

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND – ELECTORAL REVIEW

Council – 20 February 2024

Report of: Chief Executive

Status: For Consideration

Also considered by:

- Governance Committee – 30 January 2024

Key Decision: No

Executive Summary: The Local Government Boundary Commission for England will be undertaking an electoral review of the Sevenoaks District during 2024 and 2025. An electoral review will evaluate the number of Councillors required and review the warding patterns within the District boundary. Should there be any changes to the current arrangements recommended from the review they will be implemented at the next scheduled District Council elections in May 2027.

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Recommendation to Governance Committee:

- (a) The timetable for the electoral review being undertaken by the Local Government Boundary Commission for England is noted; and
- (b) That Governance Committee establish a Working Group, with an agreed Membership aligned to political proportionality, to advise Council on the electoral review as it progresses.

Recommendation to Council:

- (a) The timetable for the electoral review being undertaken by the Local Government Boundary Commission for England is noted, and
- (b) It is noted that Governance Committee has formed a working group to advise Council on the electoral review as it progresses.

Reason for recommendation: To ensure that Members are informed about the electoral review and have the opportunity to be fully engaged in the process.

Introduction and Background

- 1 The Local Government Boundary Commission for England (LGBCE) was established by Parliament under the provisions of the Local Democracy, Economic Development and Construction Act 2009. They are independent of central and local government, and political parties, and directly accountable to Parliament through a committee of MPs chaired by the Speaker of the House of Commons.
- 2 Amongst other things, the LGBCE are responsible for conducting electoral reviews. These are reviews of the electoral arrangements of local authorities, which includes the number of councillors, the names, number and boundaries of wards and the number of councillors to be elected to each.
- 3 Electoral reviews are initiated primarily to improve electoral equality. This means ensuring, so far as is reasonable, that the ratio of electors to councillors in each electoral ward, is closely matched across the District Council area.
- 4 The law requires the electoral arrangements of every principal local authority in England to be reviewed from time to time. Electoral reviews must also adhere to legislation which sets out the steps that must be taken in conducting a review, the matters on which the LGBCE must make recommendations and the factors that must be taken into account in reaching the conclusions which underpin draft and final recommendations.

Electoral Review of Sevenoaks District Council

- 5 The last electoral review of Sevenoaks District Council concluded in 2001. In general, reviews will take place about every 14 years. As a result a review of Sevenoaks District is now overdue. In addition, there are growing levels of electoral inequality between District Wards. As shown in Appendix A, eight of the 26 Sevenoaks District wards have variances of over 10% from the District average and there are variances of more than 20% in Edenbridge North & East and Dunton Green & Riverhead.
- 6 The timetable for the electoral review is provided in full as Appendix B to this report. The key dates are:
 - Commencement of the Review (Preliminary Period) – December 2023
 - Submission of council size proposals – 2 September 2024
 - LGBCE decision on Council size – 15 October 2024
 - Consultation on ward patterns – 22 October 2024 to 13 January 2025
 - LGBCE Draft Recommendations – 15 April 2025
 - Consultation on draft recommendations – 13 May 2025 to 21 July 2025
 - LGBCE Final Recommendations – 28 October 2025
 - Implementation – District Council elections 6 May 2027

- 7 A summary of the key stages of the review is set out in each of the sections that follow.

Preliminary Period – December 2023 to October 2024

- 8 The Preliminary Period commences at least 6 months in advance of formal start of review and includes informal dialogue with the Council and providing briefings for the Leader of the Council, Political Group Leaders, All Councillors and Officers.
- 9 During this period Officers are asked to calculate electoral forecasts to inform the review and the decisions that follow. The electoral forecasts follow LGBCE requirements and will provide an estimate of electors to October 2030. At the time of writing, the deadline for concluding the electoral forecast is expected to be 2 September 2024. A further update can be provided to Members following the Officer meeting being held with the LGBCE on 18 January.
- 10 The preliminary period also incorporates the deadline for the submission of proposals on Council size. Council size are submissions on the number of Councillors, for which more detail is provided in the following section.
- 11 The Preliminary Period concludes in October 2024 when the LGBCE makes it's 'minded to' decision on the number of Councillors and before the consultation on warding patterns. Prior to the commencement of consultation on warding patterns, the LGBCE may also provide a briefing for Parish Councils.

Council size – February 2024 to October 2024

- 12 The first part of the electoral review will determine the total number of councillors to be elected to the Council in the future. Ward boundaries will not be considered until this phase of the review has been completed.
- 13 The LGBCE will make a judgement on council size by considering three broad areas. These are:
- i. **Governance arrangements** – how the Council takes decisions across the broad range of its responsibilities. The aim is to ensure the council has the right number of councillors to take decisions and manage the business of the council effectively. The LGBCE will look for evidence about Cabinet and Committee responsibilities and their workloads, as well as the level of delegation to Officers.
 - ii. **Scrutiny functions** - every local authority has mechanisms to scrutinise the executive functions of the council and other local bodies. They also have significant discretion over the kind (and extent) of activities involved in that process. In considering council size, the LGBCE want to be satisfied that these responsibilities can be administered in a convenient and effective way and will want evidence about the number of councillors needed to hold the decision-makers to account and ensure the council can discharge its responsibilities to other public sector bodies and partnerships.

- iii. **The representational role of councillors in the local community** - how Councillors engage with people, conduct casework and represent the council on local partner organisations. The LGBCE will look for evidence about how councillors interact with their communities, their caseloads and the kind of support they need to represent local people and groups.
- 14 The LGBCE recognise that local government is as diverse as the communities it serves, providing services, leadership and representation tailored to the characteristics and needs of individual areas. Their aim therefore, is to consider the evidence it is presented and recommend a council size, which is right for the local authority in question.
- 15 Further guidance on making a submission on Council size is available from the LGBCE at https://www.lgbce.org.uk/sites/default/files/2023-03/council_size_guidance_-_jan_2023.pdf
- 16 The **deadline for submissions of Council size is 2 September 2024**. The LGBCE are able to receive multiple submissions about councillor numbers from individual councillors and political groups, if Councillors are not able, or do not wish to, come to a unanimous view.
- 17 The LGBCE will analyse all of the submissions received and it will make a 'minded to' decision on council size. This decision is timetabled for 15 October 2024. 'Minded to' means that the number of councillors might go up or down by one or two if that means a better warding pattern can be proposed in the next stage of the review.
- 18 Members of Governance Committee may wish to consider how it could support the electoral review process. It is within the Committee's terms of reference "to advise the Council on all matters relating to: the overall number of Members of the District Council; the preferred number of Members for each District Council Ward; the number of Wards for the District of Sevenoaks; the names and boundaries of District Council Wards."
- 19 Members may wish to consider a Governance Committee Working Group to advise Council on each stage of the electoral review as it progresses. If Members support this proposal, it is recommended that the membership of a working group considers political balance and proportionality.
- 20 Officers would be available to support and advise the Working Group as the electoral review progresses, with technical support also available from the LGBCE as required.

Warding Patterns – October 2024 to October 2025

- 21 October 2024 marks the start of the formal period of the electoral review, beginning with a consultation on warding patterns. Following the LGBCE publishing its initial conclusions on council size on 15 October 2024 there will

be a general invitation to submit warding proposals during a 12 week consultation period.

- 22 This stage of the electoral review is important in upholding integrity in the democratic process. Fairness at local elections – that is, any elector’s vote being worth the same as another’s – is a fundamental democratic principle.
- 23 As the Sevenoaks District has full representation from Town & Parish Councils across its area, the LGBCE will provide both a briefing for those Councils and seek to build warding patterns in so far as possible on existing parish boundaries. If this cannot be achieved community governance reviews may be required to be undertaken locally following the completion of the electoral review.
- 24 The law that governs the LGBCE’s work means that they must make decisions about new warding arrangements based on three specific criteria:
 - a. **Electoral equality** – ensuring each councillor represents a similar number of electors. The starting point for this is taking the forecast electorate to 2030 and dividing this by the number of ‘minded to’ Council size determined by the LGBCE to create an average number of electors per Councillor. Warding patterns should be reviewed in seeking to create wards as close to the District average as feasible. In practice, reviews do not result in wards of mathematically equal size. This is because the approach to electoral equality must be tempered by other considerations which generally reflect the particular characteristics of an area under review, and its communities.
 - b. **Community identity** – Community identity is harder to define than electoral equality for which there is a mathematical test. It cannot be measured easily, and can mean different things to different people. It is essential, therefore, that when making a case on the basis of community identity it is explained what the community is and, more importantly, what defines it and marks it out as distinct from others. Well-argued evidence of community identity will be required if the LGBCE are to move away from equality in the number of electors each councillor represent.
 - c. **Effective and convenient local government** – an example of effective and convenient local government is to ensure that wards are internally coherent. That is to say, that there are reasonable road links across the ward so that it can be easily traversed, and that all electors in the ward can engage in the affairs and activities of all parts of it without having to travel through an adjoining ward. The impact of proposals on the workload of individual 25 councillors needs to be considered, as a ward or division may be so large in terms of its physical extent or its electorate that it prevents a councillor from effectively representing the people in it.
- 25 Should conflicting or different proposals arise through the consultation on warding patterns the LGBCE will seek to assess the relative strength of the evidence presented. Equally, they will seek to strike a balance between the

criteria when putting together warding arrangements, and do so by assessing the evidence received over the course of the review.

- 26 The **deadline for consultation responses on warding patterns is 13 January 2025**. The LGBCE then have a period of approximately 12 weeks to evaluate the consultation responses and develop their draft recommendations. The draft recommendations will be published around 15 April 2025.
- 27 A further consultation period will follow from 13 May 2025. This is an eight week public consultation which will consider the same three criteria as set out in section 24 of this report to identify any new or additional concerns that may arise from the LGBCE's draft recommendations.
- 28 The **deadline for consultation responses on the draft warding patterns is 21 July 2025**. The LGBCE then have a final period of approximately 12 weeks to evaluate the consultation responses and develop their final recommendations.
- 29 The LGBCE reaches the conclusion on its final recommendations and publishes them on 28 October 2025.

Conclusion of the electoral review

- 30 On publication of the final recommendations in late October 2025 the Council will begin to make plans to implement the necessary arrangements to implement any revisions to wards and Council size.
- 31 Should it be necessary, community governance reviews of Town & Parish boundaries will also be carried out.
- 32 All implementation will need to be completed in good time before the District and Parish Council elections are held in May 2027.
- 33 The electoral review will formally conclude on approval of Parliament of an order laid by the LGBCE setting out the electoral arrangements for the Sevenoaks District.

Further information and guidance

- 34 A wide range of information about the electoral review process is available on the LGBCE website, at <https://www.lgbce.org.uk/changing-wards-number-councillors-council-has>
- 35 This includes a short guide for Councillors which is available at <https://online.flippingbook.com/view/84147699/>
- 36 All Councillors will also be invited to an online briefing hosted by the LGBCE. A date is still to be confirmed, but it is likely to take place by mid-February.

- 37 Throughout the electoral review process Officers and the LGBCE will be available to answer questions, with technical support for those seeking to provide submissions available from the LGBCE.
- 38 Regular updates through Governance Committee and Council will also be scheduled as the review progresses, with additional communication to all Councillors at regular intervals.

Other options Considered and/or rejected

None. The LGBCE are required to undertake an electoral review of the District Council and it is important that Members are informed and involved in the process.

Key Implications

Financial

There are no financial implications arising from the recommendations to this report.

Legal Implications and Risk Assessment Statement

The LGBCE are required by regulation to undertake an electoral review of the District Council and to follow a defined process in reaching their decisions.

Failure to engage fully in the electoral review process places a risk of an unfavourable outcome on the District and the District Council.

Equality Assessment

There are no equality impacts arising from the recommendations to this report.

However, when considering submissions through the electoral review process Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Community Impact and Outcomes

An electoral review provides an opportunity to deliver improved electoral equality across the District, whilst ensuring our communities continue to benefit from strong representation and support from their District Councillors.

At relevant stages through the electoral review, working with the LGBCE, residents' views will be encouraged in relation to electoral numbers and warding patterns that suit community needs.

Conclusions

The LGBCE are required to conduct an electoral review of Sevenoaks District Council, and Members are encouraged to engage fully with the process to help define the outcome for the Council and its communities.

Appendices

Appendix A – Sevenoaks District electorate data

Appendix B – Review Timetable

Background Papers

None.

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Chief Executive