

Electoral Review Sub-Committee

16 August 2023

Cheshire East Electoral Review

Report of: Mr David Brown, Director of Governance and Compliance

Report Reference No: ER/1/23-24

All Cheshire East Council wards are affected

Purpose of Report

- 1 To inform the Sub-Committee of the background to, and proposed work associated with, the Boundary Commission for England review of Cheshire East Council's electoral arrangements.
- 2 In responding to the review, the Council will be fulfilling its Corporate Plan objective, to be "open" by providing strong community leadership and by working transparently with residents, businesses and partners, to deliver the Council's ambitions within the Borough.

Executive Summary

- 3 The Local Government Boundary Commission for England (the Commission) is an independent body set up by Parliament. Its main role is to carry out electoral reviews of local authorities throughout England. The Commission is undertaking a review of the Council's electoral arrangements.
- 4 This report explores what will be required of the Council in response to the review, and what representations the Council might wish to make during the review.

RECOMMENDATIONS

The Sub-Committee is recommended to:

1. Note the contents of this report.
2. Endorse the proposed actions set out within this report and instruct the officer Project Board to progress them.
3. Endorse the methodology adopted for the production of electoral forecasts.
4. Agree that the officer Project Board should adopt an approach to the production of a draft Council size submission, and warding arrangements submission, which is informed by the approaches adopted in the best examples of comparator submissions supplied by the Commission to the Council:
 - a. in particular, with regard to Council size, the Sub-Committee is recommended to agree that officers should adopt a similar approach to that of Central Bedfordshire, in respect of the Cheshire East submission, albeit using the Commission's proforma for this purpose.
 - b. in particular, with regard to warding, the Sub-Committee is recommended to agree that officers should adopt a similar approach to that of Nuneaton and Bedworth, in respect of the Cheshire East submission, using the Commission's proforma for this purpose.
5. Agree that the officer Project Board should develop a work programme which will provide for the submission to the Commission of electoral forecasts, the other data and documents listed in the Commission's Information Request Pack, draft Council size submission, and warding arrangements submission.
6. Agree that suitable dates for future meetings of the Sub-Committee should be identified, these to take place during the summer and autumn of this year, but acknowledging the need for flexibility to be adopted, so as to allow informal meetings of the Sub-Committee to take place from time to time, and for meeting dates to be added or removed from the list of those identified.

Background

- 5 The Sub-Committee was appointed by the Corporate Policy Committee at its meeting on 11 July 2023. Item 12 of the agenda refers:
- 6 [Agenda for Corporate Policy Committee on Tuesday, 11th July, 2023, 10.00 am | Cheshire East Council](#)
- 7 Without repeating all of the background information, which can be viewed via the above link, the Sub-Committee is asked to note that the Commission's review will focus-upon:

- How many councillors the Council should have.
 - How many Council wards there should be, where their boundaries should be, and what the wards should be called.
 - How many councillors should represent each ward.
- 8 The Commission is undertaking the review because the Council now meets both of its intervention criteria:
- (a) One ward has an electors-per-councillor ratio that is more than 30% different from the average for the authority (see detailed analysis in the Corporate Policy Committee report; table with red shading); and
 - (b) More than 30% (17) of all (52) wards have a ratio that is more than 10% different from the average for the authority (see detailed analysis in the Corporate Policy Committee report; table with yellow shading).
- 9 The purpose of an electoral review is to ensure that:
- (a) The Council's wards are in the best possible places to help the Council carry out its responsibilities effectively.
 - (c) New wards leave each councillor representing roughly the same number of voters as other councillors elsewhere in the authority.
 - (d) New wards, as far as possible, reflect community interests and identities, and boundaries are identifiable. Transport links will be considered, as well as community groups and facilities, natural or physical boundaries, parishes and shared interests.
 - (e) New wards promote effective and convenient local government. The number of councillors will take into account the geographic size of, and the links between, parts of wards.
- 10 The attention of the Sub-Committee is drawn to the timetable for and stages of the Commission's review, which are set out in the Corporate Policy Committee report. The key elements of the review are as follows:
- 11 Information will be sought from the Council, including electoral forecasts and other data and documents. Legislation states that the Commission's recommendations should not be based only on how many electors there are now, but also on how many there are likely to be in the five years after the publication of its final recommendations.

- 12 A model has therefore been prepared which has generated forecasts of future electorate numbers up to the end of 2029, for various geographical tiers, from polling district up to Borough ward and Borough Council level. This model takes full account of the scale and locations of recent and expected future housing development, and as such has been prepared in consultation with the Council's planning policy officers.
- 13 Along with tables of the model's forecasts, we have also prepared a detailed technical report that explains the forecasting methodology (see Appendix 1 to this report, for further information that summarises the methodology).
- 14 We are also preparing the other data and documents that the Commission requires, namely the Electoral Register, housing development data, polling district maps, polling district review reports, details of parish electoral arrangements, parish ward maps, local Orders, details of governance changes, a stakeholder database and a communications contact.
- 15 The Commission will decide how many councillors should be elected to the Council in the future. This decision will be based on information received from the Council (Council-size submission), and any other representations made. The Commission's view on Council size will be informed by:
- The governance arrangements of the Council
 - The Council's scrutiny functions
 - The representational role of Councillors
 - Future trends and plans for the Council
 - The Borough's geography, community characteristics, demographic pressures and any other relevant constraints, challenges, issues or changes
- 16 In addition to the Council size submission, which the Commission has asked to be made in draft by 13 November 2023, the Council is also asked to submit proposed warding patterns. Whilst the deadline for this submission is after that which applies to the Council-size submission, a work programme will need to be agreed which makes provision for the two pieces of work to overlap.
- 17 There will be a period of public consultation on warding patterns (23rd January to 1st April 2024), following which draft recommendations will be made upon the Council's electoral arrangements. Consultation on these draft recommendations will follow. The Commission's review process might take 12-18 months to conclude, when its final recommendations will be published.

- 18 When the Commission's review has been completed, its recommendations will need to be agreed by Parliament. They will then take effect in May 2027.

Best practice submissions

- 19 As can be seen from the report to the Corporate Policy Committee on 11 July 2023 (link provided above) the Commission kindly provided some examples of what might be described as "best practice" submissions. These were put forward by the Commission as being appropriate in terms of submission length and content. The Commission has also identified CIPFA "nearest neighbours" as reference points for the Council's Council-size submission (See Appendix 2 to this report), these offering a useful comparison of Cheshire East with other English unitary authorities of similar size (in population terms) and socioeconomic characteristics.
- 20 The officer Project Board therefore recommends that the best examples of these submissions be used as a guide for the approach to be taken by Cheshire East Council. In particular, with regard to Council-size, the Sub-Committee is recommended to agree that officers should adopt a similar approach to that of Central Bedfordshire, in respect of the Cheshire East submission, albeit utilising the Commission's proforma for this purpose: [Central Bedfordshire Council - Council Size Submission](#)
- 21 With regard to the secondary task of the Council's warding submission, it is proposed that the example provided by the Commission of Nuneaton and Bedworth be used by the Council as a guide: [Nuneaton and Bedworth Borough Council - Warding Submission](#)

Consultation and Engagement

23. It is not anticipated that the Council will undertake any consultation work on the review, except internally, with its own Members. The review is being led by the Commission, not the Council, and the Commission has a clearly identified programme of consultation as part of its electoral review timetable, which is assumed to include relevant stakeholders.

Reasons for Recommendations

24. The recommendations of this report seek to ensure that the Council is best placed to respond to the Commission's review of the Council's electoral arrangements, in a timely way. The Corporate Policy Committee is responsible for the Council's response to the review and has appointed the Sub-Committee to drive forward this work, reporting its recommendations to the parent committee when required.

25 In responding to the review, the Council will be fulfilling its Corporate Plan objective, of being “open” by providing strong community leadership and by working transparently with residents, businesses and partners, to deliver the Council’s ambitions within the Borough.

Other Options Considered

26 The Council could choose not to engage with the Commission’s review, but this would be an unhelpful approach and would deprive the Council of the important opportunity to make submissions, and to influence its electoral arrangements which will apply from 2027.

27 *Impact assessment:*

Option	Impact	Risk
Do nothing (ie do not engage with the review)	The Council would be deprived of the important opportunity to make representations	The review would not secure the benefit of the Council’s input as the key respondent. The resulting electoral review order, which will be implemented in 2027 would not be informed by the Council’s views.

Conclusions

28 We know that the Commission’s review will focus-upon:

- How many councillors the Council should have.
- How many Council wards there should be, where their boundaries should be, and what the wards should be called.
- How many councillors should represent each ward.

The focus of the Officer Board is to ensure that, through the work programme proposals which the Sub-Committee is asked to note, the scheduling of meetings, and the methodologies and approaches set out in this report, the Council will meet the requirements of the Commission to make appropriate submissions on electoral forecasts, Council-size and warding patterns, in a timely way.

Ultimately, the Commission will decide the outcome of the above matters, and these will be laid before Parliament for approval.

By following the Commission's guidance, the best practice examples, and following the instructions of the Sub-Committee, officers are confident that the Council's submissions will appropriately influence the Commission in the decisions which it must make.

Implications and Comments

Monitoring Officer/Legal

- 29 The main piece of legislation governing the review is the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). This consolidates and amends provisions previously contained in the Local Government Act 1972, the Local Government Act 1992 and the Local Government and Public Involvement in Health Act 2007.
- 30 Section 56 of the 2009 Act requires that the Commission carry out reviews 'from time to time', of every principal local authority in England and make recommendations about electoral arrangements (but not their external boundaries) (Period Electoral Reviews or PERs). In addition, the Commission can at any time review the arrangements for all or any parts of a principal local authority's area if it appears to the Commission to be desirable.
- 31 Subsections 56(1) and (4) require the Commission to recommend whether a change should be made to the electoral arrangements for that area. Electoral arrangements include the total number of councillors to be elected to the council (known as 'council size'); the number and boundaries of wards/divisions; the number of councillors to be elected for each ward/division; and the name of any ward/division.
- 32 In making its recommendations, Schedule 2 to the 2009 Act requires the Commission to have regard to—
- (a) the need to secure that the ratio of the number of local government electors to the number of members of the district council to be elected is, as nearly as possible, the same in every electoral area of the council,
 - (b) the need to reflect the identities and interests of local communities and in particular—
 - (i) the desirability of fixing boundaries which are and will remain easily identifiable, and

(ii) the desirability of fixing boundaries so as not to break any local ties,

(c) the need to secure effective and convenient local government,

Further information on the legal implications of the review can be found in the Commission's Technical Guidance:

<https://www.lgbce.org.uk/sites/default/files/2023-03/technical-guidance-2021.pdf>

Section 151 Officer/Finance

33. There will be no impact on the council's Medium-Term Financial Strategy. The proposal will be funded from within existing Democratic Services budgets, aided by internal officer resource contributions from various other departments, and it is not anticipated that any external spend will be required in order for the Council to respond to the review.

Policy

34. The key policy implication of this report is that, in responding to the review, the Council will be meeting one of its most fundamentally important objectives: providing strong community leadership and by working transparently with residents, businesses and partners, to deliver the Council's ambitions within the Borough. In doing so, the Council will be fulfilling the objective of empowering and caring about people within the Borough. The electoral representation of the Council is of key importance in this regard, as is the warding of the Council, both of which being important features of the Commission's review.

Equality, Diversity and Inclusion

35. Given that this report is a response to the Commission's review of the Council's electoral arrangements, and that it simply recommends the means by which the Sub-Committee will make recommendations upon Council size and warding, there would appear to be no equality, diversity and inclusion implications.
36. However, in developing its recommendations, the Sub-Committee will be mindful of these important considerations. Undoubtedly, the Commission will be equally mindful of these matters when making its final recommendations on the Council's electoral arrangements.

Human Resources

37. There are no direct human resources implications.

Risk Management

- 38 There are no direct risk management implications arising from this report, other than the matters referred to within it. However, the risks associated with any decision of the Council not to engage with the review are set out under paragraphs 26 and 27 above.

Rural Communities

- 39 There are no direct implications arising from the recommendations of this report in respect of rural communities, however, there will be such implications as the work in response to the review gets underway. These will be addressed in future reports.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 40 There are no such direct implications.

Public Health

- 41 No direct public health implications arise from the recommendations of this report.

Climate Change

- 42 There are no direct climate change implications, which arise from the recommendations of this report.

Access to Information	
Contact Officer:	Contact Officer: Brian Reed Brian.reed@cheshireeast.gov.uk
Background Papers:	Background Papers: <ul style="list-style-type: none">• Report to Corporate Policy Committee, 11 July 2023• Local Government Boundary Commission for England website

