

Council Report

Ward(s) affected: All

Report of Managing Director

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Periodic Electoral Review of Guildford Borough Council: Council Size Submission

Executive Summary

At the Council meeting on 8 December 2020, the draft Council Size Submission to the Local Government Boundary Commission for England (LGBCE) was considered and Council agreed to refer the matter for further consideration by the Corporate Governance Task Group at its meeting held on 14 December 2020 for the purpose of:

- (a) giving further consideration to the requirements of the review generally and in particular to that referred to on pages 4-5, 13, and 21 of the LGBCE's guidance to councillors;
- (b) reviewing the contents of the Council Size Submission; and
- (c) consideration of the forecast increase in electorate by 2026

and reference back to this extraordinary meeting of the Council for final approval of the Council Size Submission.

At its meeting on 14 December, the Task Group was provided with details of the Council's CIPFA Nearest Neighbours (see paragraph 4.13 below) and forecast increase in electorate by 2026, and has reviewed the contents of the draft Submission. The proposed revised draft Submission, as recommended by the Task Group including tracked changes, is set out in Appendix 1. This now states a preference for maintaining the current Council Size of 48 Councillors, based on the retention of all out elections every four years.

Recommendation to Council

- (1) That the Council Size Submission, attached at Appendix 1, and its stated preference for maintaining a Council size of 48 Councillors, be approved and presented to the Local Government Boundary Commission for England.
- (2) That the Democratic Services and Elections Manager, in consultation with the Chairman of the Corporate Governance Task Group, be authorised to make such

minor alterations to improve the clarity of the revised draft Submission document as the Council may determine.

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 including the scrutiny and advisory committees and boards;
- the necessary involvement of councillors in the regulatory functions of planning and licensing;
- 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 and concomitant increase in electorate;
- the community role and the casework load of every councillor;
- 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 a further 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 A copy of the report to last week' Council meeting containing all the relevant background information in respect of this matter and the accompanying documentation can be found on the Council's website:
[Agenda for Council on Tuesday, 8th December, 2020, 7.00 pm \(guildford.gov.uk\)](https://www.guildford.gov.uk/Agenda-for-Council-on-Tuesday-8th-December-2020-7.00-pm)

4. Council Size Submission

- 4.1 The first part of the electoral review 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 councillors¹, the LGBCE will make its judgment on council size by considering three broad areas:

¹ Appendix 1 to the 8 December report to Council

- 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 At the Council meeting on 8 December 2020, the draft Council Size Submission to the LGBCE was considered and Council agreed to refer the matter for further consideration by the Corporate Governance Task Group at its meeting held on 14 December 2020 for the purpose of:
- (a) giving further consideration to the requirements of the review generally and in particular to that referred to on pages 4-5, 13, and 21 of the LGBCE's guidance to councillors;
 - (b) reviewing the contents of the Council Size Submission; and
 - (c) consideration of the forecast increase in electorate by 2026

and reference back to this extraordinary meeting of the Council for final approval of the Council Size Submission.

Consideration by the Corporate Governance Task Group – 14 December 2020

- 4.4 In order to inform the task group's consideration of this matter, all councillors were asked individually to consider in advance of the task group meeting, and inform their political group representative on the task group, the estimated number of councillors overall they feel would be appropriate to include in our Council Size Submission and, importantly, to provide a brief summary (3 or 4 bullet points) of the main reasons for the number they suggest.
- 4.5 At the task group meeting, task group members each reported the feedback they had received from councillors from their respective political groups. It was very clear that the general consensus was for maintaining the current Council size of 48 councillors.
- 4.6 The task group noted that during the debate at the last Council meeting, some councillors had queried the reference in the LGBCE's guidance to the Council's 15 CIPFA Nearest Neighbours and the bar chart set out in Appendix 4 to their guidance. Officers have sought further advice from the LGBCE, which is set out below.
- 4.7 The LGBCE have confirmed that they make their decisions on council size based on evidence related to three aspects:

- strategic leadership,
 - accountability, and
 - community leadership.
- 4.8 The LGBCE recognise that there is considerable variation in council size across England, not only between different types of local authority, but also between authorities of the same type. In the LGBCE's opinion, local government is as diverse as the communities it serves – providing leadership, services and representation suited to the characteristics and needs of individual areas. The LGBCE therefore aims to recommend electoral arrangements, including council size, which are appropriate for the particular local authority.
- 4.9 In simpler terms, they are looking to agree a council size that is right for Guildford. They treat every council size submission on its merits against the three aspects set out above and confirm that they do not apply any mathematical formula to ensure all authorities in a similar grouping should have the same or a similar number of councillors.
- 4.10 The LGBCE have confirmed that they refer to the CIPFA Nearest Neighbours Model only to understand the contextual position of the authority being reviewed. This helps them to understand how the authority compares in its council size with its nearest neighbours and helps them to ask questions (always related to the three aspects set out above) about any proposals that appear to be outside the range. Nevertheless, they stress that Guildford's submission will **only** be assessed on the merits of its evidence and arguments related to strategic leadership, accountability and community leadership, and not on the basis of how its number compares with its nearest neighbours. There are any number of well-evidenced arguments an authority could make in favour of a proposed council size that falls outside the expected range. Authorities have different governance arrangements, different scrutiny functions, alternative models for community leadership, and this can drive significant variations in the number of councillors 'similar' authorities require to govern in a way most appropriate for their local area.
- 4.11 As to making the CIPFA data available, unfortunately under terms of the data licence the LGBCE is unable to share the CIPFA Nearest Neighbour Model externally although they say that some authorities will have access to the groupings through their own licences. The 'expected ranges', however, are made available and this is all set out in their guidance document.
- 4.12 The CIPFA data is reviewed every few years, with an update due next year. This means, that it can contain some older data, such as local authorities that do not exist anymore and this may explain why in Guildford's case, they provided a comparison against 11 of the 15 nearest neighbours. The colour of the bar charts do not represent political parties; this is purely an aesthetic look based on the formatting of the spreadsheet.
- 4.13 Since the last Council meeting, we have managed to identify Guildford's 15 CIPFA Nearest Neighbours, which appear to be based on councils that have similar socio-economic characteristic to ours. We have provided some comparative information in the table below, which was obtained from a

spreadsheet of electoral information on all two-tier districts in England provided by the LGBCE:

Council	Electors	No. of wards	Council Size	Electors per councillor
Basingstoke & Deane	136,809	18	54	2,534
Brentwood	60,611	15	37	1,638
Cherwell	112,645	16	48	2,347
Epping Forest	103,154	32	58	1,779
Epsom & Ewell	61,223	13	38	1,611
Guildford	101,811	22	48	2,121
Reigate & Banstead	107,595	15	45	2,391
Runnymede	61,331	14	41	1,496
South Oxfordshire	109,133	21	36	3,031
Spelthorne	75,723	13	39	1,942
Surrey Heath	68,563	14	35	1,959
Tandridge	64,535	20	42	1,537
Vale of White Horse	101,632	24	38	2,675
Waverley	93,951	29	57	1,648
Winchester	90,243	16	45	2,005
Woking	74,736	10	30	2,491

4.14 The borough's electorate forecast increase to 2026 is 118,557, compared to 103,253 as at September 2020. This is set out in Annex A to the revised draft Submission. The figures are broken down to polling district level and reflect a combination of the projected changes in population derived by the LGBCE from ONS statistics, extant planning permissions, and an extrapolation of housing delivery information from the latest published Land Availability Assessment.

4.15 Following a review of the contents of the draft Submission in the light of this information, the Task Group recommend that the revised draft Submission, as set out in Appendix 1 to this report, be adopted by the Council at this meeting. This now states a preference for maintaining the current Council Size of 48 Councillors, based on the retention of all out elections every four years.

5. Financial Implications

5.1 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. Legal Implications

6.1 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.

6.2. 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 areas² for the election of Councillors
- The number of Councillors to be returned by any electoral area
- The name of the electoral area

6.3 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.

6.4 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 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

6.5 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.

6.6 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 6.4 above.

6.7 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.

² In this context an electoral area means a ward

7. Human Resource Implications

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

8. Equality and Diversity Implications

8.1 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.

8.2 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

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

9. Climate Change/Sustainability Implications

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

10. Background Papers

[Agenda for Council on Tuesday, 8th December, 2020, 7.00 pm \(guildford.gov.uk\)](http://guildford.gov.uk)

11. Appendices

Appendix 1: Revised Draft Council Size Submission to the Local Government Boundary Commission for England