

LGBCE (21-22) 22 Meeting

Minutes of meeting held on 15 March 2022 at 09:30 am. All Commissioners and officers attended the meeting via Teams.

Commissioners Present

Professor Colin Mellors OBE (Chair)
Susan Johnson OBE
Peter Maddison QPM
Amanda Nobbs OBE
Andrew Scallan CBE
Steve Robinson

LGBCE Officers Present:

Jolyon Jackson CBE	Chief Executive
Lynn Ingram	Director of Corporate Services
Glynn McDonald	Communications & Public Affairs Manager
Alison Evison	Review & Programme Manager
Richard Buck	Review Manager
Richard Otterway	Review Manager
Yemi Fagun	Review Officer (item 7)
Ben Meredeen	Review Officer (item 12)
Mark Cooper	Review Officer (item 5)
Tom Rutherford	Review Officer (item 6)
Jonathan Ashby	Review Officer (item 8)
David Owen	Review Officer (item 9)
Paul Kingsley	Review Officer (item 10)
Paul Nizinskyj	Review Officer (item 11)
Dean Faccini	Business & Project Lead (item 18)
Rafa Chowdhury	Finance Lead (minutes)

Apologies for Absence

There were no apologies for absence.

Declarations of interest

Steve Robinson declared an interest in item 2 Operational Report – Redditch - and took no part in the discussions of that item.

The staff team, except for the Chief Executive and Director of Corporate Services declared an interest in item 15, Rewards & Recognition and left the meeting and took no part in the discussion on this item. The Director of Corporate Services was present during the discussion of Item 15 to clarify points and answer questions.

Minutes of LGBCE's meetings on 14 February 2022 and 15 February 2022.

The minutes were agreed as a correct record and were signed by the Chair.

Matters Arising

ARC had asked for a session to be arranged for the Board with our external HR Consultant to give a brief on the review of policies. This needed to be added to the Action List.

Actions from the previous Commission Board meeting

The following actions were reported on:

- Emergency Contact Numbers: A system has been developed for accessing emergency contact numbers. This has been tested by staff and is now up and running and contact arrangements will be notified to Commissioners.
- Health and Safety Policy: April due date.
- GLA further report: April due date.
- Universities and Electoral Reviews: The CEO requested for this to be postponed till the Autumn Policy Session, as the GIS & Data Officer will be leaving in April and to allow a new GIS & Data Officer to settle in.
- Council size guidance and template – On today's agenda
- Rewards & Recognition – On today's agenda

1.Chair's Report

The Chair formally recorded the Commission's thanks and best wishes to Luis Gomes (GIS & Data Officer) who would be leaving the Commission in April.

The Chair, Chief Executive and Director of Corporate Services had met the Speakers Committee on 9 March 2022. The Committee had subsequently confirmed the Commission's budget for 2022/23.

2.Operational Report - LGBCE (21/22) 185

The Chief Executive presented the Operational Report for March 2022, and the Commission noted its content.

- Related Alterations and consents – There are currently no requests for related alterations and consents although the Commission is likely to receive a higher

number of such requests over the course of the year because of the May 2023 elections. The Board suggested the Commission write to local authorities to remind them of timelines, to avoid late requests.

- Redditch – Redditch Council have requested additional time to submit their warding pattern proposal. Consultation is due to close on 11 May and the Council have requested an extension until 31 May.
- Maidstone Council Size Submission - The Board were informed of an administrative error in the processing of a council size which meant that a submission had not been considered during discussion of the issue at its January meeting. The background to the error was explained alongside corrective action relating to closer monitoring of the receipt and initial processing of submissions. At the Board's request the team would also explore managing more actively the SharePoint folders where such submissions are saved.
- Reconsideration of Maidstone Council Size: The Board decided to reconsider its decision on council size for Maidstone in light of all submissions including the one that had been overlooked. Two submissions had been received. One, which was from the Council, proposed that the council size for the authority be reduced by seven from 55 to 48 members. The other submission made by the Labour Group proposed that the council size be reduced by one to 54 members. Following receipt of information about future governance and representational arrangements, it was recommended by LGBCE officers that there was sufficient evidence to confirm that the council size be reduced by seven to 48 members. The Board considered all the available evidence, and, on the basis of this evidence, it was minded to support a council size of 48 members.
- Parliament – The Supplementary Estimate for 2021/22 and The Vote on Accounts for 2022/23 were laid on 22 February 2022. The Statement of Excesses for 20/21 was laid on 24 February 2022.
- FOI – There is one outstanding Freedom of Information request.
- Recruitment and staffing – Luis Gomes, GIS & Data Office will be leaving the Commission in April 2022. The Team is currently recruiting for his replacement.

Agreed

- 1) The Board noted the report.
- 2) The Commission would write to local authorities reminding them of timelines for related alterations and consent requests
- 3) The Board agreed to Redditch Council's request for an extension until 31st May 2022.
- 4) The Board agreed to the Lead Commissioner allocation outlined in the report.
- 5) The Board agreed the amendments to the Council Size guidance.
- 6) The Board agreed to delay the consideration of Trafford Final Recommendations from April to May 2022.
- 7) The Board agreed that a council size of 48 be used as the basis for the preparation of the Draft Recommendations for Maidstone.

3. Worcester Council Size - LGBCE (21/22) 186

It had been agreed to review Worcester Council as part of the Periodic Electoral Review Programme. According to the latest available electoral figures, 20 per cent of wards had variances greater than 10 per cent.

The current size of the Council is 35 members.

Following receipt of information about future governance and representational arrangements, it was recommended by LGBCE officers that there was sufficient evidence to support that the council size remain at 35 members.

The Board considered all the available evidence, and, on the basis of this evidence, it was minded to support a council size of 35 members.

Agreed

The Board agreed that a council size of 35 be used as the basis for the preparation of the Draft Recommendations.

4. Cannock Chase Council Size - LGBCE (21/22) 187

It had been agreed to review Cannock Chase Council as part of the Periodic Electoral Review Programme. According to the latest available electoral figures, 20 per cent of wards had variances greater than 10 per cent.

The current size of the Council is 41 members.

Following receipt of information about future governance and representational arrangements, it was recommended by LGBCE officers that there was sufficient evidence to support that the council size decrease by 5 from 41 to 36 members.

The Board considered all the available evidence, and, on the basis of this evidence, it was minded to support a council size of 36 members.

Agreed

The Board agreed that a council size of 36 be used as the basis for the preparation of the Draft Recommendations.

5. Fenland Draft Recommendations - LGBCE (21/22) 189

The review of Fenland Council had commenced on 18 October 2021. According to the latest available electoral figures, 21 per cent of wards had variances greater than 10 per cent.

At its meeting on 18 October 2021, the Board had been minded to agree a council size of 42 and the Draft Recommendations being considered had been prepared on the basis of such a council size.

In preparing the draft scheme, the team had taken into consideration both the submissions it had received and the statutory criteria. The Draft Recommendations proposed a pattern of ten three-councillor, five two-councillor, and two single-member wards in total.

The Board considered the recommendations in detail informed by the statutory criteria and taking into account the advice of officers and the submissions received.

It agreed the Draft Recommendations as presented.

Agreed

Draft Recommendations for Fenland Council as presented.

6. Mole Valley Draft Recommendations - LGBCE (21/22) 190

The review of Mole Valley Council had commenced on 21 September 2021. According to the latest available electoral figures, 20 per cent of wards had variances greater than 10 per cent.

At its meeting on 21 September 2021, the Board had been minded to agree a council size of 39 and the Draft Recommendations being considered had been prepared on the basis of such a council size.

In preparing the draft scheme, the team had taken into consideration both the submissions it had received and the statutory criteria. The Draft Recommendations proposed a pattern of 13 three-councillor wards in total.

The Board considered the recommendations in detail informed by the statutory criteria and taking into account the advice of officers and the submissions received.

It agreed the Draft Recommendations as presented.

Agreed

Draft Recommendations for Mole Valley Council as presented.

7. South Staffordshire Final Recommendations - LGBCE (21/22) 191

The review of South Staffordshire Council had commenced on 18 May 2021. According to the latest available electoral figures, 24 per cent of wards had variances greater than 10 per cent.

At its meeting on 18 May 2021, the Board had been minded to agree a council size of 41 and had subsequently, on 19 October 2021, agreed Draft Recommendations.

These had been for a council size of 42 members since this offered a warding pattern that better reflected the statutory criteria.

Following publication, 18 submissions had been received commenting on the Draft Recommendations which had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account, it was judged that there was insufficient evidence to change the Draft Recommendations, with the exception of one ward name change and, therefore, they were proposed as the Final Recommendations for South Staffordshire Council.

The Final Recommendations proposed a pattern of six three-councillor, ten two-councillor, and four single-member wards in total.

The Board considered the Final Recommendations in detail, informed by the statutory criteria and taking into account the submissions received following publication of the Draft Recommendations.

It agreed the Final Recommendations as presented.

Agreed

- 1) Final Recommendations for South Staffordshire Council as presented.
- 2) The Board agreed to the laying of a draft Order before Parliament giving effect to its final recommendations for South Staffordshire Council.

8. Stockport Final Recommendations - LGBCE (21/22) 192

The review of Stockport Council had commenced on 16 March 2021. According to the latest available electoral figures, 5 per cent of wards had variances greater than 10 per cent.

At its meeting on 16 March 2021, the Board had been minded to agree a council size of 63 and had subsequently, on 19 October 2021, agreed Draft Recommendations.

Following publication, 983 submissions had been received commenting on the Draft Recommendations which had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account, for the reasons highlighted in the team's report, it was felt that there was sufficient evidence to move away from the Draft Recommendations in some aspects and these changes were reflected in the Final Recommendations put to the Board for consideration.

The Final Recommendations proposed a pattern of 21 three-councillor wards in total.

The Board considered the Final Recommendations in detail, informed by the statutory criteria and taking into account the submissions received following publication of the Draft Recommendations.

It agreed the Final Recommendations as presented.

Agreed

- 1) Final Recommendations for Stockport Council as presented.
- 2) The Board agreed to the laying of a draft Order before Parliament giving effect to its final recommendations for Stockport Council.

9. West Lancashire Final Recommendations - LGBCE (21/22) 193

The review of West Lancashire Council had commenced on 16 March 2021. According to the latest available electoral figures, 20 per cent of wards had variances greater than 10 per cent.

At its meeting on 16 March 2021, the Board had been minded to agree a council size of 45 and had subsequently, on 19 October 2021, agreed Draft Recommendations.

Following publication, 66 submissions had been received commenting on the Draft Recommendations which had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account, for the reasons highlighted in the team's report, it was felt that there was sufficient evidence to move away from the Draft Recommendations in some aspects and these changes were reflected in the Final Recommendations put to the Board for consideration.

The Final Recommendations proposed a pattern of 15 three-councillor wards in total.

The Board considered the Final Recommendations in detail, informed by the statutory criteria and taking into account the submissions received following publication of the Draft Recommendations.

It agreed the Final Recommendations as presented.

Agreed

- 1) Final Recommendations for West Lancashire Council as presented.
- 2) The Board agreed to the laying of a draft Order before Parliament giving effect to its final recommendations for West Lancashire Council.

10. Chesterfield Final and Further Limited Draft Recommendations - LGBCE (21/22) 194

The review of Chesterfield Council had commenced on 20 April 2021. According to the latest available electoral figures, 21 per cent of wards had variances greater than 10 per cent.

At its meeting on 20 April 2021, the Board had been minded to agree a council size of 40 and had subsequently, on 18 October 2021, agreed Draft Recommendations.

Following publication, 43 submissions had been received commenting on the Draft Recommendations which had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account, for the reasons highlighted in the team's report, it was felt that there was sufficient evidence to move away from the Draft Recommendations in some aspects and these changes were reflected in Further Draft Recommendations put to the Board for consideration. Further Draft Recommendations were agreed for the areas of Dunston, Whittington Moor, Brockwell, Hasland and Spire.

In the other areas, the Board considered the Final Recommendations in detail, informed by the statutory criteria and taking into account the submissions received following publication of the Draft Recommendations. It agreed the Final Recommendations as presented for those areas

Agreed

Further Draft and Final Recommendations for Chesterfield Council as presented.

11. Gravesham Final Recommendations - LGBCE (21/22) 195

The review of Gravesham Council had commenced on 18 May 2021. According to the latest available electoral figures, 33 per cent of wards had variances greater than 10 per cent.

At its meeting on 18 May 2021, the Board had been minded to agree a council size of 39 and had subsequently, on 19 October 2021, agreed Draft Recommendations.

Following publication, 51 submissions had been received commenting on the Draft Recommendations which had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account, for the reasons highlighted in the team's report, it was felt that there was sufficient evidence to move away from the Draft Recommendations in some aspects and these changes were reflected in the Final Recommendations put to the Board for consideration.

The Final Recommendations proposed a pattern of 6 three-councillor, 10 two-councillor, and one single-member wards in total.

The Board considered the Final Recommendations in detail, informed by the statutory criteria and taking into account the submissions received following publication of the Draft Recommendations.

It agreed the Final Recommendations as presented.

Agreed

- 1) Final Recommendations for Gravesham Council as presented.
- 2) The Board agreed to the laying of a draft Order before Parliament giving effect to its final recommendations for Gravesham Council.

12. Waverley Final Recommendations - LGBCE (21/22) 196

The review of Waverley Council had commenced on 20 April 2021. According to the latest available electoral figures, 21 per cent of wards had variances greater than 10 per cent.

At its meeting on 20 April 2021, the Board had been minded to agree a council size of 50 and had subsequently, on 21 September 2021, agreed Draft Recommendations.

Following publication, 26 submissions had been received commenting on the Draft Recommendations which had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account, for the reasons highlighted in the team's report, it was felt that there was sufficient evidence to move away from the Draft Recommendations in some aspects and these changes were reflected in the Final Recommendations put to the Board for consideration.

The Final Recommendations proposed a pattern of 5 three-councillor, 16 two-councillor, and 3 single-member wards in total.

The Board considered the Final Recommendations in detail, informed by the statutory criteria and taking into account the submissions received following publication of the Draft Recommendations.

It agreed the Final Recommendations as presented.

Agreed

- 1) Final Recommendations for Waverley Council as presented.
- 2) The Board agreed to the laying of a draft Order before Parliament giving effect to its final recommendations for Waverley Council.

13. 2022-23 Detailed Budget - LGBCE (21/22) 197

The Director of Corporate Services introduced the report. The Main Supply Estimate (MSE) will be laid in Parliament in April/May. In total, an additional £136,000 was requested for resource – 5% for pay & prices and funding for IT and website. An additional £70k was requested for capital to pay for the new website. An additional £15k was requested in order to bring the AME dilapidations provision to current prices.

Commissioners raised concerns with regards to the increase in NAO fees. The DCS explained this was partly due to inflation, as well as an increase towards full cost recovery. Substantial change will come into effect from 2022/23, namely the revised Auditing Standards ISA 315 and ISA (UK) 240.

The Board requested for the Commissioners' line on the budget to be further broken down to gain a better understanding of how the budget has been allocated to Commissioners' fees, travel and subsistence.

Agreed

- 1) The Commission Board agreed the detailed budget for 2022/23 as outlined in the report
- 2) The Commission Board agreed to the Annually Managed Expenditure provision of £88,000 (total)
- 3) The Commission Board agreed a capital budget of £120,000 for 2022/23

14. ARC Terms of Reference - LGBCE (21/22) 198

Following an Advisory Review by TIAA of the Audit and Risk Committee Terms of Reference, two issues were identified which required a decision from the Commission Board. The first issue being whether it was appropriate for the Commission to deviate from HM Treasury's guidance regarding the appointment of the Chair of ARC. The second issue being the language used about the provision of assurance or otherwise from ARC to the Board and to the Accounting Officer.

Agreed

- 1) The Commission appoint a serving Commissioner as Chair of the ARC who will be rotated as decided by the Chair of the Commission with continuation of current arrangements for the appointment of an Independent Member of ARC.
- 2) The Board agreed that the ARC Terms of Reference be amended as per Paragraph 10 of the report.

15. Rewards and Recognition - LGBCE (21/22) 199

The staff team, except for the Chief Executive and Director of Corporate Services, left the meeting and took no part in the discussion on this item.

The Director of Corporate Services presented the Rewards and Recognition Report. There were two outstanding issues from the Reward & Recognition project that required decision by the Commission Board – Performance bonus rewards and Reward for excellence.

The Board supported the objectives and ambitions of both these schemes and the desirability of their early introduction.

It was noted that the cost of the bonus scheme might be more clearly presented since it confused the available 'financial envelope' with the actual level of rewards on offer. Also, it was suggested that the title of the latter scheme might be recast since 'excellence' was itself a generic organisational expectation and that, whilst not wishing to change the process for selecting successful candidates, a list of those receiving awards would be shared with the Chair of Remuneration Committee on an annual basis.

It was also noted that there might be need to revisit whether staff who had received consolidated awards could be eligible for further awards at a later stage although this would not become an issue for at least three years.

The scheme would be reviewed after the first consolidated award had been made.

Agreed

Informed by the Board's observations as set out above:

- 1) Performance bonus awards from FY 2022/23
- 2) Rewards for Excellence from FY 2022/23

16. Fees & Expenses Policy - LGBCE (21/22) 200

The DCS presented the revised policy and highlighted the proposed changes. It was explained the Fees and Expenses Policy had been updated earlier than scheduled in order to reflect the new Commissioners' Schedule of Fees and Fee claim process as well as the process for working from home equipment purchases.

The DCS explained that the policy had been presented to the Audit and Risk Committee who suggested some minor amendments, which had been incorporated. There was one suggested amendment regarding the approach to Commissioners' fees being subject to review, which hadn't been made as this wasn't appropriate to include within the policy. The DCS added though that the new fee arrangements would be reviewed during the 22/23 Financial Year.

The following observations were made:

- Page 5 Other – Actual Tours – There is a maximum daily allowance of 8 hours which can be claimed.
- Page 10 – 'Be' needs to be added in the second paragraph.
- Page 5 – Actual Tours is not included within the current Review matrix. Going forward there will be Actual Tours as well as Virtual Tours. This needs to be made clearer.
- Page 5 Other – Travel time for Actual Tours needs to be incorporated and made explicit.
- Need to ensure consistency. Whilst there is a standard 'tariff', it is recognised that there will be exceptions to the review matrix due to the complexity and scale of some reviews. The Chief Executive should be consulted in such cases so that there are agreed and certified time allocations.

17. Draft ARC Minutes - LGBCE (21/22) 201

Agreed

- 1) The Commission Board noted the draft minutes.

18. Risk Management - LGBCE (21/22) 202

The Business & Projects Lead introduced the report. Details regarding the Risk Management Group's February and March meeting were provided.

- Risk 2C Inadequate engagement from Local Authorities – This was previously the highest rated risk on the register. As many of the controls and assurances in place to mitigate the risk has been implemented or strengthened during the pandemic, the RMG agreed that the current risk score would be re-scored to Possible/Major/6. The LGA Annual Conference will be taking place in Harrogate on 28 - 30 June 2022. Considering stands have been booked and confirmed, the BPL agreed that it would be appropriate to change the rating from Amber to Green.
- Risk 5A Health and Safety - No changes were made to the current risk score or trend status. Board members commented that the Health and Safety Policy had a very office centric approach and needed to be amended to consider the Commission's new blended working arrangements. Questions were raised with regards to the employer's duty in relation to health and safety for members of staff who work from home. The BPL explained that various processes had been developed which were sourced from HSC, since working from home, such as a visual equipment checklist, guidance on how to use equipment at home and workstation assessment.

Agreed

The Commission Board noted the report.

19. Review Cost Analysis - LGBCE (21/22) 203

The Finance Lead gave a summary of the main findings of the review costing exercise for April 2020 – September 2021.

Board members made the following comments:

- Where reviews have been extended due to delays, this will have had a significant impact on the absorption of costs.
- How much more sophisticated can we get on breaking down indirect costs and apportioning them in a way that gives us the true cost of a review? The DCS explained that we also analysed Marginal and could use them to consider what programme we could afford. Considering more than 50% of the

Commission's costs relate to staffing, the main factor that drives the costs of a review is the number of hours logged on Project Spread by Review Officers.

- How confident are we on the accuracy of the raw data that we are dealing with? Is every single hour logged to the correct review on a consistent basis? Are Review officers using the same criteria to determine whether the time spent, is a direct cost as opposed to a general review cost? The DCS explained that over the years the completion of Project Spread has improved. The Leadership Team are provided with reports on a monthly basis, of project spread completion by each individual Review Officer, to enable them to understand the number of hours worked by each RO and the ratio between the hours worked and the allocation of work hours to review related work. Review Officers spend majority of their time doing review work, so most of their time on Project Spread are allocated to a specific review.
- Further consultations may increase the costs of a review as well as the number of submissions, the complexity of review, delays, new members of staff (who may take longer to complete tasks than a review officer who has more experience).

AOB

There were no other items.

Close of Business