

## HAMPSHIRE COUNTY COUNCIL

### Report

<b>Committee/Panel:</b>	Cabinet
<b>Date:</b>	30 March 2015
<b>Title:</b>	Further Electoral Review of Hampshire County Council – Council Size Submission to the Local Government Boundary Commission for England
<b>Reference:</b>	6610
<b>Report From:</b>	Chief Executive

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#### 1. Executive Summary

- 1.1. The purpose of this Report is to advise Cabinet as to the process and timetable associated with the further Electoral Review ('FER') of the Electoral Arrangements of the County Council currently being undertaken by the Local Government Boundary Commission for England ('LGBCE').
- 1.2. This Report also suggests a submission to the LGBCE on Council Size for recommendation by Cabinet to full Council.

#### 2. Contextual information

- 2.1. On 29 August 2014 the LGBCE advised the County Council that it had determined that a FER of the County Council's Electoral Arrangements should take place. An FER is a review by the LGBCE carried out under Section 56 (2) of the Local Democracy, Economic Development and Construction Act 2009 ('the 2009 Act'), and is triggered where the Commission consider 'significant' electoral inequality exists. 'Significant' electoral inequality, sufficient to trigger a review, occurs where:
  - a) 30% (or more) of Divisions have an electoral variance of more than 10% from the average for that Authority; and/or
  - b) one (or more) Division(s) has an electoral imbalance of more than 30% from the average; and
  - c) the imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period.

- 2.2. Analysis by the LGBCE using data from the February 2014 Electoral Register showed that 33% of Divisions within the County Council had an electoral variance of greater than 10%, and in consequence a FER was required by the LGBCE.

### **3. Last Electoral Review of the County Council**

- 3.1. The last Review of the County Council's Electoral Arrangements was undertaken in the period 2002 – 2004 ('the 2002-2004 Review'). The outcome of the 2002-2004 Review was that there should be an increase of four Members to 78 Members. The boundaries of all electoral divisions changed to achieve better electoral equality, coterminosity, to better reflect community identity, and also because district wards had changed as a result of district electoral reviews.

### **4. Electoral Review Process**

- 4.1. An FER has two distinct parts. Part 1 is consideration of 'Council Size'. Council Size is the number of Councillors required for the effective conduct of the County Council's business corporately, and by individual Members. In determination of Council Size, the LGBCE will consider proposals of the County Council in this regard, and any other submissions it receives. This is the main purpose of this report.
- 4.2. Part 2 of the process is consideration of new electoral division boundaries. This occurs after the LGBCE publishes its initial conclusions on Council Size. A further report on this phase will be prepared.
- 4.3. A timetable for the Review is attached at Annex 1 to this report. A briefing for Members on the electoral review process will be held on Wednesday 25 March 2015 as part of the established Members Briefing Programme.

### **5. Part 1 – Council Size**

- 5.1. As indicated at Paragraph 3.1 above, Part 1 of FER is consideration of "Council Size". LGBCE guidance indicates that in exercise of its judgement as to Council Size it will consider three key areas. These are:
  - a) The County Council's governance arrangements, and how it takes decisions across the broad range of its responsibilities;
  - b) The County Council's scrutiny functions relating to its own decision making, and the County Council's responsibilities to outside bodies; and
  - c) The representational role of County Councillors in the local community, and how they engage with people, conduct casework and represent the County Council on local partner organisations.
- 5.2. A copy of a draft submission to the LGBCE addressing these three key areas is attached as at Annex 2 to this report.

## **6. Current Electorate and Electorate Forecasts**

- 6.1. Schedule 2 to the 2009 Act requires that when making its recommendations at the conclusion of the FER, the LGBCE should take into account any changes to the number and distribution of Local Government electors likely to take place within the five years following the end of the Review. Since the review is due to be concluded in 2016, this means that electoral forecasts are required to 2021. Electoral forecasts are required as part of the Part 1 electoral review process, as electoral forecasts are also used by the LGBCE in its determination of its conclusions on Council Size.
- 6.2. Current electoral and forecast figures to 2021 are contained at Appendix 9(a) to the draft Council Size Report attached at Annex 2. Electoral forecasts are broken down per district area, as the LGBCE will first allocate a specific number of County Councillors to each district. Consideration of electoral division patterns will take place at Part 2 of the review. Further work is being done on the impact of major planned development in Hampshire for the report to full Council, therefore the figures in Appendix 9(a) may be updated as a result.
- 6.3. Details of the electorate forecasting methodology is contained at Appendix 9(b) of the draft Council Size Report contained at Annex 2. In considering electoral forecasts the LGBCE places weight on both the methodology used and consistency of application. It is therefore important that the same methodology is used consistently throughout the Council's area in producing the electoral forecasts required for the review. 2021 electorate estimates are based on the 2014 based Small Area Population Forecast ('SAPF'). The SAPF model is a proven forecasting model developed within the County Council's Research and Intelligence Team, and is consistently used throughout the County Council's area for various service planning roles, including school place planning.
- 6.4. Figures for 2014 are based on December 2014 registered electorate data supplied by each of the eleven District Councils within the administrative area of the County Council. The figures show a current electorate of 1,020,276. Based on the present number of 78 Members, this equates to an average electorate per Member of 13,080. Electorate forecasts to 2021 indicate an overall projected increase in electorate to 1,077,968. Based on the current number of 78 Members this equates to an average electorate per Member of 13,820, indicating a cumulative projected increase of 5.7% of electors on the 2014 figures. Whilst the exact increase per district varies, an increase in numbers of electorate is forecast in all eleven District Council areas.

## **7. Part 2 – Electoral Division Patterns**

- 7.1. As indicated at Paragraph 3.2 of this report, the LGBCE will not consider electoral division boundaries until such time as it has made its initial conclusions on Council Size. The reason for this, as per LGBCE guidance, is that it is difficult to formulate proposals for division patterns until the

optimum number of electors per Councillor needed to achieve electoral equality is known. A further report will be prepared for Cabinet in due course with more detail in this regard, following the outcome of Part 1 of the FER process.

## **8. Members' Working Group**

- 8.1. As indicated above, consideration of electoral division patterns takes place after determination of Council Size. At this stage the County Council has the opportunity to submit proposals to the LGBCE on electoral division patterns based on its 'minded to' decision on Council Size.
- 8.2. It is proposed that a Members' Working Group is convened to support the Group Leaders Working Group. The role of the Members' Working Group would be to make recommendations to the Group Leaders Working Group on the proposed pattern of electoral division as part of the present FER process. The group would have representation from all Political Groups represented on the County Council. It is suggested that this comprise 12 Members with one Member having the responsibility for chairing the Working Group and 11 Members having a local co-ordinating role for each of the District/Borough Council areas. Membership would be drawn from the Conservative Group (7 Members), Liberal Democrat Group (2 Members), UKIP Group (1 Member), Labour Group (1 Member), and Independent Group (1 Member). Proposed terms of reference for the Members' Working Group are attached at Annex 3 to this Report.
- 8.3. In accordance with the timetable set by the LGBCE, proposals from the County Council on electoral division patterns are required to be submitted to the LGBCE by 3 August 2015. This means that the Members' Working Group would need to conduct its work and make its recommendations to the Group Leaders Working Group by 17 June so that a report can be prepared for consideration by the County Council at its meeting on 16 July 2015 in order to meet the LGBCE's submission deadline.

## **9. Recommendations**

- 9.1. The Cabinet note the content of this report.
- 9.2. That Cabinet recommend to the County Council approval of the draft submission to the Local Government Boundary Commission for England on Council Size (attached at Annex 2 to this Report), indicating the argument and evidence to remain with 78 Members.
- 9.3. That the Chief Executive, in consultation with the Leader of the Council, be authorised to amend the draft submission to the Local Government Boundary Commission for England (attached at Annex 2 to this Report) to take account of work done on the submission between the meetings of the Cabinet and full Council.
- 9.4. That Cabinet recommends to full Council that a Members' Working Group be convened as suggested at Paragraph 8.2 of this Report in order to make recommendations to the Group Leaders Working Group in respect of

the County Council's pattern of electoral divisions, together with the Terms of Reference for the Members' Working Group, as set out at Annex 3 to the Report.

**CORPORATE OR LEGAL INFORMATION:**

**Links to the Corporate Strategy**

**This proposal does not link to the corporate Strategy but, nevertheless, requires a decision because:**

A decision is required to enable the County Council to respond to the Local Government Boundary Commission for England with its view on Council Size as part of its review of the County Council's Electoral Arrangements.

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
None		
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	
Local Democracy, Economic Development and Construction Act	2009	

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

- (a) An Equalities Impact Assessment has not identified any particular impacts on individuals with protected characteristics

### **2. Impact on Crime and Disorder:**

2.1. There is no impact on crime and disorder.

### **3. Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption? Not applicable.
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? Not applicable.