

READING BOROUGH COUNCIL

REPORT BY CHIEF EXECUTIVE

TO:	COUNCIL	
DATE:	13 OCTOBER 2009	AGENDA ITEM:
TITLE:	REVIEW OF ELECTORAL AREAS AND THE NUMBER OF WARDS, COUNCILLORS AND FREQUENCY OF ELECTIONS IN READING	
SERVICE:	DEMOCRATIC SERVICES	WARDS: BOROUGHWIDE
LEAD OFFICER:	MICHAEL COUGHLIN	TEL: 0118 939 0305
JOB TITLE:	CHIEF EXECUTIVE	E-MAIL: Michal.coughlin@reading.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 At its meeting on 8 July 2009 the CCEA Panel, on a vote, agreed a proposal put by Councillor Tony Jones that the Council be recommended to agree that a review be undertaken of the current arrangements for the number of wards, councillors and frequency of elections in Reading.
- 1.2 At the meeting it was made clear that the thinking behind this was to reduce the number of Councillors from 46 to nearer 30. The Returning Officer's accompanying report to the Panel made clear that this would require both a review of electoral areas by the Boundary Committee of the Electoral Commission and an Order from the Secretary of State.
- 1.3 Reading's electoral arrangements were last reviewed by the Boundary Committee between 1999-2002, and implemented in 2004. The Boundary Committee is required to review arrangements on a 10-15 rolling cycle, ie no earlier than 2012.
- 1.4 The Returning Officer reported to the CCEA Panel meeting on 8 July 2009 that the Boundary Committee may be willing to consider a request from the Council to undertake an early review, in advance of the rolling cycle, but the earliest the Boundary Committee could fit in a review would be in 18 months time (ie 2011). They may be willing to consider starting a whole authority review at this earlier date if the Council could provide good reasons to do so which met the statutory criteria for reviews, which are to achieve ward boundaries which:
 - Reflect the identities and interests of local communities
 - Secure effective and convenient local government
 - Achieve equality of representation (within 10% of Borough average, or no not vary by more than 30%)
- 1.5 The Returning Officer's advice to Council is not to proceed with this recommendation outside the Boundary Committee's process and timetable, and without making adequate resources available to project manage it.

2. RECOMMENDATION

2.1 That in considering the recommendation made by the CCEA Panel, Councillors give attention to the following matters:

- 1) The Council should consider carefully any decision to commit resources to undertake a review of electoral arrangements outside the Boundary Committee's process and timetable. If the Council wants an early review to take place, in advance of the Boundary Committee's 10-15 year rolling cycle, the starting point should be for Council to resolve to submit a proposal for an authority review to the Boundary Committee of the Electoral Commission, to authorise the Returning Officer to agree the terms of this proposal in conjunction with the Group Leaders, and to be guided by the response received from the Boundary Committee.
- 2) Any review, whenever it is held, will require a significant commitment of resource from the Returning Officer, the Elections Team, and the Planning and Mapping Services, and to a lesser extent from the Communications, Policy and Valuation Services. In the Council's current restrained budget situation, all Councillors should consider whether this is a new priority to which the Council should be committing its scarce resources at this time.
- 3) For the reasons given in 4.26 to 4.28 below, the Returning Officer will not be able to commit any of his time, or that of the Elections team, to support the review before the June 2010 at the earliest (ie after the next General Election). Council should also be aware of the additional future workload on the Elections team that will arise from the Political Parties and Elections Act 2009, in particular in moving to a national system of individual registration by 2014. Therefore if the Council agrees to start a local review process outside the Boundary Committee timescale, it should also give consideration to appointing a project officer to lead the review, at a high level of responsibility and with a detailed working knowledge of the Borough, at a cost of around £50k a year (including on-costs); and indicate where it wishes to make an equivalent budget saving to enable this additional expenditure to be incurred.

3. POLICY CONTEXT

3.2 The pros and cons of holding elections by thirds were last reviewed by the Council in its response to the Electoral Commission's 2005 consultation paper on periodic electoral reviews. The Council's response, which was agreed by the then three Group Leaders, considered that elections by thirds have a number of important benefits which are summarised below:

- Continuity of experience and representation - two-thirds of the Council will continue beyond the election.
- Promoting political stability - there will be continuing Councillors on the authority from most parties to provide experience and stability to local government.
- Encouraging participation in local democracy - elections are held most years, the electorate is canvassed, participation is encouraged, politicians are

encouraged to keep in touch with and be active for the electorate, there is a built-in annual incentive of losing seats if constituents' concerns are not addressed.

- Keeping the electoral machine 'well-oiled' - both for the authority and for political parties, helping to maintain and refresh the pool of experienced Councillors, party workers and electoral registration staff.
- Political accountability - elections are held shortly after the first new Council Tax bills are received, local parties have to justify themselves to their electors every year for difficult or controversial decisions taken during the year, Councillors are encouraged to keep in touch with their electorate, the electorate has an annual opportunity to comment on the Council's performance, successes and failures.
- Moving from regular, annual elections to elections every four years was likely to be counter-productive in addressing falling turnouts, in particular if it weakened the effectiveness of local party election machines, and broke the routine of annual voting.
- Multi-Member wards have advantages in urban areas where local communities are large, and would require some artificiality to split them into smaller, single-Member divisions.
- Multi-Member wards are better served by a number of Councillors who can specialise in different areas of interest, and are able to represent the diversity of the population they serve. They encourage team working by ward Councillors (especially if all from the same party). In the context of modernised local government and the separation of executive and scrutiny functions, they help ease the potential demands on executive Councillors, Committee Chairs and other office holders of the authority, by giving a broader base of fellow Councillors to share constituency caseload and attendance at community meetings.

4. THE PROPOSAL AND LEGAL IMPLICATIONS

Background

- 4.1 The proposal recommended to the Council by the CCEA Panel has two elements: to reduce the overall number of Councillors, and to change the frequency of elections (electoral cycle) to move away from elections by thirds (ie annual elections).
- 4.2 The two elements are related: the basis of an elections by thirds model is a three-member ward, in which one Councillor stands down at each election.
- 4.3 Elections by thirds is the traditional model for Borough Councils outside London. Reading will have operated the system since it became a County Borough, in the 1880s, with an exception between 1974 and 1983, when the Council had ceased to be a County Borough and was waiting a review of electoral boundaries following the Local Government Act 1972: during this period, some wards had up to six Councillors.

- 4.4 It chose to continue with the elections by thirds system when its ward boundaries as a District Council were reviewed in the early 1980s; and again when it became a Unitary Authority on the abolition of Berkshire County Council, in 1997/98.
- 4.5 Two of the other five Unitary Authorities in Berkshire - Slough and Wokingham - also operate to an election by thirds model, although on a modified form in Wokingham, where not every ward has three members. The other three Berkshire Unitary Authorities hold all-out elections every four years (most recently in 2007).
- 4.6 Since the last ward boundary review in Reading, which was implemented from 2004, the authority has 16 wards, electing 46 Councillors. Of these, 15 are three member wards, operating to a traditional elections-by-thirds model; the remaining one is Mapledurham, a single member ward where the local election is held every four years (ie 2004, 2008, 2012 etc). This was set out in the Boundary Commission's Recommendations on the Future Electoral Arrangements for Reading, issued in June 2002, and the Borough of Reading (Electoral Changes) Order 2002.

Number of Councillors

- 4.7 This is connected with the electoral cycle followed by the authority, which as explained above is to hold elections by thirds in 15 of its 16 wards.
- 4.8 Since the Local Government Act 1972, which abolished the Reading County Borough Council, this arrangement, and the consequent number of Councillors (3 per ward), has been confirmed on three occasions: by the Order made by the Secretary of State when the District Council boundaries were reviewed in the early 1980s; the Berkshire (Structural Change) Order 1996, which abolished the County Council; and most recently by the Borough of Reading (Electoral Changes) Order 2002.
- 4.9 The electoral arrangements set up from 1983 involved 15 wards represented by 60 Councillors; 3 per ward for the District Council, and 1 per ward for the County Council. The abolition of the former Berkshire County Council, in 1998, had the effect of reducing the number of Councillors representing Reading wards by a quarter, to 45.
- 4.10 The number of Councillors per ward cannot be changed without a further Order by the Secretary of State, issued under Section 86 of the Local Government Act 2000, to specify a scheme of elections for the authority.

Electoral Cycles

- 4.11 Section 85 of the Local Government Act 2000 provides principal authorities with three options for local elections, as follows:
- all-out elections - every 4 years, with all Councillors retiring
 - elections by halves - every 2 years, with half of the Councillors retiring on each occasion
 - elections by thirds - 3 years in every 4, with one third of the Councillors retiring on each occasion.
- 4.12 Councillors are elected for terms of office of four years.

- 4.13 All of the above models can be operated with single member or multi-member wards. However, the traditional model of elections by thirds, as applied in former County Boroughs and in Metropolitan Boroughs (but not London Boroughs), is to have three-member wards, so that there is an election held in each ward in each year where there is an election. This remains the model in Reading, with the exception of Mapledurham.
- 4.14 Chapter 2 of the Local Government & Public Involvement in Health Act 2007 modified the provisions of the 2000 Act, to make it easier for principal authorities to change their electoral arrangements, in the following ways:
- Under S32, in an authority which is subject to elections by halves or by thirds, the full Council may resolve to be subject to whole Council elections (see para. 4.15 below)
 - Under S55 (which amends S14 of the 2000 Act), an authority which currently has multi-member wards may request the Electoral Commission to direct the Boundary Commission to review the authority's area with a view to recommending single member wards

NB - the 2007 Act was intended to encourage authorities to move to single-member wards and all-out elections, and does not contain provisions to make it easier to change electoral arrangements from elections by thirds to election by halves. Therefore such a move would continue to require an Order by the Secretary of State under S86 of the 2000 Act.

- 4.15 An authority that wishes to pass a resolution for whole-Council elections under S32 of the 2007 Act must follow the following processes:
- it must first take reasonable steps to consult with such persons as it thinks appropriate on the proposed change;
 - it must then pass a resolution at a meeting of Council specially convened for the purpose, by a majority of at least two thirds of the Councillors voting
 - it must pass the resolution before 31 December 2010 to allow all-out elections to be held in May 2011 (S34).
 - It must then produce an explanatory leaflet to publicise the change (S35)
 - It must give the Electoral Commission notice that it has passed the resolution (S36)

Boundary Commission Review

- 4.16 The Council could pass a resolution under S32, to move to all-out elections for the current number of Councillors. This would not require any external approval or an Order from the Secretary of State.
- 4.17 As explained in para. 1.2, the thinking behind the CCEA Panel recommendation to full Council was to reduce the number of Councillors in Reading from 46 to nearer 30, or 2 per ward. A resolution passed under S32 would not have the effect of reducing the number of Councillors on the authority. To achieve this would

require a review of boundaries by the Boundary Commission, and a new Order from the Secretary of State. This is because Schedule 11 of the Local Government Act 1972 requires the ratio of electors to Councillors to be the same in each ward (para. 3(2)(a)): this would no longer be the case in Reading, because of the complication of Mapledurham.

- 4.18 If all of the Borough's wards currently had three Councillors, then reducing each ward's representation to two Councillors would not (all other things being equal) affect the ratio of electors to Councillors between wards.
- 4.19 However, the 2002 Boundary Review set up Mapledurham as a single member ward with one third the electorate of the other three-member wards: this ratio would be distorted if the other wards were to move to two member representation.
- 4.20 For the record, the current ratio of Councillors to local government electors is 2,417.5 (111,205 / 46). If the number of Councillors were to be reduced to 30, the ratio would rise to 3,707. The current local government electorate for Mapledurham ward is 2,457.
- 4.21 Also for the record, the comparative populations and numbers of Councillors of the six Berkshire Unitary Authorities is as follows:

Authority	Population	No. of Councillors
Bracknell Forest	111,000	42
Reading	145,000	46
Royal Borough of Windsor & Maidenhead	138,800	57
Slough	120,000	41
West Berkshire	144,500	52
Wokingham	150,300	54

- 4.22 As mentioned above, the report of the last review of Reading was issued in 2002, and was implemented in 2004. Under the provisions of S13 of the Local Government Act 1992 (as amended by the Local Government Commission for England (Transfer of Functions) Order 2001), the Electoral Commission must conduct periodic reviews of local authority areas to consider whether any structural or boundary changes should be made, no less than 10 and no more than 15 years after the previous review. Therefore, the next Reading review is not due to occur until 2012 at the earliest.
- 4.23 Reading's current boundaries achieve equality of representation with 46 Councillors, but would cease to do so if the number of Councillors were reduced to 30, because of Mapledurham.

Practical Issues

- 4.24 The Returning Officer reported to the CCEA Panel meeting on 8 July 2009 that the earliest the Boundary Committee could fit in a review would be in 18 months time (ie 2011). They may be willing to consider starting a whole authority review from this earlier date if the Council could provide good reasons which met the statutory criteria for reviews. These are to achieve ward boundaries which:

- Reflect the identities and interests of local communities
- Secure effective and convenient local government
- Achieve equality of representation (within 10% of Borough average, or no not vary by more than 30%)

4.25 Reading cannot unilaterally change its ward boundaries or adjust its number of Councillors. Therefore any work to review the current electoral arrangements must be in conjunction with and aligned to the review timetable of the Boundary Committee.

4.26 The Boundary Committee review process is time-consuming and detailed, involving consultation with interested community groups and stakeholders (especially political parties), and the detailed evaluation of competing boundary options. The last review took place over a period of more than two years.

4.27 The Returning Officer asked his predecessor, Dick Taylor, for his observations on the last process, and his response is summarised below:

- The review was very demanding of his time, and during 2002 he did virtually nothing else and left the management of the Legal Section to the Chief Solicitor
- The time he spent on the review increased as the Council got further into the process, and putting the results of the review into effect were a challenge
- All stages needed a great deal of consultation and no little amount of discretion whilst trying to achieve consensus about alternative proposals for the location of new boundaries.
- The electoral team were fully involved. They had to work out the implications, number-wise, of hundreds of alternatives of boundary positions, as well as doing their day jobs, with a team of three people.
- The ability of the Electoral software system to process boundary changes is crucial
- All suggestions had to comply with the strict Commission guidelines; that required a detailed working knowledge of the Borough.
- The Planning service was actively involved. The review had to project the population for a considerable period of time and calculate the ratio of electors to members on the basis of those projections, based on planning permissions granted and in the pipeline.
- Mapping was also heavily involved, to produce plans showing different ward boundary changes to a tight timescale (often 24 hour turnaround).
- The Communications and Policy teams were actively involved in the consultation process.
- There was some work for Valuation, in locating particular properties and their boundaries.
- A lot of time was spent on site visits to establish where the line of a boundary should go. You can't always rely on current plans in the offices. Land owners change their boundaries. New developments also need checking.

4.28 In his report to the Scrutiny Panel the Returning Officer said that he could not commit any of his time, or that of the current Elections team (still of 3), to a review before the next general election. The Panel subsequently considered the corporate risk register and the Council's unpreparedness for the next general election. This is for two reasons:

- Our elections software system, Pickwick, is obsolete and not compliant with current legislation, and its owners, Northgate, are withdrawing it by the end of 2009. It could no longer be used to support a ward boundary review.

Over the summer we have been running a tender process to procure a new software system which we will have to test and install over the next six months, to get it ready to support the local (and most probably general) election(s) in May 2010.

- Our parliamentary constituency boundaries extend beyond Reading, and we will have to process nearing 25,000 postal votes in a general election, including scanning and checking personal identifiers for up to 10,000 postal voters living in Wokingham and West Berkshire.

4.29 In addition, and as set out in a subsequent report to the CCEA Panel on 30 September 2009, the Political Parties and Elections Act 2009 has now set a statutory timetable for the introduction of individual (as against household) electoral registration by 2014, with a voluntary scheme starting in 2010. This new legislation will involve a fundamental change in the process of electoral registration in this country, and will involve the Elections team in significant additional work in the 2010 post-election period.

5. FINANCIAL IMPLICATIONS

5.1 Boundary reviews are lengthy and costly, in terms of staff, Councillor and local party time and commitment. Given that if such a review is requested now it will be in advance of the minimum 10 years period, we have asked the Electoral Commission to clarify on what basis, if any, their Boundary Committee may be willing to conduct an early review, including the cost of such an exercise and who they would expect to meet it. Their response is as set out in 4.24 above. If they agreed to undertake an early review, they would meet their own costs - but not those of the Council.

5.2 Paragraph 4.27 above indicates the time and resource implications for the Council of undertaking a Boundary Committee review. These are significant, in particular in terms of the time of the Returning Officer, the Elections team, and the Mapping and Planning services. In this respect, para. 2.1(3) above makes clear that if the Council wishes to take forward the proposal recommended to it by the CCEA Panel, it is strongly encouraged to appoint a project officer to lead the review, at a proportionate level of responsibility and with an estimated cost of around £50k a year, over two years.

5.3 The Returning Officer is also the Council's Monitoring Officer, and Electoral Registration Officer, and currently has insufficient capacity to commit any time to support such a review in advance of the next Parliamentary election (latest date is June 2010), and also the procurement of a new electoral administration database and software system to replace Pickwick, which is being withdrawn at the end of 2009. This report has also drawn the Council's attention to the additional work relating to individual registration that the Elections team will pick up from 2010 onwards.

5.4 Reducing the number of Councillors from 46 to 30 could be the basis for a reduction in the amount spent by the Council on Member allowances. In simple terms, each Councillor currently receives a basic allowance of £8,220 a year,

therefore having 16 fewer Councillors could generate an annual saving of £131,520.

5.5 The cost of running a local election in Reading is around £150,000: this is because, in practice, we are now running two elections concurrently, by post and in person. This compares with the budget provision of £73,500 for the 2008 local elections, made in the estimates for 2008/09. Therefore moving away from (effectively) annual elections to all-out elections every four years would have the effect of providing a significant potential saving from 2012 which, in terms of saving on current budget provision, will be £75,000. NB - we will still need to retain some budget capacity to allow for by-elections.

5.6 The total savings therefore could be as much as £200,000 a year.

5.7 In years when the local elections coincide and are run jointly with Parliamentary or European elections, a significant element of the costs can be recovered from the Government: we have budgeted that this will be the case in 2010. There were no local elections in 2009, where the full cost of the European elections will be recovered from the Government.

6. CONTRIBUTION TO STRATEGIC AIMS

7.1 The electoral registration process, and elections, support the promotion of the participation of Reading people in local democracy.

7. COMMUNITY ENGAGEMENT AND INFORMATION

7.1 As mentioned in para. 4.15 above, if the Council were minded to consider passing a resolution to change its electoral cycle, it would first need to take reasonable steps to consult with interested people, and would subsequently have to produce an explanatory leaflet to publicise the change.

8. BACKGROUND PAPERS

Local Government Commission for England (Transfer of Functions) Order 2001

Boundary Commission for England - Final Recommendations on the Future Electoral Arrangements for Reading, June 2002

The Borough of Reading (Electoral Changes) Order 2002

Periodic Electoral Review - letter to Electoral Commission in response to consultation paper, 23 November 2005