

REPORT FROM: CORPORATE DIRECTOR

TO: COUNCIL

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COUNCIL SIZE and FREQUENCY of ELECTIONS

PURPOSE OF REPORT:

To receive and consider the recommendations of the Governance Working Group.

RECOMMENDATIONS

- (1) That the Council agrees to the carrying out of an electoral review
- (2) That the proposed reduction in the number of Councillors be from 49 to 45 preferably in 15 wards of 3 members each.
- (3) That elections remain by thirds.
- (4) That the Corporate Director in consultation with the Governance Working Group prepare the Council's submission for discussion with the Boundary Commission.

REASON FOR RECOMMENDATIONS

To take forward the review of the number of Councillors and frequency of elections.

BACKGROUND

1. The Council last considered this on 14th July when it was resolved:

- (1) That the Council accept the desirability of reducing the size of the Council and the consequent need for an electoral review.***
- (2) That the Corporate Director be requested to produce a draft proposal to the Local Government Boundary Commission including the possible future decision making structure of the Council following the reduction in the number of Councillors, to an early meeting of Governance Working Group and then to the Council on 20th October, 2016.***

(3) That subject to the approval of the draft proposal by the Council, a meeting with the Local Government Boundary Commission be sought.

2. The Governance Working Group met on 11th November and now recommends the Council as follows;

(1) That the Council agrees to the carrying out of an electoral review.

(2) That the proposed reduction in the number of Councillors be from 49 to 45 preferably in 15 wards of 3 members each and the Corporate Director be requested to work up a submission on that basis.

(3) That elections remain by thirds.

3. This report outlines the process, the work involved and the decisions required. Appendix 1 sets out the stages of an electoral review. Appendix 2 sets out the Councillor : elector ratios as at 1st December. Appendix 3 is a comparison with the Council's "Nearest Neighbours" as defined by CIPFA.

COUNCIL SIZE AND WARDS

4. To change the number of councillors and warding arrangements, a formal electoral review by the Local Government Boundary Commission is required. The Commission would produce recommendations which would then be implemented by a Statutory Order.
5. The last electoral review was completed in 2000 when the number of councillors was reduced from 51 to 49 and there were significant changes made to existing wards. Pendle currently has 13 three-member, 3 two-member and 4 one-member wards which is a relatively complex pattern.
6. There appear to be three main reasons for reducing the number of councillors.
7. Firstly, that since 2000 the nature and role of the Council has shrunk with a reduction in resources and services provided and a much streamlined officer structure.
8. Secondly the overall number of local democratic representatives has increased significantly with the creation of Nelson and Colne Town Councils. At the same time the role of all parish and town councils is growing, especially as a result of the transfer of services and facilities to them.
9. Thirdly to reduce costs. The Medium Term Financial Plan envisages savings to be realised in 2018/19.
10. The Boundary Commission is required by law to have regard to three criteria - the need to secure as near as possible the same elector : councillor ratio across the borough; the need to reflect the identities and interests of local communities; and the need to secure effective and convenient local government.
11. The Commission recognises that absolute equality of representation is impossible but it will seek ratios close to the Council average in each ward, and normally not greater than plus or minus 10%. The greater the departure from the average the stronger the case on community identity and effective and convenient local government needs to be. It is unlikely to agree to a proposal which increases inequality of representation.
12. The starting point is the number of councillors the Council should have. There is no mathematical formula for this. It is a question of what is right for the Council. Previous reports

and discussions have envisaged a reduction of around 15 councillors. The Corporate Governance Working Group however is now recommending a reduction of around four.

13. The Commission will have regard to the numbers in those councils which are the Council's "Nearest Neighbours" as defined by CIPFA. These are set out at Appendix 3. Councillors will see that there is quite a range.
14. The Commission will have an informal discussion prior to the start of the formal review with the Council's political and managerial leadership about the proposed reduction.
15. It will also look at three areas:
 - the governance arrangements of the Council, how it takes decisions and whether there are any planned changes to this
 - the scrutiny functions relating to the Council's own decision making and its responsibilities to outside bodies and whether any changes to these are being considered
 - 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.
16. The Commission would expect a detailed submission to be drawn up on this which would set out the vision for the Council over the next five to ten years.
17. The Commission will then announce the Council size it considers appropriate for the preparation of warding proposals. The figure would not be set in stone but the Commission is unlikely to depart from it by more than one or two.
18. In preparing its proposals it will also have regard to the Council's electoral cycle - in other words the desirability of setting the appropriate number of councillors per ward in relation to the frequency of elections.
19. It will start with a presumption that if elections are by thirds there will be broadly a pattern of three member wards (and by implication a council size divisible by three). The Governance Working Group is recommending the Council to retain elections by thirds. The Council needs to confirm this or otherwise in order for the electoral review to get underway.
20. The Commission will also take account of projected changes in the number and distribution of electors over the next five years e.g. as a result of migration into or out of the borough, projected house building etc. This will be a significant piece of work which will need to be done at an early stage.
21. It would also need to consider whether any changes to town and parish councils' wards should be made as a consequence of any changes to Pendle's wards. This would be the case particularly in Nelson and Colne where most of the town councils' wards are the same as the borough wards.
22. The Commission will publish draft recommendations for consultation and then final recommendations.
23. The Commission estimates that a review of this nature is likely to take 12 months. The start date would depend on the Commission's review programme and a slot being allocated in this. The implementation of changes would be at the next elections following the making of the Statutory Order, likely to be May 2018. An all-out election would be needed.

24. The potential savings would largely be as a result of fewer payments of members' allowances. A reduction of 49 to 45 councillors would reduce the budget by approximately a third i.e. around £12,000.

FREQUENCY OF ELECTIONS

25. The Council itself has the ability to decide to move from elections by thirds to whole elections.
26. To do this it must:-
- a) consult such persons as it thinks appropriate on the proposed change
 - b) convene a special meeting of the Council
 - c) pass a resolution to change by a two thirds majority of those voting
 - d) publish an explanatory document on the decision and make this available for public
 - e) inspection, and
 - f) give notice to the Electoral Commission.
27. The Council could resolve to have the first whole elections in 2018 or 2019. It could not have them in 2017 as this a county council election year.
28. Clearly, however, if the Council wishes also to reduce the number of councillors the timing would be influenced by when the Boundary Commission electoral review is completed.
29. There are strong arguments for and against elections by thirds and whole council elections. The main case for whole council elections is that four year councils are better placed to take the long term strategic decisions increasingly needed in the present economic climate.
31. There would be savings from a move to whole elections. It is impossible to state these with total accuracy. A whole election will cost more than an election by thirds but the cost of elections in other years would be saved.
32. The Corporate Governance Group is recommending the Council to retain elections by thirds.

COUNCIL SUBMISSION

33. Initial work has been undertaken on a submission based on 15 x three member wards as requested by the Governance Working Group. As Members will appreciate numerous alternatives are theoretically possible. It will also be apparent from Appendix 1 that at present there is a good measure of electoral equality.
34. Clearly the existing four one member wards and three two member wards cannot remain as they are. The average ward electorate based on an electorate of 66,001 would be 4,400. Plus or minus 10% of this produces a range of 3,960 to 4,840. The Commission will want to see most wards within this range and where there is departure that this can be justified on strong community identity grounds.
35. The initial work shows that considerable changes would be required to many of the existing wards even to the extent of splitting existing polling districts. The Council will also wish as far as possible to retain existing area committee boundaries. Further work is underway to produce a satisfactory and acceptable proposal and this will be shared with the Governance Working Group before it is finalised.

IMPLICATIONS

- Policy:** The Council's current policies are to have elections by thirds and to ensure adequate democratic representation for electors.
- Financial:** Potential savings of around £12,000 on allowances by reducing the number of councillors; and of around £50,000 in non-election years by moving to whole council elections could start to be realised from 2018/19.
- Legal:** The Council has the necessary power to instigate an electoral review to reduce the number of councillors and the power to move to whole elections.
- Risk Management:** None arising directly from the report.
- Health and Safety:** None arising directly from the report.
- Climate Change:** None arising directly from the report.
- Community Safety:** None arising directly from the report.
- Equality and Diversity:** None arising directly from the report.

APPENDIX 1

Stages for electoral reviews

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
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
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 of 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 representation received. The Commission reaches conclusions on its final recommendations.	12 weeks

APPENDIX 2

CURRENT COUNCILLOR : ELECTOR RATIOS (December 2016 Electoral Register)

	No of Councillors	Electorate	Councillor: Elector ratio	+/-	% +/-
Pendle	49	66,001	1.1346	-	-
Barrowford	3	3,862	1.1287	-59	-4.38%
Blacko and Higherford	1	1,427	1.1427	+81	+6.01%
Boulsworth	3	4,155	1.1385	+39	+2.89%
Bradley	3	4,476	1.1492	+146	+10.84%
Brierfield	3	3,675	1.1225	-121	-8.98%
Clover Hill	3	3,551	1.1183	-163	-12.10%
Coates	3	4,185	1.1395	+49	+3.64%
Craven	3	4,132	1.1377	+31	+2.30%
Earby	3	4,703	1.1567	+221	+16.41%
Foulridge	1	1,347	1.1347	+1	+0.07%
Higham and Pendleside	1	1,430	1.1430	+84	+6.24%
Horsfield	3	3,757	1.1252	-94	-6.98%
Marsden	2	2,581	1.1290	-56	-4.16%
Old Laund Booth	1	1,212	1.1212	-134	-9.95%
Reedley	3	4,347	1.1449	+103	+7.65%
Southfield	3	3,864	1.1288	-58	-4.30%
Vivary Bridge	3	4,241	1.1413	+67	+4.97%
Walverden	2	2,691	1.1345	-1	-0.07%
Waterside	3	3,700	1.1233	-113	-8.39%
Whitefield	2	2,665	1.1332	-14	-1.04%

APPENDIX 3 - CIPFA NEAREST NEIGHBOURS

COUNCIL	NO OF MEMBERS	ELECTIONS	POPULATION (2011 CENSUS)
Hyndburn	35	thirds	80,734
Mansfield	36	four-yearly	105,893
Kettering	36	four-yearly	93,745
Gloucester	39	four-yearly	122,000
Nuneaton and Bedworth	34	halves	127,500
Worcester	35	four-yearly	95,000
Rossendale	36	thirds	67,982
Cannock Chase	41	thirds	97,462
Ashfield	35	four-yearly	119,497
Erewash	47	four-yearly	112,081
Burnley	45	thirds	87,400
East Staffordshire	39	four-yearly	113,583
Barrow in Furness	36	four-yearly	57,000
Carlisle	52	thirds	75,306
Gravesham	44	four-yearly	105,261