

**ELECTORAL AND BOUNDARY REVIEW COMMITTEE**

**Tuesday, 1st April, 2014**

**2.00 pm**

**Council Chamber, Sessions House, County Hall,  
Maidstone**







## AGENDA

### ELECTORAL AND BOUNDARY REVIEW COMMITTEE

**Tuesday, 1 April 2014, at 2.00 pm**  
**Council Chamber, Sessions House, County**  
**Hall, Maidstone**

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

*Tea/Coffee will be available 15 minutes before the start of the meeting*

#### **Membership (9)**

- Conservative (5): Mr G K Gibbens (Chairman), Mr A J King, MBE (Vice-Chairman),  
Mr A H T Bowles, Mr D L Brazier and Mrs P A V Stockell
- UKIP (2) Mr J Elenor and Mr A Terry
- Labour (1) Mr R Truelove
- Liberal Democrat (1): Mr I S Chittenden

#### **UNRESTRICTED ITEMS**

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

#### **Webcasting Notice**

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- 1 Substitutes
- 2 Declarations of Interest on any items on this agenda
- 3 Minutes - 23 September 2013 (Pages 5 - 8)
- 4 Electoral Review of Kent County Council's Area (Pages 9 - 12)
- 5 2013 County Council Election Accounts (Pages 13 - 16)

Peter Sass  
Head of Democratic Services  
(01622) 694002

**Monday, 24 March 2014**

**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.



From: Graham Gibbens, Chairman of the Electoral and Boundary Review Committee  
Geoff Wild, Director of Governance & Law and County Returning Officer

To: Electoral and Boundary Review Committee – 1 April 2014

Subject: Electoral Review of Kent County Council's Area

Classification: Unrestricted

**Summary:** This report updates Cabinet Members on the Local Government Boundary Commission for England's Electoral Review of Kent County Council's area.

## 1. Introduction

(1) Since the last update to the Electoral and Boundary Review Committee, in September 2013, a meeting has been held with Local Government Boundary Commission for England (LGBCE) at which they outlined the following principles as the basis of their review:

- (a) The review is designed to deliver broadly the same number of electors for each division.
- (b) Ideally, there should be cross-party agreement on the 'right' council size for the future (preferably backed up by a Council resolution).
- (c) It is up to the Council, through its political groups (collectively or individually) to work with the LGBCE to design the new arrangements; the level of input is entirely optional - it can be as minimal or as detailed as the Council wishes.
- (d) Decisions will be based on (a) electoral equality, (b) community identity and (c) effective/convenient local government.
- (e) 8 other counties are currently undergoing a similar review: Warks, Devon, Herts, Lincs, Cambs, Dorset and Notts.
- (f) The most immediate requirement is to ascertain electorate forecasts across the county up to 2020.
- (g) 'Community identity' is less important at county level than it is at district level - there needs to be overwhelming evidence of community disruption to prevent, for example, a county division from straddling or splitting parishes.
- (h) Officer briefing workshops will be arranged.
- (i) County divisions must be co-terminous with district/borough boundaries; they cannot follow CCG boundaries, for example, if that would result in them straddling two or more districts.
- (j) There will effectively be 12 separate reviews, covering each district area.
- (k) The LGBCE has no preconceived or fixed agenda aimed at either increasing or reducing county member numbers, although historically and statistically the majority of reviews have resulted in 10% fewer divisions.

- (l) If desired, the Council (by way of resolution) can formally request that the LGBCE conduct a Single Member Division Review under the Local Democracy, Economic Development and Construction Act 2009. KCC currently has 72 divisions and 84 Members.
- (m) The Lead Commissioner for the KCC review will be Sir Tony Redmond (former Local Government Ombudsman)

(2) The LGBCE ran a workshop at KCC on 28 January at which they briefed key officers on the review process and shared information.

## 2. Timetable

(1) The timetable for the review is as follows:

	<b>Date/timescale</b>
Produce revised District-level forecasts.  <i>(This will incorporate the latest data from the 2011 Census and the latest housing numbers from the District Councils).</i>	End of March 2014
Officers will supply and agree forecast electorate figures; revise the table showing potential populations for each electoral division, for each overall Council size option, based on the new District forecasts.	End of February 2014
The Lead Commissioner will brief Group Leaders ahead of full Council (where a briefing to all Members will be given).	30 April 2014
Produce Ward-level forecasts, consistent with the District forecasts.	End of April 2014
From the range of options being looked at, boil down to three size bands for each District (except Maidstone which potentially has 4), used in different combinations to achieve a target county figure. These proposed boundaries will need to be defined, and Business Intelligence have produced a spreadsheet to enable this to be done efficiently.  Once the Electoral Division options are defined, the spreadsheets will be mapped.	May 2014
Consult with Members.	June 2014
KCC may submit its formal proposition on Council size by July 2014. This can be either by formal Council resolution or informally by each political group.	July 2014
LGBCE will submit its initial proposal on divisional patterns for each of the 12 districts in September 2014 for 3 months' consultation until December 2014.	September 2014

Following analysis of the evidence and consultation responses, the LGBCE will publish its draft recommendation.	February 2015
Consultation on the draft will take place (subject to any elections).	March-May 2015
LGBCE will issue its final draft recommendations to KCC.	July 2015
LGBCE will publish its final draft recommendations.	August 2015
The draft recommendations will be laid before Parliament. Parliament can either accept or reject the recommendations (nothing more). Parliament has never (so far) rejected LGBCE recommendations.	October 2015
If accepted by Parliament, the recommendations will be signed off by LGBCE and come into force.	January 2016

### 3. Modelling Council Size

(1) The figures used to model Council Size will be based on the electorate population estimates for 2020 using “Interactive Population Toolkit”<sup>1</sup>. These should be used as a rough guide at this stage as the figures are in the process of being updated by the Business Intelligence Team. It is hoped that updated figures will be available at the meeting on 1 April 2014.

(2) 84, 78, 72, 66 and 63 Members have been used to model council size to ensure that (as far as possible) no District average is +/-10% from the county-wide average for the number of electors per councillor. The exception to this is the 63 Member Council option. This would result in Thanet and Tunbridge Wells being 12% and 13% under the county average. Different Council size models can be produced for consideration if required.

(3) Kent County Council could remain at 84 Members and still comply with the Commission’s requirements. In this instance, compared with 2013, Ashford and Gravesham would increase by one Member each and Sevenoaks and Thanet would decrease by one Member each to ensure no District average was +/-10% from the county-wide average. The Committee is advised that KCC already has one of the highest ratios of registered electors to each elected Member, as the table at **Appendix 1** shows.

### 4. Next Steps

(1) The Commission is due to brief all Members of the Council on 30 April 2014; this will be preceded by LGBCE briefings for each of the Group Leaders.

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<sup>1</sup>

[http://www.kent.gov.uk/your\\_council/kent\\_facts\\_and\\_figures/population\\_and\\_census/population\\_forecasts.aspx](http://www.kent.gov.uk/your_council/kent_facts_and_figures/population_and_census/population_forecasts.aspx)

The Member briefing will be an opportunity for the LGBCE to convey the key messages about the review and to take any questions.

**Recommendation(s):** Members are invited to note the report and comment on the next steps in relation to the review.

**Background Documents:**

None

**Report author contact details:**

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**Appendix 1**

Neighbour Authorities (County Councils)	Number of Wards/ Divisions	Council Size	Total Electorate at 16/10/2012	Electors per Councillor	Area (Hectares)	Density (Electors per Hectare)
Kent	72	84	1099140	13085	354348	3.10
Essex	70	75	1082688	14436	346434	3.13
Hampshire	75	78	1032175	13233	367896	2.81
Lancashire	84	84	906393	10790	290297	3.12
Hertfordshire	77	77	852476	11071	164308	5.19
West Sussex	71	71	626434	8823	199086	3.15
Staffordshire	60	62	665529	10734	262029	2.54
Devon	62	62	599847	9675	254668	2.36
Lincolnshire	77	77	551083	7157	592058	0.93
Nottinghamshire	54	67	609330	9094	208478	2.92
Derbyshire	61	64	609661	9526	254668	2.39
Northamptonshire	57	57	533308	9356	236397	2.26
Norfolk	84	84	674761	8033	537078	1.26
Gloucestershire	53	53	477203	9004	265317	1.80
Worcestershire	52	57	447246	7846	174052	2.57
Leicestershire	52	55	521011	9473	208289	2.50

From: Graham Gibbens, Chairman of the Electoral and Boundary Review Committee  
Geoff Wild, Director of Governance & Law and County Returning Officer

To: Electoral and Boundary Review Committee – 1 April 2014

Subject: 2013 County Council Election Accounts

Classification: Unrestricted

**Summary:** This report confirms the current status of the District Council's Accounts for the County Council Elections in May 2013 and includes an analysis of the cost.

## 1. Introduction

(1) The County Returning Officer (CRO) instigated a root and branch review of election planning, processes, finance and documentation in the run up to the May 2013 elections in response to a number of recommendations arising from previous elections. These recommendations were put into effect and resulted in a rigorous process with improved control for the 2013 election.

(2) Clear instructions were issued to the District Councils at various trigger points in the run up to the election which resulted in the smooth running of the election.

(3) In line with previous audit recommendations detailed cost estimates for the County Council election were received from the District Councils in March 2013.

(4) The County Council provided 11 of the District Councils with an advance of 75% of estimated costs up front and one Council with an advance of 60% of their costs (because of the late submission of their final accounts in 2009). The proportions of these advance payments were in line with Electoral Commission guidance.

(5) For all District Councils the remainder of the actual costs were then claimed back from the County Council on submission of a completed claim form and supporting documentation following the Elections. The deadline for submission of completed Election Accounts and evidence of spend to the CRO was 1 November 2013. All Election Accounts were received by the deadline. The District Councils were made aware that their Election Accounts would be audited by an external audit company, which has now been completed, resulting in the production of clear evidence of spend and accurate claims from the districts.

## **2. Auditing of Election Accounts**

(1) The CRO agreed that following previous audit recommendations the Election Accounts should be audited before the final balance was paid to the District Councils. KCC did not have the resources available to undertake this work so Deloitte and Touche Public Sector Internal Audit Ltd were commissioned to complete this audit review at a cost of £9,600.

(2) The aim of the audit was to provide assurance that the electoral accounts submitted to the County Council by the District Councils provided a full and accurate record of expenditure, were in line with the agreed scale of fees and charges and were supported by relevant supporting documentation.

(3) Deloitte's have now completed their audit review of all the District Councils' election accounts.

(4) Deloitte's raised a number of potential issues in relation to the above accounts which were all investigated and clarified with the District Councils before any final payments were made.

(5) Deloitte's made four recommendations for improvement, none of which were high priority and identified the following key themes from their review:

(a) Attendance records should be submitted with returns to confirm that officers attended relevant training and completed their designated responsibilities.

(b) Account returns should be signed and dated by the Deputy Returning Officer to confirm the accuracy of submissions

(c) All entries should be submitted in gross and all return entries should take into account previous VAT audit recommendations that have been made.

(d) All transactions included in the returns should be evidenced by supporting invoices or alternative documentation where appropriate.

(6) The CRO has accepted all of these recommendations and the relevant documentation and processes will be amended accordingly for the 2017 County Council Elections.

## **3. Spend Analysis 2012/13**

(1) The below table shows a breakdown of the final costs of the County Council Elections in May 2013

Authority	Initial claim estimate	Initial advance paid	Final claim figure inc DRO fees, superannuation costs and recharge for use of core staff	Final claim % variation of initial claim	Balance Due
Ashford	£165,000.00	£115,500.00	£155,409.80	94%	£39,909.80
Canterbury	£150,000.00	£113,250.00	£159,741.34	106%	£46,491.34
Dartford	£160,256.00	£120,192.00	£140,792.61	88%	£20,600.61
Dover	£155,000.00	£115,000.00	£152,523.97	98%	£37,523.97
Gravesham	£124,387.00	£93,305.25	£121,682.81	98%	£28,377.56
Maidstone	£236,308.73	£149,224.50	£188,041.48	80%	£38,816.98
Sevenoaks	£130,000.00	£90,000.00	£136,652.38	105%	£46,652.38
Shepway	£151,035.70	£91,000.00	£135,741.60	90%	£44,741.60
Swale	£105,000.00	£78,750.00	£123,013.21	117%	£34,263.21
Thanet	£141,419.61	£106,064.71	£139,318.30	99%	£33,253.59
TMBC	£135,000.00	£100,000.00	£134,018.53	99%	£34,018.53
Tunbridge Wells	£95,000.00	£83,250.00	£104,873.71	110%	£21,623.71
£1,982,000.00	£1,748,407.04		£1,691,809.74		£426,273.28
Combined Budget for elections in 2012/13 and 2013/14	Total cost of initial claim		Final Cost to KCC		Balance due

(2) The total available budget for elections on 1 April 2013 was £1.982m. As can be seen from the above table, the final cost of the County Council Elections was £1.692m, which has, therefore, resulted in an underspend compared to the available budget of **£290k**. However, there were two by-elections that took place towards the end of 2012 but the accounts for those two by-elections were not submitted for payment until the autumn of 2013. This has reduced the underspend to **£223k**

#### Background Documents:

- (i) **Report of the Head of Democratic Services to the Electoral and Boundary Review Committee on the County Council Elections (23 September 2013)**

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