

THANET ELECTORAL REVIEW

Council	12 October 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
Previously considered by:	Boundary and Electoral Arrangements Working Party 28 September 2017

Executive Summary:

The report asks Council to decide 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 agree 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. (This alternative size must be stated)

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

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.

The law permits the LGBCE review the arrangements for all or any part of a principal local authority's area at any time.

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"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td></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>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
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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 There are a number of other factors that contribute to a suggestion of reducing the number of Councillors that represent TDC, these include:

- The Cabinet remains responsible for taking Key Decisions
- Implementation of a new constitution with high levels of delegation of executive functions to portfolio holders and officers
- Subject to those functions reserved to committees and panels, regulatory decisions are delegated by default to officers
- Move from multiple to a single Overview and Scrutiny Panel
- Limited but well managed Scrutiny programme
- Committees are authority wide rather than area based
- Meetings are always quorate with excellent levels of attendance
- Works of some committees e.g. Standards Committee has diminished
- Clear commitment to Member training and development
- Relatively high turnover of Members
- Increasing delegation of responsibilities and assets to Town and Parish Councils
- Shared services delivery e.g. EKS; EK Audit
- Other models of service delivery e.g. East Kent Housing; Your Leisure
- Further plans for future transfer of services and functions; shared services etc.
- Significant reduction in the authorities budget
- Consequent reduction in staffing numbers
- Council focus on efficiency improvement and improving value for money

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. However any proposed number has to be justified – see paragraph 4.4 (iv) below.

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 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.

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

5.0 Consideration by the Boundary Electoral Arrangements Working Party

5.1 This report was considered by the Boundary Electoral Arrangements Working Party at its meeting on the 28 September where it recommended:

To recommend that Council request the LGBCE undertake an electoral review of TDC in 2018 with an alternative indicative size of council, and that the indicative size be approximately 56 Councillors.'

5.2 If this recommendation were to be adopted by Full Council, i.e to start a review with an indicative size of 56 Councillors, then there would be no point in continuing the process further. This is because the Council in its work leading up to its final size submission would be justifying a size of 56 Councillors and would not be actively seeking to justify a reduction in number. This would mean allocating a large amount of Officer and Member time and resource in justifying the status quo. This would not be an efficient use of Council resources.

6.0 Next Steps

6.1 If option one or two is chosen then The commissioner of the LGBCE will arrange a visit to TDC to meet with Officers, Group Leaders and hold a Members Briefing open to all elected members to discuss the issue of Council size.

6.2 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.

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

7.0 Options

7.1 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. (This alternative size must be stated)

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