

ELECTORAL REVIEW

Head of Service:	Amardip Healy, Chief Legal Officer
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	1: Electoral Review Timetable 2: Electoral Review Task & Finish Group – Governance & Terms of Reference

Summary

The Local Government Boundary Commission for England has recently notified the Council of its intention to carry out an electoral review of the Council. The review will consider the total number of councillors on the Council, and then review the numbers and boundaries of electoral divisions within the Council.

This report sets out proposals for the creation of an Electoral Review Task & Finish Group to consider the issues raised in such a review and to bring recommendations to Strategy & Resources Committee.

Recommendation (s)

The Committee is asked to:

- (1) note the current position regarding the proposed Electoral Review to be carried out by the Local Government Boundary Commission;**
- (2) establish an Electoral Review Task & Finish Group, to progress the proposed Review and to formulate recommendations to Strategy & Resources Committee on any submissions to the Commission during the Review process;**
- (3) agree the governance structure and the terms of reference for the Electoral Review Task & Finish Group as set out in Appendix 2 to this report;**
- (4) seek member nominations from all Party Leaders to the Electoral Review Task & Finish Group with five from the Residents Association Group, one from Labour, one from the Liberal Democrats and one from the Conservative party;**

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(5) delegate to the Chairman of Strategy & Resources to confirm the member appointments to the Electoral Review Task & Finish Group.

1 Reason for Recommendation

- 1.1 The Local Government Boundary Commission for England ('the Commission') have agreed with the Council to start an electoral review. The last such review started in September 1997, a draft report was issued in March 1998, with the final report issued in September 1998. The Order was made on the 6 September 1999.
- 1.2 The creation of an Electoral Review Task & Finish Group will enable proper consideration to be given to the issues arising during the Electoral Review process and for the Council to provide responses to the review process.

2 Background

- 2.1 The Local Government Boundary Commission for England is an independent statutory body, whose objectives include the provision of electoral arrangements that are fair and that deliver electoral equality for voters.
- 2.2 An electoral review is an examination of a Council's electoral arrangements. This includes consideration of the total number of councillors elected, the number of boundaries of wards or divisions, the number of councillors for each ward/ division and also the name of such ward or division.
- 2.3 The Commission has a rolling programme of electoral reviews. A review is periodically conducted either if the local authority asks for one, or because the intervention criteria is triggered. The criteria relates to the percentage of electorate changes.
- 2.4 There are six stages of the review process, namely:
 1. Preliminary Stage: the Commission gathers information about the electoral forecasts and other electoral data. They meet with party leaders, officers and have asked for a meeting of full Council to inform and advise on the process;

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2. Councillor Numbers: the next stage is about deciding how many councillors should be elected to the Council in the future. The Commission will seek to gain an understanding of the extent and nature of the various communities within the Council's area, the relationships between those communities and how the council and individual councillors work with those communities. This will then inform their proposals on the preferred size of the Council. Any recommendation of numbers is based on evidence of how many are needed.
 3. Warding arrangements: This is the public consultation stage on the numbers of Wards, their names, boundaries and numbers for each Ward.
 4. Draft Recommendations: The Commission will analyse the results of the consultation and produce draft recommendations on future electoral arrangements, which will then be subject to a new consultation exercise. Following the conclusion of that process the Commission will produce final recommendations.
 5. Final Recommendations: The Final Recommendations will then be put to Parliament to be made law.
 6. Parliamentary Scrutiny: the final recommendations are put before Parliament in the form of a draft order, Parliament can either accept or reject the recommendations.
- 2.5 Once passed, those changes will then need to be implemented and this could trigger further reviews and changes within the Authority such as a Polling Stations Review. The Council then conducts its local elections on the basis of the new arrangements.
- 2.6 As part of the Review process, the Commission will expect the Council, to provide it with relevant information to assist with its considerations. This includes:-
- a. Details of current electoral arrangements and electoral register;
 - b. Other indicators which identify and build up a map of communities;
 - c. Five-year electoral forecasts.
- 2.7 The Commission will also expect the Council to provide it with an understanding of the various communities within the Council's area and how the Council and individual councillors work with those communities.

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- 2.8 At the end of the preliminary period, the Commission would expect the Council to submit its proposals for the future size of the Council. This should have regard to the political management arrangements, including policy, regulatory and scrutiny functions and the representational role of councillors, both in terms of their divisional work and representing the Council on outside bodies.
- 2.9 The proposed timetable for the review process is as set out in Appendix 1 to this report. The actual time to be taken will depend on the nature of the issues to be addressed and the availability of supporting evidence.
- 2.10 The Commission will take into account any changes to the numbers and distribution of electors that are likely to take place within the five years following the end of the Review. As can be seen from the review Timetable, the Review will involve considerable consultation with local electors and interested parties at various stages during the review process.
- 2.11 At the end of the Review process the Commission will publish its final recommendations and prepare a draft Order. This is laid before Parliament for forty sitting days and will then be confirmed, unless either of the Houses of Parliament call for a debate within that time. If a debate is called for, the draft Order may only be approved or rejected, it cannot be amended.
- 2.12 The Commission has produced detailed technical guidance on how it carries out electoral reviews and the information that it takes into account in such a review. The relevant guidance is publically available on the Commission's website.
- 2.13 There will be a considerable amount of work involved in assisting the Commission with their Review and in formulating the Council's proposals in respect of the issues to be considered in the Review. In order to oversee this work, and to formulate recommendations on the issues involved, it is proposed to establish a cross party Electoral Review Task & Finish Group, comprising eight members, five from the RA, and one each from Labour, Liberal and the Conservative parties.
- 2.14 In light of the longevity of the Electoral Review project it is important to ensure both consistency and continuity on the Task & Finish Group. It is therefore proposed that substitutes will not be able to attend meetings. If there is any issue around a nominated member not being able to sit, then it is open to Party Leaders to nominate a new representative.

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- 2.15 There will also be a considerable amount of work required at officer level to assist the Commission with its review, including the provision of the information required by the Commission. An officer project team has been established to ensure that all necessary information is collated and provided to the Commission and also to support the work of the Task and Finish Group. The Officer Project Team will be led by Legal & Democratic Services and chaired by the Chief Legal Officer.
- 2.16 This report therefore proposes the establishment of the Electoral Review Task & Finish Group reporting to Strategy & Resources Committee to support the work on the electoral review process. This will enable Strategy & Resources to report and also to make recommendations to Council on the various stages of engagement with the Commission.
- 2.17 The proposed governance structure and terms of reference for the Task & Finish Group are set out at Appendix 2.

3 Risk Assessment

Legal or other duties

3.1 Impact Assessment

- 3.1.1 There are no specific equality considerations associated with this report.
- 3.1.2 If the Council does not properly resource its role in the review, there is a significant risk that the Council will not be able to discharge its responsibilities in relation to the electoral review.

3.2 Crime & Disorder

- 3.2.1 There are no specific crime and disorder considerations associated with this report.

3.3 Safeguarding

- 3.3.1 There are no specific safeguarding implications associated with this report.

3.4 Dependencies

- 3.4.1 The ability to respond in a timely manner is dependent on staff resources across a number of departments. The impact of Covid19 has put pressure on all resources and this will remain the case for the duration of the project during the current municipal year.

3.5 Other

- 3.5.1 None.

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4 Financial Implications

- 4.1 The project will have resourcing implications and there may be a need to provide technological support to ensure timely delivery. As a result there may be a need to provide financial support as the project proceeds.
- 4.2 **Section 151 Officer's comments:** Any resourcing and financial implications will need to be met from within existing budgets.

5 Legal Implications

- 5.1 The Commission was established under the provisions of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). It is directly accountable to Parliament through a committee of MPs, chaired by the Speaker of the House of Commons.
- 5.2 The work of the Commission is to:
- a. to provide electoral arrangements for English principal local authorities that are fair and deliver electoral equality for voters.
 - b. to keep the map of English local government in good repair and work with principal local authorities to help them deliver effective and convenient local government to citizens.
- 5.3 Section 56 of the 2009 Act requires the Commission to review 'from time to time' every Council and make recommendations about electoral arrangements. The Act also sets out a statutory criteria the Commission are required to have regard to when carrying out electoral reviews. In general they are to have regard to:
- a. the need to secure equality of representation;
 - b. the need to reflect the identities and interests of local communities; and
 - c. the need to secure effective and convenient local government.
- 5.4 Having in place both the Member Task and Finish Group and Officer Project Group will ensure the Electoral Review process is adequately supported.
- 5.5 **Monitoring Officer's comments:** none arising from the contents of this report.

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6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The Electoral Review forms part of a legislative requirement. Its purpose is to ensure that the electoral arrangements are fair and that they deliver electoral equality for voters. It is also to keep local government in good repair and to help them to deliver effective and convenient local government to citizens.
- 6.2 **Service Plans:** The matter has been included within the current updated Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:** There are no specific climate and environmental recommendations associated with this report.
- 6.4 **Sustainability Policy & Community Safety Implications:** There are no specific sustainability and community safety implications associated with this report.
- 6.5 **Partnerships:** Not applicable

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None

Other papers:

- Local Government Boundary Commission for England has issued a number of documents which aim to help and support the review process. These are all publically available on their website <https://www.lgbce.org.uk/how-reviews-work/technical-guidance>