

LGBCE (11) 3rd Meeting

Minutes of meeting held on 8 March 2011, at 11.00am, 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
Sir Tony Redmond
Professor Paul Wiles CB

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 Bowell	Communications & Public Affairs Manager
Sarah Vallotton	Business & Committee Services Manager
David Owen	Policy & Research Officer
Kathleen Peacock	Business Support Officer (Minutes)

Minutes from LGBCE's meeting on 8 February 2011 and matters arising

Dr Colin Sinclair CBE sent his apologies for absence.

The Commission agreed the minutes from the 8 February 2011 meeting as an accurate record and all matters arising from them were discussed during the course of the meeting.

Declarations of interest

The Chair reminded those present that declarations of interest apply to both Commissioners and any staff, who over the past five years have lived or worked in any area under review. The Chair highlighted the issue as the London Boroughs of Kensington & Chelsea, Hackney and Tower Hamlets were included in 2011-12 review programme.

Jane Earl, Dr Peter Knight and Professor Paul Wiles reaffirmed their interests in Tower Hamlets, Staffordshire and Islington respectively and Jane Earl registered a new interest in Uttlesford.

1. Chair's report

Schedule of Parliamentary Meetings – LGBCE (11)26

A meeting would be taking place on 9 March between the Chair, the Communications and Public Affairs Manager and the Rt Hon Michael Gove MP in relation to the Surrey review.

The LGBCE's Chair and Chief Executive would attend the Speaker's Committee on 16 March to discuss the LGBCE's 2010-11 Corporate Plan and the results of the recent NAO value for money study. The timing of this meeting are still to be confirmed.

The Welsh Assembly Government had launched a review of the Local Government Boundary Commission for Wales. The Welsh Local Government Minister had appointed Glyn Mathias to head the review and had invited the Chairs of the LGBCE and LGBCS to take part. They would report to the Welsh Local Government Minister in the summer.

Sub Committee for Appointment of a new Chief Executive- LGBCE

The Commission agreed to appoint a sub committee, as proposed in paper LGBCE(11)39, to prepare for the appointment of a new Chief Executive at the end of the year.

2. Chief Executive's report (oral)

The Chief Executive, the Director of Finance, and the Communications and Public Affairs Manager had attended a short meeting with the Speaker's Committee Budget sub-committee, in preparation for the full Committee's consideration of the Corporate Plan and financial estimate at its meeting the following week. The sub-committee comprised Gary Streeter MP, Rt Hon Grant Shapps MP and Rt Hon Sir Gerald Kaufman MP.

The sub-committee had asked about the LGBCE's response to the NAO's recommendations. It had been particularly interested in the deliverability of the enhanced programme with no staff increase, and how LGBCE would improve unit costing and be confident of keeping within its reducing budget.

3. Detailed budget for 2011/12 – LGBCE (11)27

The Commission reviewed the resource expenditure for 2011-12 presented by the Director of Finance. The following points were raised;

- 3.1. Reductions in rent, rates and services were expected in the 2011-12 as the LGBCE had paid rent on two premises for one month during the organisation's office transfer in 2010.
- 3.2. Advice had been sought from NAO on the write off of start-up cost. NAO had asked the Director of Finance for a note on the proposed accounting treatment. The final decision would be made as part of auditing the draft accounts.
- 3.3. The projected level of expenditure was discussed, especially in relation to those categories where there had been underspend in the current year. A number of these might be explained by the anticipated acceleration of activity in the coming year but it was noted that others (eg commissioner's fees) were more difficult to project at this point, especially in light of the new review procedures.
- 3.4. It was not appropriate to include training in salaries and related costs.

Agreed:

- 3.5. Amendment to first paragraph of the report, where the total budget for 2011/12 which should read £2633. **DH**
- 3.6. A paper would be presented to the Commission in April summarising the unaudited outturn report of 2010/11 spending. **DH**
- 3.7. A re-statement of the 2011/12 budget would be presented to the Commission during the summer based on actual spending figures for the full 2010/11 financial year.
- 3.8. In the meantime the budget would adhere to the Corporate Plan numbers, with the exception of increasing stakeholder engagement and reducing office costs by £20k within other costs, which had no effect on the overall Corporate Plan numbers. **DH**

4. Risk register re-format & re-score – LGBCE (11)28

The corporate risk register had been reformatted, as recommended in the internal audit report on risk maturity and following discussion at the February Audit Committee meeting.

Progress would be monitored at monthly meetings of the senior management team which would also provide an opportunity for peer challenge and evidence recording.

Risks would be re-scored before and after the existing control measures have been applied at quarterly meetings, in preparation for the each Audit Committee.

The Commission discussed risks 4 and 7 and the significance of each to the organisation alongside the strategies being deployed to mitigate these risks. Officers gave reassurances that the 2011/12 review programme included a number of local authorities that had specifically requested reviews. In this way LGBCE could be seen to be responding to local authority needs and decrease risks relating to reputation and delivery.

The importance for officers, Commissioners and local authorities to adhere to the agreed timetable during the 2011/12 review programme, and to meet the Corporate Plan obligations to deliver a minimum batch of reviews, was highlighted.

The Commission welcomed the new approach to the timetable and thanked officers for their work on this.

5. NAO value for money study - LGBCE (11)29

The final draft of the NAO value-for-money study was presented to the Commission by the Chief Executive, for agreement to act on its recommendations.

Negotiations between NAO representatives, the Chief Executive and the Director of Finance had produced a report which better reflected the organisation's achievements and future risks.

The report made four recommendations - on LGBCE's stakeholder needs, peer review, continuing development of accurate unit costs, and savings in corporate costs. These were accepted by the Commission.

Agreed:

- 5.1. Officers should develop strategies to meet the report's recommendations, where they were not already fully in place.
- 5.2. A detailed report should be produced summarising the content and general tone of responses received from local authorities during the December consultation exercise. After Commission agreement, statistics would be published on the LGBCE's website.

DO

6. Operational Report - LGBCE (11)30

The Commission noted the Report and the Director of Reviews briefly summarised its main points.

A new public sector mapping agreement, replacing the current pan-Government agreement, would allow officers to access Ordnance survey data, free-of-charge from May. The Director of Reviews outlined the unique process of adapting maps during the review process, by Ordnance Survey and LGBCE officers.

Commissioners were invited to visit Ordnance Survey's new premises in Southampton to observe the work undertaken.

The lead Commissioner for Slough provided a brief update on the review's progress.

Agreed

- 6.1. The operational risk register would be reformatted to reflect the corporate risk register. **JD**
- 6.2. If possible, arrangements would be made for Commissioners to visit Ordnance Survey's new premises immediately following the Commission meeting on 10 May.

7. Cumbria council size – LGBCE(11)31

The Commission had not been satisfied in December 2010 that sufficient evidence had been provided to reach a decision on council size. A meeting had been arranged with the Council's Group Leaders and Chief Executive to elicit further evidence and add weight to the submission. Further information had been provided on the Council's political management structure as well as its plan to devolve more decision making powers to its local area committees. A paper entitled 'Electoral review of Cumbria Council – evidence relating to council size' had been circulated. It recommended retaining Cumbria's current size of 84 Councillors.

Agreed;

- 7.1. In light of the further evidence produced, the Commission were minded to agree that Cumbria County Council should retain their council size of 84 elected members.
- 7.2. The review timetable would be adapted to ensure that the agreed completion date for the review was met and any adaptations made would recognise the consultation durations reflected in published practice.

AG/RB

8. Draft PABR Guidance – LGBCE (11)32

The Policy & Research Officer reported that the draft PABR technical guidance had been circulated to a variety of LGBCE stakeholders, including Local Authority officers, Parish Councils and Community Groups for comment.

The Director of Reviews, Review Managers and the Communications & Public Affairs Manager, would each review the draft guidance prior to its publication. The document's legal aspects would be checked by TSol.

Commissioners recognised the difficulties that might be encountered when timetabling PABRs so that final recommendations are given by 1 April preceding the year of implementation. This would be a tight deadline for Local Authorities and would need to be highlighted in the guidance.

Agreed:

- 8.1. Commissioners would send comments on the guidance to the Research & Policy Officer by the end of the next week. The final draft would be cleared by the Chair and Deputy Chair for publication in April.
- 8.2. A shorter, less technical, summary document would be produced in addition to the full guidance.

DO

9. Policy on the criteria for accepting PABR requests– LGBCE (11)33

The Commission had considered possible PABR criteria at a workshop in January.

The Commission stressed the importance of ensuring that selection criteria were both clear and appropriate. It would be important to clarify what was necessary for a PABR to be considered, and what would then determine its priority among other requests. Whilst, initially, there might be few requests which met the gateway criteria, subsequently there could be competition for early attention.

The Commission felt that there was a need for further work on such criteria and would wish to return to the matter.

However, the Commission took the view that one criterion which should be adopted was that there should be full agreement and cooperation of all authorities who would be affected by a possible PABR for it to be considered.

Commissioners also discussed the merits of local authority representatives reviewing selection criteria by way of peer review and practical test. It would be important to keep local authorities well informed throughout the process of

selection and outcome. It would also not be possible to reject older requests for reviews unless Authorities had been consulted on this point.

Agreed:

- 9.1. A paper would be prepared for the April Commission meeting listing all PABR requests, and those that met the criteria of having full local authority agreement for the proposals.

AG/RB

10. – Request from Babergh/Mid Suffolk LGBCE (11)18

The Commission was invited to agree in principle to the Babergh & Mid Suffolk district councils' PABR.

Each of the district councils is preparing for possible merger and they have set up a joint implementation committee to oversee the process. This will include a local advisory poll to gather the opinions of local residents in May 2011. Both councils have formally agreed to the proposed merger.

Agreed:

- 10.1. The Commission agreed, in principle, to undertake a PABR for Babergh & Mid-Suffolk district councils subject to the results of the local advisory poll in May and receipt of the signed off business case.

11. Draft electoral review guidance – LGBCE (11)35

The Commission reviewed the draft electoral review guidance prepared by the Policy & Research Officer.

Agreed:

- 11.1. The draft guidance was adopted, subject to the same finalisation process as the PABR guidance.

DO

12. Electoral review Programme 2011/12 and 2012/13 – LGBCE (11)36

The Commission reviewed the proposed electoral review work programme for the next two years and discussed their proposed assignments.

Local authorities that had requested reviews and which also meet the FER threshold in accordance with the Corporate Plan targets for 2011/12 formed the basis for the programme.

The presented programme offered the Commission greater flexibility in its approach to electoral reviews and their timetabling. The Commission stressed

the importance of reviews adhering to their agreed timetable in order to meet its obligations outlined in the Corporate Plan.

Delay and uncertainty about the re-appointment of one Commissioner by DCLG was discussed, which could affect the assignment of lead Commissioners to reviews.

Agreed:

12.1. The review programme for 2011/12 & 12/13 in principle, subject to the following amendments:

- If the Babergh & Mid Suffolk review took place, Peter Knight would be assigned to it.
- Colin Sinclair would be assigned to the Tower Hamlets and Hackney Reviews.
- Colin Mellors would replace Colin Sinclair as Lead Commissioner to the Lancashire and Wyre reviews.
- Colin Sinclair would replace Colin Mellors as Lead Commissioner for the Hamelton and Harrogate reviews.
- Regardless of the outcome of discussions about the re-appointment of one Commissioner, the Uttlesford review would be re-allocated.

12.2. The programme would be revisited in April if necessary, where further review reassignments may be required.

AG/RB

13. Policy on the implementation of related alterations in respect of wards that do not elect in the same year – LGBCE (11)37

The Commission noted the content of the paper.

Agreed:

13.1. The policy set out in the paper, concerning the threshold for requiring out-of-turn elections and when they should take place.

14. Future Business Paper– LGBCE (11)38

The Commission took note of the Future Business Paper.

13.45pm Meeting Closed