

	<p><b>REPORT TO CABINET</b></p> <p><b>TO BE HELD ON</b></p> <p><b>12 APRIL 2016</b></p>
	<p><b>Key Decision</b>                      <b>Yes</b></p> <p><b>Forward Plan Ref No</b>      <b>26</b></p>
<p><b>Corporate Aim</b></p> <p><b>Improving the Council</b></p>	<p><b>Cabinet Portfolio Holder</b>                      <b>Cllr. M. Donohue-Moncrieff</b></p>

**REPORT OF THE DIRECTOR (LD) – 16/96**

**WARDS AFFECTED: ALL**

**SUBJECT: REQUEST FOR ELECTORAL REVIEW**

**RECOMMENDATIONS:**

That the Cabinet:

- (i) expresses its initial view on the appropriate number of Members to sit on this authority for the reasons given in this report; and

That the Cabinet recommends to the Council

- (ii) that a request be made to the Local Government Boundary Commission for England (LGBCE) to undertake an electoral review of the Borough of Scarborough for the reasons given in this report; and
- (iii) that, in the event that the LGBCE accepts the Council's request to undertake an electoral review, that Council delegates to Cabinet in consultation with the Governance Working Group the Council's submissions to the LGBCE.

**REASON FOR RECOMMENDATIONS:**

- The last review of the Council's electoral arrangements was carried out in 1999 prior to the introduction of the Local Government Act 2000 and the implementation of executive arrangements, which have brought significant changes to the way the Council operates. The Localism Act 2011 has introduced further changes which have streamlined Council's decision making e.g. in standards

- Considerable technological advances have also affected councillors' representative role highlighting further the need for a review

**HIGHLIGHTED RISKS:** By not asking the LGBCE to undertake an electoral review after so much change in the operation of the Council, there is a risk that the authority does not have the optimum number of councillors (i) to manage the business of the authority efficiently and (ii) to represent local communities effectively.

## **1. INTRODUCTION**

- 1.1 The Local Government Boundary Commission for England (LGBCE) is an independent body which conducts electoral reviews of local authority areas. The purpose of an electoral review is to decide on the appropriate electoral arrangements – the number of councillors, the names, number and boundaries of wards – for a local authority.
- 1.2 The LGBCE's obligations set out in law when making its recommendations are to:
- Deliver electoral equality for voters (this means ensuring that the ratio of electors to councillors in each electoral ward is as nearly as possible the same)
  - Reflect local community interests and identities
  - Promote effective and convenient local government
- 1.3 Part of the LGBCE's role is to examine data on electoral inequality for every local authority in England. This analysis may lead the Commission to instigate a review. Alternatively, councils may request a review if they wish to make changes to their electoral arrangements in order to improve the way they represent and serve people in their area.

## **2. CORPORATE AIMS/PRIORITIES**

- 2.1 Improving the Council.

## **3. BACKGROUND AND ISSUES**

- 3.1 The last review of the Council's electoral arrangements was carried out in 1999 as part of the LGBCE's programme of periodic electoral reviews (PERs) of all the principal local authorities in England. The Commission's final report published in November 1999 made the following main recommendations which were implemented at the Borough Council elections in May 2003:
- (i) increase the total number of councillors from 49 to 50;
  - (ii) increase the number of wards from 22 to 25;
  - (iii) modify the boundaries of 19 of the existing wards.

- 3.2 The Commission is currently not undertaking PERs but has a rolling programme of electoral reviews undertaken for a variety of reasons. This may be because there have been significant changes in population in certain areas of the district which have resulted in poor levels of electoral equality. Another common reason for local authorities to approach the Commission to undertake an electoral review is because of a wish to reduce the total number of councillors to achieve more effective and convenient local government.
- 3.3 Much has changed across the landscape of local government since the last electoral review in 1999. The introduction of the Local Government Act 2000 and the Council's implementation of the Leader and Cabinet model in 2001 has brought significant changes to the way in which the Council operates. The Council's governance arrangements continue to evolve under this model, to promote more efficient and streamlined decision-making in a challenging economic environment. The loss of the area committees and the new scrutiny arrangements approved by the Council on 26 February 2016 are part of this evolution. Similarly, the Localism Act 2011 has streamlined the operation of the Council's standards regime which has implications for the Council's governance.
- 3.4 A second reason is the considerable advances in the use of technology over the last 17 years. During this period, written communication has moved from being largely paper based to almost wholly through electronic channels. In 2013, the Council launched a new website and SWITCH programme to reduce the cost of delivering services, and to improve the quality and accessibility of these services. Self-service channels are now available for customers so they can use the Council's website to get information, report an issue, book a service, pay for it and then track the progress, 24 hours a day seven days a week. This greater accessibility means that many residents who may have previously used their local ward councillor to obtain information, can now do so directly.
- 3.5 The twin drivers of modernisation (including new technology) and austerity lead to the inescapable conclusion that the Council does not need as many councillors as historically to manage the business of the authority and to represent the Borough's communities. The trend is clear. The time spent in formal committee meetings has reduced and will continue to reduce for the majority of members.

## **4. CONSULTATION**

- 4.1 The ideas in this report have been shared with the cross-party Governance Working Group which supports the request for an electoral review.

## **5. ASSESSMENT**

- 5.1 The LGBCE's Technical Guidance sets out the following key criteria for determining the size of the Council:
- The governance arrangements of the Council and how it takes decisions across the broad range of its responsibilities

- The scrutiny functions relating to its own decision making, and the Council’s responsibilities
- The representative role of councillors in the local community and how they engage with people, conduct case work and represent the Council on local partner organisations

5.2 In respect of the Council’s size, the LGBCE is clear that each local authority should be considered individually and not compared with other authorities of similar geographic or population size, or those facing similar issues and concerns. In addition, the LGBCE regard the demographic make-up and dispersal of communities in England as such that to aim for equality in the number of electors each councillor represents as an average across the whole country would be impractical, if not unachievable. The LGBCE does not therefore apply strict mathematical criteria for council size nor impose a national formula for its calculation. The LGBCE does however acknowledge that a series of changes over time in the role and responsibilities of local government and councillors, especially following the Local Government Act 2000 and as a result of various central government and local authority initiatives, is likely to have reduced the number of councillors needed to politically manage an authority. In the case of a proposed reduction, the LGBCE will need to be assured that the reduction will not jeopardise the ability of a council to manage its business effectively. Whilst the LGBCE has no absolute numbers in mind, there are obviously levels at which an authority risks being too small to discharge its statutory functions or too large to be able to function in an effective manner.

5.3 To initiate an electoral review, the Borough Council makes a formal request in writing to the LGBCE, including any initial recommendations and the rationale behind the request. For the reasons given in paragraphs 3.3 to 3.5, this would be for the LGBCE to consider a reduction in the number of councillors serving on this authority. Making the request to reduce the size of the Council and the initial recommendation is the start of a long process (supposing the LGBCE agrees the request) which involves the Commission gathering evidence from local people and organisations including the Borough Council, and analysing that evidence in light of the above key criteria.

5.4 Once the LGBCE has made a decision on Council size, it then looks at warding patterns for the Borough which will reflect community identities and interests and deliver high levels of electoral equality, by taking into account the future projected electorate for each ward up to five years after the completion of the review.

5.5 Members are asked to consider what they believe to be an appropriate Council size which can serve as a working hypothesis to be tested by the ensuing electoral review. To aid this consideration, in May 2003, when the current Council size was implemented, there were the following formal committees including the Cabinet:

<b>Name</b>	<b>Number of members</b>
Council	50
Cabinet	7

Cabinet (Grants and Relief) Sub-Committee	2
Finance, Legal and ICT O&S Committee	10
Housing, Land and Property O&S Committee	10
Environment, Transport and Public Health O&S Committee	10
Tourism, Leisure and Community Services O&S Committee	10
Economic and Community Development and Harbours O&S Committee	10
Development and Regulation Committee (and Licensing Sub-Committee)	14
Planning Sub-Committee (North)	8
Planning Sub-Committee (Urban)	8
Planning Sub-Committee (Rural)	8
Appeals Panel	20
Standards Committee	4 councillors
Human Resources Committee	5
Appointments Committee	5
Northern Area Committee	12
Central Rural Area Committee	10
Central Urban Area Committee	18
Southern Area Committee	10
<b>TOTAL NUMBER OF COMMITTEE PLACES</b>	<b>231</b>

5.6 In May 2016, the picture will be very different:

<b>Name</b>	<b>Number of members</b>
Council	50
Cabinet	8
O&S Board	9
Planning and Development Committee	17
Licensing Committee (and Licensing Sub-Committee)	15
Appointments Committee	6
Appeals Committee	3
Standards and Audit Committee*	8 councillors*
<b>TOTAL NUMBER OF COMMITTEE PLACES</b>	<b>116</b>

\*currently under consideration (see report to the Audit Committee dated 22 March 2016)

5.7 The number of committee places on the Council is only one indicator of relevance to Council size, and does not take into account the councillor's representative role, nor the many ways in which councillors conduct official business outside formal committee meetings, but it does provide a stark illustration of the argument for change.

- 5.8 Taking into account the above caveats, Members may wish to endorse a reduction of 20% of Members (giving 40 in total on the Council), providing a reasonable working hypothesis to inform the electoral review.

## **6. IMPLICATIONS**

### **Policy**

- 6.1 No specific implications

### **Financial**

- 6.2 Currently, the Council's basic allowance for an elected member is £3,961.68. To reduce the total number of councillors by 20% (ten), would save £39,661.80. In 2014/15, councillors claimed £15,755.38 in expenses. To reduce this figure by 20%, would save £3151.08. There would also be ICT and other savings in Member support costs.

### **Legal**

- 6.3 The LGBCE would undertake an electoral review in accordance with statutory criteria. Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009 requires the LGBCE to have regard to:
- The need to secure equality of representation
  - The need to reflect the identities and interests of local communities; and
  - The need to secure effective and convenient local government

### **Sustainability**

- 6.4 None.

### **Equalities and Diversity**

- 6.5 Securing equality of representation and reflecting the identities and interests of local communities are key aspects of electoral reviews, as described above.

### **Others**

- 6.6 I have considered whether there are any Staffing, Planning, Crime and Disorder, Health and Safety, and Environmental implications arising from this report and am satisfied that there is no identified implication that will arise from this decision.

## **7. OUTLINE ACTION PLAN**

Cabinet supports request for an electoral review based on an indicative total number of councillors	12 April 2016
Council supports request for an electoral review based	9 May 2016

on an indicative total number of councillors	
Chief Executive submits request to the LGBCE	May 2016
The LGBCE meets with the Chief Executive and Leader of the Council to establish the reason for the request, the likely scope of the review, and the commitment and capacity of the Council to meet the information requirements in a timely manner. The LGBCE agrees the request which opens the preliminary period of the review.	June/July 2016

Stage	Action	Duration (indicative only)
Preliminary Period	Informal dialogue with local authority. Focus on gathering preliminary information including electorate forecasts and other electoral data. Commissioner-level involvement in briefing group leaders on the issue of council size. Meetings also held with officers, group leaders, Full Council and, where applicable, parish and town councils. At the end of this process, the council under review and its political groups should submit their council size proposals for the Commission to consider	Up to 6 months in advance of formal start of review
Council Decision Size	Commission analyses submissions from local authority and/or political groups on council size and takes a 'minded to' decision on council size	5 weeks
<b>FORMAL START OF THE REVIEW</b>		
Consultation on future warding arrangements	The Commission publishes its initial conclusions on council size. General invitation to submit warding proposals based on Commission's conclusions on council size	12 weeks
Development of draft recommendations	Analysis of all representations received. The Commission reaches conclusions on its draft recommendations.	12 weeks
Consultation on draft recommendations	Publication of draft recommendations and public consultation on them.	8 weeks
Further Consultation (if required)	Further consultation only takes place where the Commission is minded to make significant changes to its draft recommendations and where it lacks sufficient evidence of local views in relation to those changes.	Up to 5 weeks

Development of final recommendations	Analysis of all representations received. The Commission reaches conclusions on its final recommendations.	12 weeks
--------------------------------------	--	----------

The LGBCE has confirmed that according to this timetable, the electoral review can be completed comfortably in time for implementation of the LGBCE's recommendations at the next Borough Council elections in 2019.

**Lisa Dixon**  
**Director**

**Author:** St John Harris, Democratic Services Manager  
Telephone No: 01723 383556 E-mail address: [stjohn.harris@scarborough.gov.uk](mailto:stjohn.harris@scarborough.gov.uk)

**Background Papers:**

Further information about the process for conducting electoral reviews can be found at: <https://www.lgbce.org.uk/policy-and-publications/guidance>

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT THE AUTHOR.



## Risk Matrix

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/ Responsible Officer</b>	<b>Action Plan</b>
1	April 2016	After so much change in the operation of the Council since the previous electoral review in 1999, that the authority does not have the optimum number of councillors (i) to manage the business of the authority efficiently and (ii) to represent local communities effectively.	Inappropriate number of councillors to manage the business of the authority efficiently and to represent local communities effectively	Request the LGBCE to undertake an electoral review	C3	A3	Democratic Services Manager	See report

## Glossary of Terms

Risk

An event which may prevent the Council achieving its objectives

Consequences

The outcome if the risk materialised

Mitigation

The processes and procedures that are in place to reduce the risk

Current Risk Score

The likelihood and impact score with the current mitigation measures in place

Corporate Objectives

An assessment of the Corporate Objectives that are affected by the risk identified.

Target Risk Score

The likelihood and impact score that the Council is aiming to achieve

Service Unit Manager

The Service Unit or Officer responsible for managing the risk

Action Plan

The proposed actions to be implemented in order to reduce the risk to the target score

## Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

### Likelihood:

A = Very Low

B = Not Likely

C = Likely

D = Very Likely

E = Almost Certain

### Impact

1 = Low

2 = Minor

3 = Medium

4 = Major

5 = Disaster