

Local Government Boundary Commission for England

Council Size Submission: Guidance

A guide to making a good submission

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Introduction

This guidance will assist interested parties in preparing their submission on future governance arrangements and council size to the Local Government Boundary Commission for England ('the Commission') as part of the electoral review process. It highlights the range of issues that the Commission considers when determining council size and will help councillors, officers and others in making strong and well-evidenced submissions.

The starting point for every review is to understand that this is an opportunity for the council to consider future governance arrangements, which will allow you to test the suitability of different council sizes in your submission and to decide on the appropriate number of councillors for the authority. This opportunity only comes normally around once every 12- 16 years and will set how your council is run for the next decade or so. While the final decision on council size rests with the Commission, its approach has always been one of dialogue with each council that it reviews.

The Commission's view is that a 'good' submission is one where the local authority actively engages with the process as an opportunity to focus on the future needs of the council and does not simply describe the current governance arrangements. Ideally, the Commission's decision will be informed by locally informed submissions underpinned by sound evidence – submissions that demonstrate a range of council sizes have been considered, why some have been discounted, and why the council size put forward is considered to be the best one.

The Centre for Governance & Scrutiny

The Centre of Governance and Scrutiny have carried out some research on previous council size submissions and have written a helpful paper, that can inform your submission on some of the issues councils have considered. They recommend that **Councils should use electoral reviews to examine councillors' role and that reviews offer significant value in promoting cross-council and cross-community conversation about the work of elected members.** Their research is at: [https://s3-eu-west-2.amazonaws.com/lgbce/2022-10-11%20-%20lgbce%20report%20combined%20draft%20%20\(003\)_0.pdf](https://s3-eu-west-2.amazonaws.com/lgbce/2022-10-11%20-%20lgbce%20report%20combined%20draft%20%20(003)_0.pdf)

What is Council Size?

The Local Democracy, Economic Development and Construction Act 2009¹ ('the 2009 Act') gives the Commission the power to review the electoral arrangements of all, or any, principal councils in England.

The legislation states that 'the total number of members of the council' forms part of an authority's electoral arrangements. The Commission refers to this more simply as 'council size'. The legislation does not set out how many members (or councillors) each authority (or type of authority) should have. It is the Commission's responsibility to determine the appropriate number of councillors for each authority.

The Commission will always recommend a council size that, in its judgement, enables the council to take its decisions effectively, to discharge the business and responsibilities of the council successfully, and provides for effective community leadership and representation.

¹ Local Democracy, Economic Development and Construction Act 2009, s.55–9
www.legislation.gov.uk/ukpga/2009/20/pdfs/ukpga_20090020_en.pdf

General Principles

The Commission recognises that there is considerable variation in council size across England, not only between different types of local authority – metropolitan, unitary, shire district and county councils, and London boroughs – but also between individual authorities of the same type.

In the Commission's opinion, local government is as diverse as the communities it serves – providing leadership, services and representation suited to the characteristics and needs of individual areas. The Commission aims to recommend electoral arrangements, including council size, that are most appropriate for the particular local authority.

The way in which local authorities conduct their business and provide for the effective representation of their electorate has changed considerably over recent decades. The implementation of the Local Government Act 2000 ('the 2000 Act') saw most local authorities change how they made decisions and operate. Similarly, subsequent legislation, including the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011, introduced further opportunities for local government to modify governance and management arrangements. In addition, partnership working, developments in service delivery, and digital working have also impacted on local authorities.

Many local authorities have not, or have only slightly, modified their number of elected members since they were established several decades ago. This is not to imply that current numbers are inappropriate but, rather than simply assuming that the existing numbers remain appropriate, the Commission recommends that councils think afresh about the matter and use the opportunity provided by the review to ensure governance arrangements and the role of councillors are properly understood and are fit for purpose for the future.

An electoral review provides the opportunity for respondents to think carefully about future governance arrangements in the context of changing service delivery needs and the changing roles and expectations of councillors; and what these mean for the future in terms of the number of elected members.

The Commission wants to see evidence that several different council size options have been explored together with the reasons why a particular figure has, or has not, been selected. This should be done irrespective of whether the respondent arrives at the same or a different number of elected members. The most persuasive submissions are those which, rather than considering whether the current number ought not to be changed, reflect on what number of councillors would be required if the council was being newly established.

The Commission does not believe that submissions made on council size need to be particularly long. However, it requests that submissions are made using the Commission's Council Size Submission Template and demonstrate careful thinking about the issues. Electoral reviews take place infrequently and the Commission wants local authorities to take the opportunity to ask themselves questions about the important roles of councillors in providing strategic leadership, securing accountability, and offering community leadership for the medium to long-term future of the local area.

Good Submissions

'Good' submissions, i.e. those that are considered to be most robust and persuasive, combine a number of components, as well as demonstrating an understanding of the subject areas in the next section.

It is recommended that the best way to start is to think about the kind of area that councillors will be representing, individually and collectively in the next decade or more. An electoral review is concerned with ensuring that sustainable, long-term arrangements can be made for the representation of local people. We recognise that such long-term planning will be a challenge, which is why we have highlighted some key components, and areas, which you can use to support your analysis of what your area will look like in the future.

Components of good submissions

These are the principal issues on which submissions should focus in order to ensure a strong and effective argument is constructed. The most effective submissions are those that describe these issues clearly and succinctly and which are described in such a way as to allow conclusions to be drawn for future governance arrangements and council size.

- **Clarity about objectives** – irrespective of whether the submission is in support of a reduction, increase or the status quo in terms of councillor numbers, justifications should reflect the central objectives of the exercise:
 - The Commission's electoral review process is designed to engage specifically with the issue future governance arrangements and council size (in terms of number of councillors). Submissions should lead with this issue - the objective of the submission should be to use local evidence to justify thoughts about council size and to articulate the role of councillors and their relationship with the communities they serve.
 - Good submissions comprise a set of coherent arguments underpinning the proposed council size – addressing contrary views and considering risks, pressures and opportunities associated with alternative approaches. Fundamentally, everything should be drawn back to this central objective.
- **A straightforward and evidence-led style** – a submission that is informed by local evidence and insight and avoids overly descriptive passages. Good submissions do the following:
 - Deploy arguments to increase or decrease council size reflecting current arrangements, but also likely future plans or trends;
 - Provide robust demographic and electoral data as well as opinions gathered from councillor surveys;
 - Consider alternative council size options and their related impacts on council effectiveness – demonstrating that the council has not started with their objective and worked backwards;
 - Set the submission firmly in the context of the organisation's strategic vision for the future and councillors' role in supporting the delivery of that vision;

- Place the councillor voice front and centre.
- **An understanding of local place and communities** – a submission that puts forward arguments on council size that are based on local geography and demographics, local community characteristics and how communities are democratically represented (this is expanded on in the *key substantive areas* below);
- **An understanding of councillors’ roles and responsibilities** – a submission that demonstrates changing role of councillors as well as the limits and pressures of responsibilities when compared to the resource that councillors have at their disposal (this aspect is explored further in the next section).

Substantive areas for submissions to cover

The following are the main practical areas that affect how the council, and councillors, work in the locality. Together, they portray the key characteristics of the local area, and how local distinctiveness impacts on councillors’ roles, responsibilities and activities when representing their ward or division, making decisions, and influencing policy

- **The wider local and national policy context.** This includes:
 - The impact of financial context and challenges. Good submissions are able to weave an understanding of these external pressures into their submission, explaining their impact on members’ representative role and how council services may be constrained as a result;
 - Other national policy trends e.g. trends such as devolution and commercialisation and how these might impact on the councillor role;
 - The recent impact of COVID-19 on councils, councillors and communities.
- **Local geography, demographic and community characteristics.** These may impact on casework, workload and community engagement – for example, references to the different needs of urban and rural wards, the extent to which “place” is important to councillors and the community, the transience of the local population, the presence of “hidden” or otherwise complex deprivation;
- **An understanding of councillors’ roles and responsibilities in the local area.** This will demonstrate the roles of councillors in providing strategic leadership, securing accountability and offering community leadership (including the relationship with parishes where they exist). It will articulate how those roles are changing and should be defined using the voices of councillors concerned. This includes:
 - **The role of the councillor within the council** – This will include the officer resource available to support members, as well as the resource that exists within the member corps itself – the amount of time and capacity for them to do their work alongside employment and caring responsibilities for example. Submissions will also consider: the demarcation between member and officer roles; how councillors exercise a strategic leadership role; how they exert oversight, either through political opposition or scrutiny; how the council’s governance model affects the councillor role.

- **The role of the councillor within the community** – for example, the wider role of the councillor in providing community leadership beyond formal council duties and the impact on their work.
- **The role of the councillor in other institutions** – This will demonstrate the role that councillors play on outside bodies and wider partnership working with its concurrent responsibilities and expectations, e.g. in areas with combined authorities, or two-tier areas, with constituent parished areas.
- **Technology and social media.** This includes how the use of technology and social media by the council as a whole, and by councillors individually, will affect casework, community engagement and local democratic representation.

The Commission's Approach

The Commission aims to construct electoral arrangements that reflect local circumstances, and, in doing so, does not apply any strict mathematical criteria nor imposes a uniform formula for the national determination of council size.

Instead, the Commission assesses each submission on its understanding of the characteristics and needs of each local authority, and its communities, and how the factors described above have informed both the proposed and alternative council sizes considered.

The Commission specifically seeks to understand elected member requirements in the context of three aspects:

- **Strategic Leadership** – how many councillors are needed to give strategic leadership and direction to the authority?
- **Accountability**
 - Scrutiny – how many councillors are needed to provide scrutiny to the authority? The Centre for Governance & Scrutiny have provided some useful guidance on scrutiny which can be found at: <https://s3-eu-west-2.amazonaws.com/lgbce/Policy%20%26%20Publications/Advice%20on%20Scrutiny.pdf>
 - Regulatory – how many councillors are needed to meet the regulatory requirements of the authority?
 - Partnerships – how many councillors are required to manage partnerships between the local authority and other organisations?
- **Community Leadership** – how the representational role of councillors in the local community is discharged and how they engage with people and conduct casework.

In authorities that elect by thirds proposals for council size should be divisible by three, reflecting the desire to return a uniform pattern of three-member wards.

By thinking about the issues listed earlier - **the wider local and national policy context; local geography, demographics and community characteristics; councillors' roles and responsibilities; technology and social media** – submissions will be able demonstrate a robust understanding of elected member requirements, now and in the future.

In every review, the Commission aims to make a recommendation that will remain relevant for the medium to longer term, i.e. to recommend a council size that delivers effective and

convenient local government well after the completion of the electoral review and will be durable until the next review. Accordingly, we want respondents to adopt a similar perspective.

Although it does not use national formulae for determining council size, the Commission generally refers to the CIPFA Nearest Neighbours Model for English authorities to help understand the contextual position of the authority being reviewed. This is a licensed dataset² that shows groups of statistically similar councils and allows the Commission to identify 'expected ranges' for both the number of councillors and the councillor-to-electors ratios. This expected range is defined by an upper and lower quintile value with the median providing the midpoint figure. The data help the Commission understand how the authority under review compares with its nearest neighbours and, on occasion to query proposals that appear unexpected when compared with similar authorities.

Local authorities should be mindful of the overall appropriateness of the proposed council sizes in terms of governance, specifically in ensuring that an authority is neither too small to discharge its statutory functions nor too large to function in an effective manner and offering purposeful roles for all elected members. Accordingly, whilst recognising that such thresholds might vary depending on the type of local authority and its specific setting, the Commission will look for particularly strong evidence in support of proposals that place the authority amongst the highest and lowest levels of similar councils nationwide, especially where authorities would be below 30 or exceed 85 councillors in size.

The Commission's decision about an authority's council size will mark the formal start to the review process. However, the Commission's decision on council size will not be formalised until the Final Recommendations are agreed and published. This is because the number of councillors may change marginally (generally ± 1) from the initial decision if it is felt that modifying the number of councillors may provide for a pattern of wards that better reflects the three statutory criteria.

The Final Recommendations describe the complete set of electoral arrangements, including ward names and locations as well as the number of elected members, alongside parish warding arrangements. These recommendations will be implemented at the next election by means of an Order laid before Parliament.

² Under the terms of the data licence the Commission is unable to share the CIPFA Nearest Neighbour Model externally although some authorities will have access to the groupings through their own licences. The 'expected ranges', however, will be made available.

Drivers for Change

When considering various council size options and making a case for your preferred option, you should articulate the drivers for change. These should be set out in relation to the elected member requirements which were described above.

- **Strategic Leadership.** Has the requirement for strategic leadership changed such as changing portfolios or changed governance model?
- **Accountability.** Has the structure of regulatory or scrutiny committees changed? Has the relationship with external bodies changed?
- **Community Leadership.** Has the way that community leadership is delivered changed? Has technology supported this change?

There may be other drivers, including financial, considerations but the Commission is not normally persuaded by submissions that are solely based on simple population growth projections or workload assessments. Workload assessments invariably demonstrate that some Councillors spend more time on council business than others. This may be due to a combination of reasons including: personal availability and enthusiasm, the complexity of casework, levels of deprivation, rural sparsity and the level of engagement and expectations from residents. Rather than a simple aggregated assessment, the Commission finds more value in determining council size, when a workload assessment is undertaken, only if it clearly explains the basis and drivers of changes, specifically how councillors prioritise their work, how much they do that could be done by officers, and the support mechanisms put in place by councils.

Multiple Submissions and Balancing the Evidence

Political (or other) groups may present their own submissions to the Commission either alongside, or as an alternative to, the council's formal submission. It is strongly recommended that all submissions are underpinned by this guidance, as well as sound evidence, reasoning and considered consequences irrespective of whether they propose to reduce, retain or increase councillor numbers.

All submissions will be considered equally, and decisions will be made based on the strength of evidence and rationale put forward.

Where the Commission receives multiple and finely balanced proposals, or a single poorly-evidenced case, it may request further information from the respondents. If further information is not forthcoming, the Commission reserves the right to put forward its own number based on its own experience and judgement. It may also choose to carry out a period of consultation.

Making a Submission

All submissions made to the Commission should follow the 'Council Size Submission' template. This template presents a broad set of issues for respondents to consider; however, the Commission does not require lengthy responses to every section. The Commission recommends that respondents use the opportunity to consider not just how the council works now but how it is likely to work in the future. It is also recommended that the submission demonstrates that other council size options have been explored alongside an explanation for the preferred size and the necessary arrangements for this number.

The submission will focus on how alternative council sizes will impact three aspects of councillor roles in particular: Strategic Leadership, Accountability and Community Leadership. However, the Commission will consider any further relevant issues raised outside of these topics.