

## LGBCE (22-23) 16 Meeting

Minutes of meeting held on 21 March 2023, at 10:00 am. All Commissioners and officers attended the meeting via Teams.

### Commissioners Present

Professor Colin Mellors OBE (Chair)  
Susan Johnson OBE  
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<br>Manager |
| Alison Evison      | Review & Programme Manager                 |
| Richard Otterway   | Review Manager                             |
| Richard Buck       | Review Manager                             |
| Paul Kingsley      | Review Officer (item 9)                    |
| Yemi Fagun         | Review Officer (item 8)                    |
| Mark Cooper        | Review Officer (item 10)                   |
| Ben Meredeen       | Review Officer (item 7)                    |
| Dean Faccini       | Compliance Lead (item 16)                  |
| Rafa Chowdhury     | Finance Lead (minutes)                     |

### Apologies for Absence

There were no apologies for absence. Rich Otterway would have to leave the meeting at 12:30pm.

## Declarations of interest

Susan Johnson declared an interest in item 6, North Hertfordshire Final Recommendations and took no part in the discussions of that item.

Alison Evison declared an interest in item 9, Essex Council Size and took no part in the discussions of that item.

Richard Otterway declared an interest in item 9, Essex Council Size and took no part in the discussions of that item.

Colin Mellors declared an interest in item 2, Operational Report (Bradford) and took no part in the discussions of that item.

## Minutes of LGBCE's meeting on 20 February 2023 and 21 February 2023.

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

## Matters Arising

There were no matters arising.

## Actions from the previous Commission Board meeting

The following actions were reported on:

- Council size equalities impact assessment – This was discussed by the Equality, Diversity & Inclusion Working Group and a report will come to the April Board Meeting
- Staff Survey meeting to address the issues raised – to be discussed after the end of meeting.
- Future Working Project and Governance Review Project – Business case will be coming to the Commission Board for the Future Working Project, Governance Review discussion to take place at the June Away Day.
- Summary Paper to be produced on the parliamentary process for order laying – On today's agenda. (Complete)
- Clarity on Objectives for a Corporate Plan – Discussion to take place at the June Away Day
- KPI 2A Website Sessions – Update to be provided in the Operational Report. (Complete)

## 1. Chair's Report

The Chair updated the Board on the recruitment of a new Commissioner.

The Chair gave an update following the meeting with the Parliamentary Boundary Commission.

The Chair, Chief Executive and Director of Corporate Services attended the Speakers Committee on 15 March 2023. The Committee had subsequently confirmed the Commission's Main Estimate for 2023/24.

## 2. Operational Report

The Chief Executive presented the Operational Report for March 2023 and the Commission noted its content.

- Related Alteration request – Cornwall consent has been signed off by CE.
- Review Programme Resilience – The Commission Board agreed for the initial consultation on division patterns for Derbyshire to start after the district and borough elections.
- Recruitment and Staffing: Two Review Officers will be leaving the Commission at the end of March. Internal and External recruitment exercises have commenced to fill these vacancies.
- Harlow – Final Recommendations being reconsidered later on the agenda.
- The Chair agreed the Lead Commissioners for the following Reviews:
  - Amanda Nobbs – Worcester
  - Amanda Nobbs – Bassetlaw (until the recruitment of a new commissioner)
- KPI 2A Website Sessions - Q3 Facebook analytics showed a significant drop in engagement - The Comms Team looked at this and concluded that a problem had occurred in recording engagement for random advertising campaigns. This was a Facebook error (ie not as a result of our setting up individual advertising campaigns). The fault corrected itself after a period.

The Board considered the detailed report that had been prepared on the Stockton review by the Review Manager following the notification of two errors, particularly that relating to allocation of councillors to Ingleby Barwick Town Council.

Whilst acknowledging the open and full manner in which the report had been prepared, the Board was very concerned about the seriousness of the matter, the series of errors that had been made, and the impact that it would have on this year's elections to the Town Council, as well as any financial consequences.

Accordingly, it agreed that the Chief Executive should ensure that:

(1) A full and comprehensive explanation of what had happened should be given to Ingleby Barwick Town Council and to Stockton-on-Tees Borough Council together with an apology for the consequences for all those affected.

(2) Commission staff should work closely with the Town and Borough councils to identify, and implement, the means of rectifying the error as soon as possible.

(3) The next Board meeting should be informed of appropriate actions to avoid any repetition of what caused this serious error and any further actions/notifications as deemed necessary.

The Chief Executive recognised the seriousness of the issue and assured the Board that all three lines of activity were already underway. This included the Review Manager leaving the Board meeting early in order to travel to Stockton to be present at that evening's Town Council meeting in order to apologise, explain what had happened, and discuss potential ways forward.

It was also felt by the Board that the Commission itself should take legal advice in order to explore every means of achieving an early rectification of the error, especially given that the resultant Order was not what had been agreed, nor intended, by the Board in its Final Recommendations.

### 3. Gloucestershire Council Size - LGBCE(22/23)159

It had been agreed to review Gloucestershire County Council due to electoral imbalance. According to the latest available electoral figures, 32 per cent of divisions had variances greater than 10 per cent.

The current size of the Council is 53 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 increase by 2 from 53 to 55 members. The Council also requested that this be a single-member division review and officers proposed the Board agree to this.

The Board considered all the available evidence, and, on the basis of this evidence, it was minded to support a council size of 55 members.

#### **Agreed**

- (1) The Board agreed that a council size of 55 be used as the basis for the preparation of the Draft Recommendations.
- (2) The Board agreed that the review proceed as a single-member division review.

### 4. Derbyshire Council Size - LGBCE(22/23)161

It had been agreed to review Derbyshire County Council due to electoral imbalance and as part of the Periodic Electoral Review Programme. According to the latest available electoral figures, 20 per cent of divisions had variances greater than 10 per cent. One division had a variance of over 30 per cent.

The current size of the Council is 64 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 64 members. The Council also requested that this be a single-member division review and officers proposed the Board agree to this.

The Board considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 64 members.

### **Agreed**

- (1) The Board agreed that a council size of 64 be used as the basis for the preparation of the Draft Recommendations.
- (2) The Board agreed that the review proceed as a single-member division review.

## **5. Gateshead Council Size - LGBCE(22/23)162**

It had been agreed to review Gateshead Council as part of the Periodic Electoral Review Programme. According to the latest available electoral figures, 14 per cent of wards had variances greater than 10 per cent.

The current size of the Council is 66 members.

Following receipt of information about future governance and representational arrangements, it was recommended by LGBCE officers that there was insufficient evidence at present to support any of the options received.

In light of this, it was proposed the Commission Board agree to undertake a period of local consultation on the most appropriate number of councillors for Gateshead.

The Commission Board considered all the available evidence and, on the basis of this evidence, it agreed that a period of consultation was required in order to garner further evidence prior to it making a decision on council size.

### **Agreed**

The Commission Board agreed to consult on the most appropriate number of councillors for Gateshead. The Board would then consider all the responses and make a decision on council size.

## **6. North Hertfordshire Final Recommendations - LGBCE(22/23)165**

*Susan Johnson left the meeting and took no part in the discussion of this agenda item.*

The review of North Hertfordshire Council had commenced on 15 February 2022. According to the latest available electoral figures, 37 per cent of wards/divisions had variances greater than 10 per cent.

At its meeting on 15 February 2022, the Board had been minded to agree a council size of 50 and had subsequently, on 18 October 2022, agreed Draft Recommendations. The Board agreed to move away from its original opinion on council size and, instead, agreed a council size of 51.

Following publication, 81 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 7 three, 13 two, and 4 single-member wards.

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.

The Board agreed that legal advice should be sought concerning the ability of the Commission to create parish wards where there is a parish meeting rather than a parish council.

It agreed the Final Recommendations as presented.

### **Agreed**

Final Recommendations for North Hertfordshire Council as presented.

The Board agreed to the laying of a draft Order before Parliament giving effect to its final recommendations for North Hertfordshire Council.

*Susan Johnson returned to the meeting at the conclusion of this item.*

## **7. Harlow Final Recommendations - LGBCE(22/23)166**

This was a re-consideration of the final recommendations as it was discovered that one submission had been overlooked before the final recommendations had been published. It took account of the all the submissions, informed by the statutory criteria.

The review of Harlow had commenced on 25 April 2022. According to the latest available electoral figures, 46 per cent of wards had variances greater than 10 per cent.

At its meeting on 25 April 2022, the Board had been minded to agree a council size of 33 and had subsequently, on 20 September 2022, 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 11 three-councillor wards in total.

It agreed the Final Recommendations as presented.

**Agreed**

Final Recommendations for Harlow Council as presented.

The Board agreed to the laying of a draft Order before Parliament giving effect to its final recommendations for Harlow Council.

## 8. GIS - LGBCE(22/23)170

The report outlined the Commission's new approach to scheming and calculating forecast electoral variances when preparing a set of recommendations.

**Agreed**

The Commission Board agreed to the ongoing annual cost of Esri Sweet

## 9. Essex Council Size - LGBCE(22/23)160

*Alison Evison left the meeting and took no part in the discussion of this agenda item. Richard Otterway had already left the meeting.*

It had been agreed to review Essex County Council due to electoral imbalance and as part of the Periodic Electoral Review Programme. According to the latest available electoral figures, 30 per cent of divisions had variances greater than 10 per cent. Four divisions had variances greater than 20 per cent, with one division being over 30 per cent.

The current size of the Council is 75 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 increase by 2 from 75 to 77 members. The Council also requested that this be a single-member division review and officers proposed the Board agree to this.

The Board considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 77 members.

**Agreed**

- (1) The Board agreed that a council size of 77 be used as the basis for the preparation of the Draft Recommendations.
- (2) The Board agreed that the review proceed as a single-member division review.

*Alison Evison returned to the meeting at the conclusion of this item*

## 10. Cheltenham Final Recommendations - LGBCE(22/23)163

The review of Cheltenham Council had commenced on 17 May 2022. According to the latest available electoral figures, 20 per cent of wards had variances greater than 10 per cent.

At its meeting on 17 May 2022, the Board had been minded to agree a council size of 40 and had subsequently, on 18 October 2022, 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 the Final Recommendations put to the Board for consideration.

The Final Recommendations proposed a pattern of 20 two-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**

Final Recommendations for Cheltenham Council as presented.

The Board agreed to the laying of a draft Order before Parliament giving effect to its final recommendations for Cheltenham Council.

## 11. Worcester Final & Further Draft Recommendations - LGBCE(22/23)164

The review of Worcester City Council had commenced on 15 March 2022. According to the latest available electoral figures, 20 per cent of wards had variances greater than 10 per cent.



At its meeting on 15 March 2022, the Board had been minded to agree a council size of 35 and had subsequently, on 18 October 2022, agreed Draft Recommendations.

Following publication, 38 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.

It was also considered that there was sufficient evidence to undertake a period of further limited consultation focusing on the proposals for the of Battenhall, Cathedral, Gorse Hill, Nunnery, Rainbow Hill, South-West area of Worcester before the Board published its Final Recommendations.

The Board considered the Further Draft and Final Recommendations in detail, informed by the statutory criteria and taking into account the submissions received following publication of the Draft Recommendations. It agreed a period of further limited consultation focusing on the areas of Battenhall, Cathedral, Gorse Hill, Nunnery, Rainbow Hill, and the south west of the City.

It agreed the Further Draft and Final Recommendations as presented.

### **Agreed**

Further Draft and Final Recommendations for Worcester City Council as presented.

A period of further limited consultation focusing on the areas of Battenhall, Cathedral, Gorse Hill, Nunnery, Rainbow Hill, South-West of the City.

## 12. Draft ARC Minutes - LGBCE(22/23)167

The Commission Board noted the minutes of the February meeting

## 13. 2023/24 Detailed Budget - LGBCE(22/23)168

The Director of Corporate Services introduced the report. The Main Supply Estimate (MSE) will be laid in Parliament in April/May. In total, £2,633k has been requested for Revenue DEL, £10k to bring the AME dilapidations provision to current prices and £50K for Capital.

An additional £101K has been requested for a Risk and Resilience fund.

### **Agreed**

- The Commission Board agreed the detailed budget for 2023/24 as outlined in the report

- The Commission Board agreed to the Annually Managed Expenditure provision of £10,000
- The Commission Board agreed a capital budget of £50,000 for 2023/24

#### 14. Website Project Update

The Communications and Public Affairs Manager gave an update on the progress of the development of the new website.

The Commission Board noted the Update and the key steps delivered since the previous Board meeting.

The Chair expressed appreciation on behalf of the Board for all the work that had gone into the construction of the new website.

#### 15. Order Laying Process - LGBCE(22/23)169

The report outlined the key elements of the process once an order is laid in both Houses of Parliament.

The Commission Board noted the report.

#### 16. Risk Register - LGBCE(22/23)171

The Governance and Compliance Lead introduced the report. Details regarding the Risk Management Group's February and March meeting were provided.

- Risk 1D – Failure to gain support from the local authority: There was no change to its current risk score or to its trend status.
- Risk 2B – Failure to have a resilient workforce: There was no change to its current risk score or to its trend status.
- Risk 3C Failure of external contracts and business systems: There was no change to its current risk score or to its trend status.
- Risk 4B – Legal Challenge against the Commission: There was no change to its current risk score or to its trend status.

The Commission Board suggested that staff retention/staff turnover be revisited.

#### **Agreed**

The Commission Board noted the report.

#### 17. Corporate Governance Framework - LGBCE(22/23)172

The Director of Corporate Services presented the revised Corporate Governance Framework and highlighted the proposed changes.

**Agreed**

The Commission Board approved the Corporate Governance Framework subject to minor amendments.

**18. Future Business**

In person Commission Meeting to be held in June.

**AOB**

There were no other items.

**Close of Business**