

COUNCIL
19 DECEMBER 2022

PUBLIC DOCUMENT

TITLE OF REPORT: ELECTORAL REVIEW – RESPONSE TO LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND ON PROPOSED WARDING ARRANGEMENTS

REPORT OF: DEMOCRATIC SERVICES MANAGER

EXECUTIVE MEMBER: LEADER OF COUNCIL/COMMUNITY ENGAGEMENT

COUNCIL PRIORITY: People first/ Sustainability/ A brighter future together

1. EXECUTIVE SUMMARY

- 1.1 The Local Government Boundary Commission for England (LGBCE) is undertaking a public consultation regarding their proposed pattern of wards for North Hertfordshire District Council. The Council, as a statutory consultee, is invited to respond to the proposals.
- 1.2 Taking into account the representations made by Councillors since publication of the proposals by the LGBCE, the formal response to the consultation has been prepared for discussion and approval by Council. The final submission deadline is **9 January 2023**.

2. RECOMMENDATIONS

- 2.1. That Council approves the response to the LGBCE consultation, attached as Appendix A for submission to the LGBCE.

3. REASONS FOR RECOMMENDATIONS

- 3.1. The LGBCE undertakes periodic reviews of local boundaries. 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 have developed warding proposals. These can be found on their website (<https://www.lgbce.org.uk/all-reviews/eastern/hertfordshire/north-hertfordshire>), and have previously been circulated to all Councillors (attached as Appendix B, with the Summary Report attached as Appendix C). The LGBCE are currently inviting submissions to a consultation on their proposals.
- 3.3. The Council is invited to submit a response to the LGBCE consultation. To ensure the views of the Council are known to the LGBCE, and the impacts of the warding arrangements on local communities are represented, it is important that the Council does respond to the consultation.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Council should make a response to the LGBCE regarding their proposed warding pattern. Failure to do so would result in the views of this Council not being included by the LGBCE in their consideration of responses and planning for their final warding pattern.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. Preliminary meetings with various Officers and Members were held with the LGBCE, concluding with the presentation to Members by the LGBCE on 14 July 2021. Subsequently there have been reports presented to Full Council, as detailed in the 'Background Papers', the most recent on 14 July 2022.
- 5.2. In addition, a Boundary Review Project Board has been established where the Consultant and relevant officers meet on a regular basis with the Group Leaders, most recently meeting on 5 December 2022 to consider the submission, attached as Appendix A.
- 5.3. The consultation response set out in the attached Appendix A has been proposed following discussion amongst Group Leaders at the Boundary Review Project Board. All District Councillors were invited to submit their comments on the LGBCE proposals for inclusion in the Council's response.
- 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. See last report 14 July 2022, note 18.5 link below.
- 7.2. The Council made a submission to that consultation, which the LGBCE have taken into account in developing their proposals which they published for consultation on 1 November 2022.
- 7.3. This key piece of work is to develop a response to the LGBCE consultation about their proposed warding pattern. This must be submitted by 9 January 2023.

8. RELEVANT CONSIDERATIONS

- 8.1 The LGBCE conducts two phases of consultation. The first consultation which closed on 10 August was an information gathering exercise used for the second consultation – on draft recommendations. The Commission published its draft recommendations for new electoral arrangements (number of wards, number of councillors representing each ward, ward names and ward boundaries) on 1 November 2022 which commenced the

second consultation exercise by the Commission to express views and propose alternatives.

8.2 The second consultation closes, as indicated, on 9 January 2023. Comments can be made on the dedicated LGBCE consultation portal [Local Government Boundary Commission for England Consultation Portal \(lgbce.org.uk\)](https://www.localgovernmentboundarycommissionforengland.org.uk) or documents can be uploaded on the website. Alternatively, submissions can be emailed to reviews@lgbce.org.uk or posted to Review Officer (North Herts), LBGCE, PO Box 133, Blyth, NE24 9FE.

8.3 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.

The LGBCE have drawn up new electoral arrangements that they consider provide the best balance of their statutory criteria, based on warding submissions made during the consultation as well as their own work.

8.4 Their proposals are available on their website and have previously been circulated to all Members. Key points to note from their report are:

Para 9: *“North Hertfordshire should be represented by 51 councillors, two more than there are now.”*

Para 26: *“We carefully considered the information provided by the Council and, on balance, are satisfied that the projected [electorate] figures are the best available at the present time. We have used these figures to produce our draft recommendations.”*

Para 33: *“We note that all the district-wide schemes were based on 51 councillors and that there was agreement that this provided the best allocation of councillors across the district. We have examined this in more detail, noting that 50 and the existing 49 do not provide such a good allocation of councillors. Therefore, we are persuaded that the draft recommendations should be based on 51 councillors.”*

Para 36: Whilst substantial new developments are expected in the District, and the North Herts Council proposals separated these from the existing parish in some cases, the LGBCE will not create parish wards that don't currently have sufficient electors, even though growth is expected, and so *“have ... decided that these proposals would not provide for effective and convenient local government and have looked to modify the proposals that have used unviable parish wards.”*

Para 40: The LGBCE do not have regard for County Divisions when developing District Ward proposals.

8.5 The majority of current wards will change through this review. Members are invited to note that, however, a number of the proposals made by the Council in its submission to the LGBCE initial round of consultation have been used by the LGBCE for their current draft warding proposals.

8.6 Following a Project Board meeting on 7 November 2022, all Councillors were invited to submit to Council Officers their considerations of the LGBCE proposals. In addition, the

Project Board shared their own views. This is the basis of the submission enclosed as Appendix A. Members are invited to consider and approve this response to the LGBCE consultation.

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.
- 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 There is no direct cost associated with responding to the current consultation. However, the previous decision to increase the number of Councillors (now to 51) as supported by the LGBCE 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 – [as detailed in the report to Council on 14 July 2022](#). This will be incorporated into future budget forecasts.

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 response to the current LGBCE warding pattern consultation 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 – Council Response to the LGBCE consultation on proposed warding patterns.
- 16.2 Appendix B – ‘New Electoral Arrangements for North Hertfordshire District Council – Draft Recommendations’ by the LGBCE
- 16.3 Appendix C - Summary Report of ‘Draft Recommendations on the New Electoral Arrangements’ by the LGBCE

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18. BACKGROUND PAPERS

- 18.1 Presentation by the LGBCE to Members on 14 July 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](#)
- 18.3 Council - 7 December 2021 – [Electoral Cycle – Minute No.70 refers](#)
- 18.4 Council – 20 January 2022 – [Council Size Submission to Local Government Boundary Commission for England \(LGBCE\) – Minute No.78 refers](#)
- 18.5 Council – 14 July 2022 – [Warding Arrangement Submission to the Local Government Boundary Commission for England \(LGBCE\) - Minute No.134 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).