

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

Tuesday, 27th November, 2012

2.00 pm

**Darent Room, Sessions House, County Hall,
Maidstone**





AGENDA

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

**Tuesday, 27 November 2012 at 2.00 pm
Darent Room, Sessions House, County Hall,
Maidstone**

Ask for: **Peter Sass**
Telephone: **01622 694002**

Tea/Coffee will be available 15 minutes before the meeting

Membership

Conservative: Mr G K Gibbens (Chairman), Mr J F London (Vice-Chairman),
Mr A R Chell, Mr K A Ferrin, MBE, Mr M J Harrison,
Mr A J King, MBE and Mrs P A V Stockell

Liberal Democrat: Mr T Prater

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

Item

- 1 Substitutes
- 2 Declarations of Interest on any items on this agenda
- 3 Minutes - 2 August 2012 (Pages 1 - 4)
- 4 Tonbridge and Malling Electoral Boundary Review (Pages 5 - 6)
- 5 Swale Electoral Boundary Review (Pages 7 - 8)
- 6 Shepway Electoral Review (Pages 9 - 10)
- 7 Motion to exclude the press and public

That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 5 of Part 1 of Schedule 12A of the Act.

- 8 Exempt Minute - 2 August 2012 (Pages 11 - 12)
- 9 Review of Election Procedures (Pages 13 - 24)

Peter Sass
Head of Democratic Services
(01622) 694002

Monday, 19 November 2012

KENT COUNTY COUNCIL

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

MINUTES of a meeting of the Electoral and Boundary Review Committee held in the Wantsum Room, Sessions House, County Hall, Maidstone on Thursday, 2 August 2012.

PRESENT: Mr G K Gibbens (Chairman), Mr K A Ferrin, MBE, Mr M J Harrison, Mr P J Homewood (Substitute for Mr J F London), Mr T Prater, Mr M V Snelling and Mrs P A V Stockell

IN ATTENDANCE: Mr G Wild (Director of Governance and Law), Mrs A Beer (Corporate Director of Human Resources), Mr P Sass (Head of Democratic Services) and Ms J Hickey (Online Communications Officer)

UNRESTRICTED ITEMS

5. Apologies and Substitutes

The Committee noted apologies from Mr London and Mr Chell. It was noted that Mr Homewood was substituting for Mr London.

6. Declarations of Interest

There were no declarations of interest by Committee Members.

7. Minutes - 1 March 2012

(*Item 3*)

RESOLVED that the minutes of the meeting held on 1 March 2012 be approved and signed by the Chairman as a correct record.

8. Boundary Reviews

(*Item 4*)

(1) The Committee considered a report which provided information and requested Members' comments on Boundary/Governance Reviews in Swale, Tonbridge & Malling, Shepway and Sevenoaks.

(2) Members had a general discussion around District Boundary Reviews and their potential impact on County Electoral Divisions, especially the impact that these reviews could have on two Member Electoral Divisions because District Council wards were the building blocks of County Electoral Divisions. Members emphasised the importance of the Committee having the opportunity to comment on these reviews at the appropriate time during the consultation period.

(3) The Committee was keen to ensure that none of the existing District Council reviews led to a situation where more than two Member electoral divisions could be created.

(4) RESOLVED that:

- (a) it be noted that the consultation on the Electoral Boundary Reviews for Swale and Tonbridge and Malling areas had now closed and that Local Members had been given the opportunity to submit comments direct and that the Committee would be kept informed of progress with these reviews;
- (b) Sevenoaks District Council be informed that this Committee does not wish to submit any comments on the Sevenoaks Community Governance Review and it was noted that the Committee would be kept informed of progress with this review;
- (c) the submission made to the Local Government Electoral Boundary Commission by Shepway District Council be noted and that Shepway District Council be informed that the County Council would not want to see any review of Ward Boundaries that would lead to the creation of more two Member Electoral Divisions or any difficulties caused if the County Council wanted to change existing two Member divisions to single Member divisions in the future;
- (d) the Chairman write to the Local Government Electoral Boundary Commission on behalf of the Committee expressing concern about two Member Electoral Divisions and the need to ensure that District Boundary Reviews did not make it difficult to change these to single Member Electoral Divisions in the future; and
- (e) a meeting of the Committee would be called to consider all future District Boundary Reviews at the most appropriate time during the consultation period so that the County Council had an opportunity to submit its views at the earliest possible stage.

9. Kent County Council Election - May 2013

(Item 5)

- (1) The Committee considered a report from the Director of Governance and Law on the work being undertaken with the District and Borough Councils in Kent to plan for the County Council elections in May 2013 and the publication of the election results on the County Council's website.
- (2) Members discussed various aspects of the elections including the role of the District and Borough Councils in running elections and the voting process.
- (3) Mr Wild, as County Returning Officer (CRO), stated that there would be a robustness around the payment of expenses for the election and confirmed that payments would be made to Districts following the verification of the District expenses by KCC Financial Officers in strict accordance with the approved fees and charges and in line with the recommendations of the Kent Audit review earlier this year. Following the elections in 2013 work would be carried out to compare the way that District and Borough Councils ran the election and to share best practise in other parts of the country.

- (4) Mr Wild confirmed that the timing of the Election Count was still the subject of discussions with District and Borough Councils, although his initial view as CRO was for all District and Borough Councils to commence the count the morning after

election day. Some of the Committee Members expressed a preference for the Election Count to be held on the night of the Election rather than the following morning. Mr Wild stated as CRO, the final decision legally rested with him, but he would take into account the views expressed by Members.

(5) The Committee received a presentation on the way in which Election Results for the County Council election in 2013 could be displayed on the County Council's website. Members were pleased with the way in which it was proposed to display the results and made a number of comments, which included the following;

- Where ever there is a percentage figure shown on the web page the actual number must also be available.
- The importance of ensuring that the page was kept up to date and regularly refreshed was emphasised.
- The graphic depicting the prancing horse was regarded as being confusing and should not feature in the final designs
- The way that the swing was displayed should be kept as clear and simple as possible.
- Consideration should be given to how this data could be displayed on smart phones.
- A Member requested that the results should also be made available in the form of a single excel spreadsheet.

(6) RESOLVED that:

(a) the progress made with regard to planning for the 2013 County Council elections be noted and it be confirmed that the running of County Council elections remains with the District and Borough Councils; and

(b) the progress made to date on the display of election results for the County Council elections in May 2013 and the feedback from Members on the way that these should be visually displayed on the website as detailed in these minutes be noted.

10. Urgent Item

The Chairman stated that he proposed to deal with an urgent exempt item in relation to the proposed remuneration for the County Returning Officer and he declared the report as urgent because of the need to clarify the position with regard to the proposed remuneration for the County Returning Officer so that the necessary arrangements for the County Council Elections in May 2013 could be made without delay.

11. Exclusion of the Press and Public

RESOLVED that under Section 100A(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the meeting on the grounds that the report involves the likely disclosure of exempt information as defined in paragraphs 1, 2 and 4 of part 1 of Schedule 12A of the Act.

12. County Returning Officer Remuneration

(The Director of Governance and Law, Mr Wild withdrew from the meeting for this item)

(The Corporate Director of Human Resources, Ms Beer joined the meeting for this item)

Public Summary of the Exempt Minute:

The Committee was advised that at its meeting on 15 December 2011, the County Council appointed the Director of Governance and Law as the County Returning Officer (CRO). The Committee discussed and endorsed the proposed remuneration for the CRO and also agreed to review the arrangements following the County Council Elections in 2013.

To: Electoral and Boundary Review Committee – 27 November 2012

By: Graham Gibbens, Chairman of the Electoral and Boundary Review Committee
Geoff Wild, Director of Governance and Law

Subject: Tonbridge and Malling Electoral Boundary Review

Classification: Unrestricted

Summary This report provides information on the final recommendations which have been published for the Tonbridge & Malling Electoral Boundary review.

1. (1) As has previously been reported to the Committee, the Local Government Electoral Boundary Commission (LGEBC) has been conducting a review of Tonbridge and Malling Borough Council in order to improve the levels of electoral representation in the borough, which have become imbalanced since the last review. Currently, the number of electors represented by the Councillors in 38% of the wards varies by more than 10% from the average for the borough and the Councillors in Kings Hill ward represent 46% more electors than the borough average.

(2) On 17 April 2012, the LGEBC published its draft recommendations (Appendix 1) and started a consultation which closed on 25 June 2012. Members of this Committee and local County Councillors were contacted and given the opportunity to comment on the proposals

(3) On 3 October the LGEBC published its final recommendations. The final recommendations draw new boundaries for each council ward across Tonbridge & Malling and propose that Tonbridge & Malling should be represented by 54 councillors in the future, one more than the current arrangements. The recommendations also propose that those councillors should represent seven three-member wards, 16 two-member wards and one single-member wards across the borough.

(4) In response to the views submitted during the consultation, some changes are proposed to the draft recommendations put forward earlier this year. For example, it is proposed to alter initial proposals for the parish of Ryarsh which had been divided between two wards in the draft recommendations, most of the parish will now be included in a single ward. Also it is proposed that Wateringbury should be part of a single-member ward

rather than joined with neighbouring areas and parishes as previously put forward in the draft recommendations.

(5) The final recommendations and detailed maps are available on the Commission's website at <http://www.lgbce.org.uk/all-reviews/south-east/kent/tonbridge-and-malling-electoral-fer>

(6) The proposed new arrangements must now be implemented by Parliament. A draft order will be laid in Parliament in the next few months. The draft Order provides for the new electoral arrangements to come into force at the borough council elections in 2015.

2. Recommendation

The Committee is invited to note the final recommendations for the Electoral Boundary Review carried out in the Tonbridge & Malling Borough Council area.

Peter Sass
Head of Democratic Services
(01622) 694269

Background Documents: none

To: Electoral and Boundary Review Committee – 27 November 2012

By: Graham Gibbens, Chairman of the Electoral and Boundary Review Committee
Geoff Wild, Director of Governance and Law

Subject: Swale Electoral Boundary Review

Classification: Unrestricted

Summary This report provides information on the final recommendations which have been published for the Swale Electoral Boundary review.

1. (1) As has previously been reported to the Committee, the Local Government Electoral Boundary Commission (LGEBC) commenced an electoral review of Swale Borough Council wards in May 2011. A consultation on council size started on 23 August 2011, followed by information gathering with Swale Borough Council on proposed ward boundaries in November 2011.

(2) On 2 April 2012, the LGEBC published its draft recommendations and started a consultation that closed on 8 June 2012. Members of this Committee and local County Councillors were contacted and given the opportunity to comment on the proposals

(3) On 10 September 2012 LGBCE published its final recommendations for new electoral arrangements for Swale Borough Council. The Commission's final recommendations propose that Swale's 47 councillors should represent four three-member wards, fifteen two-member wards and five single-member wards across the borough.

(4) The Commission's final report makes some changes to its draft proposals as a result of the feedback gathered from local people and organisations. For example, renaming a couple of the proposed wards to better reflect community identities in the borough and a small boundary change between the proposed St Ann's ward and Priory ward in the Faversham area so that the new boundary delivers good transport links for each ward.

(5) The final recommendations and detailed maps are available on the Commission's website at www.lgbce.org.uk/all-reviews/south-east/kent/swale-electoral-review. A copy is also available in The Information Point, Sessions House and will be available at the meeting.

(6) The proposed new arrangements must now be implemented by Parliament. A draft order will be laid in Parliament in the next few months. The draft Order provides for the new electoral arrangements to come into force at the borough council elections in 2015.

2. Recommendation

The Committee is invited to note the final recommendations for the Electoral Boundary Review carried out in the Swale Borough Council area.

Peter Sass
Head of Democratic Services
(01622) 694269

Background Documents: none

To: Electoral and Boundary Review Committee - 27 November 2012

By: Graham Gibbens, Chairman of the Electoral and Boundary Review Committee

Geoff Wild, Director of Governance and Law

Subject: Shepway Electoral Review

Classification: Unrestricted

Summary This report provides further information on the current Shepway Electoral review following the Committee's consideration of the matter at its meeting on 2 August 2012.

1. (1) In November 2011 Shepway District Council established a working group of Councillors to look at introducing predominantly single member wards and reducing the number of councillors. Shepway currently has 46 councillors.

(2) In response to the report of the working Group, the District Council passed the following resolutions:

"(a) To support the submission of a proposal to the LGBCE (Local Government Boundary Commission for England) incorporating the proposed new arrangements which demonstrate how the Council would operate with 38 member wards where necessary according to current electorate size, future electorate projections and geographical considerations.

(b) That the overall system of governance should continue to be the strong leader and cabinet model with independent overview and scrutiny."

(3) The LGBCE has noted Shepway's proposal for 38 Members but considered that the evidence provided by the Council pointed towards a council size of 30 Members and that this reduction would be sustainable. The Commission noted the work already done by the Council to streamline its committee structure and considered that 30 Member would be sufficient to effectively manage committee work and to allow individual Councillors to perform their representative role.

(4) At its meeting on 2 August, 2012, this Committee considered a report on the proposals and resolved that the submission made to the LGBCE by Shepway District Council be noted and that Shepway District Council be informed that the County Council would not want to see any review of Ward Boundaries that would lead to the creation of more two Member Electoral Divisions or any difficulties caused if the County Council wanted to change

existing two Member divisions to single Member divisions in the future; A letter was sent to the LGBCE and a response received which has been circulated to all Members.

(5) KCC has now been informed that the LGBCE commenced a consultation on 23 October 2012 on the appropriate number of Councillors, which will close on 3 December 2012. Local Members have been informed.

(6) After the consultation on Council size, the LGBCE will take a provisional decision on Council size and formulate draft recommendations on ward boundaries, which will be available for public consultation from 29 January to 8 April 2013. The Commission will then formulate draft recommendations, which it expects to publish in June 2013 for a further period of public consultation. The LGBCE expects to publish its final recommendations in early 2014.

(7) The Committee will be kept informed of progress with this review.

2. Recommendation

The Committee is invited to consider whether it wishes to respond to the consultation on the appropriate number of Councillors for Shepway District Council and/or to note the progress with the Electoral Review that will be carried out in the Shepway District Council area.

Peter Sass
Head of Democratic Services
(01622) 694269

Background Documents:

Reports to Shepway District Council and Minute 86 – 21 March 2012

<http://www.shepway.gov.uk/moderngov/ieListDocuments.aspx?CId=122&MId=2420>

Local Government Boundary Commission for England – Shepway Review
<http://www.lgbce.org.uk/all-reviews/south-east/kent/shepway-fer>

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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