

Proposed Consultation on the Council Election Cycle

Council

Date: 13th July 2023

Author: Chief Legal Officer

Wards: All Wards

Parishes Affected: All Parish Areas

1. Purpose and Reasons

- 1.1 The Local Government Boundary Commission for England (LGBCE) will shortly be commencing a review into the Council's borough ward boundaries. Consideration of the Council's electoral cycle is timely as it will both inform the warding patterns and enable any decision to coincide with the implementation of the LGBCE review outcomes at the elections scheduled for May 2026. The options for Swindon Borough Council are whether to retain voting by thirds or move to whole council elections from 2026.
- 1.2 Provisions within the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011 give the Council power to decide its election scheme. This report explains the process and the formal consultation that needs to be undertaken should the Council wish to explore moving to whole council elections.

2. Recommendations

Council is recommended to:

- 2.1 Note the Local Government Boundary Commission for England (LGBCE) review into the Council's ward boundaries.
- 2.2 Determine whether to commence a consultation process in accordance with the Local Government and Public Involvement in Health Act 2007 as to whether the Council should move to whole council elections from 2026.

3. Detail

- 3.1 An electoral review is an examination of a council's electoral arrangements focussed upon the total number of Members elected to the Council, the number of wards and their boundaries, the number of Members for each ward, and the name of each ward.
- 3.2 The Council meets the criteria for an electoral review because two of its wards (St Andrews and Wroughton & Wichelstowe) now have large variances in the number of electors per Member compared to the borough average.
- 3.3 It is important to note that where authorities vote by thirds, the LGBCE are required to have a presumption in favour of delivering a uniform pattern of 3 Member wards. Any departure from this pattern would need to be justified on a ward-by-ward basis, having regard to the statutory criteria which are set out below.

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3.4 Schedule 2 of the Local Democracy, Economic Development & Construction Act 2009 sets out the statutory criteria which the LGBCE is required to have regard to in making its recommendations. The criteria recognise the need to:

- Secure equality of representation
- Reflect the identities and interests of local communities, and
- Secure effective and convenient local government

3.5 Should the Council retain an election cycle of voting by thirds then one potential concern will be the ward changes that may be required in Ridgeway ward (currently one Member) and Chiseldon & Lawn ward (currently two members). Irrespective of the voting pattern, careful consideration will need to be given to the New Eastern Villages development and its impact upon the number of voters within the Ridgeway ward area.

3.6 The table below lists the frequency with which a range of our CIPFA nearest neighbours (comparative unitary authorities) have their elections, their electorate size, the number of wards and Members they have, and the average number of electors per Member:

Local Authority	Scheme of Elections	Electorate (as of December 2022)	No. of Wards/Divisions	No. of Members	Electors per Member
Bath & North East Somerset	Whole Council	137,206	33	59	2,326
Bracknell Forest	Whole Council	89,886	18	42	2,140
Derby	Thirds	179,198	17	51	3,514
Luton	Whole Council	146,626	19	48	3,055
Medway	Whole Council	205,345	22	55	3,734
North Lincolnshire	Thirds	129,570	17	42	2,766
Peterborough	Thirds	145,569	22	60	2,426
Telford & Wrekin	Whole Council	128,716	29	52	2,475
Thurrock	Thirds	120,081	20	49	2,451
Wiltshire	Whole Council	380,463	98	98	2,451
Swindon	Thirds	165,463	20	57	2,903

Further information on the subject of this report can be obtained from Matt Box, Head of Elections, mbox@swindon.gov.uk

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- 3.7 Across England, according to the latest LGBCE data excluding two-tier county councils and the City of London Corporation, 191 authorities elect by whole council elections, 110 elect by thirds, and 7 elect by halves.

4. Alternative Options

- 4.1 There are two options to be considered; retain the current system of electing by thirds (3 elections in 4 years) or move to whole council elections (1 election every 4 years).
- 4.1.1 The advantages of electing by thirds include the regular influx of new Members that aids succession planning and therefore reduces the likelihood of wholesale change within the Council. Regular elections allow electors to regularly hold Members to account and encourage a regular voting habit.
- 4.1.2 The advantages of electing by whole council elections include the certainty of a four year mandate, providing stability that allows the Council to adopt a strategic management approach aligned with medium-term financial planning. This avoids the uncertainty that can develop in and around elections and for the consideration of complex issues that may otherwise be prevented by the pre-election period.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The report to Corporate Governance Review Working Group on 25th June 2019 set out that over a four year period, the cost of elections by thirds is in the region of £650k while the anticipated cost of an all-out election could be £360k. Therefore, changing to all-out elections could generate in the region of £300k cash savings every four years.
- 5.2 After adjusting for inflation, the saving is estimated to be in the region of £320k over four years (£80k per year).
- 5.3 An extensive consultation on this issue was undertaken in 2019 when it was last debated by Full Council. Officers are considering the specific consultation requirements necessary to fulfil our requirement for effective consultation with a view to minimising the costs to the Council this time. The costs of consultation will be funded through the use of the cash flowing reserve in consultation with the Leader.

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Legal and Human Rights Implications

- 5.4 Legal and Human Rights considerations have been taken fully into account in compiling this report. The Council is required to comply with the requirements of relevant legislation and associated Regulations and Statutory Instruments.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.5 There are no specific implications that relate to staff, sustainability, health, rural, crime and disorder within this report.

Equalities Impact Assessment

- 5.6 No Equalities Impact Assessment has been undertaken as this report refers specifically to the statutory process for the Council to amend its election cycle.

Risk Management

- 5.7 A risk assessment has not been completed as this report refers specifically to the statutory process for the Council to amend its election cycle.

6. Consultees

- 6.1 The Corporate Director of Finance and Assets (s151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None.

8. Appendices

- 8.1 None.