

CONSTITUTION COMMITTEE – 8 MAY 2003

REPORT OF THE CHIEF EXECUTIVE

PERIODIC ELECTORAL REVIEW OF LEICESTERSHIRE COUNTY COUNCIL

Purpose of Report

1. The purpose of this report is to outline the arrangements being made for the review of the Council's electoral arrangements.

Background

2. On 28th January the Director of the Boundary Committee for England wrote to the Council announcing the formal start of the review of Leicestershire County Council's electoral arrangements on Tuesday, 11th March, 2003, and inviting the Council to submit proposals by 7th July, 2003. A copy of the letter is attached as Appendix A to this report.
3. All members of the County Council have received copies of the Guidance and procedural advice covering the conduct of periodic electoral reviews issued by the Electoral Commission. A briefing by representatives of the Boundary Committee (who advise the Commission on these matters) for members of the Council was held on 6th February and was well attended.

Timetable

4. Having regard to the Boundary Committee's requirements, it is planned to follow the timetable set out below for determining the County Council's proposals:

2003	
8 th May	Consider officer draft of initial proposals for informal consultation with political groups (and consultant advisers).
Week beginning 28 th May	Emerging proposals considered by Constitution Committee – consider what is to be published for consultation with District Councils and other interested parties.
Week beginning 23 rd June	Constitution Committee to consider results of consultation and determine final scheme to be recommended to the County Council.
7 th July	Boundary Committee deadline (scheme to be submitted subject to consideration by Council).
9 th July	County Council Meeting.

Statutory Rules

5. The Electoral Commission and Boundary Committee have to observe certain Rules when proposing county electoral divisions.
6. The Rules provide that, having regard to any changes in the number or distribution of the local government electors of the county likely to take place within the period of five years immediately following the start of the review:
 - (a) the number of local government electors shall be, as nearly as may be, the same in every electoral division of the county;
 - (b) every electoral division shall lie wholly within a single district (i.e. electoral divisions should not cross district administrative boundaries);
 - (c) every ward of a civil parish, having a parish council, shall lie wholly within a single electoral division (i.e. no ward of a parish or town council should be divided by an electoral division boundary);
 - (d) every parish which is not divided into parish wards shall lie wholly within a single electoral division;

Subject to (a) – (d), the Rules provide that regard should be had to:

- (e) the desirability of fixing boundaries which are and will remain easily identifiable;
 - (f) any local ties which would be broken by the fixing of any particular boundary; and
 - (g) the boundaries of the wards of the districts in the county.
7. In relation to (g) above the Committee attaches much importance to achieving coterminosity between the boundaries of divisions and wards. Where wards or groups of wards are not coterminous with county divisions, this can cause confusion for the electorate at local elections, lead to increased election costs and, in the Commission's view, is not conducive to effective and convenient local government.
 8. In addition to the above, representatives of the Boundary Committee have stressed the importance of any proposals put to it being evidence based and the desirability of demonstrating that they have local support and, if possible, support across the political parties.

Council Size

9. 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 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.

10. The guidance stresses that whatever Council size is put forward, it will be important to demonstrate that it has been fully thought through and has been developed in the context of a review of internal political management and the role of Councillors in the new structures. It will be insufficient simply to assert that the implementation of a particular structure requires a particular Council size or, indeed, that no change in Council size is required. At this stage, it might best be noted that fulfilling this requirement is likely to be difficult.

Comments on Council Size

11. The County Council presently comprises 54 members.
12. Using the 2002 electorate figures and a forecast electorate figure for 2007, the current allocation of seats to each district is no longer appropriate. Table 1 below sets out the position.

Table 1

<u>District</u>	<u>Current No of Seats</u>	<u>Electorate 2002</u>	<u>Entitlement</u>	<u>Electorate 2007*</u>	<u>Entitlement</u>
Blaby	8	70,935	7.86	72,637	7.78
Charnwood	14	123,167	13.64	127,719	13.68
Harborough	6	61,727	6.84	64,003	6.86
Hinckley & Bosworth	9	80,330	8.90	84,514	9.05
Melton	4	38,214	4.23	39,553	4.24
North West Leicestershire	8	69,773	7.73	71,527	7.66
Oadby and Wigston	5	43,313	4.80	44,180	4.73
	<u>54</u>	<u>487,459</u>	<u>54.00</u>	<u>504,133</u>	<u>54.00</u>

Average Electorate

9,027

9,336

13. The above figures clearly illustrate that Harborough is entitled to an extra seat, but none of the other districts are over-represented when the figures are rounded up to the nearest whole number.
14. If the overall size of the County Council were to be increased by one seat the figures would work out correctly. Table 2 below sets out the position.

Table 2

District	Electorate 2002	Entitlement	Electorate 2007*	Entitlement
Blaby	70,935	8.00 (8)	72,637	7.92 (8)
Charnwood	123,167	13.90 (14)	127,719	13.93 (14)
Harborough	61,727	6.96 (7)	64,003	6.98 (7)
Hinckley and Bosworth	80,330	9.06 (9)	84,514	9.22 (9)
Melton	38,214	4.31 (4)	39,553	4.32 (4)
North West Leicestershire	69,773	7.87 (8)	71,527	7.80 (8)
Oadby & Wigston	43,313	4.89 (5)	44,180	4.82 (5)
	<u>487,459</u>	<u>55.00 (55)</u>	<u>504,133</u>	<u>55.00 (55)</u>

Average electorate

8,863

9,166

15. The next nearest figures to provide correct representation on a district basis are 48 members (lower) or 58 members (higher). It should be noted that the higher figure produces a less comfortable fit in that some district figures come close to the mid-point mark and are therefore more susceptible to population changes.

Factors to be taken into account in determining Council Size

16. In determining the Council size on which to base its proposals it is suggested that the following factors are relevant:-

Geographical considerations – although the Boundary Committee cannot take these factors into account in relation to the review itself, the size of electoral divisions is an important consideration in relation to determining the size of the Council. Under the present arrangements there are a number of electoral divisions which cover large, sparsely populated, areas of the County. In such areas members have a demanding task keeping in touch with the many distinctive communities which make up the area. In several cases it involves contact with more than 10 separate Parish Councils.

The current decision making structure – which requires in the case of the majority party, its 19 non-executive members to fill 45 of the 83 places on scrutiny bodies and the Regulatory Board, with prospects of this increasing in view of the new health scrutiny role which the Council is likely to perform. Any substantial reduction in the size of the Council would be likely to necessitate a review of the Scrutiny Structure.

The political balance of the Council – there have been occasions in the past where issues put to the Council have resulted in an equality of votes. An odd number of members on the Council would mean that this was less likely.

17. This matter was considered at a meeting of Group Leaders on 24th March, 2003, when officers were asked to proceed with the drawing up of draft initial proposals for a scheme of electoral arrangements for the County using a Council size of 55 members as a starting point. Such proposals would be for informal consultation with the political groups and to facilitate discussions within the groups.

External Advice

18. At the meeting of Group Leaders a discussion also took place about the desirability of engaging a consultant(s) to assist with the review and it was agreed to ask the Chief Executive to pursue this suggestion. The intention would be to allow a useful health check/quality assurance of the officers' draft proposals and to show that the process has had an external element in addition to the public and organisational consultation. The brief for the consultants would be to offer advice to the County Council on its draft scheme and make appropriate recommendations/comments upon it having regard to the guidelines laid down by the Electoral Commission. The consultants would also be available to meet with the political groups if requested.
19. Research has shown that there is a fairly limited field of consultancy expertise in this area and availability at this time. Two consultants have been identified with background experience and available at reasonable cost:
- Dr. James Downe (an academic who has carried out various work with the Boundary Committee).
 - Mr. P. Savage (a consultant who has been involved in reviews for Blaby, Hinckley and Bosworth, Bassetlaw and Doncaster).

It is recommended that both are engaged on the basis that with such an exercise there is merit in obtaining more than one outside opinion, although both may prove to be the same or at least similar.

Initial Draft Proposals

20. Initial work has been undertaken at officer level aimed at producing a draft set of proposals which complies with the Electoral Commission guidance but has regard to local circumstances. This has been produced as a starting point and as a basis for consultation, with and discussion within the three political groups on the Council. Details are set out in Appendix B to this report. Appendix B simply shows how District wards have been used as "building blocks" to form possible County electoral divisions. Complementary maps showing the District wards will be available at the meeting and are available in advance from Mr. Pitt.
21. The work undertaken by officers has not proved to be easy. The position is complicated because in many cases the new District wards do not provide particularly good "building blocks" for future electoral divisions. This was something which the County Council commented on in response to the Boundary Committee's consultation about the respective district arrangements.

Equal Opportunities Implications

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

Recommendations

23. The Committee is recommended:-

- (a) to note the report;
- (b) to consider the appointment of consultants to assist with the review;
- (c) to agree that the initial draft proposals prepared by officers and set out in Appendix B to this report be used as a basis for consultation with and discussion within the political groups and with such consultants as may be appointed to assist with the development of the Council's scheme;
- (d) to agree dates of future meetings in accordance with the timetable set out in paragraph 4 of this report.

Background Papers

Guidance and procedural advice for periodic electoral reviews – Electoral Commission – July 2002.

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