

Council Report

Ward(s) affected: All

Report of Managing Director

Author: John Armstrong, Democratic Services and Elections Manager

Tel: 01483 444102

Email: john.armstrong@guildford.gov.uk

Lead Councillor responsible: Joss Bigmore

Tel: 07974 979369

Email: joss.bigmore@guildford.gov.uk

Date: 8 December 2020

Periodic Electoral Review of Guildford Borough Council: Council Size Submission

Executive Summary

The Local Government Boundary Commission for England (LGBCE) has given the Council notice that it will be undertaking an electoral review of the Council in its 2020-21 programme. The LGBCE intends to carry out electoral reviews of all English local authorities that have not been reviewed in twelve or more years. Guildford was last reviewed in 1998.

The purpose of an electoral review is to consider the total number of councillors elected to the council, the names, number and boundaries of the wards, and the number of councillors to be elected to each ward.

The review process takes around a year to complete and includes at least two phases of public consultation where proposals/comments on ward boundaries will be invited. Throughout the process, LGBCE aims to work closely with the Council, local people and organisations.

The review aims not just to deliver boundaries that are fair for voters and reflect community ties, but it can also help councils align their local leadership ambitions with their decision-making arrangements.

Local government in England has changed since the results of the Council's last electoral review were implemented. Decision-making arrangements in many places are now fundamentally different, the ways by which services are commissioned, designed and delivered are constantly evolving and councillors' representational role has changed.

The LGBCE held an initial meeting with the Leader, Deputy Leader, and Managing Director in July 2020, and held a joint briefing for Group Leaders on 13 October 2020, followed on the same day by a full briefing for all Councillors. The LGBCE issued a guide for councillors in respect of the forthcoming review, a copy of which is attached as **Appendix 1** to this report. The timetable for the review is shown as Appendix 3 to the councillors' guide.

The first part of the process is the invitation from LGBCE for the Council to make a submission on Council size, that is the total number of councillors to be elected to the Council.

The proposed submission to the LGBCE on Council Size is at Appendix 2. This states a preference for a Council of 44 Councillors, based on the retention of all out elections every four years. This would represent a decrease of four councillors overall.

Following the review, if the LGBCE's final recommendations are adopted via Parliamentary Order, they will be implemented with effect from the next scheduled Borough Council elections in 2023.

Recommendation to Council

That the Council Size Submission, attached at Appendix 2, and its stated preference for a Council size of 44 Councillors, be approved and presented to the Local Government Boundary Commission for England.

Reason for Recommendation:

To respond to the LGBCE's invitation to make a Council size submission as part of the periodic electoral review of Guildford Borough Council, taking into account the following factors:

- the Strong Leader and Executive arrangements introduced since the last review
- the Scheme of Delegation of Functions to Officers extended since the last review;
- changes in the Council's functions, and the manner by which it delivers its services since the last review;
- the technological advancements in communications and the changing way in which residents access information and services;
- increasing population of the borough
- the financial position of the Council, and the country as a whole, particularly in the context of the coronavirus pandemic

Is the report (or part of it) exempt from publication? No

1. Purpose of Report

- 1.1 To provide an opportunity for the Council to suggest to the LGBCE a Council size proposal for consideration in its forthcoming consultation on warding patterns.

2. Strategic Priorities

- 2.1 The review will ensure that the Council size is appropriate for ensuring that the Council is able to deliver on its corporate priorities and in a manner consistent with the Council's desire to be open and accountable to its residents.

3. Background

- 3.1 The last electoral review of this Council in 1998 established the current Council size of 48 councillors, representing 22 wards, of which 9 were three-member

wards, 8 were two-member wards, and 5 were single-member wards. These arrangements came into effect at the Borough Council elections in 1999.

- 3.2 The Local Government Boundary Commission for England has given notice that it intends to carry out electoral reviews of all English local authorities that have not been reviewed in twelve or more years. The Commission's current programme of reviews includes Guildford.
- 3.3 The purpose of an electoral review is to consider the total number of councillors elected to the council, the names, number and boundaries of the wards, and the number of councillors to be elected to each ward.
- 3.4 The review process takes around a year to complete and includes at least two phases of public consultation where proposals/comments on ward boundaries will be invited. Throughout the process, LGBCE aims to work closely with the Council, local people and organisations.
- 3.5 The review aims not just to deliver boundaries that are fair for voters and reflect community ties, but it can also help councils align their local leadership ambitions with their decision-making arrangements.
- 3.6 Local government in England has changed since the results of the Council's last electoral review were implemented. Decision-making arrangements in many places are now fundamentally different, the ways by which services are commissioned, designed and delivered are constantly evolving and councillors' representational role has changed.
- 3.7 The LGBCE held an initial meeting with the Leader, Deputy Leader, and Managing Director in July 2020, and held a joint briefing for Group Leaders on 13 October 2020, followed on the same day by a full briefing for all Councillors. The LGBCE issued a guide for councillors in respect of the forthcoming review, a copy of which is attached as **Appendix 1** to this report. The timetable for the review is shown as Appendix 3 to the councillors' guide.

4. Part 1: Council Size

- 4.1 The first part of the process is the invitation from LGBCE for the Council to make a submission on Council size, that is the total number of councillors to be elected to the Council. As stated in the guide for councillors, the LGBCE will make its judgment on council size by considering three broad areas:
 - The **governance arrangements** of the Council and how it takes decisions across the broad range of its responsibilities.
 - The Council's **scrutiny functions** relating to its own decision making and the council's responsibilities to outside bodies.
 - 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.
- 4.2 The LGBCE emphasise that any submission to them on council size (whether it is for an increase, reduction or maintaining current arrangements), should ensure

that it addresses these areas and that the view on council size is backed up by evidence.

- 4.3 The LGBCE ask that councils under review complete their submission template for this purpose which specifies topics and key lines of explanation. The proposed submission to the LGBCE on Council Size is at **Appendix 2**. Following discussion with political group leaders, this states a preference for a Council of 44 Councillors, based on the retention of all out elections every four years. This would represent a decrease of four councillors overall.
- 4.4 When putting forward a council size submission, the LGBCE will assess the number proposed (or range of numbers) against our 'nearest neighbour' authorities as set out by CIPFA. Appendix 4 to the guide for councillors (see Appendix 1 to this report) shows how Guildford compares to its 'nearest neighbours'. The average number of councillors of our nearest neighbours is 42.5, which means that the proposal in the draft submission for a reduction of four councillors to 44 represents an above average council size when compared to our nearest neighbours, leaving us in the top quartile.

5. **Part 2: Warding Patterns**

- 5.1 The second part of the review process addresses warding patterns, but the LGBCE will not deal with this until they have determined the size of the Council at the first part.
- 5.2 Part 2 incorporates two phases of public consultation, the process for which is the sole responsibility of the LGBCE throughout the review. The first phase involves the LGBCE asking us to present our proposals for new ward boundaries. The LGBCE will use responses to that consultation to draw up draft recommendations for new boundaries across our area. Following which, the LGBCE will then hold a second round of consultation on those proposals during which time we will be able to comment on them and propose alternatives.
- 5.3 The LGBCE will then draw up new electoral arrangements that provide the best balance of the statutory criteria within which they must make their decisions. The criteria include three main elements:
 - ***Delivering electoral equality for local voters***
This means ensuring that each councillor represents roughly the same number of voters so that the value of an elector's vote is the same regardless of where they live in the local authority area.
 - ***Interests and identities of local communities***
This means establishing electoral arrangements which, as far as possible, avoid splitting local ties and where boundaries are easily identifiable.
 - ***Effective and convenient local government***
This means ensuring that the wards can be represented effectively by their elected representative(s) and that the new electoral arrangements, including both the council size decision and warding arrangements, allow the local authority to conduct its business effectively.

5.4 The LGBCE encourages and welcomes participation in the review from as wide a variety of local sources as possible. In practice, the LGBCE's communications are aimed at three broad audiences:

- The Council – elected members, staff, local political parties (including MPs).
- Local organisations – parish councils, residents' groups and other local organisations with an emphasis on groups that will enable the LGBCE to meet their responsibilities under the Equality Act.
- Members of the public.

6. Financial Implications

6.1 There are no financial implications arising directly from the making of this submission. The costs associated with the review will be met from within existing budgets.

6.2 Any reduction in the number of councillors elected to the Council following the review, will generate small savings with effect from the 2023-24 financial year, for example in councillors' allowances and ICT support. Four fewer councillors will lead to cost savings in the region of £30,000 p.a.

7. Legal Implications

7.1 The LGBCE operates under the provisions of Part 3 of the Local Democracy, Economic Development & Construction Act 2009 (the 2009 Act). This established the LGBCE in place of the former Boundary Committee of the Electoral Commission.

7.2. Under S56(1) of the 2009 Act, the LGBCE must, from time to time, conduct a review of the area of each principal council, and recommend whether a change should be made to the electoral arrangements. In this regard, "electoral arrangements" means:

- The total number of Councillors
- The number and boundaries of electoral areas¹ for the election of Councillors
- The number of Councillors to be returned by any electoral area
- The name of the electoral area

7.3 The legislation does not set out how many councillors each authority (or type of authority) will have. It is the LGBCE's responsibility to determine the appropriate number of councillors for each authority.

7.4 In making its recommendations, Schedule 2 to the 2009 Act requires the LGBCE to have regard to:

- (a) The need to secure that the ratio of the number of local government electors to the number of councillors is, as nearly as possible, the same in

¹ In this context an electoral area means a ward

every electoral area – over the five-year period following implementation of the recommendations.

(b) The need to reflect the identities and interests of local communities and, in particular the desirability of fixing boundaries:

- which are and will remain easily identifiable
- so as not to break any local ties

(c) The need to secure effective and convenient local government

7.5 Schedule 2 to the 2009 Act also states that the LGBCE should take into account any change to the number and distribution of electors that is likely to take place within the five years following the *end* of a review. This requirement means that, at the start of the review the LGBCE asks us to provide them with *six-year* forecasts of electorate changes in all polling districts, i.e. up 2026.

7.6 The LGBCE's decision on council size will mark the formal start to the review process. However, this decision will not be formalised until their Final Recommendations are agreed and published at the end of the process. This is because the number of councillors may change marginally (generally ± 1) from the initial decision if it is felt that modifying the number of councillors may provide for a pattern of wards that better reflects the three statutory criteria referred to in paragraph 5.3 above.

7.7 The Final Recommendations describe the complete set of electoral arrangements, including ward names and locations as well as the number of elected members, alongside parish warding arrangements. These recommendations will be implemented at the next scheduled borough council elections in May 2023 by means of an Order laid before Parliament.

8. Human Resource Implications

8.1 There are no HR implications arising directly from the proposals contained in this report.

9. Equality and Diversity Implications

9.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 In this regard, the Council must consider whether the decision will or could have a differential impact on: racial groups; gender; people with disabilities; people of a

particular sexual orientation; people due to their age; people due to their religious belief; or people who are pregnant

- 9.3 It is not considered that an equality impact assessment is necessary for the purpose of responding to the LGBCE on the number of councillors or patterns of ward boundaries.

10. Climate Change/Sustainability Implications

- 10.1 There are no relevant climate change/sustainability implications arising from this report.

11. Summary of Options

- 11.1 The Council essentially has three options:

Option 1:

To approve the Council Size Submission attached as Appendix 2 to this report.

Option 2:

To approve the Council Size Submission, with amendments.

Option 3:

To make no Council Size Submission.

12. Conclusion

- 12.1 The Council is long overdue a periodic electoral review, and the Council Size submission to the LGBCE is the first step in the process.

13. Background Papers

None

14. Appendices

Appendix 1: Local Government Boundary Commission for England Electoral Review of Guildford Borough Council – A Guide for Councillors

Appendix 2: Draft Council Size Submission to the Local Government Boundary Commission for England