

OPEN

Corporate Policy Committee

11 July 2023

Cheshire East Council Electoral Review

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

Report Reference No: CP/53/23-24

Wards Affected: all Cheshire East Council Wards

Purpose of Report

- 1 To seek the appointment of a Sub-Committee which will make recommendations to the Corporate Policy Committee in respect of the Local Government Boundary Commission's forthcoming review of the 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 has informed the Council that it will undertake 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.
- 5 The recommendations of this report ask the Committee to appoint a Sub-Committee to make recommendations to it, in order for the Committee to determine the Council's response to the review.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Appoint a Sub-Committee (the Electoral Review Sub-Committee) to make recommendations to it in respect of all matters relating to the Cheshire East Council Electoral Review.
2. Agree that the Sub-Committee will comprise 7 members, on a politically proportionate basis as set out in this report, with an open invitation to a member of the Liberal Democrat Group to attend meetings of the Sub Committee on an informal non-voting basis, and to contribute to the Sub Committee's debates.

Background

What is an electoral review?

An electoral review will examine and propose the following new electoral arrangements for the Council:

- 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.

Why are Cheshire East Council's electoral arrangements being reviewed?

The Commission decided to conduct 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 table below, 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 table below, yellow shading).

Current Cheshire East Ward statistics

The following table shows each Cheshire East Council Ward and the following variances, with each column representing, from left to right, the years 2019-2022.

Alderley Edge	0.7%	0.5%	-0.9%	-2.3%
Alsager	-11.1%	-9.7%	-7.8%	-6.6%
Audlem	8.1%	10.3%	11.2%	12.8%
Bollington	-5.8%	-6.3%	-6.6%	-7.8%
Brereton Rural	26.6%	37.7%	45.9%	54.3%
Broken Cross and Upton	-7.2%	-8.7%	-8.3%	-9.6%
Bunbury	2.6%	10.4%	14.0%	20.7%
Chelford	-6.2%	-2.5%	-0.2%	2.0%
Congleton East	-1.2%	-3.1%	-4.2%	-5.5%
Congleton West	-1.8%	-0.8%	1.2%	3.1%
Crewe Central	16.8%	16.2%	14.2%	18.8%
Crewe East	-0.8%	-0.6%	-1.2%	-0.5%
Crewe North	-1.9%	-3.4%	-3.8%	-4.7%
Crewe South	5.8%	6.1%	5.6%	7.4%
Crewe St. Barnabas	1.9%	-2.9%	-5.2%	-6.5%
Crewe West	5.4%	2.2%	1.1%	0.4%
Dane Valley	10.1%	10.2%	11.2%	10.1%
Disley	8.6%	7.3%	5.6%	2.5%
Gawsworth	-9.5%	-7.9%	-6.1%	-5.8%
Handforth	0.6%	-0.5%	-1.6%	-3.7%
Haslington	-5.2%	-4.3%	-4.3%	-2.0%
High Legh	-1.4%	-1.6%	-2.3%	-2.3%
Knutsford	-4.6%	-6.3%	-7.4%	-8.9%
Leighton	18.2%	19.7%	22.1%	23.2%
Macclesfield Central	-2.8%	-2.6%	-3.5%	-5.8%
Macclesfield East	-2.2%	-3.3%	-3.3%	-3.7%
Macclesfield Hurdsfield	-5.1%	-7.0%	-7.0%	-8.2%
Macclesfield South	-12.1%	-12.6%	-13.0%	-12.4%
Macclesfield Tytherington	0.4%	-1.7%	-1.8%	-1.7%
Macclesfield West and Ivy	-13.6%	-14.7%	-15.6%	-16.9%
Middlewich	2.7%	1.1%	1.3%	-0.3%
Mobberley	-3.1%	-4.4%	-6.3%	-8.0%
Nantwich North and West	-3.6%	-3.7%	-5.8%	-6.5%
Nantwich South and Stapeley	-1.1%	-0.7%	-1.9%	-2.5%

Odd Rode	-5.8%	-6.8%	-7.5%	-8.3%
Poynton East and Pott Shrigley	-14.0%	-16.1%	-17.7%	-18.8%
Poynton West and Adlington	-6.1%	-7.7%	-8.3%	-8.0%
Prestbury	-1.6%	-0.8%	-1.9%	-2.6%
Sandbach Elworth	19.7%	23.5%	26.1%	27.4%
Sandbach Ettiley Heath and Wheelock	17.8%	19.3%	20.8%	17.6%
Sandbach Heath and East	-1.6%	-0.1%	2.3%	6.2%
Sandbach Town	14.9%	14.9%	13.9%	12.0%
Shavington	2.9%	8.0%	13.0%	19.0%
Sutton	-2.5%	-4.7%	-5.4%	-7.1%
Willaston and Rope	8.4%	9.1%	11.3%	11.6%
Wilmslow Dean Row	2.2%	4.1%	3.8%	5.5%
Wilmslow East	-11.9%	-11.1%	-12.4%	-12.6%
Wilmslow Lacey Green	-2.3%	-1.1%	-2.6%	-1.5%
Wilmslow West and Chorley	8.5%	9.3%	8.5%	6.8%
Wistaston	3.4%	2.6%	3.4%	3.6%
Wrenbury	17.6%	21.0%	20.6%	21.8%
Wybunbury	19.1%	19.2%	19.1%	17.2%

The Commission's approach to electoral reviews

The purpose of an electoral review is to ensure that:

- The Council's wards are in the best possible places to help the Council carry out its responsibilities effectively.
- New wards leave each councillor representing roughly the same number of voters as other councillors elsewhere in the authority.
- 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.
- 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.

The different stages of the review

The Commission's Programme Manager has set out a timetable for the review, which identifies its different stages. This timetable (see summary below) will be of key importance in terms of the Council's understanding of what will be required of it, but the Commission has indicated the following:

Information will be sought from the Council, including electoral forecasts and other electoral data. 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.

Part of the review will include meetings between the Commission, councillors, officers and group leaders. Where it considers it appropriate to do so, the Commission may meet with parish and town councils.

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, 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

When the number of electors per councillor in a ward is within 10% of the average for the authority, the Commission will regard the ward as having 'good electoral equality'.

There will be a period or periods of consultation, following which, draft recommendations will be made upon the Council's electoral arrangements. Further consultation will follow. The Commission's review process might take 12-18 months to conclude, when its final recommendations will be published.

Council size and warding submissions

The Commission anticipates that submissions will be 15-20 pages in the form of set templates/guidance:

https://www.lgbce.org.uk/sites/default/files/2023-03/council_size_template.pdf

https://www.lgbce.org.uk/sites/default/files/2023-03/how_to_propose_a_pattern_of_wards_2018.pdf

The Commission provided best practice examples from authorities which they identify as comparable to Cheshire East in terms of size and type of authority, specifically in respect of submissions for both council size and warding, and also other examples of best practice. These are set out in the Appendix to this report.

Parliamentary approval of the Commission's recommendations

Once finalised, the Commission's recommendations must be approved by Parliament. The legal document which brings into force the Commission's recommendations is a draft order, which will be laid before Parliament.

Once Parliamentary approval has been granted, the new electoral arrangements would be expected to come into force at the next scheduled local elections. In the Council's case, this would be in May 2027.

Work currently being undertaken

As part of the preparatory work for the review, a model has been prepared which has generated electoral forecasts of future electorate numbers for various geographical tiers, from Polling District up to Borough Ward and Borough Council level, for the period required by the Commission (2023-29). 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.

Along with tables of the model's forecasts, we have also prepared a detailed technical report that explains the forecasting methodology.

The Commission has welcomed this early work and is content for the Council to submit its electoral forecasts any time between now and 11 December, always providing that if any development or other factors arise which would lead to changes in our expectations about the future numbers (and distribution

of) the electorate, this new evidence) be brought to the attention of the Commission.

In order to inform this work, we are already preparing information relating to our Borough's Polling Districts, mapping, Electoral Register detail which is broken-down by Polling District, property numbers, and actual/expected housing completions. These preparations are being undertaken in line with the guidance in the Commission's Information Request Pack, which sets out in detail exactly what electoral forecast and other information it requires from the Council.

The Electoral Review Timetable

The Commission has set out the following timetable for the review:

- Officer Briefing, Group Leaders' Briefing and Full Council Briefing: Summer 2023
- Parish/Town Council and local groups' briefing: January 2024
- Council and political groups develop council size proposals (see Appendix 1) by December 2023
- Submission of council size proposals: 11 December 2023
- Commission meets to consider Council size: 16 January 2024
- Commission to consult on warding patterns: 23 January-1 April 2024
- Commission to meet to discuss draft recommendations: 18 June 2024
- Commission to consult on draft recommendations: 2 July-9 September 2024
- Commission to meet to discuss final recommendations: 19 November 2024
- Final recommendations published: 3 December 2024
- Order laid: early 2025
- Order made: spring 2025
- Implementation: 2027

Consultation and Engagement

- 6 It is not anticipated that the Council will undertake any consultation work on the review. 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

- 7 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. The Corporate Policy Committee is responsible for the Council's response to the review, and a Sub-Committee of the Committee would be best placed to undertake the detailed work on the review before making recommendations to the Committee.
- 8 The Sub-Committee should be of a suitable size to undertake this detailed work, and a Sub-Committee of 7 would be ideally placed to do this. The political proportionalities of a Sub-Committee of 7 are 3:3:1 (Conservative: Labour: Independent). However, it is recommended that a Liberal Democrat Group member should be invited to attend meetings of the Sub-Committee, and be allowed to participate in its deliberations, in a non-voting capacity.
- 9 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

- 10 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.
- 11 In terms of the details of the recommendations, the Corporate Policy Committee itself could choose to produce its own responses to the review, but the Committee is advised that a much more workable approach would be for a Sub-Committee to be appointed to recommend detailed responses to the review. Equally, the Committee could choose to appoint a Sub-Committee smaller or larger than that which is recommended, but this would need to meet the political proportionality requirements, so as to reflect the overall proportionality of the Council. Due to this political proportionality, there are a limited number of options which work for small decision-making bodies.

12 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.
Committee to undertake the detailed work itself	The whole Committee of 13 would be required to embark upon this intense and detailed piece of work, developing the final recommendations for ratification.	This would perhaps not be the best use of time for all 13 Committee members. It is also generally accepted that a smaller body of members is a more appropriate means by which detailed work such as this can be delivered. The success of such an approach was demonstrated by the appointment of the Community Governance Review of Town and Parish Council Governance Sub-Committee.
Appointment of a Sub-Committee which is smaller or larger than that which is recommended	A larger Sub-Committee would tend to lead to the impact and risk explored above. A smaller Sub-Committee might not ideally "fit" the Council's political proportionalities.	The Sub-Committee, in law, must be politically balanced with the overall political proportionalities of the Council.

Implications and Comments

Monitoring Officer/Legal

- 13 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.
- 14 Section 56 of the 2009 Act requires that the Commission carries out reviews 'from time to time', of every principal local authority in England and makes recommendations about electoral arrangements (but not their external boundaries) (Period Electoral Reviews of PER's). In addition, the Commission can at any time review the arrangements for all or any part of a principal local authority's area if it appears to the Commission to be desirable.
- 15 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.
- 16 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 Commissions Technical Guidance
<https://www.lgbce.org.uk/sites/default/files/2023-03/technical-guidance-2021.pdf>

Section 151 Officer/Finance

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

- 17 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

- 18 Given that this report is a response to the Commission's review of the Council's electoral arrangements, and that it simply recommends the appointment of a Sub-Committee to make recommendations upon Council size and warding, there would appear to be no equality, diversity and inclusion implications.
- 19 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

- 20 There are no direct human resources implications.

Risk Management

- 21 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 10 and 11 above.

Rural Communities

- 22 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)

- 23 There are no such direct implications.

Public Health

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

Climate Change

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

Access to Information	
Contact Officer:	Brian Reed, Head of Democratic Services and Governance Brian.reed@cheshireeast.gov.uk
Appendices:	Appendix 1: Best practice examples of submissions made to the Local Government Boundary Commission for England
Background Papers:	Local Government Boundary Commission for England Electoral Review Timetable and website