

## LGBCE (23-24) 1 Meeting

Minutes of meeting held on 18 April 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
Alison Evison	Review & Programme Manager
Richard Otterway	Review Manager
Richard Buck	Review Manager
Mark Cooper	Review Officer (item 5)
Jonny Ashby	Review Officer (item 6)
Tom Rutherford	Review Officer (item 7)
Yemi Fagun	Review Officer (item 9)
Rafa Chowdhury	Compliance Lead (item 10)
Ram Avtaar	GIS & Data Officer (item 10)
Angela Hendry	Finance Lead (minutes & Item 13)

## Apologies for Absence

Apologies had been received from Liz Treacy and Glynn McDonald.

## Declarations of interest

Susan Johnson declared an interest in item 4, Sunderland Council Size, and took no part in the discussions of that item.

Steve Robinson declared an interest in item 7, Shropshire Draft Recommendations, and took no part in the discussions of that item.

## Minutes of LGBCE's meeting on 21 March 2023.

The minutes were agreed as a correct record and were signed by the Chair subject to the following amendment:

- Item 6, North Herts, include as an additional bullet in the minutes – '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'.

## 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 – Discussion paper will come to the June awayday.
- Session for Board on website – the website is now launched.
- Clarity on Corporate Plan objectives – to remain on actions table.
- Progression on Resilience & Retention (After April Commission Board) meeting – The Chief Executive gave an update on the current staffing position.

## 1. Chair's Report

The Chair updated the Board on the appointment of Liz Treacy as Commissioner.

The Chair gave an update on the two members of the Leadership Team who will be leaving, the Communications & Public Affairs Manager at the end of April and the Director of Corporate Services in May.

The Chair thanked Glynn McDonald, Communications and Public Affairs Manager for his work at the Commission.

The Director of Corporate Services will be leaving after the May Board meeting.

The Chair updated on the discussions with two MPs from Cumbria in relation to the local authority boundary in the Penrith area.

The Chief Executive updated that a letter has been sent to Philip Davis MP (Shipley) in response to his wish for a PABR to take place in the Bradford area.

The Chair reported that work is ongoing with the Boundary Commission for England and a draft MOU will be circulated to the Board before the May Board meeting.

## 2. Operational Report

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

- Nicole Holt was appointed to one of the Review Officer vacancies. The Board noted the workload in respect to orders being laid in Parliament.
- Stockton-on-Tees – Chief Executive has responded to a letter from the Speaker and a session has been arranged for later this week for staff to go through the errors that occurred in detail in respect of Ingleby Barwick and Thornaby Town Councils; he will report to the Board on immediate lessons learned and actions that have already been taken to avoid a recurrence of what had happened. Separately, the Commission will also need to consider how it can support remedial actions sought by both the Town and Borough councils alongside any cost implications.
- As requested by the Board, legal advice had been sought which had confirmed that there had been no way of correcting the error before the 2023 elections, and the ways in which it could be resolved by, or before, the next town council elections.
- More generally, the Board requested that a report come to the June meeting on errors (and potential errors) and the how we might reinforce a culture of accuracy across the Commission's work.
- Response to the Mole Valley stage 3 complaint has now been sent.
- Recruitment - Interviews will take place for the Communications and Engagement Manager role in early May. Interviews will take place next week for the Review Officer vacancy. The Review Assistant vacancy has closed and interviews will take place in May. Conversations had begun with Gatenby Sanderson in relation to the recruitment of the CEO.
- The Chair and Amanda Nobbs expressed their thanks to staff for offering their thoughts about the person specification for the new CEO.
- IT contract - The Director of Corporate Service updated that 5 suppliers were interviewed for the contract. We have secured a reduction of £7k on our IT services and it includes basic SharePoint support.
- The Board noted the meetings attended by the Chief Executive over the preceding month.

## 3. South Tyneside Council Size - LGBCE(23/24)002

It had been agreed to review South Tyneside Council given the time elapsed since the last review. According to the latest available electoral figures, 22 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.

#### 4. Sunderland Council Size - LGBCE(23/24)003

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

It had been agreed to review Sunderland Council given the time elapsed since the last review. According to the latest available electoral figures, 25 per cent of wards had variances greater than 10 per cent.

The current size of the Council is 75 members.

The Board considered all the available evidence and, on the basis of this evidence, it was minded to support a council size of 75 members.

**Agreed**

The Board agreed that a council size of 75 be used as the basis for the preparation of the Draft Recommendations.

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

#### 5. Northumberland Draft Recommendations - LGBCE(23/24)004

The review of Northumberland Council had commenced on 15 November 2022. According to the latest available electoral figures, 26 per cent of wards had variances greater than 10 per cent with one division being over 30 per cent.

At its meeting on 15 November 2023, the Board had been minded to agree a council size of 67 and the Draft Recommendations being considered had been prepared on the basis of such a council size.

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

As a result of this further consideration and, on the basis of the evidence, the Commission agreed to move away from its original opinion on council size and,

instead, agreed a council size of 69 as this allows for a division pattern that better meets the statutory criteria.

In preparing the draft scheme, the team had taken into consideration both the submissions it had received and the statutory criteria alongside the Council's request that it should be a single-member division review. The Draft Recommendations proposed a pattern of 1 two-, and 67 single-member divisions in total, since it was felt that it would not be possible to meet satisfactorily the statutory criteria with a wholly single-member pattern.

It agreed the Draft Recommendations as presented.

### **Agreed**

Draft Recommendations for Northumberland as presented.

## 5. County Durham Draft Recommendations - LGBCE(23/24)005

The review of County Durham Council had commenced on 15 November 2022. According to the latest available electoral figures, 24 per cent of wards had variances greater than 10 per cent. 4 per cent had a variance greater than 20 per cent with one division, Durham South, being over 30 per cent.

At its meeting on 15 November 2022, the Board had been minded to agree a council size of 98 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 11 three-, 28 two-, and 9 single-member divisions 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 County Durham as presented.

## 6. Shropshire Draft Recommendations - LGBCE(23/24)006

*Steve Robinson left the meeting and took no part in the discussion on this agenda item.*

The review of Shropshire Council had commenced on 15 November 2022. According to the latest available electoral figures, 27 per cent of divisions had variances greater than 10 per cent, with two divisions, Shifnal North, and Shifnal South & Cosford having variances of over 30 per cent.

At its meeting on 15 November 2022, the Board had been minded to agree a council size of 74 and the Draft Recommendations being considered had been prepared on the basis of such a council size.

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 alongside the Council's request that it should be a single-member division review. The Draft Recommendations proposed a pattern of 2 two-, and 70 single-member divisions in total since it was felt that it would not be possible to meet satisfactorily the statutory criteria with a wholly single-member pattern.

It agreed the Draft Recommendations as presented.

**Agreed**

Draft Recommendations for Shropshire as presented.

*Steve Robinson returned to the meeting at the conclusion of this item.*

## 7. Cannock Chase Final Recommendations - LGBCE(23/24)007

The review of Cannock Chase 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 36 and had subsequently, on 15 November 2022, agreed Draft Recommendations.

Following publication, 37 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 12 three-member 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 Cannock Chase as presented.

**Agreed**

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

**8. Tunbridge Wells Final Recommendations - LGBCE(23/24)008**

The review of Tunbridge Wells Council had commenced on 13 December 2021. According to the latest available electoral figures, 35 per cent of wards had variances greater than 10 per cent.

At its meeting on 13 December 2021, the Board had been minded to agree a council size of 39 and had subsequently, on 19 July 2022, agreed Draft Recommendations.

Following publication, 179 submissions had been received commenting on the Draft Recommendations. Following the close of consultation the Commission agreed to pause the review while the Council reconsidered its electoral cycle. Following the Council's decision not to alter its electoral cycle the Commission considered carefully all of the submissions 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 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 Final Recommendations proposed a pattern of 12 three-, 1 two-, and 1 single-member wards in total, departing from a uniform pattern of three-member wards since it was felt that it would not be possible to meet satisfactorily the statutory criteria with a uniform three-member pattern.

It agreed the Final Recommendations as presented.

**Agreed**

Final Recommendations for Tunbridge Wells as presented.

**Agreed**

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

**10. Qtr 4 Finance & KPI Outturn - LGBCE(23/24)009**

The Director of Corporate Services presented the Qtr 4 Finance & KPI Outturn report and the Board noted its content.

- There was a brief discussion about how delayed final recommendations should be measured, whether the delay was due to further work that was required or because of some other reason and it was suggested that we look in more detail at the delays and why they occurred.
- It was noted that any complaints received are reported on each month in the Operation report and also the number received during the year in the annual report.

The Director of Corporate Services presented the Qtr 4 Financial Outturn and the Board noted its content.

- In response to a query on annual leave, it was noted that we have now returned to our policy position post-pandemic in relation to the leave carried over at the end of the year.
- There was a question in relation to the underspend on training and it was noted that there is a 2-year training matrix and staff are encouraged both at appraisals and at other times to identify courses they are interested in.

## 11. Business Plan Outturn - LGBCE(23/24)010

The Compliance & Governance Lead presented the Business Plan Outturn and the Board noted its content.

- Rewards & Recognition – the Chair of ARC will receive a report on bonus rewards in May 2023.
- Induction process - there is now a Commissioner induction page. A similar induction page will be done for staff, and we will work with the Communications team to progress this in the coming year.
- Corporate Training Plan – new appraisal form includes details on training which will be incorporated into the overall corporate training plan. Report to the June Board meeting on our corporate training plan
- ESRI – this project is ongoing.
- Improving external involvement – this work is ongoing. We are monitoring the new website closely and will take forward the other work including external communication when we appoint the new Communications and Engagement Manager.
- Review Programme – we have been testing a new system and further training will also be undertaken. Project is on track.
- Future working – we now have a hybrid model of working which includes 8 days in the office per month. There are designated corporate days each week and decisions about where meetings and interactions take place and made on a needs basis. The next task is to pull together the business case for the accommodation options going forward.
- Governance Review – CEO is discussing with Chair how to take this forward.

## 12. Risk Register - LGBCE(22/23)011



The Compliance Lead presented the Risk report. Details regarding the Risk Management Group's April meeting and the work done by the EDI Working group were provided.

- Risk 4C: Commission / Audit & Risk Committee becomes inquorate. There was no change to its current risk score but its trend status was downgraded to 'stable'.
- Risk 5B: Budget being reduced to an unsustainable level. There was no change to current risk score or trend status.
- Risk 4A Failure to comply with equalities & diversity legislation. This risk was discussed by the EDI Working Group at its March meeting. Two actions were identified from that discussion. One was to promote the EDI Champion role to staff and the second action is to conclude the work on the equality impact assessment of the review process and a paper will come to the June Board meeting.
- It was noted that the external audit has begun.

### 13. Annual EDI Report 22/23 - LGBCE(23/24)012

The Office Manager/HR Lead presented the work of the Equality Diversity & Inclusion working group and the Board noted its content.

Achievements during the year include:

- Reviewed the EDI Working group Terms of Reference.
- EDI training was rolled out to staff and Commissioners.
- Work is ongoing on the equality impact assessment of the review process.
- Achieved the Disability Confident Scheme in September 2022.
- Completed the ENEI assessment in January 2023 with an increase in score to 80% from 73% in January 2022.

The group will focus on the following during 2023-24:

- Annual training for all staff and Commissioners.
- Continuing the work on the equality impact assessment of the review process.
- Taking forward the work on digital divide following on from the introduction of the new website.
- Continue to monitor Risk 3A *Failure to comply with equalities & diversity legislation*.

### 14. Website Project Update – LGBCE(23/24)013

The Chief Executive presented the final website project report, and the Board noted its content.

### 15. ARA Intro and Year in Outline - LGBCE(23/24)014

The Board discussed the Chair's Introduction and year in outline which was attached to the report. The Director of Corporate Services will circulate these documents in Word to the Board. Comments were requested to the DCS in advance of the meeting scheduled for following Tuesday.

## 16. Future Business

The Board noted the Future Business Plan.

### AOB

There was none.

## Close of Business