

Cheltenham Borough Council
Council – 22 July 2013
Review of council size and electoral cycle

Accountable member	Councillor Jon Walklett, Cabinet Member Corporate Services
Accountable officer	Andrew North, Chief Executive
Ward(s) affected	All
Significant Decision	Yes
Executive summary	<p>At the Council meeting on 25 March 2013, Council agreed to set up a Cabinet Member working group to review the Council size and electoral cycle. The working group were set the terms of reference, attached at Appendix 2 and requested to report their findings to Council on 22 July with a draft letter to the Local Government Boundary Commission For England (LGBCE) if appropriate.</p> <p>Following three meetings of the working group and a member seminar, the group have concluded that they do not wish to make any recommendations regarding initiating a review of Council size at this stage. This reflects the consensus of the working group and their reasons are set out in this report.</p> <p>Regarding the future electoral cycle, there were far more mixed views expressed across the political groups by members attending the seminar and within the working group itself. Therefore, the group concluded that they would refer this issue to Council without a recommendation, save that Council should be requested to consider moving to a four year electoral cycle or retaining the current two year cycle. The working group Chairman, in presenting the report to Council, will set out the divergent views of the working group on this issue. Only the option to commence the process of moving to a four yearly cycle needs to be voted on at Council as the current (2 year cycle) position will continue if resolution 3 is not adopted.</p>
Recommendations	<p>Council is asked to resolve:</p> <ol style="list-style-type: none"> 1. That a review of council size will not be progressed at this stage. 2. That the community governance review will not be progressed at this time for the reasons set out in paragraph 4.6 of the report 3. Whether to commence the process to move to a four year electoral cycle

Financial implications	<p>The financial implications are set out in section 5 of this report and Appendix 3. If the Council were to change the electoral cycle to hold elections every four years, the average saving per annum would equate to £26,000.</p> <p>Contact officer: Paul Jones, Head of Finance GO Shared Services</p> <p>Paul.jones@cheltenham.gov.uk, 01242 775154</p>
Legal implications	<p>There are prescriptive procedures for dealing with electoral reviews and reviews of electoral cycles, arising primarily from the Local Democracy, Economic Development and Construction Act 2009 and Local Government and Public Involvement in Health Act 2007. Whilst the final decision in respect of an electoral review rests with the Local Government Boundary Commission and is brought in to effect by statutory instrument, the final decision in respect of the electoral cycle is made by a special meeting of Council (on a majority of at least two thirds of those present).</p> <p>Contact officer: peter.lewis@tewkesbury.gov.uk, 01684 272012</p>
HR implications (including learning and organisational development)	<p>Should there be any changes to election cycle the impact on resources will need to be considered as highlighted in the report. If different elections are run at the same time the demands on key staff may increase significantly. This needs to be kept to a manageable level as well as the resilience issues being carefully considered.</p> <p>Contact officer: Richard.hall@cheltenham.gov.uk, 07801123276</p>
Key risks	As outlined in appendix 1
Corporate and community plan Implications	<p>The review has been identified within the council's corporate strategy for 2013/14. Effective governance arrangements are a key component for the delivery of the council's corporate objectives.</p>
Environmental and climate change implications	None identified

1. Background

1.1 At the Council meeting on 8 February the following motion was passed:

“Therefore we request Cabinet to consider moving to a four yearly cycle of Borough Council elections as soon as possible. We also call on the Cabinet to explore how a reduction of councillors can be achieved. In the interests of the Cheltenham tax payers and for the good governance of the town we ask that a report be brought back to Council in March outlining the issues, challenges and timelines of achieving both changes.”

1.2 Council considered a further report on 25 March 2013 setting out the various combinations of options for reducing the Council size and amending the electoral cycle. They agreed to set up a Cabinet Member working group to review the options in more detail following the terms of reference set by Council. They were requested to report their findings to Council on 22 July with a draft letter to the Local Government Boundary Commission for England (LGBCE) if appropriate i.e. if they were recommending that a review of the Council size could be initiated.

2. Membership of the working group and method of approach

- 2.1** The working group was chaired by the Cabinet Member responsible for democracy, Councillor Jon Walklett and was made up of a cross party group of members consisting of the three Group leaders Councillors Les Godwin, Rob Garnham, Steve Jordan and Councillors Diggory Seacome and Simon Wheeler.
- 2.2** The group was supported by the Chief Executive, Andrew North and the director of commissioning, Jane Griffiths and Rosalind Reeves and Sam Howe from Democratic Services.
- 2.3** The group met for the first time on 23 April 2013 to agree their approach. They felt it was very important to seek the views of as many members as possible so they invited all members to participate in a seminar held on 9 May 2013. They were very pleased that 26 members were able to attend and 5 officers helped to facilitate the discussions held in smaller round table groups. The minutes were circulated to all members after the seminar so that they could review what had been discussed and they were invited to add any additional comments.
- 2.4** The group met for the final time on 2 July 2013 to finalise their report for Council. Before that meeting they had the opportunity to take the draft report to their group meetings to discuss with their members and respond to any concerns. During the meeting they acknowledged that they had reached consensus on council size but not the electoral cycle. Therefore they agreed that they would present both options regarding the electoral cycle for debate at Council .

3. Results of the member seminar

- 3.1** At the member seminar, each table was asked to consider a number of questions relating to the role of a councillor and how it had changed as a result of commissioning. They went on to consider the issue of council size and electoral cycle.
- 3.2** Regarding the role of the member, the general feeling was that the role of the basic councillor had not changed significantly with the introduction of commissioning. However, there were issues raised about how easy it was for members to contact staff within the commissioned services when following up issues raised by their constituents. This is outside the scope of this report but is an important issue and will be followed up by officers from the Commissioning Division. Members also felt they were less well-informed about some areas, perhaps because in the new scrutiny arrangements they no longer received detailed update reports from service areas. This will be followed up as part of the review of the new scrutiny arrangements currently under way.
- 3.3** Members felt that the role of the councillor as a community representative was increasing and was likely to become more prominent as communities are encouraged to do more for themselves as public services undergo increasing financial constraints. This could increase their workload.
- 3.4** Another issue raised by members was the difficulty in finding people who were willing to stand as councillors and there was some concern that a reduction in Council size, with a resulting increase in workload for individual councillors, could put people off from standing. The working group later concluded that this was a matter for the political groups but they would encourage the council to take some initiatives in Local Democracy week to encourage a good turnout at elections.
- 3.5** Members at the seminar highlighted that commissioning was not the only change which was impacting the council. The potential increase in new housing development across the borough could be even more significant in changing the size of wards and this would not be finalised for some time. Therefore it was questioned whether now was the right time to do a review as it might have to be revisited in the future.

- 3.6 Regarding the Council size, there was a general feeling that the current system of having two members per ward worked well as they were able to offer help and support to each other and provide continuity across elections.
- 3.7 Regarding the electoral cycle, there was a range of views expressed with some highlighting the benefits of a four-year cycle whilst others preferred the current system.

4. Conclusions on Council size

- 4.1 Following the member seminar, the working group reviewed some case studies of four other councils who had gone through a review of their council size carried out by the LGBCE. They noted that in every case, the main driver for the review had been a variance between the size of electorate between wards of more than 10% of the borough average. The working group noted that this was not currently the case in Cheltenham but could well be in the future if there was significant new housing development in certain parts of the borough. As the site and size of new housing developments was yet to be finalised, the working group identified this as a strong mitigating factor for not initiating a review at this stage. New housing developments close to borough boundaries could even necessitate boundary reviews where new housing in one borough currently required significant infrastructure in a neighbouring borough.
- 4.2 The working group noted that the issue of the potential for the government imposing unitary local authorities on Gloucestershire may be raised again after the next general election and this could be another factor to be considered before initiating a ward boundary review.
- 4.3 In the 2013 county council elections, new divisions had been established in Cheltenham which resulted in 10 county councillors being elected to represent the people of Cheltenham within the county council. This had resulted in coterminosity between the county divisions and the borough council wards so effectively in each county council division there were now four borough councillors (two for each ward). The working group felt that this coterminosity was very important and the only option for reducing the Council size whilst maintaining this coterminosity, would be to have three councillors per ward with each ward matching the county division. The group noted that the new county council divisions had only just been introduced and therefore it would be preferable to see how these worked in practice before making any changes to borough council wards, especially one which could result in reducing the number of councillors by 25%.
- 4.4 The working group reflected on the views expressed by members during the seminar. They felt that whilst it might be sensible to consider reducing the size of Planning Committee or reviewing which matters needed to be considered by the Licensing Committee as opposed to a subcommittee, generally the workload of other committees and working groups would continue even if the number of councillors was reduced. Whilst this total workload to be shared amongst councillors remained constant, there was also the view expressed by a number of members that their community representative role was increasing especially in the current financial climate. With the introduction of commissioning, a lot of emphasis has been put on resilience of the service and the working group felt that this issue of resilience was equally important when considering members capacity to support the democratic process.
- 4.5 The group acknowledged that there would be some cost savings associated with reducing the number of councillors, but they were minded that their brief from Council was to maximise the effectiveness of the democratic process. At this point they could not see that reducing the council size would enhance democracy and there was a risk that it could even reduce it.
- 4.6 For all these reasons, the working group concluded that it was not the right time to initiate a review of Council size and this was the consensus of all the members. This could be initiated at some point in the future when the following factors are known:

- new housing development has been quantified so future ward numbers can be predicted with some certainty
- there is proven experience of how the new county council divisions are working in relation to the ward councillors
- there is more certainty regarding whether unitary local government will be imposed by central government
- the role of the councillor as community representative is further developed

4.7 The working group were also asked to comment on the community governance review. Overview and Scrutiny currently have it in their workplan to review the terms of reference for this review in September 2013 with an aim to restarting it. Members will recall that a scrutiny task group reported to Council via the Overview and Scrutiny Committee in December 2012. In the debate at Council, members highlighted that borough council boundaries and parish council boundaries could be affected by the results of the Joint Core Strategy work depending on where new housing development took place. Council resolved that the review should be deferred to a later date when any recommendations could be implemented ahead of the 2018 parish elections (these have since been brought forward to 2016). The working group discussed the matter and felt that any further work on the community governance review should be deferred until the new housing development referred to in 4.6 has been quantified. At that point it can be agreed how the review will be taken forward and in what timescales.

5. The options for the electoral cycle

- 5.1 Regarding the electoral cycle, as has been said before, there were far more mixed views with advantages and disadvantages identified for the current 2 yearly elections and a 4 year cycle. The working group considered that considering a potential change was such an important decision that Council should be given full details of these pros and cons clearly set out in a report.
- 5.2 In considering the options, members are reminded again that the driving force behind the change should be to optimise the effectiveness of the democratic process whilst acknowledging that in the current climate of financial constraint, the potential cost savings will be an important secondary factor.
- 5.3 The following tables make a comparison between the two options and sets out the advantages and disadvantages of each, but first some explanatory notes.

By-elections

- 5.4 From time to time, there may be a need for an election outside the borough election timetable. In the past 10 years there have been six by-elections in January 2004, July 2009, two in May 2010, October 2010 and May 2013. In May 2010, these coincided with the borough elections and in 2013 with the county council elections. The recent Warden Hill by-election cost in the order of £4,700 so a reasonable estimate of a combined by-election is £4,500. At other times when there is a requirement to initiate a stand-alone by-election, the estimated cost is £7,500.
- 5.5 Clearly if elections were only held every four years, there is likely to be an increased requirement for by-elections and in the cost analysis that follows it is assumed that there will be a requirement for a separate by-election once a year.
- 5.6 This estimate is supported by both Cotswold district council and Forest of Dean who have four yearly elections and have advised that they have a by-election on average once per year. Tewkesbury borough council, also on 4 yearly elections, have only had one by-election in the

period 2007 – 2011.

The cycle of other elections and potential for sharing election costs

- 5.7** The council has a budget for the borough elections and also runs elections on behalf of Parishes, the county council and for the government in the case of parliamentary and European elections and the recent Police and Crime Commissioner elections. When elections coincide, there is usually a reduction in overall costs as aspects of the administration can be shared e.g. issuing postal ballot papers or the hiring of polling stations.
- 5.8** The borough elections cannot take place in the same year as the county council elections which take place every four years with the next due in 2017. As there is no potential for sharing costs, the county council elections are not relevant to any analysis of costs of the borough elections.
- 5.9** The first elections for the Police and Crime Commissioner (PCC) took place in November 2012 and are scheduled every four years starting in May 2016. If the borough elections were scheduled to coincide with the PCC elections, then there would be options for reducing the overall cost of both elections by sharing the administrative costs. Thus if Cheltenham was to move to four yearly elections, clearly it would be best to match the election-year with the PCC elections. If Cheltenham was to retain its current two yearly election cycle, then this could still be scheduled to coincide with the PCC elections thereby enabling costs to be shared every other borough election.
- 5.10** The estimated cost of a borough council election with 50% of the members up for election is £130,000. This cost would increase to £160,000 if all members were up for election in a 4 yearly cycle. If this election was combined with the PCC elections, it is estimated that this cost would reduce to £85,000 in the case of 2 yearly elections and £100,000 in the 4 year case.
- 5.11** Parish council elections take place every four years and must be at the same time as the borough elections. Thus the parish benefits from reduced costs of their elections because they are held at the same as the borough elections but there is no real cost saving to the borough. In Cheltenham there have been no parish council contested elections since 1999.
- 5.12** Parliamentary and European elections may coincide with borough elections and if they do there is of course the option to share some of the administrative costs. It has been estimated that the cost of a full borough election would reduce by £15,000 and if only half the councillors were up for election would reduce by £12,250. It should be noted that the proposed dates of parliamentary elections could change and could be called at any time so it is not possible to schedule the borough elections to always match their dates.
- 5.13** Taking all the above into account the election cycle and the comparison of costs is set out in Appendix 3.

Analysis of the advantages and disadvantages of 2 yearly and 4 yearly elections

5.14 Four yearly elections – the advantages and disadvantages are set out in the following table

AREA	ADVANTAGES	DISADVANTAGES
For the Electorate	The electorate can form a better judgement on how successful an administration has been at delivering	If the electorate are dissatisfied with an administration they have to wait 4 years before they can have

	<p>their manifesto over a 4 year period.</p> <p>An election with a potentially more dramatic outcome for the town may encourage more publicity and a potentially higher turnout.</p>	<p>any impact with their vote.</p> <p>A ward could have two new inexperienced councillors as a result of the elections so there is no continuity for constituents of that ward.</p>
For Democracy	<p>The run up to elections and the following induction period can lead to an interruption of the democratic process of up to 2 months. This will only happen once every four years.</p> <p>The borough elections would be following the same election cycle as parishes, county councils, PCCs and many other borough councils.</p>	<p>All out elections could generate a large number of inexperienced members which could impact their ability to support their constituents and effective operation of council business e.g Planning and Licensing may lack members with the necessary in depth experience.</p>
For the Administration	<p>The administration could agree a strong mandate for implementing necessary policies which might take time to bear fruit ..</p> <p>They have a longer period to demonstrate to the electorate that they have delivered what they said they would deliver in their manifesto.</p>	<p>The administration could become complacent during a longer period in office.</p>
For members	<p>In 3 years out of 4, a member can put themselves forward as Mayor for the following year with the certainty that they will still be a councillor.</p>	<p>If they are not successful or want to take a break from standing, there is only a two-year wait before getting another opportunity to stand.</p> <p>Members lose the opportunity to have a mentor in their ward, if both members are newly elected.</p>
For officers	<p>This election cycle gives officers a four-year period of certainty when they can focus on implementing the policies of the administration.</p> <p>The preparation and delivery of a member induction process is resource intensive and it will only have to be done every 4 years and will have economies of scale in delivering it to more members at a time.</p>	

For the elections administration	Potential savings re Temporary staff (staffing levels may need to be reassessed with the introduction of independent electoral registration due to be implemented in 2014)	Likely to incur more by-elections which would increase workload Increased workload through election period dealing with more nominations
For the Council's budget	Compared with 2 yearly elections the council would be making a budgetary saving in the order of £26,000 per annum.	

5.15 Continue with current 2 year cycle

This would largely be a reverse of the advantages and disadvantages set out in the above table.

6. Experience of other authorities changing their electoral cycle

- 6.1** The Electoral Commission gave us some information regarding councils who were considering a change in their electoral cycle. The councils we looked at gave similar rationale for changing their cycle to 4 yearly elections.
- 6.2** Bristol City Council is currently reviewing their electoral arrangements by carrying out a public engagement exercise. At present, the council runs its elections by thirds. With the intended changes, the council would all be elected at the same time. In the current system elections are held for 23 or 24 seats each year for three successive years out of four. As each ward has 2 councillors, voters go the polls twice over a 4 year period to elect one of the councillors for their ward. Under the proposed arrangements all the Council seats would be up for election, once every four years. The reasons given for changing the voting system are that four yearly elections would allow the council to take a strategic, long term approach to policy and decision making. Whole elections would also be simpler and more easily understood for the electorate. Another benefit of four yearly elections would be the cost savings associated with a reduction in the amount of elections.
- 6.3** Weymouth and Portland Borough Council are also currently reviewing their electoral system. At present, councillors are elected to the borough council through a 'thirds system'. A consultation exercise ran from March to May in which the public were asked their views on a move to four yearly elections. 52% of the public agreed that there should be a move to four yearly elections. The arguments for changing the electoral system were as follows – it creates greater stability within the council, it costs less to the tax payer, it avoids the situation posed by elections by thirds where political control of the council can change and yet some electors in single member wards have no opportunity to vote and it gives the electorate the opportunity to completely change the political leadership of the council and its direction. The advantages to keeping the 'thirds' system were as follows – the system is established and understood by the electorate, electors in the area are able to participate regularly in the democratic process and the current system provides continuity and avoids the potential for a whole new council.

7. Reasons for recommendations

- 7.1 The working group were requested to bring this report to Council to enable a considered debate on this important issue for the council. The reasons for changing the existing election cycle and or the size of the council needs to be considered carefully and within the context of the strategic direction of the council.
- 7.2 This is such an important matter to the council and the people of Cheltenham it requires careful consideration and any final recommendations on the way forward ideally should have cross party support as it will impact on all current and future councillors.

8. Alternative options considered

- 8.1 The options considered are set out in this report.

9. Consultation and feedback

- 9.1 As outlined in the report, the views of all members were sought in developing this report back to Council and working group members were encouraged to initiate discussions within their political groups.
- 9.2 A report was also taken to the Senior Leadership Team on 18 June 2013 to seek their views.
- 9.3 The working group did not carry out any specific public consultation as part of their review but they plan to issue a media release with publication of this report with the expectation that it will generate some media interest and public discussion. The public will be able to attend the Council meeting and listen to the ensuing debate.

10. Performance management –monitoring and review

- 10.1 If Council decides to amend the electoral cycle, officers will bring a further report back to Council to make the necessary resolutions and will then initiate the necessary changes from 2016.

Report author	Contact officer: Rosalind Reeves, Democratic Services Manager , rosalind.reeves@cheltenham.gov.uk, 01242 774937
Appendices	1. Risk Assessment 2. Terms of reference for Cabinet Member working group 3. Analysis of costs
Background information	Report to Council 25 March 2013

The risk				Original risk score (impact x likelihood)			Managing risk					
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register	
1.	If there is no cross party consensus to any recommendations arising from the working group it may make it difficult to implement changes	Andrew North	March 2013	3	3	9	R	Set out the options for Council to decide	July 2013	Andrew North	Corporate risk	
If2	If Council decide to continue with a review of Council size that could be significant implications on officer resources in taking this forward	Andrew North	March 2013	3	3	9	R	Workplan and resource requirements would need to be reassessed should Council take this decision.	July 2013	Jane Griffiths	Commissioning	
3	If the public do not understand what is being proposed because the council and political parties have failed to communicate effectively then there is a reputation risk to the council	Andrew North	March 2013	3	3	9	R	Working group to agree key messages Group leaders to put out joint media statement	July 2013	Jane Griffiths	Corporate	
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>												