

**COUNCIL**  
**14 JULY 2022**

**PUBLIC DOCUMENT**

**TITLE OF REPORT: WARDING ARRANGEMENT SUBMISSION TO THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND ('LGBCE')**

REPORT OF: DEMOCRATIC SERVICES MANAGER

EXECUTIVE MEMBER: LEADER OF COUNCIL/COMMUNITY ENGAGEMENT

COUNCIL PRIORITY: PEOPLE FIRST; SUSTAINABILITY AND A BRIGHTER FUTURE TOGETHER

## **1 EXECUTIVE SUMMARY**

- 1.1 The first stage of the Electoral Review of North Herts Council by the Local Government Boundary Commission for England (LGBCE) was the determination of Council Size (number of District Councillors) to represent North Herts Council from May 2024. That stage has been completed, with the LGBCE advising the number of Councillors shall be 50. *[Note the Submission being considered includes 51 Councillors, the reasons for which are explained within this report and in more detail in the Submission.]*
- 1.2 The current stage of the review is a public consultation by the LGBCE regarding warding arrangements and this Council, as a statutory consultee and interested party, is invited to submit a proposal.
- 1.3 Having considered warding arrangements at the Boundary Review Project Board, Group Leaders on behalf of their political groups have discussed and agreed warding arrangements that take into account the identities and interests of local communities across the district, provide for effective and convenient local government, and ensure electoral equality.

## **2. RECOMMENDATIONS**

2.1. That Council approves:

- i. The warding arrangements relating to the rural wards, Baldock, Hitchin and Royston attached as Appendix A;
- ii. The warding arrangements relating to Letchworth as detailed in Option A attached as Appendix B; **OR**
- iii. The warding arrangements relating to Letchworth as detailed in Option B attached as Appendix C.

for submission to the LGBCE, noting the deadline for submission is 10 August 2022 and noting the inclusion of 51 Councillors as the basis for the submission.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1. The LGBCE undertakes periodic reviews of local electoral arrangements. This has not been undertaken for this District since 2006 and following a number of requests to undertake this review, a [timetable](#) was agreed with the Council.
- 3.2. As part of this process the LGBCE invite submissions regarding possible warding arrangements from a range of stakeholders through a public consultation. This includes the Council, elected representatives, political parties, parish councils and the public. As such, if this Council does not make a submission, or fails to make a coherent case, the LGBCE will base its recommendations of warding configurations for this Council on other submissions they receive as well as their internal analytical work.
- 3.3. The warding arrangements set out in the attached Appendices have been proposed following discussion amongst Group Leaders at the Boundary Review Project Board, taking into account the feedback from the recent member workshop and subsequent further engagement, local communities, the LGBCE criteria for warding arrangements, and the need to ensure electoral equality.

### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 This Council should make a submission to the LGBCE regarding warding arrangements. Failure to do so would result in the views of this Council not being included by the LGBCE in their consideration of possible warding arrangements.

### **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1. Preliminary meetings with various Officers and Members have been held with the LGBCE, concluding with the presentation to Members by the LGBCE on 14 July 2021.
- 5.2. A Boundary Review Project Board has been established where the Consultant and relevant officers meet on a monthly basis with the Group Leaders, most recently meeting on 4 July 2022 to consider the submission set out in this report.
- 5.3. A Member Briefing for all District Councillors was held on 16 June 2022 which provided a background to the review, the process to date and an overview of the proposed warding arrangements. Further consultation has subsequently occurred specifically with Baldock, Letchworth and Hitchin Councillors.
- 5.4. The LGBCE undertake public consultations throughout the review, and this Council is therefore not required to do so directly. However, the Council has been promoting the consultation.

### **6. FORWARD PLAN**

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

## 7. BACKGROUND

- 7.1. The LGBCE is responsible for conducting reviews of local authority electoral arrangements. This is through an 'electoral review'. The LGBCE completed its last review of North Hertfordshire in May 2006.
- 7.2. The Commission has intervention criteria – one of the criteria being if 30% of all wards have an electoral imbalance of more than 10% of the average ratio of electors to Councillors for the Authority. Another being where one or more wards have an electoral imbalance of more than 30% of the average ratio for the Authority. In North Herts, 33% of wards now have a variance outside the 10% threshold and the electoral district is therefore overdue a review.
- 7.3. A [timetable](#) has been agreed with the LGBCE for the Review – when key pieces of work must be submitted. Once complete, the new final electoral arrangements will take effect from the May 2024 all-out elections. The decision to move to all-out elections was made by Full Council on 7 December 2021 as part of this review process.
- 7.4. The first key piece of work was to develop a 'Council Size' proposal – to decide the appropriate number of Councillors for the Authority. This was submitted to the LGBCE in January 2022, and the LGBCE have determined that the Council Size shall be 50 Members from the 2024 elections. The next stage is to submit a proposed warding arrangement, using the LGBCE criteria and guidance.

## 8. RELEVANT CONSIDERATIONS

- 8.1. The LGBCE will draw up new electoral arrangements that provide the best balance of their statutory criteria, based on warding submissions made during the consultation as well as their own work. Their criteria (extracted from their 'Member Briefing Pack' previously provided to all Members of this Council) and 'How to Propose a Pattern of Wards'<sup>1</sup> are:
  - i. *Delivering electoral equality for local voters. This means ensuring that each councillor represents roughly the same number of voters so that the value of your vote is the same regardless of where you live in the local authority area.*
  - ii. *Interests and identities of local communities. This means establishing electoral arrangements which, as far as possible, avoid splitting local ties and where boundaries are easily identifiable.*
  - iii. *Promoting effective and convenient local government. This means ensuring that the wards can be represented effectively by their elected representative(s) and that the new electoral arrangements, including both the council size decision and warding arrangements, allow the local authority to conduct its business effectively.*
- 8.2. The Commission conducts two phases of consultation:
  1. Information gathering stage – once the Commission has taken a view on the total number of Councillors that should represent the Authority (in the case of North Herts Council – 50), it will begin work on drawing up new boundaries for wards across the area to accommodate those Councillors. The Commission wants input at this stage to assist in drafting recommendations for new electoral arrangements. It should be

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<sup>1</sup> [Microsoft Word - Proposing new wards guidance\\_pic\\_.doc](#)

noted that **anyone** is able to submit a proposal – the LGBCE judge all proposals on their merits regardless who they are from.

The consultation closes on 10 August 2022. Comments can be made on the dedicated LGBCE consultation portal [Local Government Boundary Commission for England Consultation Portal \(lgbce.org.uk\)](https://www.lgbce.org.uk) or documents can be uploaded on the website. Alternatively, submissions can be emailed to [reviews@lgbce.org.uk](mailto:reviews@lgbce.org.uk) or posted to Review Officer (North Herts), LBGCE, PO Box 133, Blyth, NE24 9FE.

2. Consultation on draft recommendations – once the Commission has published its draft recommendations for new electoral arrangements (number of wards, number of councillors representing each ward, ward names and ward boundaries) there will be a second consultation exercise by the Commission to express views and propose alternatives (scheduled to commence on 1 November 2022).

At all stages of consultation **anyone** can give their views on the whole local authority area or just a part of it. Therefore individual members, or political groups, can make additional or separate representations to those within the submission agreed by Full Council.

- 8.3 Since the Council resolved to move to whole council elections as of May 2024 the Commission can propose any pattern of wards that it believes best meets its statutory criteria. This is usually a mixture of single, two and three member wards.
- 8.4 Appendix A is the proposed submission on warding arrangements relating to the rural wards, Baldock, Hitchin and Royston which takes the statutory criteria into account. Based on the feedback received there appears to be broad support for these elements of the submission and therefore Members are invited to read, note and approve this submission noting the deadline for submission being 10 August 2022.
- 8.5 Appendices B and C are the proposed submission on warding arrangements relating to Letchworth and there are two options for Members to consider and decide which option should be approved noting the deadline for submission being 10 August 2022. Based on the feedback received there appears to be different views as to which of these two options best meets the LGBCE criteria and therefore Members are asked to choose between the two options. If applicable the submission to the LGBCE will make clear that this element received majority (but not unanimous) support.
- 8.6 A Council Size of 50 Members was approved and previously submitted to the LGBCE based on the projected growth in the Local Plan; and the nature of the district with its mix of more densely populated towns and sparsely populated large rural areas that need to be a manageable size geographically for the rural ward councillors. It was suggested that reducing the number of Members (thereby increasing workload for others) could deter or discourage individuals from standing as a Councillor, thereby further impacting on diversity of representation.
- 8.7 Following the Council decision on number of Members, the Commission agreed that the Council Size shall be 50, with the possibility of flexing up or down by one or two Councillors if required if that better meets the statutory criteria. Whilst drafting the ward arrangements and incorporating wherever possible suggestions made by local ward members, it has been necessary to increase the Council Size by an additional Councillor – to 51. A significant amount of work was undertaken to produce proposals based on 50

Councillors, however it was not possible to find an arrangement that ensured the warding arrangements 'reflect the interests and identities of local communities' and are not separating communities. This is further explained within the Submission (Appendix A). However, it is ultimately the Commission that will decide on the number of Councillors and warding arrangements and could therefore resolve a different number of Councillors.

## **9. LEGAL IMPLICATIONS**

- 9.1. Section 55 – 59 of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act) gives the Commission the power to review the electoral arrangements of all, or any, principal councils in England.
- 9.2. Schedule 2 of the 2009 Act stipulates the statutory criteria the Commission must abide when considering its electoral arrangement proposals and encompasses that listed in paragraph 8.1 of this report.
- 9.3. Legislation places several obligations on the Commission in conducting the review and it also places a requirement on the Authority to, if requested by the LGBCE, provide any information as they may reasonably require.
- 9.4. The Commission have the responsibility to undertake the review of the authority, including inviting submissions to their statutory consultations.
- 9.5. Paragraph 4.4.1(q) of the Constitution provides the functions of Full Council to include amongst other things "*agree proposals for ..... district boundaries*".

## **10. FINANCIAL IMPLICATIONS**

- 10.1 The previous decision to increase the number of Councillors to 50 (and now to 51) will result in an increase in costs for the additional Member Allowance, training budget, IT equipment as well as possible claims for subsistence, mileage, childcare or dependent carers allowance. This will be incorporated into future budget forecasts.
- 10.2 Based on the 2022/23 Members' Allowances scheme one additional Councillor will increase the members allowance budget by £5,100 which does not account for any subsistence, mileage, childcare or dependent carers allowance. There is also a Members Training Budget which will need to be increased by £233 per additional Councillor. To provide IT equipment and relevant licence for one additional Member will be circa £2,000 (including a laptop, one monitor, docking station, headset, licence, tablet, case and keyboard and data sim card). The majority of the IT related costs will be an addition to existing capital budgets and will not be incurred every year. All these costs will be added to budget forecasts when setting the 2023/24 budget.

## **11. RISK IMPLICATIONS**

- 11.1. Whilst the final decision is for the LGBCE, the Commission's preference is for an Authority to actively engage with the process. Warding arrangement submissions can be made by a range of stakeholders through a public consultation by the Commission, that is promoted by the Council. This includes the Council, elected representatives, political parties, parish councils, and the public. As such, if this Council either do not make a submission, or fail to make a coherent case, the LGBCE will base its

recommendation for the future electoral warding arrangements of this Council on other submissions they receive.

## **12. EQUALITIES IMPLICATIONS**

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. The Warding Arrangements submission will not impact on the requirement of the Public Sector Equality Duty. However, the Electoral Review will support the LGBCE who are obligated under law to deliver electoral equality, reflect community interests and identities and promote effective and convenient local government.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1. The Social Value Act and “go local” requirements do not apply to this report as this is not a procurement exercise or contract.

## **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 The appointment of the Consultant to undertake the Boundary Review has assisted to alleviate some of the pressure within the Democratic Services Team whilst it is significantly under resourced.

## **16. APPENDICES**

- 16.1 Appendix A – Warding Arrangements Submission relating to the rural wards, Baldock, Hitchin and Royston.
- 16.2 Appendix B – Warding Arrangements Submission relating to Letchworth as detailed in Option A.
- 16.3 Appendix C - Warding Arrangements Submission relating to Letchworth as detailed in Option B.

## **17. CONTACT OFFICERS**

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## **18. BACKGROUND PAPERS**

18.1 Presentation by the LGBCE to Members on 14 July 2021 and the accompanying LGBCE 'Electoral Review of North Hertfordshire – A Guide for Councillors' circulated to all Members on 14 July.

18.2 Council – 23 September 2021 – Electoral Cycle Consultation – Minute No. 52 refers <https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=136&MId=2614>

18.3 Council - 7 December 2021 - [Agenda for Council on Tuesday, 7th December, 2021, 7.30 pm - North Hertfordshire District Council \(north-herts.gov.uk\)](#)

18.4 Council – [20 January 2022 – Council Size Submission to Local Government Boundary Commission for England \(LGBCE\) – Minute No.78](#) refers

18.4 [Local Government Boundary Commission for England – How to propose a pattern of wards – Helping you make the strongest possible case to the Commission](#)

18.5 [Electoral Review Timetable](#) as agreed with the LGBCE (included within the briefing documents provided to Members on 14 July 2021).