

SUBMISSION TO THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND ON COUNCIL SIZE

Head of Service: Amardip Healy, Chief Legal Officer
Wards affected: (All Wards);
Urgent Decision?(yes/no)
If yes, reason urgent decision required:
Appendices (attached): 1:Draft Council Size submission

Summary

To agree the draft submission to the Local Government Boundary Commission for England (LGBCE) on Council size.

Recommendation (s)

The Committee is asked to:

- (1) Agree the draft proposal to the Local Government Boundary Commission for England on Council size, as set out in Appendix 1;**
- (2) Delegate to the Chief Legal Officer in consultation with the Chairman of Strategy and Resources and the Chair of the Electoral Review Task & Finish Group and changes to the draft Council Size Submission as may be necessary;**
- (3) To refer to Council, the approval of the Council's submission on Council Size to the Local Government Boundary Commission for England on Council size.**

1 Reason for Recommendation

- 1.1 The Local Government Boundary Commission for England ('the Commission') agreed with the Council to start an electoral review. The proposal on Council size requires the Committee's agreement, with a recommendation to Council for approval and submission.

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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. The purpose of an electoral review is to examine the electoral arrangements of an area so as to ensure they
- 2.1.1 are fair and deliver electoral equality for voters.
 - 2.1.2 help them deliver effective and convenient local government to citizens.
- 2.2 An electoral review process is an examination of a Council's electoral arrangements. This includes consideration of:
- 2.2.1 the total numbers of councillors to be elected;
 - 2.2.2 the number of wards or divisions;
 - 2.2.3 the number of councillors for each ward/ division and also the name of such ward or division.
- 2.3 In short, the aim of a review is to recommend ward boundaries that mean each councillor represents approximately the same number of voters. In turn ward boundaries are drawn up to reflect the interests and identities of local communities and promoting good local government.
- 2.4 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. For this reason the Commission collects annual data on elector numbers and the distribution of electors in the Wards that make up a local authority area. If that data discloses that there is an imbalance in the number of electors in any Wards from the average for that local authority area, then that can trigger an electoral review.

Context for Epsom and Ewell

- 2.5 On the 5 March 2020 the Chairman and the Chief Executive of the Commission met with the Residents Association Leader, the Chairman of this Committee, the Chief Executive and Chief Legal Officer, to explain that it was their intention to conduct an electoral review and to explain the background to such an exercise.
- 2.6 The Commission explained the four tests for an electoral review being required and that the Council met with three of those four, namely,
- 2.6.1 legislation requires a review from time to time, normally 3-4 electoral cycles, which could mean anything from between 1-16 years. The last review for the Council was 22 years;

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2.6.2 electoral changes – and this is about how many people a councillor is representing. There are threshold tests which if exceed can trigger a review. Two Wards in the Borough exceed those tolerances;

2.6.3 a review is asked for because of the changes locally. The Commission did ask because of the inequality between boundaries, with which the Council agreed, however the review was delayed to avoid an election year.

2.7 The Commission also explained the approach in a Review:

- numbers: need to understand numbers in terms of how many councillors are needed for an authority to function;
- boundaries: once the numbers are known, then the boundaries need to be drawn up. The advice is to start with the Borough Boundary and then fill in.

2.8 To understand the numbers of Councillors needed, the questions to be asked are:

- what the electorate is and will be, and
- how many councillors will be needed to support the thresholds

The time line is to look in 5 years' time from 2022, namely to 2027.

2.9 When looking at the electorate numbers, there are a range of variables which need to be considered in formulating the figures. Therefore although the development of the Local Plan may be useful, the Commission give the greatest weight to those matters which have certainty. The Commission's forecasting tools, help to provide an evidence base to electorate numbers.

2.10 In July 2020 the Commission met both with Council Officers on the work programme and also with Party Leaders. They also presented to full Council on the 14 July. In July 2020, this Committee established a cross-party Member Electoral Review Task & Finish Group, to progress the Review and formulate recommendations to this Committee on any submissions to the Commission during the Review process.

Member Task & Finish Group

2.11 The Task & Finish Group have worked since the Autumn of 2020 on reviewing electoral forecasting data and developing proposals on Council size. The Commission have a council size template which Councils are asked to complete. The aim of the template is to help Councils to address the key questions which will help the Commission to consider how many Councillors are needed by a particular Council.

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- 2.12 The submission on Council Size seeks to understand elected member requirements across three aspects:
- 2.12.1 **Strategic Leadership** - how many councillors are needed to give strategic leadership and direction to the authority?
 - 2.12.2 **Accountability**
 - i. *Scrutiny* - how many councillors are needed to provide scrutiny to the authority?
 - ii. *Regulatory* - how many councillors are needed to meet the regulatory requirements of the authority?
 - iii. *Partnerships* - how many councillors are required to manage partnerships between the local authority and other organisations?
 - 2.12.3 **Community Leadership** - how the representational role of councillors in the local community is discharged and how they engage with people and conduct casework.
- 2.13 Within these three aspects, the breakdown of the Council's submission must cover:
- 2.13.1 Local Authority profile: Description of the Borough; Demographics; Constraints & Challenges
 - 2.13.2 Governance and decision making: *Role of Councillors in decision making; External partnerships & Outside bodies; Member workloads; Community Involvement*
- 2.14 The Task & Finish Group developed a Member Workload Survey to evidence the range of work which Members undertook. The survey and the survey outcome report was circulated to all Members. The results of the survey have helped to inform the submission on Council Size, and the final report will be attached as an Appendix to the Council's submission.
- 2.15 The Group also undertook a detailed review of the electorate imbalances to form a view on how a balance could be achieved across the Borough. Some of this work has focused on warding patterns, which although sits within Stage 2 of the Electoral Review process, has allowed the Task & Finish Group to evidence the number of Councillors the Borough needs to operate, particularly around workloads and community involvement.
- 2.16 The Council's governance structure is both stable and set. This is because the Committees and their size are all set up under the Constitution. They do not flex dependent on political proportionality. There are work/outcome driven Member groups set up from time to time (such as the Electoral Review Task & Finish Group, the Polling Stations Working Group and Standards Committee Working Group).

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- 2.17 There are also a number of Member groups which help service council processes (eg Capital Member Group, Investment Property Group, CIL Panel and Car Parking Working Group). There are currently eight such active groups. Council also set up the roles of Member Champions (Article 17 of the Constitution), to explore and represent the interests of specific issues and groups. Currently there are four Member Champion Roles. There are also joint committees to which the Council nominates (Nonsuch Park Joint Management, Conservators and Surrey Police & Crime Panel).
- 2.18 The Council also operates an extensive operational network with partners and outside bodies. Although the number of bodies has dropped over the years, the current list highlights the wide nature of the community and stakeholder involvement of Members. There are many more bodies which seek a Member nomination. However, the need to manage its resources, has resulted in a reduction of nominations.
- 2.19 The Council's governance structure and work requirements, requires a supply of Members to service and support it. The numbers of available Councillors has to be balanced against the ability to attract those who may wish to stand as elected officials, includes those who have work or caring responsibilities.

Council Size Recommendation

- 2.20 The recommendation of the Task & Finish Group is a reduction of the number of councillors from the current 38 to 35. The decision was not unanimous, 7 voted for 35 and there was one abstention. A number of options were considered from staying the same to reducing the number.
- 2.21 Although the final electorate projections for 2027 are to be confirmed, the current ratios for the Borough on 38 with an electorate of 63,193 is a ratio of 1:1662.
- 2.22 The table for Surrey based on 2018 electorate figures, illustrates the difference in ratios:

Council	Electorate	Electors per member	Electors per member post review	No. of Members	No. of Members post review
Guildford	106,406	2,217	2,217	48	48
Reigate & Banstead	103,449	2,028	2,298	51	45
Elmbridge	98,048	1,634	2,042	60	48
Waverley	94,840	1,664	1,664	57	57
Spelthorne	75,580	1,938	1,938	39	39
Woking	73,901	2,053	2,463	36	30

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Mole Valley	68,000	1,659	1,659	41	41
Surrey Heath	66,139	1,653	1,889	40	35
Runnymede	63,654	1,516	1,553	42	41
Tandridge	60,186	1,433	1,433	42	42
Epsom & Ewell	58,000	1,526	1,657*	38	35*
Average	78,927	1,756	1,892	45	42

*Suggested

- 2.23 It is the case in Surrey, for those Councils that have completed an Electoral Review exercise, for the number for Council size to go down. In terms of percentages the submission on Council Size by each Council is set down in the table below. It should be noted that it was only in the case of Surrey Heath, the Commission agreed to increase by 1 (to 35) from the Council's submission.

Year of Review	Council	Council Size Change (Council recommendations)
2015	Woking	17 % reduction (36 to 30)
2015	Elmbridge	20% reduction (60 to 48)
2017	Surrey Heath	14% reduction (40 to 34)
2019	Reigate and Banstead	12% reduction (51 to 45)
2019	Runnymede	2.38% reduction (42-41)

- 2.24 The Task & Finish Group's percentage reduction recommendation is around 7.8%, but would still leave the Borough with a below than average electorate to councillor ratio as compared to others in Surrey.
- 2.25 The Commission will review other sources of benchmarking data when it considers the Council's submission. One model they look at is the CIPFA Nearest Neighbour Model. The 2018 CIPFA data shows the Council with one of the lowest electorate councillor ratios.
- 2.26 The Commission informally consider a Council submission before it is submitted for approval. Any suggestions and recommendations will need to be taken on board in any final submission. It is for this reason recommendation 2 is included, so as to allow for any comments from the Commission received after the approval of the draft Submission to be considered and incorporated before the final draft submission to Council. The Council must submit its final submission by no later than the end of March 2021.

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Next Steps

2.27 Once received, the Commission will consider the Council's submission along with a range of other data. Once they have considered and formed a view on the number of Councillors for the Borough, they will launch a public consultation exercise. The Commission will make 'a minded to recommend' recommendation on the number of Councillors the Council should have. They will open a public consultation exercise for information from people and groups across the Borough for opinions, comments and submissions, on where the Ward boundaries should be, the names for the Wards, and the number of Councillors for each Ward. It is important to stress that at this stage, the Commission will not be proposing new Ward boundaries.

2.28 This consultation exercise will shape the Commission's draft recommendations for the new electoral arrangements. Once the Commission have considered all the submissions, they will put forward their draft recommendation report to a new public consultation exercise. Once this second consultation exercise concludes, the Commission will then produce their Final Recommendations.

2.29 There is sometimes a small discretionary consultation on the final recommendations. Once concluded, the Final Recommendations will be put before Parliament.

2.30 The timetable for the next steps of the review process:

Council Size	Key Dates
Submission of council size proposals	End March 2021
Commission Meeting: Council Size	20 April 2021
Warding Patterns	Key Dates
Public Consultation on warding patterns	May 2021 – 5 July 2021
Consultation on Draft Recommendations	5 October 2021-13 December 2021
Commission Meeting: Final Recommendations	15 February 2022

Order	Key Dates
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Order laid	March 2022
Order made	May 2022
Implementation	May 2023

3 Risk Assessment

Legal or other duties

3.1 Impact Assessment

3.1.1 The development of the submission has given weight to ensuring there is access by all residents to Councillors.

3.2 Crime & Disorder

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

3.3 Safeguarding

3.3.1 There are no safeguarding implications associated with this report.

3.4 Dependencies

3.4.1 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

4 Financial Implications

4.1 The annual member's allowance for 2020/21 is £3,781; the allowance is uplifted by CPI inflation each year. All else being equal, a reduction in member numbers could create saving.

4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

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.

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- 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.
- 5.4 There are no legal implications from making a submission to the Commission on Council Size, however, the final outcome of the Commission’s consultation exercise and recommendations, will determine the number Councillors and the Wards for the Borough for 2023.
- 5.5 **Monitoring Officer’s comments:** none arising from the contents of this report.

6 Policies, Plans & Partnerships

- 6.1 **Council’s Key Priorities:** The following Key Priorities are engaged: Effective Council.
- 6.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:** n/a
- 6.4 **Sustainability Policy & Community Safety Implications:** n/a
- 6.5 **Partnerships:** n/a

7 Background papers

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

Previous reports:

- Strategy & Resources Committee, 2 July 2020
<https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=132&MId=1019&Ver=4>
- Council, 14 July 2020
<https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=146&MId=1021&Ver=4>

Other papers:

- <https://www.lgbce.org.uk/how-reviews-work>