



Date: 15 September 2017
Our ref: Boundary & Electoral Arrangements Working Party/Agenda
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BOUNDARY AND ELECTORAL ARRANGEMENTS WORKING PARTY

28 SEPTEMBER 2017

A meeting of the Boundary and Electoral Arrangements Working Party will be held at **4.30 pm on Thursday, 28 September 2017** in the Austen Room, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors: Buckley, Constantine, Crow-Brown, K Gregory, Savage, Stummer-Schmertzling and Taylor

AGENDA

Item
No

Subject

1. **ELECTION OF CHAIRMAN**

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATION OF INTERESTS**

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest form attached at the back of this agenda. If a Member declares an interest, they should complete that form and hand it to the officer clerking the meeting and then take the prescribed course of action.

4. **MINUTES OF PREVIOUS MEETING** (Pages 3 - 4)

To approve the minutes of the Boundary & Electoral Arrangements Working Party meeting held on 26 June 2015, copy attached.

5. **THANET ELECTORAL REVIEW** (Pages 5 - 12)

Declaration of Interests Form



Please scan this barcode for an electronic copy of this agenda.

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BOUNDARY AND ELECTORAL ARRANGEMENTS WORKING PARTY

Minutes of the meeting held on 26 June 2015 at 9.00 am at Pugin & Rossetti Rooms, First Floor, Council Offices, Cecil Street, Margate.

Present: Councillors: K Gregory, L Fairbrass, Wells, Dixon and Piper

In Attendance: Councillors: G. Coleman-Cooke and Campbell

20. APOLOGIES

Apologies were received from Councillor Buckley for whom Councillor Reverend Piper was present, Councillor E. Hillman for whom Councillor L. Fairbrass was present, Councillor Larkins for whom Councillor Wells was present and Councillor Taylor for whom Councillor Dixon was present. It was noted that Councillor Smith had intended to attend the meeting to observe but offered her apologies.

21. ELECTION OF CHAIRMAN FOR THE MEETING

Councillor L. Fairbrass proposed, Councillor K. Gregory seconded and Members agreed that Councillor Wells be the Chairman.

22. DECLARATIONS OF INTEREST

There were no declarations of interest.

23. MINUTES OF THE MEETING HELD ON 22 OCTOBER 2014

It was proposed by Chairman and AGREED that the minutes of the previous meeting held on 22 October 2015 were a correct record.

In response to comments made by Councillor Dixon regarding item 18 of the minutes, it was confirmed that the result of the consultation regarding the creation of Westgate Parish Council was legally binding.

24. NEW ELECTORAL ARRANGEMENTS FOR KENT COUNTY COUNCIL

Councillor K. Gregory referred to Annex 1 (page 7) and asked for it to be noted that Westgate-on-Sea is no longer an "unparished" area.

The Chairman proposed, Councillor K. Gregory seconded and it was AGREED that:

"The Boundary and Electoral Arrangements Working Party are in agreement with the draft recommendations on the new electoral arrangements for Kent County Council."

Meeting concluded : 9.07am

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THANET ELECTORAL REVIEW

Boundary and Electoral Arrangements Working Party	28 September 2017
Report Author	Nick Hughes, Committee Services Manager
Portfolio Holder	Cllr Derek Crow-Brown, Cabinet Member for Corporate Governance
Status	For Recommendation
Classification:	Unrestricted
Key Decision	No
Ward:	All Wards

Executive Summary:

The report asks the Boundary and Electoral Arrangements Working Party to make a recommendation to Council regarding whether to commission an electoral review by the Local Government Boundary Commission for England on the number, boundaries and names of wards and the number of councillors to be elected to each in Thanet.

The report outlines what an electoral review is and outlines why the Council is considering undertaking one. The report suggests a reduction in the number of Councillors from 56 to approximately 36 based upon the reasoning set out within the report. The report then outlines how a report is undertaken and the factors that the Local Government Boundary Commission for England (LGBCE) take in to consideration when asked to undertake a review.

Recommendation(s):

To recommend to Council one of the following options:

Option One – To request the LGBCE to undertake an electoral review of TDC in 2018 with an indicative size of Council membership of approximately 36.

Option Two – To request the LGBCE to undertake an electoral review of TDC in 2018 with an alternative indicative size of Council.

Option Three – Not to request the LGBCE to undertake a review.

CORPORATE IMPLICATIONS

Financial and Value for Money	There are no direct financial implications arising from this initial report.
Legal	<p>The process for electoral reviews is contained in the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). This consolidates and amends provisions previously contained in the Local Government Act 1972, the Local Government Act 1992 and the Local Government and Public Involvement in Health Act 2007.</p> <p>The law permits the LGBCE review the arrangements for all or any part of a principal local authority's area at any time.</p>

Corporate	An electoral review will help the Council to ensure it has as far as is possible an equality of democratic representation across the district. A review would also help the Council to meet the corporate priorities and values as set out below.								
Equality Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="width: 80%;">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="width: 20%;"></td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td></td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td style="text-align: center;">x</td> </tr> </table> <p>Democratic Services are undertaking a high level ongoing assessment of the equality impact of these proposals as they are progressed on the advice of the information governance team. Democratic Services will undertake a full equality impact assessment to accompany the final council size proposals being agreed by Full Council and submitted to the LGBCE.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,		Advance equality of opportunity between people who share a protected characteristic and people who do not share it		Foster good relations between people who share a protected characteristic and people who do not share it.	x
Please indicate which aim is relevant to the report.									
Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,									
Advance equality of opportunity between people who share a protected characteristic and people who do not share it									
Foster good relations between people who share a protected characteristic and people who do not share it.	x								

CORPORATE PRIORITIES (tick those relevant)✓	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	X

CORPORATE VALUES (tick those relevant)✓	
Delivering value for money	
Supporting the Workforce	X
Promoting open communications	

1.0 Introduction and Background

1.1 Electoral Reviews are an examination of a council's electoral arrangements. This means:

- the total number of members to be elected to the council;
- the number and boundaries of electoral areas (wards/divisions) for the purposes of the election of councillors;
- the number of councillors for any electoral area of a local authority; and
- the name of any electoral area.

1.2 The Local Government Boundary Commission for England (LGBCE) undertake these reviews on behalf of Councils to ensure that there is an equality of democratic representation across the area that Council represents. The Local Government Boundary Commission is then responsible for putting any changes to electoral arrangements into effect, and does this by making a Statutory Instrument or order. The Council then conducts elections based on the new boundaries.

1.3 Thanet District Council is considering asking the LGBCE to undertake a review of the number, boundaries and names of the Thanet wards and the number of councillors elected to each, with a view to reducing the number of Councillors to approximately 36.

2.0 Why does Thanet District Council want to undertake a review?

2.1 The Council considered proposals for a single Council across Kent in March 2017, these proposals were not agreed by all of the four Councils and so they did not progress. Had these proposals been agreed an electoral review for the newly created Council would have to have been undertaken. When looking across the four East Kent Council's that would have formed the new Council, both Canterbury City Council (CCC) and Shepway District Council (SDC) have undertaken Electoral reviews to reduce the number of Councillors and Dover District Council (DDC) has very recently agreed to undertake a review. This leaves Thanet as the only Council in East Kent not to have undertaken a review.

2.2 There are two main reasons with regard to timing and the "why now?" question. The first of these is that the changes as a result of an electoral review are generally implemented at the next set of elections, as the review takes approximately a year to complete these would be the May 2019 elections. We have been informally advised by the LGBCE that to start any later than now and it would not be possible to complete the review prior to the May 2019 and so any changes required would then most likely not be implemented until May 2023. The second is that as the LGBCE are the organisation to undertake the review the Council is at their behest when it comes to when they can undertake the review. The LGBCE in its informal contact with TDC have confirmed that they have capacity to undertake the review in 2018.

2.3 Whilst not a reason to undertake the review, there may be efficiencies that may result from the review depending upon the number of Councillors the LGBCE agree to, however this will not be known until after the review has been completed.

3.0 Why is the Council suggesting a reduction to 36 Councillors?

3.1 As part of the informal discussions the Council has had with the LGBCE they have requested an approximation of number of Councillors the Council would like to have as a result of the review, which will help the LGBCE in their initial deliberations and where to place the review in its work programme.

3.2 TDC have conducted some very early comparisons with other local Council's on Council size and ratios between Population and the number of Councillors in the table below.

Authority	Population ¹	No. of Councillors	Ratio of Pop. To Cllrs
Canterbury City Council	159,963	39	4101:1
Shepway District Council	110,034	30	3667:1
Dover District Council	113,228	45 (current) 33 (proposed)	2516:1 3431:1
Thanet District Council	139,772	56 (current) 36 (proposed)	2495:1 3882:1

¹ Office of National Statistics 2015 populations estimates

3.3 As you can see from the table above TDC currently has a population to Cllr ratio of 2495:1 this is significantly higher than the ratios in both Canterbury and Shepway.

3.4 It is important to note that at this stage this number of Councillors (36) is not fixed, or represents the number that will feature in the Council's final review request to the LGBCE. As is explained in the paragraph below – "How does a review work?" the Council has to undertake a significant amount of work on researching and finalising the number of Councillors it would like before submitting its target to the LGBCE.

4.0 How does a review work?

4.1 The Local Government Boundary Commission for England (LGBCE) was established by Parliament under the provisions of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). Independent of central and local government, and political parties, it is directly accountable to Parliament through a committee of MPs chaired by the Speaker of the House of Commons.

4.2 The Commission's objectives are:

- To provide electoral arrangements for English principal local authorities that are fair and delivers electoral equality for voters.
- To keep the map of English local government in good repair and work with principal local authorities to help them deliver effective and convenient local government to citizens.

4.3 The first step of any electoral review is to determine the Council size, since it determines the average number of electors per councillor to be achieved across all wards or divisions of the authority. The LGBCE cannot consider the patterns of wards or divisions without knowing the optimum number of electors per councillor, which is derived from dividing the electorate by the number of councillors to be elected to the authority.

4.4 When the LGBCE undertake its review of the Council they will consider the following factors:

- i) The LGBCE want to receive well-reasoned proposals which clearly demonstrate the individual characteristics and needs of each local authority area and its communities and how its circumstances relate to the number of councillors elected to the authority.
- ii) The LGBCE will take a view on the right council size for an authority by considering three areas: 1) 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; 2) examination of 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 3) consideration of 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.
- iii) The LGBCE will be asking for council size proposals to reflect not simply the council's current arrangements, but also likely future trends or plans. Their aim is to ensure their recommendations remain relevant for the long term and to recommend a number that delivers effective and convenient local government well after the completion of the electoral review. Accordingly, they will be looking

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for those involved in a review to set out their vision for the local authority in five to ten years.

- iv) The council under review should examine its political management and working practices and make reasoned proposals. The LGBCE has no pre-conceived views on the number of councillors necessary to run any particular local authority effectively, and they will accept proposals for an increase, a decrease or the retention of the existing number of councillors, but only on the basis that they can be justified.
- v) The LGBCE will in providing context to the authority's proposal on council size, refer to the Nearest Neighbours model prepared and published by the Chartered Institute of Public Finance and Accountancy (CIPFA). This will identify the Council's 15 nearest two-tier district council neighbours.
- vi) There are levels at which the LGBCE would consider an authority being too small to discharge its statutory functions or too large to be able to function in an effective manner. For this reason, the Local Government Boundary Commission will give detailed consideration to proposals for council sizes of below thirty councillors or over 100 to be assured that the reduction will not jeopardise the ability of a council to manage its business effectively.

4.5 More information on undertaking electoral reviews can be found at <https://www.lgbce.org.uk/>

5.0 Next Steps

5.1 This report will be considered by Full Council at its meeting on the 12 October at which the Council will decide one of the three options above.

5.2 If option one or two is chosen then the Boundary and Electoral Arrangements Working party will take a major role at every stage of the process making recommendations to Council after each stage of consultation.

5.3 An indicative timescale for a review is included at Annex 1 to this report.

6.0 Options

6.1 To recommend to Council one of the following options:

Option One – To request the LGBCE to undertake an electoral review of TDC in 2018 with an indicative size of Council membership of approximately 36.

Option Two – To request the LGBCE to undertake an electoral review of TDC in 2018 with an alternative indicative size of Council.

Option Three – Not to request the LGBCE to undertake a review.

Contact Officer:	Nicholas Hughes, Committee Services Manager and Deputy Monitoring Officer
Reporting to:	Tim Howes, Director of Corporate Governance and Monitoring Officer

Annex List

Annex 1	Timescale for a review
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Ramesh Prashar, Head of Financial Services
Legal	Tim Howes, Director of Corporate Governance and Monitoring Officer

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Annex 1

Stage	Action	Duration*
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 Starts 12 October 2017
Council size decision	Commission analyses submissions from local authority and/or political groups on council size and takes a 'minded to' decision on council size.	5 weeks from 28 February 2018
Formal start of review		
Consultation on future warding/ Division arrangements	The Commission publishes its initial conclusions on council size. General invitation to submit warding/division 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 and they are laid before Parliament.	12 weeks ending December 2018

* Time periods shown are the expected typical duration of stages. They are not standards or undertakings. The progress of a review will be determined by the nature of the issues to be addressed and the availability of information to underpin sound decision-making, not by a determination to complete a review within any given period.

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THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Committee Services Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING

DATE..... **AGENDA ITEM**

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.