

CABINET – 20 APRIL 2009

PRINCIPAL SCRUTINY COMMITTEE – 21 APRIL 2009

REVIEW OF ELECTORAL ARRANGEMENTS

REPORT OF CORPORATE DIRECTOR (GOVERNANCE)

Contact Officers: Stephen Whetnall/Chris Ashcroft Tel No: 01962 848220/848284
cashcroft@winchester.gov.uk

RECENT REFERENCES:

CAB 1591 – Local Government and Public Involvement in Health Act 2007

EXECUTIVE SUMMARY:

In accordance with the Local Government and Public Involvement in Health Act 2007, the Council will need to decide during the coming months whether to opt for whole elections, or remain with the existing election by thirds. It can also decide whether to adopt an enhanced role for the Leader or opt for an Elected Mayor.

The statutory timetable provides for these changes to be put in place for the 2011 elections. The main indication required at this stage is whether or not there is any desire to undertake a review of warding arrangements, with a view to establishing single member wards. This is because the Boundary Committee for England has requested notification of such a choice as soon as possible, as it would have a particular interest in the process and outcome.

This report seeks Members views on that particular matter, together with any other relevant comments.

UPDATE – immediately prior to the printing of this report, a further letter was received from the Boundary Committee, drawing attention to the situation in Boarhunt and Southwick Ward, where projected housing completions (and thereby an increase in the electorate) has not been achieved. There is currently a 37% variance from the District norm in terms of the Member:elector representation ratio.

Even though the Boundary Committee has been made aware that the current economic recession has significantly affected such projections, it has given an indication that it may be minded to institute a review of the whole District. This is because one of its criteria for commencing a review (one ward has an electoral variance of over 30% from the average for the Authority) has been met for some time and there appears no immediate prospect of change.

It will be for the Electoral Commission to make the final decision on whether or not to commence a review, and this will depend on its other priorities, plus the view taken on how long Boarhunt and Southwick Ward will need to reach acceptable electorate levels. Pending that final decision, the Boundary Committee has provisionally scheduled a Winchester District Review for some time during 2010/11.

Members need to be mindful of this update, particularly when considering the information set out in paragraph 5.

RECOMMENDED (to Council):

That Members consider the report and recommend how they wish to proceed in relation to whether an application should be made to the Boundary Committee for England for an electoral review based upon single Member wards.

CABINET – 20 APRIL 2009PRINCIPAL SCRUTINY COMMITTEE – 21 APRIL 2009ELECTORAL ARRANGEMENTSREPORT OF CORPORATE DIRECTOR (GOVERNANCE)DETAIL:1 Introduction

- 1.1 The City Council is currently subject to elections by thirds, with the County Council election taking place in the fourth year. This has been the case since the Council was created in 1974 and was last considered in the Electoral Review approved by the Local Government Commission in 2000.
- 1.2 The Council may now decide to pass a resolution to change to whole Council elections, if it so wishes. A public consultation exercise has to be undertaken. The decision to implement the proposal has to be taken at a special meeting of the Council, with a majority of at least two thirds of those Members voting. The Government is encouraging a move to whole council elections to provide for continuity of leadership over a four year period. This ties in with another important concept in the Act, to strengthen Leadership arrangements, which is set out in paragraph 3 below.

2 Power of District Councils to change Electoral Scheme

- 2.1 The process can be undertaken every four years, so it would be possible to change to whole Council elections and to revert to election by thirds at a later date. Election by halves, which is currently used by a small number of councils, is not available to those councils who are not currently on that system.
- 2.2 The resolution for change must be made before 31 December 2010. The Act provides that it would be implemented in the May 2011 elections.
- 2.3 Parish Council elections are timed to take place when a District Council election is taking place in that ward. The Council may make an Order to change Parish election timetables to coincide with the District Council election timetable.
- 2.4 Currently, the City Council has one, two or three Member wards. This variety enabled some flexibility in linking Members to individual communities, given that the ratio of Members to electors has to be as close as possible across the District. The current arrangements were approved by the then Local Government Commission in 2000. The ratio adopted on that occasion was 1 councillor:1,536 electorate and was based on a council size of 57 Members.

The current Ward totals are attached as Appendix A to this report and give a ratio of 1:1560.

- 2.5 The Act allows councils who opt for whole elections to request the Electoral Commission's Boundary Committee to initiate a review for single member electoral wards. Previous experience with reviews suggests that it is likely to be impracticable to produce a single member ward scheme for this District, with the current number of Members, having regard to the requirement to use parishes as the building blocks for District wards. The additional requirement to achieve similar Member:elector ratios across the District would create significant difficulties in achieving this.
- 2.6 Any change in the number of Members will have an impact on the costs of the Members Allowances Scheme. The current Basic Allowance is £5,946 per Member. It is unlikely that any increase in the number of Members would be approved by the Boundary Committee given current trends.

3 Executive Arrangements

- 3.1 The Local Government Act 2000 introduced the concept of executive government, where the majority of decisions to be made were to be the responsibility of a clearly identifiable group of Members. This Council adopted the Leader with Cabinet model.
- 3.2 The Act abolishes the Elected Mayor with Council Manager option – but still provides for an Elected Mayor with Cabinet as an alternative to the Leader with Cabinet model.
- 3.3 The Act requires the Council to consider whether to adopt one of two options for future executive arrangements:
- (1) Directly Elected Mayor with Cabinet or
 - (2) Indirectly elected Leader with Cabinet
- 3.4 Option (1) means that voters would elect a specific individual to the office of Mayor, who would work with a Cabinet to implement policy. One advantage cited in favour of this option is that the Mayor will become well-known in the community and therefore more directly accountable to local people.
- 3.5 Option (2) strengthens the role of the Leader in the following ways:
- (a) the current Constitution follows an option in the Local Government Act 2000 to allocate the executive functions to Cabinet meeting collectively, rather than to the Leader or other Portfolio Holders. Any scheme of delegation to individual Portfolio Holders also required Council approval. The 2007 Act states that all executive decisions will be the responsibility of the Leader – who can delegate to Cabinet, other Portfolio Holders, or to officers.

- (b) the Leader will appoint Cabinet rather than the Council.
 - (c) the Leader will allocate portfolios rather than Cabinet.
 - (d) the Leader will be appointed by Council for his/her remaining period of office as a councillor up to a maximum of four years – i.e. until the Leader next stands for re-election as a councillor. This changes the current position where the Council has to re-elect the Leader annually. The Council Procedure Rules may still provide a procedure for the removal of the Leader e.g. vote of no confidence.
- 3.6 The Act requires the Council to undertake appropriate public consultation on whether its future executive arrangements should be based upon the Elected Mayor or indirectly elected Leader Models. There is no longer an obligation to hold a referendum on the issue, but the Council may still do so. The public can still separately petition for a referendum for an Elected Mayor. The Government is currently considering whether the 5% of electorate required to compel a Council to hold a referendum is too onerous and should be reduced.
- 3.7 The Government views the two options as providing enhanced leadership to councils, with clearer accountability to the public. The Council's approach to the issue would need to be considered in conjunction with any other changes to its electoral arrangements referred to in paragraph 2 above. Detailed implementation work could be undertaken at the same time and using the same consultation mechanism as the decision on all out elections. However, it could also be undertaken as a separate exercise.
- 4 Parishes
- 4.1 The District Council now has wider powers to determine reviews of parishes, which can be to create new parishes, or to change existing ones. The power to make the final decision rests with the Council, rather than it making a recommendation to the Secretary of State.
- 4.2 There have been no requests from parishes to undertake a review. There has been one informal request for a minor alteration to a parish boundary, but as this also affects a district ward boundary, it cannot be progressed in isolation. At this stage, therefore, it will be borne in mind whilst the City Council considers how it wishes to progress the overall warding situation.
- 5 Comments on Electoral Arrangements
- 5.1 Informal discussions have been held with the Boundary Committee for England, who can require the Council to undertake a full review. However, it is clear that the Committee still has a heavy workload with the creation of unitary authorities in other parts of the country and has very limited capacity to embark upon district reviews. In these circumstances, it is unlikely the City Council would be regarded as an urgent case for a full review and so would wait until around 2015, in accordance with the normal programme.

5.2 The only exception to this would be if the Council indicated it were considering a move to single Member wards, in which case the Boundary Committee may allocate some resource as a priority, because it would wish to be involved in seeing how this option progressed. However, it cannot be guaranteed that the Committee will be able to programme a request, but it would want early notification.

5.3 The Council last decided its view on electoral arrangements in October 2003, when it responded to an Electoral Commission consultation and stated that it wished to retain the system of election by thirds (Report CAB 712 refers). Relevant comments in that report included the following:-

'The Council did consider electoral cycles when carrying out the boundary review of 2000 mentioned above. It was concluded that the system of election by thirds provided considerable democratic benefits, because it allowed the District's electorate an opportunity to vote three years out of four and provide an indication of how it viewed the performance of the Council and/or local Members. It also meant that prospective candidates did not have to wait up to four years to get their chance to serve the community.

There is also the advantage of gradual change, which means that should there be a large political swing away from any party, with a consequent influx of new Members, it is limited to one third of the Council and there is still an experienced core of Members to serve on committees etc. However, with whole Council elections (every four years) there have been past cases where a dramatic political shift has meant a significant loss of experienced Members.

In summary, the democratic advantages and relative stability of 'one third' elections outweighs any disadvantages and it should remain an option for those Councils who wish to operate in that way. It also ensures regular accountability of the Council to its electorate.

Another main issue is local flexibility and allowing each local authority to have the electoral system which best suits its electorate. The key test for this should be the turnout levels achieved, particularly for those Councils advocating a retention of the 'election by thirds' system. If those Councils can demonstrate good turnout compared to the national average, they should be allowed to continue with that system.

Whilst the apparent attractions of fewer elections in terms of cost and avoiding voter fatigue can be appreciated, it is not considered that they would generate higher turnout figures. In an area such as the Winchester District, voters may well resent not being able to make their views known through the ballot box on an annual basis.'

5.4 It is for Members to decide in the coming months whether these comments reflect current views, or whether a change to all out elections is required.

The Government is now encouraging all out elections, partly because it believes it provides the length of time and continuity necessary for local leadership to implement policies, and be judged by the electorate on the outcome.

- 5.5 There is also a cost saving over a four year period when compared to election by thirds, which is estimated at £50,000 for the City Council in each of the two years when elections are not held. This would be offset in part by an additional cost in the order of £20,000 in the whole election year.
- 5.6 At this stage, however, it is only necessary to give an indication about whether or not there is any desire to undertake a review of warding arrangements, with a view to establishing single member wards. This is because the Boundary Committee for England has requested notification of such a choice as soon as possible, as it would have a particular interest in the process and outcome. Decisions on the other matters can be left until later in the new Municipal Year.

OTHER CONSIDERATIONS:

6 CORPORATE STRATEGY (RELEVANCE TO):

Efficient and Effective Council

7 RESOURCE IMPLICATIONS:

This will depend on the approach adopted and the level of public consultation and will be the subject of a further report in due course. The potential saving on election by thirds is set out in paragraph 5.5. Changes in the number of Members will affect the costs of the Allowances Scheme as set out in paragraph 2.6 above.

BACKGROUND DOCUMENTS:

None

APPENDICES:

Appendix A – City Council Electorate (by Wards)

Winchester City Council

Appendix A

Polling District Electorate

2,760 WE - Bishops Waltham
 2,555 WF - Bishops Waltham
5,315 Total for Bishops Waltham

446 WG - Boarhunt
 538 XW - Southwick & Widley
984 Total for Boarhunt & Southwick

81 WB - Beauworth
 367 WD - Bishops Sutton
 431 WH - Bramdean & Hinton Ampner
 526 WI - Cheriton
 212 XC - Kilmeston
 128 XZ - Tichborne
1,745 Total for Cheriton & Bishops Sutton

1,241 WK - Colden Common
 1,814 WL - Colden Common
 1,207 YA - Twyford
4,262 Total for Colden Common & Twyford

1,307 WM - Compton & Shawford
 679 WX - Hursley
 1,274 XP - Otterbourne
3,260 Total for Compton & Otterbourne

3,516 WR - Denmead 1,736 WS - Denmead
5,252 Total for Denmead

550 WT - Droxford Droxford, Soberton, Hambledon
 828 WV - Hambledon
 318 XT - Soberton (Soberton)
1,696 Total for Droxford, Soberton, Hambledon

101 WJ - Chilcomb 335 WZ - Itchen Valley No. 1
 227 XA - Itchen Valley No. 1
 523 XB - Itchen Valley No. 2
 178 WY - Itchen Stoke & Ovington
 193 XM - Northington
1,557 Total for Itchen Valley

1,340 XD - Kings Worthy No. 1 (South) Kings Worthy
 2,091 XE - Kings Worthy No. 2 (North)
3,431 Total for Kings Worthy

1,976 XF - Harestock
 861 XG - Littleton

2,837 Total for Littleton & Harestock

1,920 WA - Badger Farm

1,324 XO - Olivers Battery

3,244 Total for Olivers Battery & Badger Farm

1,076 WQ - Curdridge

787 WU - Durley

643 XQ - Owslebury

521 YB - Upham

3,027 Total for Owslebury & Curdridge

635 XR1 - Shedfield (Shedfield)

619 XR2 - Shedfield (Shedfield)

1,887 XS - Shedfield (Waltham Chase)

3,141 Total for Shedfield

359 WP - Crawley 409 WW - Headbourne Worthy

837 XX - Sparsholt

1,605 Total for Sparsholt

1,187 YG - St Barnabas

1,927 YH - St Barnabas

1,699 YY - St Barnabas

4,813 Total for St. Barnabas

979 YI - St Bartholomew

1,475 YJ - St Bartholomew

1,318 YK - St Bartholomew

1,089 YL - St Bartholomew

4,861 Total for St. Bartholomew

. John & All Saints

1,633 YN - St John & All Saints

1,977 YO - St John & All Saints

4,758 Total for St. John & All Saints

807 YQ1 - St Luke

691 YQ2 - St Luke

487 YQ3 - St Luke

1,418 YR - St Luke

884 YV - St Luke St. Luke

4,287 Total for St. Luke

1,148 YP - St Michael

1,284 YS - St Michael

838 YT - St Michael

1,401 YU - St Michael

4,671 Total for St. Michael

2,466 YW - St Paul

2,152 YX - St Paul

4,618 Total for St. Paul

1,012 XU - Soberton (Newtown)
2,301 XY - Swanmore
3,313 Total for Swanmore & Newtown

270 WC - Bighton
1,594 XK - New Alresford
2,712 XL - New Alresford
430 XN - Old Alresford
5,006 Total for The Alresfords

577 WN - Corhampton & Meonstoke
194 WO - Corhampton & Meonstoke
177 YC - Warnford
618 YD - West Meon
1,566 Total for Upper Meon Valley

2,290 YE - Whiteley
2,290 Total for Whiteley

1,987 YF1 - Wickham Wickham
176 YF2 - Wickham
939 YF3 - Wickham
3,102 Total for Wickham

268 XH - Micheldever No. 1 (E.Stratton)
248 XI - Micheldever No. 2 (M. Station)
508 XJ - Micheldever No. 3 (Micheldever)
2,087 XV - South Wonston
1,161 YZ - Wonston
4,272 Total for Wonston & Micheldever

88,913 Total