to finalise their arrangements before making decisions on council size. The Commission therefore agreed to a two-month delay to both reviews. A decision on council size for both reviews would come to the Commission in February 2017.

The Chief Executive advised the Commission that he was seeking legal advice on addressing the error that had occurred in relation to the number of parish councillors for Royston Town Council following our completed electoral review of Hertfordshire.

The Director of Strategy and Communications briefed the Commission on the parliamentary boundary reviews (which commenced last week by the Boundary Commission for England) and what the potential consequence would be to the Commission. The Chair asked the Director of Strategy and Communications to write up the key points and circulate to members.

2. Allerdale Borough Council Size - LGBCE (16)94

It had been agreed to review Allerdale Borough Council due to electoral imbalance. According to the latest available electoral figures, 32 per cent of wards had variances greater than 10 per cent, and 3 per cent of wards had variances greater than 20 per cent.

The current size of the Council is 56 members.

Following receipt of information about future governance and representational arrangements, it was recommended by LGBCE officers that there was sufficient evidence to support that the council size decrease by 8 from 56 to 48 members.

The Commission considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 48 members.

Agreed

The Commission agreed that a council size of 48 be used as the basis for the preparation of the Draft Recommendations.

3. Horsham District Council – LGBCE (16)95

It had been agreed to review Horsham District Council due to electoral imbalance. According to the latest available electoral figures, 36 per cent of wards had variances greater than 10 per cent, and 9 per cent of wards had variances greater than 20 per cent.

The current size of the Council is 44 members.

Following receipt of information about future governance and representational arrangements, it was recommended by LGBCE officers that there was sufficient evidence to support that the council size increase by three from 44 to 47 members.

The Commission considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 47 members.

Agreed

The Commission agreed that a council size of 47 be used as the basis for the preparation of the Draft Recommendations.

4. East Devon District Council – LGBCE (16)96

It had been agreed to review East Devon District Council due to electoral imbalance. According to the latest available electoral figures, 22 per cent of wards had variances greater than 10 per cent, and 3 per cent of wards had variances greater than 20 per cent. One ward, Broadclyst, had a variance of 56 per cent.

The current size of the Council is 59 members.

Following receipt of information about future governance and representational arrangements, it was recommended by LGBCE officers that there was sufficient evidence to support that the council size increase by one from 59 to 60 members.

The Commission considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 60 members.

Agreed

The Commission agreed that a council size of 60 be used as the basis for the preparation of the Draft Recommendations.

5. Newcastle-under-Lyme Borough Council – LGBCE (16)97

It had been agreed to review Newcastle-under-Lyme at the request of the local authority. According to the latest available electoral figures, 16 per cent of wards had variances greater than 10 per cent, and 8 per cent of wards had variances greater than 20 per cent. One ward, Keele, had a variance of 58 per cent.

The current size of the Council is 60 members.

Following receipt of information about future governance and representational arrangements, it was recommended by LGBCE officers that there was sufficient evidence to support that the council size decrease by 16 from 60 to 44 members.

The Commission considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 44 members.

Agreed

The Commission agreed that a council size of 44 be used as the basis for the preparation of the Draft Recommendations.

6. London Borough of Croydon – LGBCE (16)98

Jo Porter, Review Manager, left the room for this conversation.

It had been agreed to review the London Borough of Croydon at the request of the local authority. According to the latest available electoral figures, 21 per cent of wards had variances greater than 10 per cent.

The current size of the Council is 70 members.

At its meeting on 19 July 2016, the Commission agreed that further evidence would be sought by the Lead Commissioner from each of the two political groups. The groups had presented opposing, but similarly persuasive, arguments for cases both to maintain and to reduce council size.

Following this meeting and receipt of further information about future governance and representational arrangements, it was recommended by LGBCE officers that, on balance, there was stronger evidence to support that the council size remain at 70 members.

The Commission considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 70 members.

Agreed

The Commission agreed that a council size of 70 be used as the basis for the preparation of the Draft Recommendations.

7. Isles of Scilly (CIOS) Council Size – LGBCE (16)99 & Isles of Scilly (CIOS) Draft Recommendations – LGBCE (16)100

It had been agreed to review the Council of Isles of Scilly due to electoral imbalance. According to the latest available electoral figures:

- 100 per cent of wards have a variance of +/- 10%
- 100 per cent of wards have a variance of +/- 20%
- 40 per cent of wards have a variance of +/- 30%
- 40 per cent of wards have a variance of +/- 40%
- 40 per cent of wards have a variance of +/- 50%.

Two wards, Bryher and St. Agnes had a variance of -54 per cent and -57 per cent respectively.

The current size of the Council is 21 members.

Given both size and configuration, the Commission recognised that the Isles of Scilly represented a special case and that the review needed to be sensitive to the fact that it would not be possible to achieve levels of equality that would be expected elsewhere. However, it remained important that statutory criteria should be used in how the review was undertaken. Given the scale and its archipelago nature, however, it was sensible to link the consideration of council size alongside Draft Recommendations.

Following receipt of information about future governance and representational arrangements, it was recommended by LGBCE officers that there was sufficient evidence to justify a decrease in council size by five from 21 to 16 members.

The Commission considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 16 members.

The team then presented the Draft Recommendations that had been prepared based on a council size of 16 members.

In preparing the draft scheme, the team had taken into consideration both the submissions it had received and the statutory criteria. It was proposed that the warding patterns remain the same as they are at present, with each island having

discrete representation, but that the councillor allocation is adjusted to improve overall electoral equality for the islands.

These proposals would result in 16 councillors representing four single-member wards, and one twelve-member (for St Marys) in total.

The Commission considered the recommendations in detail informed by the statutory criteria and taking into account the advice of officers and the submissions received.

Agreed

It agreed the Draft Recommendations for the Council of Isles of Scilly as presented.

9. East Sussex Combined Review - Final Recommendations – LGBCE (16)101

It had been agreed to carry out an electoral review of East Sussex County Council as a coordinated process in conjunction with each of the five districts within the county. The review commenced on 8 September 2015. According to the latest available electoral figures, East Sussex County and its five districts had imbalances of:

| Local Authority | Type of Review | Imbalance (+/- >10%) | Governance | Previous Review |
|----------------------------|----------------|----------------------|--------------------------|-----------------|
| East Sussex County Council | Intervention | 34% | Leader and Cabinet model | 2004 |
| Eastbourne Borough Council | Request | 11% | Leader and Cabinet model | 2001 |
| Hastings Borough Council | Intervention | 38% | Strong leader | 2001 |
| Lewes District Council | Request | 29% | Leader and Cabinet model | 2001 |
| Rother District Council | Request | 20% | Strong leader | 2001 |
| Wealden District Council | Intervention | 26% (outlier 30%) | Leader and Cabinet model | 2001 |

The current size of each of the Councils is:

| | |
|----------------------------|------------|
| East Sussex County | 49 members |
| Eastbourne Borough Council | 27 members |
| Hastings Borough Council | 32 members |
| Lewes District Council | 41 members |

| | |
|--------------------------|------------|
| Rother District Council | 38 members |
| Wealden District Council | 55 members |

At its meeting on 8 September 2015, the Commission had been minded to agree council sizes for each of the following districts and had subsequently, 23 February 2016, agreed Draft Recommendations.

| | |
|----------------------------|------------|
| East Sussex County | 50 members |
| Eastbourne Borough Council | 27 members |
| Hastings Borough Council | 32 members |
| Lewes District Council | 41 members |
| Rother District Council | 38 members |
| Wealden District Council | 45 members |

Following publication, 385 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 was considered that there was sufficient evidence to move away from the Draft Recommendations in some aspects and these changes were reflected in the Final Recommendations put to the Commission for consideration.

The Final Recommendations proposed the following ward patterns.

| | |
|-----------------------------|--|
| East Sussex County | 50 single-member divisions |
| Eastbourne District Council | Nine three-member wards |
| Hastings Borough Council | 16 two-member wards |
| Lewes District Council | 21 wards made up of, five single-member, 12 two-member and four three-member, wards. |
| Rother District Council | 21 wards made up of, four single-member and 17 two-member wards |
| Wealden District Council | 41 wards made up of, 37 single-member and four two-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.

Agreed

Final Recommendations for East Sussex as presented.

10. South Lakeland Final Recommendations - LGBCE (16)102

At its meeting on 20 October 2015, the Commission had been minded to agree a council size of 51 and had subsequently, 15 March 2016, agreed Draft Recommendations.

Following publication, 28 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 was considered that there was sufficient evidence to move away from the Draft Recommendations in some aspects and these changes were reflected in the Final Recommendations put to the Commission for consideration.

The Final Recommendations proposed a pattern of 15 three-member wards and three two-member wards in total.

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.

Agreed

Final Recommendations for South Lakeland District Council as presented.

11. South Cambridgeshire Final Recommendations - LGBCE (16)103

The review of South Cambridgeshire District Council had commenced on 17 November 2015. According to the latest available electoral figures, 21 per cent of wards had variances greater than 10 per cent with 2 wards being over 30 per cent.

At its meeting on 17 November 2015, the Commission had been minded to agree a council size of 45 and had subsequently, on 19 April, agreed Draft Recommendations.

Following publication, 50 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 was considered that there was sufficient evidence to move away from the Draft Recommendations in some aspects and these changes were reflected in the Final Recommendations put to the Commission for consideration.

The Final Recommendations proposed a pattern of five three-member, nine two-member and 12 single-member wards in total.

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.

Agreed

Final Recommendations for South Cambridgeshire District Council as presented.

12. Parish warding of Stamford Parish Council - LGBCE (16)104

The Commission was requested not to implement its recommendations in respect of Stamford Town Council which had formed part of the final recommendations for Lincolnshire County Council. An error had been discovered showing that the parish wards for Stamford were not coterminous with the district ward boundaries.

Having been brought to the team's attention, it was discovered that there was an anomaly in the mapping data that had been supplied to the LGBCE at the beginning of the electoral review of Lincolnshire County Council.

The team had since taken extra steps to address this issue in its auditing procedures to ensure that this type of error would be avoided in the future.

Agreed

The Commission agreed the recommendation as set out in the paper.

13. Forecasting and Further Consultation LGBCE (16)105

The Commission was asked to agree to the recommendations put forward by the Chief Executive in respect of its policy for electorate forecasting and further consultation. The recommendations put forward to the Commission were:

- To agree to an amendment in LGBCE technical guidance on forecasting which clarifies the Commission's policy when dealing with forecasts that are submitted with administrative errors.
- To confirm the Commission's agreement on LGBCE's technical guidance on Further Consultation.

The Commission agreed to the recommendations.

14. Structural Change LGBCE (16)106

The Chair led a discussion on how the Commission might best discharge its remit in respect of potential mergers and structural changes to local government in England: specifically, what the role of the LGBCE might be in terms of consideration of council size and warding patterns. Account would need to be taken of the powers given to DCLG under the Cities and Local Government Devolution Act 2016.

The Commission agreed that it was important to remain well briefed on this emerging situation and to maintain formal engagement with the Department for Communities and Local Government (DCLG). The Commission also agreed that it was important to continue to offer its expertise to the DCLG, particular in areas of council size and warding patterns, for those local authorities looking to merge as combined authorities.

The Commission agreed that the Chair should continue to explore this matter with DCLG and update colleagues as appropriate.

15. Chair's Report

The Chair had been assured by DCLG that the advert for new Commissioners was imminent.

16. Chief Executive's Report

The Chief Executive had nothing further to add.

17. Finance Director's Report

The Finance Director had met with the National Audit Office (NAO) to agree a timetable for the 2016-17 final accounts. She signalled her intent to produce the 2016-17 final accounts within a quicker timeframe. Contributors to the report would be asked to submit their drafts to a timely schedule.

The Finance Director updated the Commission on the vacancy for Independent Advisor to the Audit and Risk Committee. Interviews were held the previously day and were undertaken by the Finance Director and Chair of the Committee. The Finance Director was pleased to announce that an offer had been made and accepted. The successful candidate was Lizzie Peers.

The Commission formally endorsed the appointment.

18. Future Business – LGBCE (16)92

The Commission noted the Future Business document. The Chief Executive highlighted the busy agendas for meetings in October, November and December.

AOB

There were no other items.

Close of Business 14:27

Codi Miller
18/10/16

