

Electoral Review Sub-Committee

30 October 2023

Cheshire East Electoral Review

Report of: David Brown, Director of Governance and Compliance

Report Reference No: ER/7/23-24

All Cheshire East Council wards are affected

Purpose of Report

1. To invite the Sub-Committee to consider and approve the Council's draft council size submission for recommendation to the Corporate Policy Committee, subject to any further content which may be brought to the Sub-Committee at its meeting on 16th November.
2. To recommend the final version of the electorate forecasting methodology report for approval.
3. 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

4. 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. This Council is being asked to respond to the review as a consultee. The Commission will ultimately determine the outcome of the review, and its recommendations will be laid before Parliament for approval.
5. The review is in two stages. The first stage addresses the size of the Council: the number of councillors that Cheshire East Council should have in future. The second stage addresses the warding arrangements: the

number of wards, their boundaries and the number of councillors for each ward.

6. This report deals with the first stage of the review. It presents, for the Sub-Committee's consideration and approval, the Council's draft council size submission.
7. The report also recommends for approval by the Sub-Committee the final version of the electorate forecasting methodology main report and its sister document, Appendix 1.

RECOMMENDATION

The Sub-Committee is recommended:

1. to approve the draft council size submission for recommendation to the Corporate Policy Committee on 30th November 2023, subject to any further content which may be brought to the Sub-Committee at its meeting on 16th November; and
2. to approve the final version of the electorate forecasting methodology main report and its sister document, Appendix 1.

Background

8. The Sub-Committee was appointed by the Corporate Policy Committee at its meeting on 11 July 2023 'to make recommendations to the Corporate Policy Committee in respect of all matters relating to the Cheshire East Council Electoral Review'.
9. The Sub-Committee, at its meeting on 16th August 2023, considered a report on the background to, and proposed work associated with, the Boundary Commission for England's review of Cheshire East Council's electoral arrangements.
10. The Sub-Committee was advised that the Boundary Commission's review would focus on:
 - 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.
11. The Commission would decide how many councillors should be elected to the Council in the future. This decision would be based on information received from the Council (the Council-size submission), and any other

representations made. The Commission's view on Council size would 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

12. Information would be sought from the Council, including electoral forecasts and other data and documents. A model had therefore been prepared which had generated forecasts of future electorate numbers up to the end of 2029, for various geographical tiers. Officers had also prepared a detailed technical report that explained the forecasting methodology, and were preparing the other data and documents that the Commission required.
13. The Commission had provided some examples of what might be described as "best practice" submissions. The Commission had also identified CIPFA "nearest neighbours" as reference points for the Council's Council-size submission.
14. The Sub-Committee, at its meeting on 16th August 2023, endorsed the methodology adopted for the production of electoral forecasts. It also agreed that the officers 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 best examples of comparator submissions supplied by the Commission to the Council. With regard to council size, officers were asked to adopt a similar approach to that of Central Bedfordshire.
15. The Sub-Committee also asked officers to conduct a survey of all members regarding their workload. The aim would be to use the survey results to provide evidence as part of the Council's submission to the Boundary Commission.
16. At a subsequent informal meeting of the Sub-Committee on 22nd September 2023, members considered and endorsed a report on the electoral forecast methodology and results. The final version of the electorate forecasting methodology main report, and its sister document Appendix 1, are attached for the Sub-Committee's formal approval.

17. At the informal meeting on 22nd September 2023, members also considered and endorsed a first draft of the council size submission. Officers undertook to ensure that each subsequent draft of the submission would show clearly, by the use of tracked changes, any changes agreed by members to the previous draft.
18. A revised draft council size submission is attached to this report for the Sub-Committee's consideration. There are two versions of the submission attached: a clean copy for ease of reference and a tracked change version, showing those sections of the submission that have been added, deleted or changed since the Sub-Committee's informal meeting on 22nd September.
19. The Corporate Policy Committee will be recommended to approve the Council's draft council size submission at its meeting on 30th November 2023. The Sub-Committee has another meeting on 16th November which will provide a further opportunity to agree any further changes to the submission before it is presented to the Committee. The Boundary Commission has asked for earlier sight of the draft submission and has agreed that the Council could provide the draft submission by 22nd November, the date of publication of the agenda for the Corporate Policy Committee. Any feedback from the Commission prior to the Corporate Policy Committee's meeting will be considered by the Sub-Committee, and any further comments by the Sub-Committee on the feedback will be reported to the Committee.
20. The Corporate Policy Committee will also be recommended to authorise the Electoral Review Sub-Committee:
 - a. to make any further changes to the council size submission following the Committee's meeting, arising from any amendments agreed by the Committee and/or any feedback received from the Boundary Commission following the Committee's meeting; and
 - b. to recommend the final council size submission to full Council for approval. Council would be asked to authorise the Sub-Committee to make any final changes to the submission which may arise following approval by Council, prior to submission to the Boundary Commission by its deadline of 18th December.

Consultation and Engagement

21. 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 which it is understood will

include the list of stakeholders that the Commission has requested from the Council.

Reasons for Recommendations

22. The recommendation of this report seeks to ensure that the Council responds to the Boundary Commission's review of the Council's electoral arrangements in a timely way in accordance with the timetable laid down by the Commission.
23. 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

- 24 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.
- 25 *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.

Implications and Comments

Monitoring Officer/Legal

- 26 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.

- 27 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.
- 28 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.
- 29 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

- 30 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

- 31 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.

Equality, Diversity and Inclusion

- 32 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, there would appear to be no equality, diversity and inclusion implications.
- 33 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

- 34 There are no direct human resources implications.

Risk Management

- 35 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 above.

Rural Communities

- 36 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)

- 37 There are no such direct implications.

Public Health

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

Climate Change

39 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: Report to Corporate Policy Committee, 11 July 2023 Local Government Boundary Commission for England website
Appendices	Electorate forecasting methodology main report and Appendix. Draft council size submission (clean copy and tracked change copy)