

White Paper on English Devolution: local government reorganisation

Background and purpose of this guidance.

In 2024, the UK Government published the <u>English Devolution White Paper</u> setting out its vision for changes to local government structures. This guidance note sets out how the Local Government Boundary Commission for England can support local authorities in considering their electoral and boundary arrangements as part of the local government reorganisation process. It provides a summary of the key considerations around council size and warding arrangements, along with links to where you can access more detailed information.

How has this affected the work of the Local Government Boundary Commission?

We have paused all electoral reviews in those areas that have been invited to submit proposals for local government reorganisation. However, we are continuing to conduct electoral reviews in a number of single-tier and unitary areas in England.

Please see the review page for <u>your area</u> to find out more about the status of a particular electoral review.

What is the Commission's role in local government reorganisation?

The development of proposals for new unitary authorities is a matter for local authorities, and decisions on new authorities are a matter for Government and, ultimately, Parliament. Following the receipt of proposals, the Secretary of State may, by law, request our advice on particular proposals.

The Commission can only carry out an electoral review of an authority once it exists in law. Given the Government's intended timescales for reorganisation, it is unlikely that we will be able to carry out a full review between the new authority being established and its first elections.

The number of councillors to be elected to a local authority (council size) and the interim electoral arrangements setting out the wards they will represent will

therefore need to be developed by local authorities, and these will ultimately be included in the structural changes orders establishing the new authorities.

However, the Commission has wide-ranging experience of recommending local boundary arrangements as well as a significant body of published guidance. We are keen to make this available to support the local government community throughout this process. There are two main areas where we can assist you in developing your proposals: identifying the number of councillors to be elected to a new authority and, subsequently, developing interim warding arrangements to enable the new authority to run its elections.

The Commission expects to carry out an electoral review of all newly established local authorities after their first elections and before their subsequent elections.

What do we mean by council size?

Council size is the number of councillors to be elected to a local authority. The Government has identified that this is something that should be included in proposals for new unitary authorities.

Why is council size important?

This is fundamental to how a local authority, delivering the right number of members to achieve the strategic, decision-making and representative roles of the authority.

It is important to identify the most appropriate number of councillors needed for a new authority at the outset. Not only should this ensure that the authority is able to operate as it wants to, but it will also help to guard against significant change being found to be required when we carry out our full electoral review of new authorities before their next set of elections. As part of our electoral review process we will consider council size and, if we recommend a significant change to the initial number, this will have an impact on recently established governance and decision-making structures.

How many councillors should an authority have?

The Commission does not apply a fixed ratio of the number of electors each councillor should represent when making decisions as part of our electoral review process, and there is no one-size-fits-all answer. Each authority has a unique set of characteristics which determines how many councillors it needs.

While we have no set limits, our view is that an extremely strong and compelling case would be needed for an authority made up of more than 100 members or less than 30 members: too many members and the structure potentially becomes

unwieldy and accountability is diluted; too few and the authority may not be able to fully discharge its functions and effectively represent local communities.

The best and most durable proposals we have seen during our work focus on strategic leadership, accountability and community leadership rather than doing comparative analysis with other authorities and producing a ratio based on electorates and population. We would advise against too much reliance on comparative analysis with neighbouring or similar authorities as a justification for a particular number of councillors.

In developing your proposals, you should read both our <u>technical guidance</u> on electoral reviews, which includes a section on council size, as well as our <u>specific</u> <u>guidance</u> on this matter and the <u>template</u> we ask authorities to follow when developing their council size proposals.

What should inform decisions on council size?

There are three core areas we examine when conducting electoral reviews and determining the future size of local authorities:

- Strategic leadership:
 - How many councillors are needed to give strategic leadership and direction to the authority in the long-term?
 - How many councillors will be needed to manage the business of the council and take decisions effectively?
 - How will decision making, delegation and the governance of service provision be delivered?
 - What are the plans for devolution of powers down to the parish tier?
- Accountability:
 - How many councillors are needed to scrutinise council decisions?
 - How many councillors are needed to support the regulatory functions of the authority, such as planning and licencing?
 - How many councillors are needed for representation on outside bodies and partnerships?
- Community leadership:
 - How many councillors are needed to represent and engage with local people and communities?
 - How will casework be handled and what support will be in place to help councillors fulfil this role?

What are warding arrangements?

This refers to the pattern of wards that councillors are elected to represent. Consideration of these should follow identification of how many councillors a local authority needs: the wards are the practical mechanism enabling the required number of councillors to be elected.

Ordinarily, the Commission will make recommendations for the warding patterns as part of the electoral review process. However, we cannot carry out a review until a local authority has been established in law, and we do not expect there will be time for us to carry out a review ahead of the first set of elections to shadow authorities.

Local authorities will therefore likely be required to formulate a set of interim electoral arrangements to facilitate the first elections of shadow authorities. These arrangements will be included in the structural changes order establishing the new authority.

When developing interim warding arrangements, councils are unlikely to be able practically to adhere to all the criteria we follow when conducting an electoral review.

However, our <u>guidance</u> provides a good starting point from which these arrangements can be developed, likely using existing division, ward, parish and parish wards, or a combination of all of these, to ensure a set of interim arrangements that are fit for purpose for the first elections.

What considerations are important in deciding warding arrangements?

When we conduct electoral reviews, we are required to balance our three statutory criteria as set out in legislation:

- Electoral equality the principle that each councillor should represent approximately the same number of electors
 - We try to ensure that the variance from the average in each ward should be no more than 10 per cent. While this criterion is relevant in considering the development of interim electoral arrangements, we recognise it will be more challenging to achieve good electoral equality within the constraints of the existing boundaries that will need to form the basis of the interim arrangements
- Reflecting local community identities and interests we seek to propose wards that keep communities together and more broadly reflect the shape of local communities in the area
 - What marks out a community as distinct from its neighbours?
 - What adjoining communities logically go together in the same ward?
 - Are there shared facilities, shops, recreation and leisure, places of worship, community events etc?
 - Historical links are important to some, although the primary question should be how do communities interact today and how might they develop in the future?
- Facilitating effective and convenient local government we try to propose wards that:

- Are coherent and use sensible and identifiable boundaries
- Have complete internal road links and are easy to navigate from one end to the other
- Have names that mean something to local people

Can external boundaries between local authorities be changed to facilitate local government reorganisation?

Some areas may choose to recommend changes to existing local authority boundaries as part of their proposals for a new unitary authority.

Decisions on any such changes are a matter for Government. The Secretary of State may, however, request advice from the Commission on any aspect of a proposal, including any principal area boundary changes under Section 4 of the Local Government & Public Involvement in Health Act 2007.

What makes a good external boundary?

Our <u>guidance</u> on principal area boundary reviews (PABRs) illustrates what we consider makes good external boundaries and our key considerations. These are:

- **Community identities and interests** this can mean different things to different people, which can make it hard to measure. Essentially, it is a sense of what and where the community is and, more importantly, what defines it and marks it out as a distinct community. Evidence that local facilities stimulate or provide a focus for community interaction is important. An area's history and tradition may also be the basis of its sense of community identity. However, it's important to remember that communities change and evolve over time and historical considerations may not have such importance: focus on the pattern of community interactions today and how they might develop in the future.
- Effective and convenient local government boundaries should be clear and identifiable. An amended boundary might better reflect service delivery patterns. For example, a boundary could separate some houses from their neighbours on the same street, resulting in different waste collections, street repairs, etc. that might otherwise require formal agreements between authorities over the delivery of local services. Boundaries also become defaced over time due to housing and commercial developments, etc.
- Value for money when we carry out PABRs, the Section 151 Officers (Responsible Finance Officers) of the authorities under review provide evidence and sign-off that a proposed change will provide value for money and will not have an adverse financial impact on the efficient and effective delivery of local government services.

What is a Community Governance Review and when should one be conducted?

A Community Governance Review (CGR) is a consultative process where local councils assess and potentially change the structure and governance of town and parish councils within their area. The Commission has no direct involvement in the timing and scope of CGRs as part of local government reorganisation. However, when we do come to conduct a full electoral review of newly established authorities, we ask that the authority under review not conduct a concurrent CGR as this can cause confusion.

Online resources

Council size

- Council size guidance
- <u>Template</u> for councils to follow when developing their council size proposals as part of an electoral review

Warding / Division arrangements

The following guidance documents can be used to help you to develop effective interim electoral arrangements:

- Technical guidance on electoral reviews
- Guidance on developing a pattern of wards
- Simplified guidance on warding patterns
- Short presentation on how we conduct electoral reviews
- Short animation running through the electoral review process

We have started reviews of four recently-reorganised authorities, each of which have a dedicated webpage on our website:

- o <u>Cumberland</u>
- o Westmorland & Furness
- o <u>North Yorkshire</u>
- o <u>Somerset</u>

Principal Area Boundary Reviews

<u>Guidance</u>

Community Governance Reviews

• <u>Joint guidance</u> from the Government and the Commission

Contact us

If you have any questions or would like any further information, please contact us at <u>LGR@lgbce.org.uk</u>.