



AGENDA ITEM: 8

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE: 14 JULY 2016**

COUNCIL: 20 JULY 2016

Report of: Borough Solicitor

**Contact for further information: Mr Thomas Lynan (Extn. 5013)
(E-mail: thomas.lynan@westlancs.gov.uk)**

SUBJECT: ELECTORAL REVIEW OF WEST LANCASHIRE

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To inform members of the outcome of work undertaken by the Public Involvement in Meetings Working Group (the Working Group) in regard to a review of the Council's elected membership, ward boundaries, members per ward and the electoral cycle.

2.0 RECOMMENDATIONS TO CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE

2.1 That the report and appendices be noted.

2.2 That the Committee accept the view of the Working Group that the status quo be maintained for the reasons stated within sections 4 to 9 of this report and recommend to Council that no further action be taken at this time.

3.0 RECOMMENDATION TO COUNCIL

3.1 That the recommendation of the Corporate & Environmental Overview & Scrutiny Committee be considered.

4.0 BACKGROUND

4.1 By a decision of Council and then Corporate Overview and Scrutiny Committee the Working Group's Terms of Reference were extended to include the following:

- "2. To undertake a formal review of:
 - The elected membership of this Council,
 - Current ward boundaries,

- The number of members per ward, to assess the most appropriate, efficient, effective, democratic and cost effective membership structure for West Lancashire Borough Council.
- 3. To, as part of the review, consider the pros and cons of 'all out' or 'en-bloc' elections versus the current 'rotation' elections and make recommendations for consideration by Members, and residents via public consultation."
(Minute 30 of Council, 22 July 2015 and Minute 28 of Corporate & Environmental Overview & Scrutiny Committee of 15 October refer.)

Following consideration of its extended Terms of Reference (and the carrying out of relevant work) the Working Group were requested to report to the Corporate & Environmental Overview & Scrutiny Committee and Council on the steps it considers necessary to carry out this review, indicating the timescales and any financial impact."

- 4.2 The Working Group has met several times, considered two detailed reports from officers and also undertook a visit to Knowsley Metropolitan Borough Council to discuss their recently completed Boundary Review. Relevant Minutes of the Group are at Appendix B to the report.

5.0 CHANGING COUNCIL SIZE AND WARD BOUNDARIES

- 5.1 A review is required before any changes to councillor numbers and/or ward boundaries can be made. West Lancashire does not currently meet any of the requirements for an automatic review by the Local Government Boundary Commission (the Commission) and based on the population estimates used for the recently completed Lancashire County Council Review, West Lancashire will not meet the requirements for an automatic review by 2021.
- 5.2 Whilst 5.1 does not prevent the Council from requesting that the Commission undertake a Review of West Lancashire, the cost of undertaking such a review would rest solely with the Council, and given the Commission's current workload and requirement for preliminary work to be completed by the Council, any requested Review of West Lancashire would only likely be completed by 2020/21 at the earliest.
- 5.3 Once a Review is undertaken, the final decision on Council Size, Members per Ward and Ward Boundaries rests with the Commission and not with the Council. Whilst the Council can submit a representation, the Commission will base its decision on all representations received through several periods of public consultation and its need to secure equality of representation, reflect the identity and interests of local communities and also secure effective and convenient local government. This means that the final outcome may differ from what the Council desire.
- 5.4 There would also be complications around coterminosity with other reviews and boundaries, particularly the recently completed LCC review (which was based on existing Polling Districts), the 2018 Parliamentary Boundary Review and also

Polling District Reviews (the next due to take place in 2019/20 and would be required again following the completion of any West Lancashire Review).

6.0 CHANGING THE ELECTORAL CYCLE TO WHOLE COUNCIL ELECTIONS

- 6.1 Current legislation enables an authority to change the electoral cycle from elections by Thirds to Whole (all out) or vice versa without the need for a boundary review, and outlines the relevant process for this. Whilst the authority can decide as to if and when the change of electoral cycles would take place (except in a County election year), other authorities of our type who have made the change recently have consulted not only on the change of cycle but also the year change is proposed to be enacted.
- 6.2 West Lancashire could not propose a switch to Whole Council Elections in 2017 as this is a Lancashire County Council Election year. The earliest any change could be enacted is 2018.
- 6.3 West Lancashire bears the full cost of Council elections if they are not combined with another election happening on the same day (PCC, General, etc). Depending on what year Whole Council Elections first take place and the subsequent cycle thereafter, based on current national election timetables, any savings would be minimal and could actually cost more than the current system of Thirds.
- 6.4 It should also be noted that a switch to Whole Council Elections from the current system of Thirds would significantly increase the length of the count, having not only cost implications but also meaning that results would take longer to be declared.

7.0 OTHER ISSUES

- 7.1 The Boundary Commission for England has published initial documents regarding its 2018 review of Parliamentary constituencies. In these documents the Commission noted that only ward boundaries as of 7 May 2015 would be considered. This means that authorities such as Knowsley, Bristol and Sheffield (who have recently completed reviews) will have new Parliamentary boundaries drawn against out-dated ward boundaries. These boundaries would stay in place until the completion of the 2023 review of Parliamentary constituencies which means that there will be very low coterminosity in these areas, incurring additional costs to create polling districts and stations to cover anomalous areas.
- 7.2 For West Lancashire this would mean that if a review was not completed and new boundaries in effect for elections in 2020, the subsequent 2023 Parliamentary Boundary review would most likely be based on out-dated ward boundaries as is the case with Knowsley in 7.1.
- 7.3 The next compulsory statutory review of Parliamentary Polling Districts and Polling Places is not scheduled to take place until 2019-20. Any West Lancashire electoral review before or around this time could coincide, but should an electoral review take place after the completion of a Polling review, a further Polling Review would be required to match districts and places to the new wards. This

would not only duplicate work but generate additional financial implications as well.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

8.1 Reducing the number of Councillors will increase the number of electors to Councillor Ratio, which may result in increased ward related work for individual Councillors, which in turn could reduce accessibility for some. Members of the public will however be consulted on any review undertaken by the Commission.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

9.1 The financial implications of a review and switching to whole council elections are noted at various points in the report, however they can be summarised as follows:

- i. The cost of undertaking a review would rest solely with the Council and could take a number of years.
- ii. Any review undertaken, depending on timing, may require a full Polling District Review outside of statutory timescales, funded solely by the Council.
- iii. Such a Polling District Review following a Boundary Review, or clash with other reviews, could create additional Polling Districts & Stations and the subsequent cost of these, to deal with any lack of coterminosity of boundaries.
- iv. A change in electoral cycle to Whole Council Elections will increase the length and therefore cost of the count.
- v. Any change in electoral cycle must first be preceded by several periods of consultation and their associated costs.
- vi. Depending on the year any change is enacted, the impact of bearing the full cost of Whole Council Elections is predicted to cost the Council more money than the current system of Thirds, or only generate very modest savings over the medium term, due to the timing of other elections where costs could be shared.
- vii. A contingency budget would be required to deal with the expected increase in By-elections that a switch to Whole Council Elections would likely generate.

9.2 Officer resources to support a review would need to be identified. This would be a significant commitment of time possibly justifying a temporary post for one year at SO1 level.

10.0 RISK ASSESSMENT

10.1 A reduction in the number of Councillors will only be considered if the Electoral Commission is satisfied that the Council is able to take decisions effectively, manage its business and responsibilities successfully, and provide effective leadership and representation. Should a review be undertaken, these elements will form part of the Council's submission.

10.2 The risks of other changes have been taken account of in earlier paragraphs of this report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report

Appendices

- A. Equality Impact Statement
- B. Notes of the Working Group - meetings held on:
 - 21 December 2015
 - 18 February 2016 (site visit)
 - 22 March 2016
 - 5 July 2016

Equality Impact Assessment Form



Service: Legal and Democratic Services

Completed by: Thomas Lynan

Date: 27/06/2016

Subject Title: Electoral Review of West Lancashire Borough – Final Report

1. DESCRIPTION

Is a policy or strategy being produced or revised:	No
Is a service being designed, redesigned or cutback:	No – Not at this stage
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No – Not at this stage
Is a programme or project being planned:	No – Not at this stage
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No
Details of the matter under consideration:	<p>Scoping report regarding a boundary review in West Lancashire, including possible changes to;</p> <ul style="list-style-type: none"> • The Number of Councillors • Ward Boundaries • Number of Wards • Members Per Ward • Electoral Cycle

*If you answered **Yes** to any of the above go straight to Section 3*

*If you answered **No** to all the above please complete Section 2*

2. RELEVANCE

Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes
<p>If Yes, provide details of how this impacts on service users, staff or Councillors (stakeholders):</p> <p><i>If you answered Yes go to Section 3</i></p>	<p>Staff – Changes to work programmes, including additional work.</p> <p>Councillors – Possible increase in workload due to a potential decrease in the overall number of councillors.</p> <p>Service Users – Possible impact in the area in which they vote, the number of members</p>

	representing them and also the timing of when they vote.
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups:	N/A
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	There is a direct impact on members of the public, employees, elected members and or other stakeholders.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	All groups are equally affected.
Which of the protected characteristics are most relevant to the work being carried out? Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	Does not affect any protected characteristics. No No No No No No No No No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Members of the public, employees, elected members and or other stakeholders currently use the service because it is a universal service integral to the function of the Council.
What will the impact of the work being carried out be on usage/the stakeholders?	None at this stage.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	All relevant stakeholders will get the opportunity to express their views through several consultations, should a review be decided upon.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	No protected characteristics are affected.
If any further data/consultation is needed and is to be gathered, please specify:	Several sources and data, along with several consultations would be required should a review be decided upon.
5. IMPACT OF DECISIONS	
In what way will the changes impact on people	No changes are proposed at this stage.

with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	As there are no changes at this stage, there is no impact to consider.
What actions do you plan to take to address any other issues above?	N/A <i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	This assessment will be reviewed before any further report on this issue is released.