

KENT COUNTY COUNCIL

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

MINUTES of a meeting of the Electoral and Boundary Review Committee held in the Swale 1, Sessions House, County Hall, Maidstone on Monday, 23 September 2013.

PRESENT: Mr G K Gibbens (Chairman), Mr R H Bird (Substitute for Mr I S Chittenden), Mr D L Brazier, Mr J Elenor, Mr C P Smith (Substitute for Mr A J King, MBE), Mrs P A V Stockell, Mr A Terry and Mr R Truelove (Substitute for Mr W Scobie)

ALSO PRESENT: Mr G Cooke

IN ATTENDANCE: Ms D Fitch (Democratic Services Manager (Council)), Mr P Sass (Head of Democratic Services), Mr G Wild (Director of Governance and Law) and Mrs A Beer (Corporate Director Human Resources)

UNRESTRICTED ITEMS

7. Minutes - 25 July 2013 (Item 3)

RESOLVED that the minutes of the meeting held on 25 July 2013 be approved as a correct record and signed by the Chairman.

8. Review of the County Council Elections 2013 (Item 4)

(1) Mr Wild introduced a report, which assessed the role and responsibilities of the County Returning Officer (CRO) in co-ordinating the County Council Elections in May 2013 and made a number of recommendations as to future practice.

(2) Members discussed the report and a number of points were made including the following:

- Reference was made to the good working relationships that had been developed with the Districts through work on the elections.
- Mr Wild confirmed that there was no government funding for the elections. In the past the costs had been shared when other elections had been held on the same day but this was not the case in 2013 and so the County Council had borne the whole cost.
- The achievement of ensuring the submission of all agents' spending returns and candidates' declarations by 25 July 2013 was commended.
- Mr Wild informed the Committee that a person had been charged with an electoral offence in relation to the nomination process and this case had been referred to the Crown Prosecution Service.
- In relation to security of postal votes, Mr Wild confirmed that all election officers across Kent had been on high alert and very close checks were carried out on all postal votes received. There was a balance to be struck

between the low turnout in elections and engaging the community to vote in the most accessible way and that postal voting was one way of achieving this.

(3) The Committee expressed their thanks for Mr Wild and his team for the work that they had carried out in the 18 month period in the run up to the elections.

(4) RESOLVED that the actions of the County Returning Officer in conducting the 2013 County Council Elections, as set out in the report, be noted and endorsed and that the Chairman send letters on behalf of the Committee to officers who had contributed to the success of the election process.

9. Electoral Review of Kent County Council's Area (Item 5)

(1) Mr Wild submitted a report which updated the Committee on the Local Government Boundary Commission for England's (LGBCE) Electoral Review of Kent County Council's area.

(2) The Chairman and Mr Wild updated the Committee on the meeting that had been held with representatives of LGBCE on 17 September 2013. The key points that had come from this meeting were:

- There were eight other County Councils going through a similar process.
- Electoral Divisions were not allowed to cut across District Council boundaries.
- There would in effect be twelve separate individual reviews, as the electoral divisions needed to be co-terminus with District boundaries. This would then make up the picture for the whole County.
- The Council could form a view on whether it wished to recommend that there be only single Member divisions or whether some two Member divisions would be acceptable.
- Representatives from the LGBCE would give a briefing to all Members on the afternoon of the March 2014 meeting of the County Council and had asked to meet with all Group Leaders before the start of the County Council meeting on that day.
- Tentative timetable for the review:
 - County Council to submit its initial recommendations by July 2014
 - LBGCE publish their recommendations on divisional patterns in September 2014 with a 12 week consultation period.
 - Draft recommendations published by LBGCE in February 2015, with a consultation period from March to May 2015.
 - Final recommendations published in July 2015.
 - Commissions recommendations laid before Parliament in October 2015 (Parliament can either accept or reject the recommendations).
 - Review complete by early 2016 – LBGCE to sign off new arrangement which would come into effect for Elections in 2017.
- The Lead Commissioner for the Kent review would be Sir Tony Redmond.

- At one level the aim of the review was to ensure that each electoral division had the same number of electorate and therefore was broadly a mathematical exercise. However, the review would also take account of other factors such as community identity.
- The County Council could have as much or as little input in to the review as Members wished. Input could be given either by the County Council as a whole and/or individuals or groups could submit information or data regarding the size of divisions and numbers etc.
- If the County Council was of one mind and resolved to support a single recommendation, it would carry more weight than individual submissions, but it would need to be evidence based. Evidence to the Commission could come from a number of sources. The County Council had no right to dictate the course of the review but had an opportunity to put together their views and submit them in advance of the general consultation.
- In relation to community identity, it would not be as relevant in the review of County divisions as it would be in relation to a district ward review.
- The LGBCE wanted to dispel the myth that they were working to an agenda of establishing fewer County divisions but they accepted that most reviews resulted in a reduction in the number of divisions and Members.
- There was work to be carried out to prepare figures for the predicted number of the electorate in 2020 before any recommendations could be made by the County Council on the number of divisions and boundaries of electoral divisions.

(3) Members discussed the report and a number of points were made including the following:

- In response to a question on whether the building blocks for electoral divisions would be district wards, Mr Wild stated that there was no suggestion in the meeting that ward boundaries would be co-terminus with division boundaries but he would check this and update Members at the next meeting.
- One of the biggest factors was what type of Council Kent would be in 10 years time, a transactional Council would have a different relationship to its residents than a commissioning Council. However the transformation of the County Council would not necessarily mean that a smaller number of Members were needed as there would still be work for Members to do within their communities.
- The importance of Members having an input into community identity to ensure that communities were not split between divisions was emphasised in order to avoid alienation of electors.
- There was generally agreement that the main issues with two Member divisions occurred when the Members were of different parties, which made sharing the constituency work difficult.
- It was noted that the LGBCE would set out the ground rules but the County Council would have the opportunity to influence the review.
- It was pointed out that if the number of County Councillors was reduced and the geographical areas expanded then in some areas the number of Parish Councils per division would increase.
- Recommendations would need to be evidence based.

- If the County Council recommended only single member divisions then there was a risk that to achieve equality of electorate numbers the boundaries may need to be drawn up in a way which may sweep away community links.
- If the County Council recommended that it would like to have a certain number of Members it might carry some weight with the Commission. It was important to maximise the influence that the County Council was able to have with the Commission.

(4) RESOLVED that the report be noted and a further meeting of the Committee be held in December 2013 to receive an update.

10. Swale Community Governance Review

(Item 6)

(1) The Committee received a report on the Swale Community Governance Review and the current consultation, which would close on 1 October 2013.

(2) RESOLVED: that the Committee note the Swale Community Governance review and confirm that it did not wish submit any comments.

11. MOTION TO EXCLUDE THE PRESS AND PUBLIC FOR EXEMPT ITEMS

(Item 7)

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

(Item 8)

(The Director of Governance and Law, and the Democratic Services Manager (Council) 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:

Mrs Beer introduced a report which invited the Committee to confirm the current designation of the office of County Returning Officer and consider the basis of payment for the role in relation to County Council Elections and By-elections.

The Committee agreed to retain an individual as County Returning Officer and agreed the level of remuneration.