

## **AGENDA ITEM NO.**

<b>Board/Committee:</b>	POLICY & ORGANISATION BOARD
<b>Date of Meeting:</b>	TUESDAY, 29 SEPTEMBER 2020
<b>Title:</b>	ELECTORAL REVIEW BY THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND
<b>Author:</b>	ELECTORAL REGISTRATION OFFICER
<b>Status:</b>	FOR DECISION & RECOMMENDATION TO FULL COUNCIL

### **Purpose**

To advise the Board of the next steps required by the Borough Council regarding the statutory review currently being undertaken by the Local Government Boundary Commission for England (LGBCE), and to make recommendations to Full Council.

### **Recommendation**

1. To approve the following proposals and documents as set out in this report for recommendation to Full Council on Wednesday 07 October 2020:
  - a) Local Government Boundary Commission for England: Polling District Forecasting Tool for the Borough of Gosport – attached as Appendix 1;
  - b) Council Size submission for the Borough of Gosport to the LGBCE – attached as Appendix 4 (to follow);
  - c) Gosport remains with the current electoral cycle and elects by halves;
  - d) Gosport remains with the current ‘alternative arrangements’;
  - e) authority be delegated to the Electoral Registration Officer, in consultation with the Leader of the Council, to make further editing changes, correction and updates to the Council Size document prior to submission to the LGBCE.

### **1.0 Background**

- 1.1 The Local Government Boundary Commission for England (LGBCE) informed the Council that they would be undertaking a statutory review of the electoral arrangements with regard to the Electoral Ward boundaries at an informal meeting with The Leader of the Council, the Chief Executive and the Electoral Registration Officer in January 2020.

- 1.2 Three briefings led by the LGBCE took place in June with the Officers Group, Political Group Leaders and all Elected Members.
- 1.3 The next steps required of the Council are to submit the Electoral Forecast for 2026 and the Council Size submission, which are before the P&O Board this evening. The recommendations from this Board will be taken to the next Full Council meeting for approval, to meet the deadlines of draft submission by 12 October and final submission by 02 November 2020, as outlined in LGBCE briefings delivered to all Elected Members in June 2020.
- 1.4 The Officers' Group have been progressing their actions since these meetings, and now have the Electoral Forecast template completed, based on the information currently available to officers on planned developments across the Borough between July 2020 through to 2026, as required.
- 1.5 Informal discussions on this document have been held between Gosport's Electoral Registration Officer (ERO) and the LGBCE Officers. The suggestions and comments from the LGBCE Review Officer have been actioned and cross referenced in Appendix 1.

## **2.0 Report**

- 2.1 **Electoral Forecast for the Borough of Gosport in 2026**  
The Local Government Boundary Commission for England (LGBCE) has a statutory duty to ensure that all its reviews are based on robust forecasts of future electorates.
- 2.2 The Borough Council has to provide some historical elector data using the Polling District Forecasting Tool spreadsheet supplied by the LGBCE. The form automatically generates provisional Polling District level forecasts for the authority based on both the Office of National Statistics (ONS) population forecasts and the historical elector data entered.
- 2.3 The LGBCE requires the Borough Council to provide Polling District elector counts for the last three years. The exact years requested were for July 2018, July 2019 and July 2020.
- 2.4 The spreadsheet allowed the Borough Council to enter the Polling District data. The Council used a combination of this and ONS data to produce a forecast of each Polling District's electorate in the future.
- 2.5 The last few columns allow the Borough Council to challenge the forecast and then provide some reasoning, which has resulted in 7 of the forecasted Polling Districts being challenged (GB3, GF1, GG1, GJ3, GL1, GQ1 and GQ2) due to new developments within the Electoral Wards between 2020-2026.

- 2.6 **Electoral Cycle for the Borough of Gosport**  
Currently the Borough of Gosport elects in halves, with a Councillor from each Electoral Ward up for election every two years. Before 2000, when the current electoral ward boundaries were introduced following the last review, Gosport had 10 Wards with 3 Councillors in each.
- 2.7 As the Borough Council is having a statutory review of its Electoral Wards, it also seems appropriate to undertake a review of the electoral cycle at the same time. Although this falls outside of the scope of the review being undertaken by the LGBCE, the Borough Council can decide its electoral cycle under powers set out in the Local Government and Public Involvement in Health Act 2007 and from the Localism Act 2011.
- 2.8 The options available to the Borough Council are as follows:
1. Remain with the election by halves;
  2. Request that the Secretary of State approves a move back to election by thirds;
  3. Hold 'all out' elections every four years.
- 2.9 There are 131 District Councils that currently hold all out elections, 54 that elect in thirds, and seven that elect in halves.
- 2.10 It is proposed that Gosport remains with the current electoral cycle and elects by halves, following the Local Government Elections held in May 2022.
- 2.11 **Electoral Arrangements**  
As the Borough Council is having a statutory review of its Electoral Wards, it also seems appropriate to undertake a review of the electoral arrangements for completeness. Although this is outside of the scope of the review being undertaken by the LGBCE, the Borough Council can decide its electoral arrangements under powers set out in the Local Government Act 2000, amended in part by the Localism Act 2011.
- 2.12 The Borough Council is currently an 'alternative arrangements' (Committee system) authority and the Electoral Arrangements used by the Authority will form the basis and the cornerstone of the submission to the LGBCE on our Council Size requirements.
- 2.13 The options available to the Council under the Local Government Act 2000 are as follows:
1. Remain as is, using the 'alternative arrangements';
  2. Mayor and cabinet executive: this may consist of—
    - (a) an elected mayor of the authority, and

- (b) two or more (but no more than 10) councillors of the authority appointed to the executive by the elected mayor.
- 3. Leader and cabinet executive: this may consist of—
  - (a) a councillor of the authority (the executive leader) elected as leader of the executive by the authority, and
  - (b) two or more councillors (but no more than 10) of the authority appointed to the executive by one of the following—
    - (i) the executive leader (known as the 'strong leader' model) , or
    - (ii) the authority.
- 4. Mayor and council manager executive: this may consist of—
  - (a) an elected mayor of the authority, and
  - (b) an officer of the authority (referred to in this Part as the council manager) appointed to the executive by the authority.

- 2.14 Most Local Authorities within Hampshire are following the Leader and Cabinet Executive arrangements (their size of electorate does not allow them to use the 'alternative arrangements' system). The only other Council in Hampshire that is allowed to consider the 'alternative arrangements' system is Rushmoor, who have chosen the Leader and Cabinet system.
- 2.15 Any change to the Electoral Arrangements will require approval by the Secretary of State (SoS), as outlined in the Localism Act 2011 and the Local Government and Public Involvement in Health Act 2007. Before the request is made to the SoS a resolution of Full Council would be required under the Constitution; however the Council is not required to hold a Community Governance Referendum on the matter.
- 2.16 It is proposed that Gosport remains with the current 'alternative arrangements', as it is believed that this arrangement of Boards and Committees provides greater Elected Member involvement in the strategic aims and operations of the Council.
- 2.17 Appendix 2 attached to this report shows the comparison of neighbouring Local Authorities, with electorate total, number of Electoral Wards, number of Polling Districts and the Average Electors per Councillor, both for the current Gosport arrangements, and also for the proposed arrangements.
- 2.18 New Forest District Council are currently undergoing a statutory review of the electoral size, and have submitted their Council Size documentation, and are currently working with the LGBCE on the Warding Arrangements. Their current and proposed electoral information has been included in Appendix 2.

2.19 **Council Size**

The Local Democracy, Economic Development and Construction Act 2009 gives the LGBCE the power to review the electoral arrangements of all principal councils in England.

2.20 The legislation states that 'the total number of members of the council' forms part of an authority's electoral arrangements. The LGBCE refers to this more simply as 'council size'. The legislation does not set out how many members/councillors each authority will have. It is the Commission's responsibility to determine the appropriate number of councillors for each authority.

2.21 Electoral reviews take place infrequently and the LGBCE wants Local Authorities to take the opportunity to ask themselves questions about the important roles of Councillors in providing leadership, securing accountability and offering community leadership.

2.22 The Council Size submission is attached at Appendix 4. The main recommendation of the submission is that the Borough of Gosport is composed of 28 Councillors from the Local Government Elections held in May 2022 onwards.

2.23 This figure has been reached by assessing the Council's governance arrangements in the context of the LGBCE criteria. The LGBCE is expecting to receive the Council's submission in respect of Council Size by no later than Monday 02 November 2020.

2.24 As part of the ongoing dialogue between the Borough Council and the LGBCE, the Council's draft proposals have been shared with the LGBCE review team. To ensure any feedback from the LGBCE is adequately reflected in the Council's final submission, it is proposed that authority be delegated to the Electoral Registration Officer, in consultation with the Leader of the Council, to make further editing changes, correction and updates to the document prior to submission. It is anticipated that these will be minor in nature.

2.25 Approval by P&O Board and by Full Council would not stop the submission of Council Size proposals and evidence from any political or other interested party within the Borough, even if they have representation on this Board. The LGBCE clearly states in its guidance:

- All submissions will be considered equally, and decisions will be made based on the strength of evidence put forward; and
- Where the Commission receives multiple finely balanced proposals, or a single poorly evidenced case, it may request further information from the respondents. If further information is not forthcoming, the Commission reserves the right to put forward its own number based on its own experience and judgement. It may also choose to carry out a period of consultation.

### 3.0 **Next steps**

- 3.1 It is anticipated that the LGBCE will make a decision on Council size on 04 January 2021. It should be noted that this figure may subsequently be amended if necessary, to allow for a warding pattern to be developed which produces electoral equality as best as possible. Any such amendments would likely be minor, i.e. +1 or -1.
- 3.2 Once the Council Size submission is complete, the Officer Group will focus efforts on developing warding pattern proposals for submission in early March 2021.
- 3.3 The process will conclude with the publication of the LGBCE final recommendations in November 2021, before the necessary parliamentary orders are laid and then made from December 2021 into early 2022. The new electoral arrangements will be implemented from the May 2022 Local Government Elections onwards.

### 4.0 **Risk Assessment**

- 4.1 The Council has to comply with the requirements of the LGBCE statutory review.

<b>Financial Implications:</b>	No comments received
<b>Legal Implications:</b>	Contained within the report
<b>Crime and Disorder:</b>	No comments received
<b>Equality and Diversity:</b>	No equality impact assessment (EIA) has been carried out as recommendations in the report are not considered to discriminate on the basis of any protected characteristic of the Equality Act 2010. The Electoral Registration Officer (ERO) is required to have regard to the public sector equality duty contained in Section 149 of the Equality Act 2010 when carrying out his duties.
<b>Equality Impact Assessment:</b>	N/A
<b>Service Improvement Plan:</b>	N/A
<b>Corporate Plan:</b>	This process aligns with the Strategic Priorities to 'Deliver effective services' and 'Empower our residents'
<b>Risk Assessment:</b>	Failure to make submissions of Electoral Forecast and Council size and evidence would result in the LGBCE having to made recommendations on limited local knowledge and experience, which could

	provide problems for the Council is ensuring it is meeting its statutory obligations to the residents and business in the Borough of Gosport
<b>Background papers:</b>	1. LGBCE Full Council Presentation on the Boundary Review for Gosport 2. LGBCE Members Briefing Pack
<b>Appendices:</b>	
Appendix 1	Local Government Boundary Commission for England: Polling District Forecasting Tool for the Borough of Gosport
Appendix 2	Electorate and Wards comparisons with neighbours
Appendix 3	The LGBCE guidance on making a strong submission
Appendix 4 – <b>to follow</b>	Council Size submission for the Borough of Gosport to the LGBCE
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