

WEST DEVON BOROUGH COUNCIL

NAME OF COMMITTEE	Special Council
DATE	1 July 2013
REPORT TITLE	Electoral Review of West Devon
Report of	Political Structures Working Group
WARDS AFFECTED	All

Summary of report: To consider a report which seeks to make a recommendation to the Local Government Boundary Commission for England (LGBCE) on how many Members should be elected to serve on West Devon Borough Council from the May 2015 Local Elections.

Financial implications: In the event that there is no significant variation in Council size, then there will be no financial implications of note arising from this report.

RECOMMENDATIONS:

1. That the Council's submission to the Local Government Boundary Commission for England recommends that, when looking at the roles which need to be discharged by the Borough Council, there is not a rational argument for any significant variation in Council size (e.g. number of Members elected). However, should the Boundary Commission recommend a variation in Council Size, then this should be marginal; and
2. That, based upon this decision on Council size (and the comments contained in Appendix B), delegated authority be granted to the Head of Corporate Services, in consultation with the Chairman of the Political Structures Working Group, to finalise the Council's submission to the Local Government Boundary Commission for England before the deadline of Friday, 5 July 2013.

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1. BACKGROUND

- 1.1 The LGBCE is responsible for reviewing local authority electoral arrangements, administrative boundaries and structure and has recently advised the Council of its intention to undertake a review into how many Members should serve on the Council. The aim of the LGBCE (which is independent of Government and political parties and is directly accountable to Parliament through the Speaker's Committee) is to ensure that each Member represents approximately the same number of electors.
- 1.2 A trigger point to prompt a review is when either 30% of Council wards have an electoral variance of more than 10% from the average and/or when one ward has an electoral variance more than 30% from the average. The Council currently has one ward (Hatherleigh) exceeding the 30% variance and eight wards exceeding the 10% tolerance level (as indicated on the map at Appendix A).
- 1.3 The LGBCE has stated that it accepts that the review will not result in a perfect solution to equality of democratic representation. However, any proposed variances will only be accepted if there is a sound evidence based case put forward to justify them.
- 1.4 The review will not focus solely on those wards in which the variance has been exceeded, but will determine the pattern of wards for the entire West Devon Borough. In addition, there is no provision within the review to amend or change existing town and parish boundaries. However, it is important to stress that at this stage (and the starting point of the review), the objective is for the Council to make a recommendation to the LGBCE on the Council size only.
- 1.5 The Political Structures Working Group has subsequently considered this matter at its meeting held on 3 June 2013 and a draft copy of the Council Size Submission document (as attached at Appendix B) was considered and subsequently amended at an Informal Council session which was attended by 18 Members.

2. ISSUES FOR CONSIDERATION

LGBCE Draft Timetable

- 2.1 The LGBCE has provided a draft indicative timetable for the review as follows:
 - 5 July 2013: Receipt of the Council's Evidence-Based Submission on Council size;
 - 13 August 2013: initial LGBCE decision meeting on Council size;
 - 3 September 2013: Beginning of Public Consultation Exercise on Council size;
 - 14 October 2013: End of Public Consultation Exercise on Council size;
 - 12 November 2013: LGBCE meeting to confirm Council size;
 - 26 November 2013: Beginning of information gathering stage on warding arrangements;
 - 3 February 2014: End of information gathering stage on warding arrangements;

- 29 April 2014 – 21 July 2014: Publication (and beginning) of public consultation on draft recommendations; and
- 14 October 2014: Publication of final recommendations.

Political Structures Working Group Deliberations

- 2.2 During its deliberations, it soon became apparent that there was little appetite amongst the Working Group to recommend any significant variation in Council Size. Indeed, the Working Group could not see any rational argument for the Council Size to be significantly varied and felt that its recommendation to Council should reflect this view.
- 2.3 In light of the emphasis applied by the LGBCE to governance and decision making arrangements, and the Council still being in the midst of the 'Two Committee Pilot', the Working Group also received a presentation from the Chief Executive entitled: 'Effective Local Government in West Devon'. The Group acknowledged that there were a number of issues that required serious Member consideration in the upcoming months. For the purposes of the Council Size Submission, Members felt at this stage that the presentation should be appended to the final Submission to enable the LGBCE to see that the review has prompted serious reconsideration of the Borough Council's governance and decision making arrangements.
- 2.4 Whilst it is hoped that the Council can reach a majority view and put a recommendation forward to the LGBCE, the Working Group wishes to advise Members that the LGBCE does not ultimately have to accept this option.
- 2.5 Once the Council has reached a view on its preferred Council size, then it is recommended that the Head of Corporate Services be given delegated authority, in consultation with the Chairman of the Political Structures Working Group, to finalise the Council's submission to the LGBCE before the deadline of 5 July 2013.

3. LEGAL IMPLICATIONS

- 3.1 There is provision within the Local Democracy, Economic Development and Construction Act 2009, which established the ability for the LGBCE to conduct an Electoral Review.

4. RISK MANAGEMENT

- 4.1 The risk management implications are shown at the end of this report in the strategic risks template.

Corporate priorities engaged:	All
Statutory powers:	Local Democracy, Economic Development and Construction Act 2009.
Considerations of equality and human rights:	Not affected by this report
Biodiversity considerations:	Not affected by this report
Sustainability considerations:	Not affected by this report
Crime and disorder implications:	Not affected by this report
Background papers:	Council Constitution LGBCE presentation to Informal Council on 16 April 2013
Appendices attached:	Appendix A: West Devon – Current Electoral Variances Map; and Appendix B: Draft Council Size Submission document.

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Fairness and Equity of Democratic Representation.	Failure to ensure electoral representation is fair and equitable restricts the Councils ability to deliver services reflective of local need, demand and community identity.	3	2	6	↓	By submitting a reasoned and justified submission to ensure fairness and equity of democratic representation to the LGBCE.	Head of Corporate Services
2	Levels of Democratic Representation.	A reduction in the number of Council Members may result in excessive work demands being placed on Members and reduced capacity, which could affect local representation and potentially alienate residents.	3	3	9	↔	By ensuring that the Council Size Submission is compiled appropriately to ensure that the LGBCE are aware that a drastic reduction in Council Size would harm the effective governance of the authority.	Head of Corporate Services
3	Quality of Data	That the LGBCE recommendations are based on incomplete/inaccurate data	2	1	2	↔	By ensuring that relevant service areas provide the correct and most up to date information.	Strategic Management Team

Direction of travel symbols ↓ ↑ ↔