

CONSTITUTION COMMITTEE – 10 MARCH 2015

REPORT OF THE CHIEF EXECUTIVE

ELECTORAL REVIEW OF LEICESTERSHIRE COUNTY COUNCIL

Purpose of Report

1. The purpose of this report is to seek the views of the Committee on the proposed submission to the Local Government Boundary Commission for England (LGBCE) on the proposed Council size. The submission will require the approval of the County Council.

Background

2. The LGBCE is responsible for conducting electoral reviews. Electoral reviews are undertaken when electoral variances become notable, and the LGBCE's criteria for initiating a review are as follows:-
 - (i) more than 30% of a council's wards/divisions having an electoral imbalance of more than 10% from the average ratio for that authority; and/or
 - (ii) one or more wards/divisions with an electoral imbalance of more than 30%; and;
 - (iii) the imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period.
3. The County Council and the LGBCE agreed that a review was required as one of the criteria for review had been met, namely that 30% of electoral divisions now had an imbalance of more than 10%. The review process commenced formally in December 2014.

Timetable

4. The timetable for the review is set out below:-.

Stage	Action	Timeframe
Preliminary Period	Informal dialogue with the County Council (members and officers) and LGBCE which included discussion re Council size, all Member briefing on the process and gathering information on electoral data and forecasts.	Nov – Feb 2014

Council size	a) Submission by the County Council on council size (the attached document to be agreed by the Council.)	End March 2015
	b) LGBCE forms a view on the Council size	21 April 2015
START OF FORMAL REVIEW PROCESS		12 MAY 2015
Consultation on future electoral division arrangements	Having published its initial recommendation on Council size, a general invitation to all interested parties, including the County Council, for proposals for electoral division boundaries and names is made by the LGBCE.	12 May – 20 July 2015
Development of draft recommendations	LGBCE having considered all representations reaches conclusions and publishes its draft recommendations.	6 October 2015
Consultation on draft recommendations	Public consultation. LGBCE will base its final recommendation on responses received.	6 October – 1 December 2015
Final recommendation	Final recommendations. These will <u>not</u> be subject to further consultation unless there are significant changes made to its draft recommendations.	8 March 2016

Thereafter an Order will be laid in Parliament (April 2016) with implementation in time for the next County Council elections in May 2017.

Statutory Rules

5. The LGBCE have to observe certain rules when conducting reviews and have to work within the legislative guidelines and the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act).
6. Schedule 2 to the 2009 Act sets out the statutory criteria to which the LGBCE are required to have regard to in conducting electoral reviews and includes:
 - (i) the need to secure equality of representation;
 - (ii) the need to reflect the identities and interests of local communities; and
 - (iii) the need to secure effective and convenient local government.

7. In relation to the community identities and interests criterion, the LGBCE would aim to determine boundaries which are and will remain easily identifiable, would not break local ties, and be long-lasting boundaries for divisions. The LGBCE will take into account factors such as the location and boundaries of parishes and the physical features of the local area when drawing boundaries.
8. In relation to parishes the legislation states:-
 - (i) every ward of a parish having a parish council (whether separate or common) must lie wholly within a single electoral division of the relevant county council, and a single ward of the relevant district council; and
 - (ii) every parish which is not divided into parish wards must lie wholly within a single electoral division of the county council and a single ward of the district council.
9. There is an additional requirement that when County Councils' electoral division boundaries are reviewed the LGBCE is required to have regard to the boundaries of district or borough wards. The LGBCE will seek to use these as the building blocks for county electoral divisions. When making their recommendations, the LGBCE must ensure that every electoral division is wholly within a single district, so that no division crosses the boundary between two neighbouring districts.
10. Finally, Schedule 2 to the 2009 Act also states that the LGBCE should take into account any changes to the number and distribution of electors that is likely to take place within the five years following the end of a review. This requirement means that at the start of a review the County Council has been asked to provide the LGBCE with electorate forecasts up to 2021. These forecasts will form the basis of the new electoral divisions.

Member Working Party and Member Involvement

11. To oversee the review process on behalf of the County Council an all Member Working Party, politically balanced at 3:1:1, has been established.
12. All Members of the County Council have received copies of the LGBCE's technical guidance which covers the review process. In addition staff from the LGBCE briefed members on the review process at an all Member Briefing on 12th February.

Council Size

13. The question of Council size is the starting point in any electoral review, since it will determine the optimum councillor:elector ratio across all electoral areas, against which levels of electoral imbalance can be measured. The Electoral Commission is of the view that each Council area should be considered on its

own merits and that there should be no attempt to aim at equality of council size between authorities of similar types and populations.

14. In coming to a view on Council size, the LGBCE will consider the following:-

- the governance arrangements of the council, how it takes decisions across the broad range of its responsibilities, and whether there are any planned changes to those arrangements;
- the council's scrutiny functions relating to its own decision-making and the council's responsibilities to outside bodies, and whether any changes to them are being considered; and
- the representational role of councillors in the local community and how they engage with people, conduct casework and represent the council on local partner organisations.

Determining the County Council size

15. The attached document to be submitted to the LGBCE sets out the views of the majority members of the Working Party established to consider issues relating to the boundary review including the Council size. This document has been prepared having had regard to the LGBCE's technical guidance on Electoral reviews which they will use to assess the County Council's submission.

16. The County Council presently comprises 55 members. Using the 2014 electorate figures and a forecast electorate figure for 2021, the current allocation of seats to each district is set out in Table 1 below:

Table 1

District/Borough	Current Entitlement	Electorate 2015	Entitlement	Electorate 2021	Entitlement
Blaby	8	73,584	7.77	80,840	8.05
Charnwood	14	136,501	14.42	142,514	14.18
Harborough	7	68,430	7.23	73,454	7.31
Hinckley and Bosworth	9	85,957	9.08	89,600	8.92
Melton	4	39,339	4.16	39,803	3.96
North West Leicestershire	8	71,571	7.56	80,466	8.01
Oadby and Wigston	5	45,240	4.78	45,909	4.57
Average Electorate		9,466		10,047	
Average variation per district/borough			0.247		0.157

17. To help determine Council size a calculation has been done on the average ratio/variation per district/borough from the entitlement in Table 1 above. Table 2 below shows the best fits below a variation of 0.2.

Table 2

Council Size	Average variation per district/borough below 0.2	Average Electorate Per Member
54	0.177	10,233
55	0.157	10,047
61	0.164	9,059
62	0.146	8,913

Based on the above the best fit would be a council size of 62 with the next best fit being a size of 55.

18. All three main political parties agreed that the current council size met the needs of the authority and that the main purpose of the review should be to re-align the electoral divisions so that electoral equality was re-established across the County.
19. In determining the Council size the Working Party considered that the following factors were relevant:-
- The current decision making structure – The Council has no evidence to suggest that any substantial changes to the size of the Council would improve the effectiveness of Scrutiny and there is concern that any such change could have the opposite effect. For example, any substantial increase will result in more competition for places on the more popular scrutiny bodies.
 - Nearest Neighbours - While the proposed Council size of 55 is towards the lower end of the nearest neighbours group, four other counties also have a Council size between 50 and 60. While the mean Council size across the nearest neighbours is 66, three of the other counties are relative outliers in terms of electorate size (Hampshire and Lancashire) or electorate density (Cumbria). Excluding these three counties reduces the mean Council size to 62.
 - The representational role of Members – The County Council conducted a survey of members and found that on average they spent around 23 hours undertaking their role. This is in line with the findings of the national survey. Any reduction in Members would mean the amount of time that members would be required to undertake their duties would increase dramatically. The Council has also developed a Communities Strategy which set out its thinking about the role of Leicestershire communities (both communities of place and of interest) in this new

context. The Council will work with partners in the public, private and voluntary and community sectors to reduce demand for services and empower communities to work alongside it to deliver key services to Leicestershire citizens. Responses to the consultation on the Strategy showed that many felt that Community Champions should be identified represent the whole community and the County Council needed to empower people to become these role models. Local Councillors are well placed to undertake this role and the Council will support members to do so. It is likely that there will be greater expectation than has previously been the case placed upon members to facilitate the development of these initiatives.

20. Having regard to all the above a Council size of 55 members is thought the appropriate size for Leicestershire County Council.

Two Member Divisions

21. When the last Periodic Electoral Review of Leicestershire was conducted in 2003/4 three two Member divisions were created as follows:-
- Hinckley and Bosworth Borough area – Hinckley and Burbage Castle Electoral Divisions;
 - Oadby and Wigston Borough - Oadby Electoral Division.
22. The County Council at the time of the last review wrote to The Boundary Committee for England stating it was against two-member electoral divisions because it felt it created divisions which were generally too large.
23. This review has therefore allowed the County Council to review its stance on two member divisions. Following discussion, the majority view of the Working Party is that single member divisions are preferable for the reasons outlined below:-
- (i) Single member divisions and the councillor who represent the division are more transparent and accountable to both the electorate and local organisations than two member divisions;
 - (ii) Two member divisions could cause confusion if two members from different political parties were elected which could then lead to differing views on local issues;
 - (iii) Two Member divisions are too large in size and require co-operation between the two members to cover the division effectively.
24. The Working Party however, recognised that to achieve one of the LGBCE's objectives; electoral balance, two member divisions offer the flexibility needed to achieve this.

Equal Opportunities and Human Rights Implications

25. The purpose of the review is to ensure that as far as possible each person's vote carries the same weight.

Recommendations

26. The Committee is recommended:-
- (a) to note the report;
 - (b) to agree the submission to the LGBCE in relation to Council size for submission to the County Council for approval.

Background Papers

Local Government Boundary Commission for England – Electoral Reviews Technical Guidance April 2014

Officers to Contact

Graeme Wardle ☎0116 305 6002
Member Support and Departmental Services Manager
Email: graeme.wardle@leics.gov.uk.

Mo Seedat ☎0116 305 6037
Head of Democratic Services
Email: mo.seedat@leics.gov.uk

List of Appendices

Appendix - Statement on the size of the Council