

REPORT OF THE CONSTITUTION COMMITTEE

A. ELECTORAL REVIEW OF LEICESTERSHIRE COUNTY COUNCIL – STATEMENT ON COUNCIL SIZE

Introduction

1. This report concerns the review of the County Council's electoral arrangements and seeks approval of the attached submission to the Local Government Boundary Commission for England (LGBCE) on the proposed Council size.

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.

Statutory Rules

4. The LGBCE have to observe certain rules when conducting reviews and have to work within legislative guidelines and the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act).
5. 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 which 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.
6. 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.

7. 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.
8. 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

9. 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.
10. 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

11. 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.
12. 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

- Appendix 1 to this report, which is to be submitted to the LGBCE sets out the views 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.
- 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	79,042	7.92
Charnwood	14	136,501	14.42	142,514	14.27
Harborough	7	68,430	7.23	73,454	7.36
Hinckley and Bosworth	9	85,957	9.08	89,600	8.97
Melton	4	39,339	4.16	39,803	3.99
North West Leicestershire	8	71,571	7.56	78,806	7.89
Oadby and Wigston	5	45,240	4.78	45,909	4.60
Average Electorate		9,466		9,984	
Average variation per district/borough			0.247		0.180

- 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
42	0.177	13,075
43	0.189	12,770
49	0.180	11,207
55	0.180	9,984
61	0.196	9,002
62	0.193	8,857
68	0.197	8,075

15. Based on the above the best fit would be a council size of 42 followed by either 49 or 55. To reduce to 42 or 49 would require a substantial reduction in the number of members which in turn would have an effect on the decision making structure within Leicestershire.
17. 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.
18. 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 to assess their workload 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 to 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.
19. Having regard to all the above a Council size of 55 members is considered to be the appropriate size for Leicestershire County Council.

Two Member Divisions

20. 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.
21. 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.
22. 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.
23. The Working Party however, recognised that to achieve electoral balance, two member divisions offer the flexibility needed to achieve this.

Timetable and Next Stage

24. The LGBCE will consider the County Council's submission on Council size and come to a view which will be announced on 12th May 2015. This will mark the start of the formal review and the process thereafter will be as follows:-

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

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

Decision of the Constitution Committee

26. The attached submission was considered at the meeting of the Constitution Committee on 10th March, 2015 whose decision is set out in the motion which appears below.

(Motion to be moved:

That the submission on Council size set out in Appendix 1 to the report of the Constitution Committee be approved for submission to the Local Boundary Commission for England).