

LGBCE (23-24) 2 Meeting

Minutes of meeting held on 16 May 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
Liz Treacy

LGBCE Officers Present:

Jolyon Jackson CBE	Chief Executive
Lynn Ingram	Director of Corporate Services
Alison Evison	Review & Programme Manager
Richard Otterway	Review Manager
Richard Buck	Review Manager
Paul Kingsley	Review Officer (item 5)
Tom Rutherford	Review Officer (item 6)
Jonny Ashby	Review Officer (item 7)
Rafa Chowdhury	Finance Lead (item 11)
Nicole Holt	Review Officer – for review items
Angela Hendry	Lead (minutes & Item 13)

Apologies for Absence

There were no apologies for absence.

The Chair welcomed Liz Treacy to her first Commission Board meeting.

Declarations of interest

The Chief Executive declared an interest in paragraph 2 of item 2, Operational Report (Related Alterations and Consents) and took no part in the discussion on that item.

The Chair declared an interest in item 3, Calderdale Council size, and took no part in the discussion on that item.

Minutes of LGBCE's meeting on 18 April 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:

- Consideration of the Equalities Act on the review process – a discussion paper will come to the June Board/Leadership Team awayday.
- It was noted that the CEO will discuss a timeline for the other two actions on the actions log.
- It was agreed to add the following items from the Business plan to the actions log:
 - Locations of future Commission office space
 - Actions from the review undertaken by Sir Tony Redmond

1. Chair's Report

The Chair reported that the process of recruitment for a Chief Executive had begun.

The Chair thanked Lynn Ingram, Director of Corporate Services for her work over the past 10 years, as she was leaving the Commission.

2. Operational Report

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

The Chief Executive left the meeting for paragraph 2, Related Alterations and Consents

- The Board agreed delegation of the consent request from Wiltshire Council to the Review Manager not responsible for the review.
- *The Chief Executive returned to the meeting.*
- The Board noted the review programme resilience and the changes highlighted in the report. Review Officers were asked to take a pro-active

approach when providing briefing papers and arranging briefings with Lead Commissioners.

- Castle Point – The Review Manager, Richard Buck updated that we have responded fully to the letter received from the Council's solicitors. The Chief Executive would speak to the Chief Executive of the authority in advance of laying the draft order in Parliament. The correspondence chain was circulated to Commissioners.
- The Commission Board noted the current Freedom of Information request.
- The Chief Executive updated on the following appointments:
 - Kathryn Trower has taken up the role of Interim Director of Corporate Services, working 4 days per week.
 - Brendan Connell-French has been appointed to the role of Review Officer and will start in June.
 - There was a very strong field of candidates for the role of Communications & Engagement Manager and the role has been offered to Hayley Meachin.
- The Chair agreed the Lead Commissioner allocations.
- The Commission Board noted that the main supply estimate will be laid on Thursday 18 May 2023.

3. Calderdale Council Size - LGBCE(23/24)016

The Chair left the meeting and took no part in the discussion in this item. This item was chaired by the Deputy Chair, Andrew Scallan.

It had been agreed to review Calderdale Council given the time elapsed since the last review. According to the electoral figures considered at the time of inclusion in the programme, none of the wards were identified as having electoral imbalances.

The current size of the Council is 51 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 3 from 51 to 54 members.

The Board considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 54 members.

Agreed

The Board agreed that a council size of 54 be used as the basis for the preparation of the Draft Recommendations.

The Chair, Colin Mellors returned to the meeting.

4. Coventry Council Size - LGBCE(23/24)017

It had been agreed to review Coventry Council given the time elapsed since the last review and because at the time of inclusion in the programme, 33 per cent of wards had variances greater than 10 per cent.

The current size of the Council is 54 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 54 members.

The Board considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 54 members.

Agreed

The Board agreed that a council size of 54 be used as the basis for the preparation of the Draft Recommendations.

5. Tandridge Draft Recommendations - LGBCE(23/24)018

The review of Tandridge Council had commenced on 13 December 2022. According to the electoral figures available at the time of inclusion in the programme, 10 per cent of wards had variances greater than 10 per cent.

At its meeting on 13 December 2022, 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 13 three-, 1 two-, and 1 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 Tandridge Council as presented.

5. North Northamptonshire Draft Recommendations - LGBCE(23/24)019

The review of North Northamptonshire Council had commenced on 15 November 2022 following its establishment as a new authority. The Commission was tasked with conducting an electoral review to ensure that the newly-created authority has appropriate electoral arrangements that reflect its powers and responsibilities.

At its meeting on 15 November 2022, the Board had been minded to agree a council size of 70.

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

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-, 12 two-, and 5 single-member wards in total.

As a result of this further consideration and, on the basis of the evidence, the Commission agreed to move away from its original decision on council size of 70 members and, instead, agreed a council size of 68 as this will provide for good electoral equality while reflecting community identities and interests.

It agreed the Draft Recommendations as presented.

Agreed

Draft Recommendations for North Northamptonshire as presented.

6. Buckinghamshire Final Recommendations - LGBCE(23/24)020

The Commission was tasked with conducting an electoral review to ensure that the newly-created authority of Buckinghamshire has appropriate electoral arrangements that reflect its powers and responsibilities.

At its meeting on 20 July 2021, the Board had been minded to agree a council size of 98 and had subsequently, on 19 July 2022, agreed Draft Recommendations. Following publication, 558 submissions had been received commenting on the Draft Recommendations which had been considered carefully in the context of the statutory criteria.

At its meeting on 21 February 2023, the Board agreed a period of further consultation focusing on the proposals for the Gerrards Cross & Denham, Farnham & Stoke Poges, Chalfont St Peter and Iver areas. The Board also noted that the revised proposals for these wards would necessitate a change to its original decision on council size from 98 councillors to 97 councillors.

Following publication, 176 submissions had been received commenting on the Further Draft Recommendations which had been considered carefully in the context of the statutory criteria.

Taking all of the submissions into account, it had been judged that there was insufficient evidence to change the Further Draft Recommendations, and therefore, they were proposed as the Final Recommendations for Buckinghamshire Council.

The Final Recommendations proposed a pattern of 10 three-, 28 two-, and 11 single-member wards in total.

It agreed the Final Recommendations as presented.

Agreed

Final Recommendations for Buckinghamshire as presented.

Agreed

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

7. Returning 1, 2 or 3 member wards - LGBCE(23/24)021

The Review & Programme Manager, Alison Evison presented the report on Returning 1, 2 or 3 member wards and Commission Board noted the report.

The Board was asked to consider the language we use in the guidance and text in our Draft and Final Recommendations to ensure that our judgement is applied in a way that is consistent with the legislation.

- The Board agreed:
 - In paragraph 4.49 (technical guidance) amend the text to say ‘The legislation says that we *must* have regard to the statutory criteria and the desirability of recommending that the appropriate number of councillors is returned from each ward’. (emphasis added for minutes only)
 - The highlighted section of paragraph 4.50 of the technical guidance to remain unchanged. The last sentence of this paragraph; ‘*However, in each case, such evidence needs to be provided on a ward by ward basis*’, should be removed.
 - In the draft and final recommendations reports amend the language to say that ‘*we would only move away from this pattern of wards where, in our judgement, a uniform pattern, would not be compatible with our other statutory criteria*’.
 - Update paragraph numbering of technical guidance
- Further workshops with the boards and review team to take place to gain an agreed understanding of what the evidence might be that would persuade the Commission to move away from uniform patterns of wards.
- All relevant Commission materials and templates should be updated to reflect these changes, including:
 - Technical guidance
 - Draft/further draft/ final recommendations reports, including ‘Have your say’ and the electoral cycles sections
 - Presentations to councils
 - Minutes of Board meetings

8. Boundary Commission for England Draft Agreement - LGBCE(23/24)022

The CEO presented the Memorandum of Understanding which sets out a framework for a future working relationship between LGBCE and the BCE.

The Commission Board endorsed the Memorandum of Understanding which will be signed by the Chair. A meeting is to be arranged between the Commission Board and the BCE Commissioners.

10. Annual Report & Accounts - LGBCE(23/24)023

The Director of Corporate Services reported on the following:

- The final version of the Annual Report & Accounts were discussed by the Audit & Risk Committee on 15 May 2023 and some minor amendments have been made.
- The final version of the Annual Report & Accounts is expected to be laid in Parliament on 25 May 2023.
- The Commission Board thanked the team for the preparation of the Annual Report & Accounts.
- The Commission Board agreed the Annual Report & Accounts be signed subject to final amendments being made.

Agreed

The Commission Board agreed that the Accounting Officer sign the Annual Report & Accounts subject to final amendments.

11. Review Costs and Breakdown – LGBCE(23/24)024

The Finance Lead presented the review costs and breakdown report for the period October 2021 to September 2022 and the Commission Board noted its content.

There was a brief discussion about the lessons we can learn from the data and how costs can link to delays in reviews and further consultation, and It was noted that the review cost analysis exercise will be part of a wider value for money discussion.

It was noted that the optimum time to undertake this work would be earlier in the year so that the costs can be fed into the Annual Report.

12. ARC Annual Report to Commission – LGBCE(23/24)025

The Chair of the Audit & Risk Committee presented a report on the activity of ARC during 2022-23 and the Board noted its content.

13. ARC Chair's Report

The Chair of the Audit & Risk Committee highlighted key items from the meeting that took place on 15 May 2023.

- The IT contract has been awarded to Wavex.
- The annual internal audit report was a positive.

- The National Audit Office audit report was also positive and the audit had worked well.
- The meeting considered the Annual Report & Accounts.

14. Risk Register - LGBCE(22/23)026

The Governance & Compliance Lead presented the Risk report. The Commission's top three risks remain the same. Two risks were scheduled to be reviewed by the Risk Management Group in May, risk 1D 'Failure to gain support from the local authority' and 5A 'Failure to manage the budget including poor VfM, monitoring of contracts, suppliers and service'. These were deferred to June due to staff sickness absence in May.

There was an update on the development of the Risk Dashboard which will better communicate the status of risk within the Commission and to future promote the awareness of risk across the organisation.

The Commission Board approved the Risk Register and Risk Appetite Statement.

The Governance & Compliance Lead to discuss the Risk Register with Liz Treacy in a separate session.

The Compliance Lead will investigate if the Risk Dashboard can display a measure of the progress of each risk over time.

There was a point raised in terms of operational resilience and resilience of our workforce, we need to take into account the effectiveness of the whole Commission working together well in the new hybrid working arrangements.

15. Future Business

The Board noted the Future Business Plan.

AOB

Review Evaluation Reports

The Review Manager, Richard Buck is awaiting review evaluation comments from some Commissioners.

Close of Business