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| <b>REPORT TO:</b> | <b>COUNCIL FORUM</b>                         |
| <b>FROM:</b>      | <b>CHIEF EXECUTIVE</b>                       |
| <b>ON:</b>        | <b>THURSDAY, 6<sup>TH</sup> OCTOBER 2016</b> |

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**REPORT TITLE:**      **Electoral Review 2016-17 Stage one – Council size.**

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### **1. PURPOSE OF THE REPORT**

To agree a submission for Blackburn with Darwen Borough Council to the Local Government Boundary Commission for England (LGBCE) on Council size.

### **2. RECOMMENDATIONS**

This report contains a proposal on Council size which Council is invited to endorse. It is recommended that Council:

- Authorise the Chief Executive to formally submit the proposal on Council size to the Local Government Boundary Commission for England.
- Agree an independent review of Member's Allowances during 2017/18 in readiness for a new Council shape and size from May 2018.

### **3. BLACKBURN WITH DARWEN BOROUGH COUNCIL 2016 PROPOSAL**

Blackburn with Darwen Borough Council has 64 elected Members in 23 wards. The proposal is to reduce the Council size to 51 Members in 17 wards at the local government election due in 2018. It is considered that this number will ensure appropriate levels of Governance, Scrutiny and Community Leadership for the Council from 2018 and allows for the Authority to continue to elect its Members by thirds.

Several factors have been considered in forming the recommendations including, policy developments e.g. Localism, Transformation, Combined Authorities and the possibilities of further shared services and or devolution of powers, outsourcing and service delivery changes, corporate plan commitments and of course a future of continued financial constraint due to deficit reduction.

### **4. BACKGROUND**

On the 25<sup>th</sup> September 2015 as a result of identifying electoral imbalances, the Council received a letter from the Commission outlining their plans for an Electoral Review Intervention of Blackburn with Darwen Borough Council as part of the LGBCE Electoral Review Programme for 2017-18 (attached as Appendix 1).

Subsequently, on 15<sup>th</sup> June 2016 the Leader and Chief Executive met with the Local Government Boundary Commission (LGBCE) Chair; Professor Colin Mellors and Chief Executive Jolyon Jackson to receive a briefing on Blackburn with Darwen Borough

Council Electoral Review. As part of these discussions there was an agreement to bring forward the timetable for the Review by 12 months in light of the fallow year (2017). This rationale should support the conclusion of a Review during 2017, and an Order to be laid before Parliament and a whole Council election in May 2018.

On the 21<sup>st</sup> July representatives from the Commission (Peter Maddison, Lead Commissioner for the Blackburn with Darwen Review and Richard Buck, a Review Manager) came to Blackburn and met with the Party Leaders, this was followed by a briefing for all Members: The Commission advised that they have to be satisfied that the number of Councillors proposed going forward must be sufficient to ensure that three specific functions can be carried out namely Governance, Scrutiny and Community Representation. A cross party working group of Party Leaders has subsequently met, receiving updates on detail and the process.

It should be noted that the Council cannot take its own decisions on size or warding arrangements and must submit its proposals to the LGBCE at every stage. The LGBCE will consider and determine the proposals based on its own assessment of relevant factors. The Council can however take a view on how often it holds Borough Council elections; and it is recommended that the current arrangements of elections by thirds remains unchanged.

### **Timetable**

|                                               |                                                                |
|-----------------------------------------------|----------------------------------------------------------------|
| Draft Council Size submission deadline        | 17 <sup>th</sup> October 2016                                  |
| Boundary Commission decision on Council size  | 15 <sup>th</sup> November 2016                                 |
| Consultation on warding                       | 22 <sup>nd</sup> November 2016 – 30 <sup>th</sup> January 2017 |
| Draft recommendations on warding arrangements | 11 <sup>th</sup> April 2017                                    |
| Consultation on draft recommendations         | 11 <sup>th</sup> April – 19 <sup>th</sup> June 2017            |
| Final recommendations                         | 5 <sup>th</sup> September 2017                                 |
| Implementation*                               | Elections in 2018*                                             |

Members have been provided with a copy of the full Review timetable from which it can be noted that once the LGBCE publish its proposals on Council size, the Council will then be in a position to consider potential new ward boundaries. Whilst the Council will engage with all parties to work on one submission, it should be noted that this does not exclude individuals or political groups from putting forward their own ideas. At every stage the LGBCE will consult widely seeking the views of a range of stakeholders.

\* It is for Council to note that we will not implement the new warding arrangements until the elections in 2018. Any by-elections prior to that will take place based on current ward boundaries.

The last Review of electoral arrangements for Blackburn with Darwen took place in June 2001 with final proposals being submitted in November 2003. Since the change from a Committee system to a Leader and Cabinet model, (Local Government Act 2000), decision making by the Authority continues to be much more streamlined and the time spent in decision making has been hugely reduced.

Whilst consideration of both pre and post decisions for Scrutiny, Planning and Licensing averages two and a half hours, the length of Executive Board meetings are relatively quite short. Regular briefings on key policy are, and will be, planned for Members, which informs the decision making process.

## **5. BLACKBURN WITH DARWEN BOROUGH COUNCIL – PROFILE**

Blackburn with Darwen is a unitary authority covering an area of 13,701 hectares and serving a population of 146,800. The Borough comprises the two main urban areas of Blackburn and Darwen with a surrounding rural area of six parishes and a five ward Town Council. Blackburn with Darwen now has a diverse manufacturing and service economy and is also a recognised market and retail centre. The Borough has excellent transport links to Leeds, Liverpool and Manchester with the M65 bisecting the Borough from east to west. The Borough contains six parishes, but Blackburn urban areas are unparished. Blackburn town comprises 75 per cent of the borough's total electorate.

The electorate of the Borough is 102,353 (August 2016). The Council currently has 64 Members who are elected from 23 wards, 19 of which are relatively urban with the remainder being predominantly rural. Nineteen of the wards are each represented by three Councillors, three are each represented by two Councillors and one is a single-Member ward. The Council is currently elected by thirds.

To compare levels of electoral inequality between wards, the LGBCE will calculate, in percentage terms, the extent to which the number of electors per Councillor in each ward (the Councillor:/elector ratio) vary from the Borough average in percentage terms.

At present, each Councillor represents an average of 1599 electors, which the Borough Council forecasts will increase to 1619 by the year 2023 if the present number of Councillors is maintained. However, due to demographic and other changes over the past two decades, the number of electors per Councillor in seven of the 23 wards varies by more than 10 per cent from the Borough average. For example; in Audley and Mill Hill wards, where Councillors represent 22 per cent more electors and 17 per cent less electors than the Borough average, respectively.

## **6. BLACKBURN WITH DARWEN BOROUGH COUNCIL – GOVERNANCE AND DECISION MAKING**

The Council's proposals have been formulated having regard to the LGBCE's technical guidance on electoral Reviews which indicates a view will be taken on Council size for an Authority by considering three areas: Governance arrangements; Scrutiny functions relating to its own decision making and the Council's responsibilities to Outside Bodies; and the representational role of Councillors in the local community and how they engage with local people, conduct casework and represent the Council on local partner organisations. These areas are briefly explored in the following paragraphs:

### **Leader and the Executive**

The Council operates an "executive arrangement" under the Local Government Act 2000 which is reflected in the Constitution. Under these arrangements the Council elects the Leader for a four year term who then appoints Members to form the Executive Board. Under the Constitution the Executive Board may consist of up to 10

members, including the Leader and Deputy Leader. The current Leader has appointed eight Members to serve on the Executive Board, each with a portfolio. Executive Members have individual executive decision-making powers within their portfolios. Including the Leader of the Main Opposition Party the Executive Board is comprised of ten Members in total.

### **Scrutiny process**

Under the Local Government Act 2000 local authorities with executive arrangements must have provisions for Overview and Scrutiny Committees. The Council created six Committees to undertake the Overview and Scrutiny function. In 2011 the Council chose to move to three Committees increasing membership to 17 and in 2013 decided to increase the number of Committees to four and reduce membership to 11 Members on each Committee. In this current setup the Committees meet six times a year agreeing a planned workload at the beginning of the municipal cycle and a rolling work programme which is reviewed at each meeting. Scrutiny conducts most of its detailed work through the formation of working groups/task and finish groups which consist of a smaller number of Members. The progressive approach reflects an ambition to continually review effective performance monitoring arrangements.

### **Planning & Highways and Licencing Committees**

These are formal committees of the Council with delegated functions and a quasi-judicial role.

Planning & Highways - there are 15 Members appointed to the Planning and Highways Committee which meets 12 times per year. The Committee has delegated powers to determine planning applications which do not fall within officer delegated powers. Under the scheme of delegations most planning decisions are now made under officer delegated powers. The powers and delegated functions of officers and the Planning & Highways committee are detailed in the Constitution.

Licensing - there are 13 Members appointed to the Licensing Committee which meets four times a year. The majority of licensing applications/matters (taxi matters, alcohol licensing etc.) are determined by officers under delegated powers, unless there are grounds to refer to either the General Licensing or Licensing Act Sub Committee. Fifteen meetings are planned for at the beginning of each municipal year. Licensing sub Committees comprise 3 Members appointed from the main Committee.

### **Representative Councillor**

The role of ward and community Councillor has changed dramatically. Technology does and will have a significant role to play in enabling Councillors to communicate with their residents and communities. Also many residents who traditionally would have approached their local Councillor to access information can now do so directly.

Since the last boundary Review in 2003 the use and availability of technology by Members in discharging their representational role has increased year on year. This has been particularly accelerated in the last two years where, as part of the Council's 'agile working', Digital First" and transformation programmes, the supply and use of computer tablets and the availability of the "Your Call" app have provided Members with tools to make their representative role more efficient and effective.

Whilst there is no 'one size fits all' for how Councillors discharge their representative role and notwithstanding the significant challenges some areas of the Borough face with deprivation, there is a drive to embrace and improve a Digital First approach: This is telling from the number of e-mails Councillors now deal with on a daily basis, the volume of calls and e-mails our customer service teams manage and that fact that much information is readily available online. The Council's call centre volumes demonstrate the convenience people now expect when dealing with enquiries, our winter gritting alerts continue to see increased subscriptions and our Your Call App empowers residents to digitally tell us what is important to them. All of this is complemented by the Council's neighbourhood management teams which give Members a community officer resource with whom to work in partnership.

### **Outside bodies**

There are 34 Outside Bodies, 8 Council Partnership Bodies 4 Combined Authorities and 4 Community Associations to which the Council appoints. This number however is pro-actively reviewed annually to ensure best application of resources – as the 2005-2006 figures demonstrate: We have already reduced from 49 Outside Bodies, 20 Community Associations and 18 Council Partnerships.

Council is advised that that the new warding arrangements will not be implemented until the elections in 2018. Any by-elections prior to that will take place based on current ward boundaries

Remuneration - It should be noted that Councillors have for a number of years voted to maintain a deliberately low level of remuneration in comparison to other authorities. With a shift in responsibilities necessitated from the reduction in the number of Councillors, a review of remuneration will be necessary. A review of remuneration was scheduled for March 2017, however Council are asked to endorse (subject to a final decision of LGBCE) an independent review of Member remuneration allowances in 2017/18 in readiness for a new Council shape and size from May 2018.

## **8. POLICY IMPLICATIONS**

Whilst the governance and decision making focuses on leadership, (both Council and community), underpinned by a scrutiny function it should be noted that there will be a significant increase in collaborative leadership in our 'Place'. With this in mind, Council are asked to note this direction of travel and acknowledge that a detailed review will be undertaken over the next 12 months to redesign a political structure that will be fit for purpose and fit for future to best serve the people of Blackburn with Darwen.

## **9. FINANCIAL IMPLICATIONS**

There will be a number of significant savings should the number of Councillors be reduced; both in the level of remuneration budgeted for, and a series of direct cost savings to the Council with fewer elected Members.

## **10. LEGAL IMPLICATIONS**

1. The LGBCE is required to comply with certain rules when conducting a Review. Local Democracy, Economic Development and Construction Act 2009, section 56

requires the LGBCE to conduct a Review of principal local authorities from time to time and recommend whether a change should be made to the “electoral arrangements” meaning:

- the total number of Members to be elected to the Council ('Council size');
- the number and boundaries of electoral areas for the purposes of the election of Councillors;
- the number of councillors to be returned by any electoral area (ward) in that area
- the name of any electoral area.

In making recommendations, under Schedule 2 of the Act the LGBCE must have regard to:

- the need to secure equality of representation;
- the need to reflect the identities and interests of local communities; and
- the need to secure effective and convenient local government.

2. Any resolutions regarding the scheme of elections must be in accordance with the Part 2 of the Local Government and Public Involvement in Health Act 2007.

3. The review of Members' allowances will need to be undertaken by the Independent Remuneration Panel and in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.

## **11. RESOURCE IMPLICATIONS**

A small team of Officers will be convened when required, to support the various stages and requirements of the Review and its consultations, ensuring compliance with the timetable outlined by the Local Government Boundary Commission England.

## **12. EQUALITY IMPLICATIONS**

As an integral element to the process, Equality Impact Assessments will be undertaken at various stages of the Review and its consultations.

## **13. CONSULTATIONS**

21<sup>st</sup> July 2016 the Commission consulted with all Members of the Council on the Review process. From 22<sup>nd</sup> November – 30<sup>th</sup> January 2017 the Commission will hold a public consultation on warding arrangements, followed by a public consultation on draft warding recommendations from 11<sup>th</sup> April – 19<sup>th</sup> June 2017.

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Date: 28<sup>th</sup> September 2016

Background Papers: None.