

LGBCE (16)8th Meeting

Minutes of meeting held on Tuesday 9 August 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
Peter Maddison QPM
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
Emily Starkie	Review Officer (item 3)
Mark Cooper	Review Officer (items 4 & 5)
Alex Hinds	Review Officer (items 6, 7 & 8)
Dan Carlsson-Hyslop	Review Officer
Karen Cleverly	Business Support Officer (minutes)

Apologies for Absence

There were no apologies for absence.

Declarations of interest

Peter Knight declared an interest in item 6, Birmingham Final Recommendations, and did not take part in the discussion of that item.

Peter Maddison declared an interest in item 8, Cambridgeshire Final Recommendations, and did not take part in the discussion of that item.

Jo Porter declared an interest in item 7, Eastleigh Final Recommendations and item 9, Hampshire Final Recommendations, and did not take part in the discussion of those items.

Lynn Ingram declared an interest in item 9, Hampshire Final Recommendations, and did not take part in the discussion of that item.

Minutes of LGBCE's meeting on 19 July 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)77

The Chief Executive presented the Operational Report for August. There was an error with the timeline on page 3 for Leeds which would be corrected.

He advised that the reviews of Forest Heath and St Edmundsbury would be carried out at the same time and asked that the Commission agreed to a postponement of the review of Taunton Deane until the position on possible mergers became clearer.

Lead Commissioners were allocated to the following reviews:

- Test Valley – Peter Knight.
- Forest Heath – Alison Lowton
- St Edmundsbury - Alison Lowton.
- Pendle – Peter Maddison.
- Richmondshire – Sir Tony Redmond.

The Commission noted the contents of the report.

2. Hull Council Size - LGBCE (16)78

It had been agreed to review Hull City Council due to electoral imbalance. According to the latest available electoral figures, 17 per cent of wards had variances greater than 10 per cent, with one ward, Kings Park, being over 30 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 decrease by two from 59 to 57 members.

The Commission considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 57 members.

Agreed

The Commission agreed that a council size of 57 be used as the basis for the preparation of the Draft Recommendations.

3. Torridge Draft Recommendations – LGBCE (16)79

The review of Torridge District Council had commenced on 19 April 2016. According to the latest available electoral figures, 39 per cent of wards had variances greater than 10 per cent.

At its meeting on 19 April 2016, the Commission had been minded to agree a council size of 36 and the Draft Recommendations being considered had been prepared on the basis of such a council size.

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 five three-, nine two-, and three single-member wards 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.

It agreed the Draft Recommendations as presented with amendments in the following areas:

- West Torridge – after discussion, Commissioners agreed that the proposed single member wards of Tamarside and Milton should be joined to form a two-member ward since this would deliver better electoral equality.

Agreed

Draft Recommendations for Torridge District Council as modified.

4. Teignbridge Draft Recommendations – LGBCE (16)80

The review of Teignbridge District Council had commenced on 19 April 2016. When the authority was first identified for review 32 per cent of wards had variances greater than 10 per cent, however the 2015 electorate figures indicated that 28 per cent of wards had variances greater than 10 per cent.

At its meeting on 19 April 2016, the Commission had been minded to agree a council size of 46.

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 four three-, 14 two-, and seven single-member wards in total and an increase in council size from 46 to 47.

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

As a result of this further consideration and, on the basis of the evidence, the Commission agreed to move away from its original opinion on council size and, instead, agreed a council size of 47 as this provided a better balance between the rural and urban areas, particularly in Teignmouth.

It agreed the Draft Recommendations as presented.

Agreed

Draft Recommendations for Teignbridge District Council as presented.

5. Requests to Change Electorate Projections

The Commission noted the distinction between requests to revise electoral forecasts during the course of a review (for example, to reflect delay or accelerations in planned developments or initiation of new ones) and instances where an error had been discovered during the review process. Technical Guidance makes clear that electoral forecasts that are considered and agreed at the beginning of a review should remain in force throughout the review in order to avoid compromising the review.

The team were asked to look at the guidance and consider if further clarification would be helpful.

Agreed

A report on dealing with this matter would be considered at the September 2016 Commission meeting.

6. Birmingham Final Recommendations – LGBCE (16)81

The review of Birmingham City Council had commenced on 14 July 2015. According to the latest available electoral figures, 15 per cent of wards had variances greater than 10 per cent with one ward, Edgbaston, having a variance of 25 per cent.

At its meeting on 14 July 2015, the Commission had been minded to agree a council size of 101 and had subsequently, on 17 November 2015 and 19 April 2016, agreed Draft Recommendations and further Draft Recommendations.

Following publication, 2,186 submissions had been received commenting on the Draft Recommendations and 776 submissions commenting on the further Draft

Recommendations. These had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account, it was felt 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 32 two-member, and 37 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 Birmingham City Council as presented.

7. Eastleigh Final Recommendations – LGBCE (16)82

The review of Eastleigh Borough 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 one ward, Hedge End Grange, being 30 per cent.

At its meeting on 17 November 2015, the Commission had been minded to agree a council size of 39 and had subsequently, on 19 April 2016, agreed Draft Recommendations.

Following publication, 14 submissions had been received commenting on the Draft Recommendations which had been considered carefully in the context of the statutory criteria.

The submissions included a revised electorate forecast received from Eastleigh Borough Council. This related to an error on their part resulting in the omission of a housing development in the original figures supplied by the Council. The revised forecast was supported by evidence and the Commission agreed to base its recommendations on the corrected forecast.

Taking all of the submissions into account, it was felt 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 11 three-member 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

To accept the corrected electorate forecast submitted by Eastleigh Borough Council.

Final Recommendations for Eastleigh Borough Council as presented.

8. Cambridgeshire Final Recommendations – LGBCE (16)83- Alex

The review of Cambridgeshire County Council had commenced on 21 October 2014. According to the latest available electoral figures, 32 per cent of divisions had variances greater than 10 per cent.

At its meeting on 21 October 2014, the Commission had been minded to agree a council size of 63 and had subsequently, on 21 April 2015, agreed Draft Recommendations based on a council size of 61 as this would provide for better adherence to the statutory criteria across the county and its component districts.

After considering submissions received following the publication of Draft Recommendations, the Commission, at its meeting on 20 October 2015, agreed to undertake a period of further limited consultation before publishing its Final Recommendations. Subsequently, following representations, it decided to publish new draft recommendations for the whole of the county. These were published in May 2016 and 313 submissions had been received. Submissions received at all stages of the process had been considered carefully in the context of the statutory criteria.

In the Cambridge City area, the Commission accepted the strong evidence received on community identity that supported an amendment to the boundary between the Abbey and Petersfield divisions despite the level of electoral variance that would result. It also accepted the evidence supporting the proposed single-member divisions of Trumpington and Queen Edith's.

In East Cambridgeshire, the Commission noted the comments that had again been made about the allocation of councillors to the district but reaffirmed that eight was the correct allocation under a council size of 61. It was also noted that local respondents had now had two opportunities to comment fully on proposals using the correct allocation of councillors. Accordingly, the team had proposed that the Commission adopt a revised scheme of divisions based on a local submission that used the correct allocation. In support of this proposal, it was also noted that this approach was broadly consistent with other comments that had been received during earlier stages of the consultation process as well as with evidence received during the recent review of East Cambridgeshire District Council.

The Commission considered all the evidence received during consultation on the Draft and new Draft Recommendations in this area and was satisfied that the proposals put forward by the team better reflected community identity.

Taking all of the submissions into account, it was felt that there was sufficient evidence to move away from the new 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 two two-member, and 57 single-member divisions 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 new Draft Recommendations.

It agreed the Final Recommendations as presented.

Agreed

Final Recommendations for Cambridgeshire County Council as presented.

9. Hampshire Final Recommendations – LGBCE (16)84

The review of Hampshire County Council had commenced on 19 May 2015. According to the latest available electoral figures, 44 per cent of divisions had variances greater than 10 per cent.

At its meeting on 19 May 2015, the Commission had been minded to agree a council size of 78 and had subsequently, on 20 October 2015, agreed Draft Recommendations.

At its meeting on 15 March 2016, the Commission agreed final recommendations for nine of the 11 districts of Hampshire and agreed to conduct further limited consultation in Havant and New Forest.

During the period of further limited consultation for Havant borough and New Forest district, 79 submissions had been received which had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account, it was felt that there was sufficient evidence to move away from the further draft proposals and back to the original Draft Recommendations for Havant borough. While an error in the electorate figures had been noted for the alternative proposals put forward for Havant, the Commission was satisfied that it had received sufficient supporting evidence to justify reverting to the draft recommendations and to confirm them as final. In respect of New Forest, the Commission confirmed the alternative proposals consulted on a final.

The Final Recommendations for Hampshire proposed a pattern of two two-member and 74 single-member divisions 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 further draft proposals for Havant borough and New Forest district.

It agreed the Final Recommendations as presented.

Agreed

Final Recommendations for Hampshire County Council as presented.

10. South Oxfordshire Related Alterations - LGBCE (16)85

The Commission considered the content of the South Oxfordshire Related Alterations paper. It was minded to agree to the related alteration as the changes proposed were unopposed, would have no significant adverse effect on electoral equality and would result in the community of Wheatley sitting in a single parish rather than two.

Agreed

The Commission agreed to the making of an Order implementing the related alteration.

11. Vale of White Horse Related Alterations - LGBCE (16)86

The Commission considered the content of the Vale of White Horse Related Alterations paper. It was minded to agree to the related alteration as the changes proposed were unopposed, would have no significant adverse effect on electoral equality and would result in the community of Cothill sitting in a single parish rather than two.

Agreed

The Commission agreed to the making of an Order implementing the related alteration.

12. Agreement of Annual Review Programme 2017-2018 - LGBCE (16)87

The Review Manager presented the report on the prospective programme of review activity for the year 2017–18. He highlighted that of the 17 authorities identified as eligible to be reviewed, two authorities (Hinckley & Bosworth and Norwich) had provided evidence to justify that a review was not necessary. Hinckley & Bosworth had not been included in the programme, however Norwich had provisionally been included pending the outcome of the December 2016 annual canvas.

Agreed

The programme of review activity for 2017-18 was agreed.

13. Review Programme 2018-2019 Onwards – Strategic Options - LGBCE (16)88

The Director of Strategy and Communications presented the report on the strategic options for review activity from 2018-2019 onwards. He explained that the backlog of authorities meeting the criteria for review had now largely been dealt with. The Commission would need to consider its strategic options for selecting authorities for inclusion in the programme from 2018-19 onwards.

Members considered the options put forward in the report. They felt that the Commission should continue to intervene where there were cases of high electoral inequality and to reserve space in the programme for requested reviews. They also felt that further discussion on the topic was needed and it was agreed that a strategy session would be held later in the year.

Agreed

To discuss the strategic options for the review programme from 2018-19 onwards at a policy session later in the year.

14. Chair's Report

The Chair advised that dates had been set in October for shortlisting and interviewing for the two new Commissioners.

He would shortly be meeting with Department for Communities and Local Government (DCLG) representatives where he hoped to discuss the role of the Commission relating to any proposed mergers of local authorities, and gain insight into the emerging priorities of the new political leadership.

15. Chief Executive's Report

The Chief Executive reported that a minor error had been discovered on an Order made over a year ago. As it was not possible to amend the Order, he recommended that the Commission should write to the local authority involved and recommend they undertake a short Community Governance Review to correct the error.

He advised that the Remuneration Committee would meet after the September Commission meeting in order to consider proposals for the restructure of the Business Team.

16. Finance Director's Report

The Director of Finance had nothing to report.

17. Scheme of Delegation – LGBCE (16)90

The Chief Executive sought approval for a new Scheme of Delegation which had already been approved by the Audit & Risk Committee.

Agreed

The Scheme of Delegation, as presented.

18. Role of Lead Commissioners – LGBCE (16)91

The Chief Executive presented a report outlining the role of the lead Commissioner during different review stages. This was intended to act as a guide for Commissioners and officers, to improve consistency.

Commissioners agreed the contents which they would now look to be implemented.

19. Review of Commission Effectiveness – LGBCE (16)89

The Director of Finance gave a presentation on the need to carry out a review of Commission (Board) effectiveness, as expected by the UK Code of Corporate Governance. To assist the process, an initial assessment had been undertaken by the Chief Executive and the Finance Director using the NAO questionnaire.

It was felt that further thought should be given about how to achieve most value from the exercise in a way that would be useful, proportionate and fully engaged Commissioners. To that end, a first step would be to circulate the questionnaire to them so that their perceptions could be collated and that there would then be a discussion about the best way to proceed. The aim would be to complete the review during the current financial year.

Agreed

To circulate the blank questionnaire to all Commissioners to collect their views and schedule a further discussion between Commissioners.

20. Future Business – LGBCE (16)92

The Commission noted the Future Business document and that there would be a meeting of the Remuneration Committee in September.

AOB

There were no other items.

Close of Business 15.48