

Overview and Scrutiny Committee – 12 October 2015

Electoral Review Task and Finish Group

Proposed Committee Recommendations:

That Full Council be requested to:

1. Consider the findings of the Electoral Review Task and Finish group, and agree that the Council does not, at this time, ask the Local Government Boundary Commission for England to undertake an electoral review of Tunbridge Wells Borough; and
2. Reconsider the benefits of moving to whole council elections based on the work previously undertaken by a Whole Council Elections Task and Finish Group, which identified potential financial savings of £195,000 over an eight year period.

1. Background

On 13 February 2014 Councillor Chapelard put the following motion to a meeting of the Full Council:

"That the Council reiterates its commitment to consider reducing the current number of Borough Councillors. This Council therefore requests the Local Government Boundary Commission for England to conduct an electoral review of Tunbridge Wells Borough".

Full Council agreed to look into the matter further, and subsequently an Electoral Review Task and Finish Group was established to report back to Full Council on 15 October 2014 with its findings and recommendations. Full Council considered the findings and agreed the following further recommendations for the Overview & Scrutiny committee to take forward:

1. That the Council undertakes further work to understand more fully the implications of an electoral review in Tunbridge Wells Borough, with the intention of the Overview and Scrutiny Committee reporting back to Full Council for a decision in the autumn of 2015.
2. That the Electoral Review Task and Finish Group be requested to progress this work particularly dealing with:
 - i. The electorate forecasts for the borough of Tunbridge Wells and estimate when our forecasts would automatically trigger a review by the Commission
 - ii. The numbers of Councillors that the Council should have including the governance of the Council and the representational role of Councillors
 - iii. The case for moving to, or not, whole council elections, and
 - iv. When any changes could be implemented.

3. The Overview and Scrutiny Committee report back to Full Council for a decision, not before October 2015, on the result of the work outlined in (2) above.

2. Evidence Considered by the Task and Finish Group

In their approach to investigating the above issues the Task and Finish Group considered the following evidence before coming to a conclusion:

a. Discussions with the Local Government Boundary Commission

Following detailed discussions with the Local Government Boundary Commission (LGBC), it was discovered that there are two ways in which an electoral review can be initiated within the Borough. The first way would be for the LGBC to undertake an "intervention" or further electoral review (FER), whereby the authority has triggered one of the following criteria as determined by the LGBC:

1. One ward with +/- 30% or more of the average number of electors per ward for that authority.
2. Thirty percent of wards with +/- 10% or more of the average number of electors per ward for that authority.

The second would be for the Council to invite the LGBC to undertake an electoral review of the borough for any other reason. This would need cross-party support, which would have to be demonstrated to the LGBC before being undertaken.

Based on advice from the LGBC, early evidence indicated that although the borough council did not trigger an intervention review, further investigation was needed to determine whether, over the next five years, the borough council would reach that trigger. The LGBC must give regard to the likely increase, decrease or movement in the electorate over a five-year period from the making of its final recommendations and this was used as the basis for further forecasts. The Council would, however, still need to consider whether it would be worthwhile to invite an electoral boundary review for any other reason.

b. The Electoral Review of Kent County Council

The Task and Finish Group looked at the draft recommendations from the Local Government Boundary Commission (LGBC) following an electoral review of Kent County Council. This was necessary as a potential review could not be considered by the borough council until the county council's review had been completed. The borough council would also have to take into account any changes to ward boundaries following the review. Publication of the final recommendations has been delayed to allow further, limited consultation in Sevenoaks. The decisions for the remaining 11 authorities remain unchanged, which for Tunbridge Wells borough means minor changes which affect the county division boundaries of Goudhurst and Cranbrook.

c. Consultation

All Member Survey - The group considered the results of an all member survey which looked to gauge the amount of time members spent on Council duties and through engagement with constituents. The survey also sought to understand member's views on an appropriate Council size. The level of response was positive, however there was no clear opinion either way for reducing, or indeed, increasing the current numbers, with 33 percent of respondents favouring a council size of 44-48 members and 27 percent of respondents favouring 48-52 members. It was noted from the survey that, overall, the amount of time dedicated to Council and constituent duties was the same, or had increased. It was further noted that members felt the amount of time spent reading papers, attending more informal meetings, working groups and briefings had also increased.

Town and Parish Chairman's Mini Survey – The group received responses from a small survey of town and parish chairman asking if they considered the current numbers of councillors sufficient and whether they felt their residents were being well represented through borough councillors. The majority of respondents did not see a need to change the council size and felt borough councillors were representing their constituents. Of the eight responses received, four were in favour of elections by thirds and four favoured whole council elections. Additional comments received asked for a closer working relationship between the borough council and town and parish councils and better communication. It should be noted that 93 percent of those respondents to the all member survey are also town or parish councillors.

The Tunbridge Wells Town Forum Mini Survey – The Town Forum Management Committee have also been asked for their views on council size and representation of the town by borough councillors. A summary of responses will be provided at the meeting.

d. Comparisons

The group looked at comparisons between the number of meetings and attendances required in 2000/2001 (prior to adoption of the Cabinet and Leader model of governance in 2002), and the number of meetings and attendances in 2014/15. The comparisons show that, notwithstanding the Licensing Sub Committee, the number of formal meetings members are now required to attend has reduced.

e. Mapping of the Current Electorate and Forecasts to 2020

The Task and Finish Group looked previously at mapping for the borough based on electoral figures for April and October 2014. During subsequent meetings mapping for the borough which reflected elector numbers as at September 2015 and forecasts for 2020 were also considered. These can be seen at appendix B to the report.

One of the reasons the LGBC would undertake an electoral review would be if, either 30 percent of the borough's wards were at a plus or minus variance of ten percent to the average elector/councillor ratio for the borough as a whole, or one ward was at a plus or minus variance of 30 percent to the overall average.

The Task and Finish Group analysed evidence from the Council's draft Strategic Housing Market Assessment (SHMA), which predicts the number of households that the borough will increase by over a twenty year period and where these increases are likely to happen. Using the population forecasts from the Office of National

Statistics (ONS) and the average percentage of electors to population over the last five years, an average increase of 3,748 electors over a five year period was derived.

Using this figure along with current electoral mapping, this shows that whilst a number of wards are currently approaching a trigger point with a minus percentage, predicted development in areas such as Hawkhurst and Paddock Wood, and expected population increases will result in the variances in those wards actually decreasing and moving away from the trigger point.

As a result this would reduce the likelihood of thirty percent of the borough's wards reaching the trigger point within the next five years. The one ward which is currently approaching a plus 30 percent variance, St James's, is not likely to attract any significant development over the next five years. Nor is a significant increase (in line with the overall increase for the borough) in population expected for this ward.

3. Key Issues Arising from the Review

Following analysis of the above evidence and after discussions with the LGBC the Task and Finish Group felt the following key issues were important to their final opinion:

Councillor numbers

This is the starting point for the LGBC when considering a review. However, when discussing a reduction in Councillor numbers solely as an efficiency saving the Task and Finish Group members were minded to note the Commission's core principles which are:

- Establishing and maintaining the conditions for a fair and representative democracy at local level;
- Ensuring that recommendations are based on evidence, and that the representations of all those participating in a review are treated equally and without bias; and
- To conduct reviews with transparency and the involvement of local people.

How and when a review may be instigated

As previously stated, the Commission could initiate a review of the council's electoral arrangements without the need for the council to invite them in if certain councillor/electorate ratios are triggered. Having considered the electoral forecast for the borough, the group was satisfied that, other than a considerable and sudden change in the population/electorate (which could not be predicted) it is unlikely that the borough would reach any of the variances in the next five years that would automatically trigger a review.

Electoral cycle

An authority can choose to change its electoral cycle if it wishes without reference to the Commission. An authority which elects its members by thirds is required by the Local Democracy, Economic Development and Construction Act 2009 to establish three member wards throughout the authority, should a review be undertaken.

Whole council elections

The Overview and Scrutiny Committee originally considered a report on 19 December 2012, which included a business case produced by a Whole Council Elections Task and Finish Group. A further report was presented to Full Council on 20 February 2013 recommending that the Council consult on whether to move to whole council elections for Tunbridge Wells

Borough Council. The report recommended moving to whole council elections for the following reasons:

A move to whole council elections:

- Provides an opportunity for all electors in the area to influence the composition of the authority at the same time.
- Encourages greater long-term planning by the Council.
- Gives a four year mandate that would support the Medium Term Financial Strategy.
- Maintains the level of voter turn out.
- Would achieve a financial saving of £195,000 over eight years.

The recommendations to the Full Council in February 2013 **were not** carried. The views of the majority of members at that time were that Elections by Thirds:

- Provides a more democratic process through which the Council could engage with the electorate;
- Provides a good mix of experienced and new councillors;
- Are well contested elections; and
- Reduces the risk of policy reversal

The business case appended to the December 2013 report indicated that the earliest point at which whole council elections at that time could be implemented was 2015. This was to align with other authorities' whole council election years within the county, and to avoid the County Council election year.

If a resolution is passed by Full Council now, the earliest year in which the Council could hold whole council elections would be 2019. European elections would take place in that year also. The Council would continue to elect by thirds with 2018 as the final year in which elections by thirds would take place.

4. Conclusions

At the start of the review process it was considered prudent for the Council to prepare for a potential review of the electoral arrangements so that by the end of October 2015, if it was minded to do so, the Council could either request a review itself or be ready should the Commission instigate an intervention. There was no clear evidence that the borough would trigger an intervention review in the next five years.

The Task and Finish Group concluded that it was not necessary for the Council to ask the LGBC to undertake an electoral review and that, based on the predictions for the Borough's electorate up to 2020, as detailed in appendix B to the report, an intervention review (FER) would not be triggered.

It was the opinion of the Task and Finish Group that there was not enough evidence to support requesting a review solely on the basis of achieving a saving by reducing the number of Councillors, particularly in light of the comments received from the LCBC regarding value for money and how this was assessed.

Based on the responses received from the consultation exercises, there was not a clear evidence base for recommending either increasing or decreasing the number of councillors at this time.

Finally, the Task and Finish Group considered that there was an argument for the Council to reconsider its position regarding whole council elections, given the potential cost savings involved as demonstrated by the previous review into this subject.