

Report of	Meeting	Date
Director of Policy and Governance	Council	23 January 2018

ELECTORAL REVIEW UPDATE

PURPOSE OF REPORT

- To provide elected members with an update on the electoral review of Chorley Council and the formulation of an Electoral Review of Chorley Council Committee to oversee the review process and implementation of the recommendations.

RECOMMENDATION(S)

- To note the arrangements and timetable for the Electoral Review.
- Appoint to the Electoral Review of Chorley Council Committee and approve the attached draft terms of reference (appendix A).
- To consider and make recommendations to the frequency of local elections for Chorley Council and whether to continue to undertake elections by thirds, or to opt for whole-council elections every four years.
- To consider and make recommendations to whether the Council wishes to defer its 2019 local government elections in response to whole-council elections in 2020 on the new ward arrangement. If agreed, a formal request will be made to the Secretary of State for a deferment of the 2019 local elections by Order under section 87 of the Local Government Act 2000, setting out the reasons for requiring the change.

EXECUTIVE SUMMARY OF REPORT

- In preparation for the Local Government Boundary Commission for England's (LGBCE) electoral review of Chorley Council, this report considers the need to convene a new committee to oversee the review process and the implementation of recommendations.
- The report also considers the implications that the electoral review may have on the election cycle following the review, and the process involved in postponing the 2019 local government elections in light of the 2020 whole council election.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local		A strong local economy	
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area and equality of access for all			
Clean, safe and healthy homes and communities		An ambitious council that does more to meet the needs of residents and the local area	X

BACKGROUND

9. The last electoral review conducted by the Local Government Commission for England was in 1999/2000, with the final recommendations being published in September 2000. The outcome of that review resulted in a reduction in the number of Councillors from 48 to 47, and the number of wards from 22 to 20.
10. Since then, the LGBCE has been formed and is now responsible for conducting electoral reviews under Section 56, of the Local Democracy, Economic Development and Construction Act 2009 (Act). This Act requires an electoral review to be carried out from 'time to time'. It was therefore timely that in 2017, Chorley Council was informed of the LGBCE's decision to carry out an electoral review of the council size (number of elected councillors), the number of wards and their boundaries.
11. By law, the LGBCE have to take account of three main considerations when conducting an electoral review as set out in Schedule 2 of the Act:
 - Improve electoral equality by equalising the number of electors each councillor represents
 - Reflect community identity
 - Provide for effective and convenient local government
12. Electoral reviews are initiated primarily to improve electoral equality. This means ensuring as far as is reasonable, that for any principal authority the ratio of electors to councillors in each electoral ward or division is approximately the same.
13. Under the criteria adopted by the LGBCE, there are two conditions considered to warrant a review, if the imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period:
 - Any local authority with an electoral division or ward that has an electoral variance of 30% or over. This means a division or ward having 30% more or fewer electors per councillor than in average for the council as a whole, and;
 - Any local authority where more than 30% of divisions or wards have an electoral variance of over 10% from the average for that authority.
14. Based on the electoral date given to the LGBCE by this authority, both of the above conditions have been met:
 - 6 of the electoral wards have a variance greater than 10%
 - 1 of the electoral wards has a variance of over 30%
15. On 23 October 2017, the Chair and Chief Executive of the LGBCE met with the council's Executive Leader and Chief Executive to discuss the review process. This was followed up by a series of briefings held on 6 December for the council's political group leaders, councillors, parish and town council representatives and relevant officers of the council.

ELECTORAL REVIEW PROCESS

16. The electoral review, which is due to commence in June 2018, will have two distinct parts:

- **Council size** – before the LGBCE re-draws ward boundaries, it will come to a view on the total number of councillors to be elected to the council in future. A conclusion on council size will be drawn after hearing the council’s (and/or councillors’) views during the preliminary phase.
- **Ward boundaries** – the LGBCE will re-draw ward boundaries so that they meet their statutory criteria. The council will have the opportunity to put forward its ideas in two phases of public consultation.

17. A timetable for the review is detailed below:

Stage Starts	Description
June 2018	Number of Councillors decided.
June 2018	Start consultation seeking views on new wards
September 2018	End of consultation; LGBCE analyse submission and form draft recommendations
November 2018	Publication of draft recommendations, start of second consultation
January 2019	End of consultation; LGBCE begin analysing submissions and forming final recommendations
March 2019	Publication of final recommendations
Ordinary day of elections 2020	Election on new electoral arrangements.

18. The majority of the work for the electoral review will be conducted by the LGBCE; although the overall process is a collaborative one with the council. The council is expected to provide information/data, to consider electorate forecasts five years after the completion of the review, and put forward its own preferred recommendations to assist with the process. It is worth noting that any organisation or individual may make proposals to the LGBCE about the whole borough or part of it. The LGBCE is not duty bound to accept a proposal in whole or part from the council, but will make a judgement based on the best evidence available to it.
19. As part of the review the LGBCE will also conduct their own independent site visit of the borough, the purpose of which is to gain a practical understanding of natural boundaries and issues raised as part of the consultation.
20. In 2020, the first local government election on the new electoral arrangements will be a whole-council election based on the new wards, and will bring the review to a close.
21. Unless the council decides otherwise, it is anticipated that elections will return to elections by thirds as soon as practicable afterwards. Those members who poll lowest will serve 2 years, those who poll second will serve 3 years and those who poll the highest will serve 4 years.
22. There is an additional option for local government elections to take place biennially. This is when half of the council is elected every two years.

COUNCIL SIZE

23. Prior to the commencement of the review, the LGBCE requires the council to submit its preferred size based on the number of councillors it considers is needed for effective and efficient governance. Once the figure has been approved by the LGBCE, the review process will commence. The council size needs to be considered carefully. In reaching its figure, the council will need to consider its executive arrangements, scrutiny functions. and the role of councillors on external bodies and within the community.

24. When considering the council size, the figure agreed may also have an impact in the frequency of its local government elections. The maximum number of councillors per ward the LGBCE would agree too is three. However, should the council wish to continue to elect by thirds (the fourth year being a fallow year for local government elections) the figure agreed must be divisible by 3. Should the council wish to change its election pattern to whole-council elections every four years the LGBCE is able to propose any pattern of wards that it believes best meets its statutory criteria. This is usually a mixture of single, two and three member wards. Biennial elections would require an even number of councillors, two member wards.

NEXT STEPS

25. To co-ordinate and oversee the review process, and implement any decisions, it is proposed that an Electoral Review Committee is formed. This politically balanced committee should consist 8 members (4 Labour, 3 Conservative and 1 National Health Action Party). The draft 'terms of reference' for the committee is attached to this report (appendix A) for approval. An officer working group has been formed, the purpose of which is to gather evidence to support the council's submission and will present its findings to the committee for consideration. Recommendations of the committee will be referred to the next available council meeting for approval.
26. Members may recall from the report presented at the Executive Cabinet meeting on 5 October 2017, that there was an intention for this committee to be formed at the council's annual meeting in May 2018. However, since that report was presented, the authority took receipt of the LGBCE's timetable for the review (paragraph 17), after which it was considered that the committee should be formed as soon as practical.

2019 ELECTION

27. With a whole council election taking place on the new ward boundaries in 2020, the reality for those members elected in 2019 is that they would only serve a 1 year term.
28. Since being informed of the review, there have been a number of enquires by members as to the possibility of postponing the 2019 local elections. As a result, advice was sought from the Department for Community and Local Government (DCLG). In response, the DCLG advised that for the council to defer its 2019 local government elections, a formal request would need to be made to the Secretary of State setting out its reasons for requiring the change. The Secretary of State would then decide whether to proceed, and if he chose to do so would begin the formulation of the necessary Order.
29. Members are asked to debate whether they wished to proceed with the formal request being made to the Secretary of State and the reasons for the change.

IMPLICATIONS OF REPORT

30. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	X	Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

31. There are no direct financial implications resulting from this report however the outcomes of the boundary review are likely to have financial implications for the Council's revenue budget.

COMMENTS OF THE MONITORING OFFICER

32. No Comments.

REBECCA HUDDLESTON DIRECTOR OF POLICY AND GOVERNANCE

There are no background papers to this report.

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