

COUNCIL

DATE	25 th May 2023
REPORT OF	Councillor Harness, Portfolio Holder for Finance, Resources and Assets
RESPONSIBLE OFFICER	Helen Isaacs, Assistant Chief Executive
SUBJECT	Review of North East Lincolnshire Council's Electoral Cycle
STATUS	Open
FORWARD PLAN REF NO.	Not Applicable

CONTRIBUTION TO OUR AIMS

The Council has two clear strategic priorities – stronger economy and stronger communities. Within that second priority, the review of the electoral cycle for North East Lincolnshire Council will have potential impacts on local democracy as set out in the report.

EXECUTIVE SUMMARY

The Local Government Boundary Commission for England (LGBCE) will be commencing a review of North East Lincolnshire Council's Ward boundaries in Summer 2024, with a view to completing that review by Autumn 2025. The new Ward boundaries will come into operation with effect from the June 2026 elections. Prior to this review, there needs to be a decision on whether to retain the current electoral cycle of elections by thirds or move to whole council elections. This decision will impact on the number of Councillors the authority recommends within its submission to the LGBCE next year.

Provisions within the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011 gives the Council power to decide on its election scheme. Currently, Council elections are held by thirds (elections held for a third of Councillors on three years out of every four years), but the Council may resolve to move to whole Council elections (elections held for all Councillors once every four years).

The Ward Boundary Review provides an opportune time for consideration of this matter. The report explains the legal process that needs to be followed. To begin the review, Members are required to authorise a consultation process and pass a resolution to hold a special meeting of Council to consider the outcome of the consultation and determine the future electoral arrangements for the authority.

A resolution for whole-council elections must not be passed unless there have been reasonable steps by the Council to consult "such persons as it thinks appropriate on the proposed change" and the resolution to move to whole council elections must be:

- a) At a meeting of Council which is specially convened for that purpose (Special Council meeting); and
- b) By a majority of at least two thirds of the Members voting on it.

If a resolution for whole council elections is not passed by a two-third majority, the current electoral cycle of elections by thirds will remain.

RECOMMENDATIONS

That Council:

- i. Approves the public consultation process for the Review of North East Lincolnshire Council's Electoral Cycle as set out in Appendix 1, with an eight-week consultation period to be held between 2nd June and 28th July 2023.
- ii. Agrees that a special meeting of Council be convened on Thursday, 7th September 2023 to consider the results of the consultation and to determine the future electoral cycle for North East Lincolnshire Council.

REASONS FOR DECISION

The LGBCE undertakes periodic reviews of Ward boundaries. An electoral review has not been undertaken for North East Lincolnshire Council since 2001. A timetable for this review has been agreed with the LGBCE.

As part of this process, the LGBCE will require information on council size (number of Councillors) in Summer 2024 and this, in turn, will be affected by whether the Council elects its Elected Members by thirds or as a whole. There is a legal process for conducting this review, which involves a period of consultation.

1. BACKGROUND AND ISSUES

Electoral Review

- 1.1 An electoral review is an examination of a council's electoral arrangements. The Council's electoral arrangements refer to the total number of Members to be elected to the Council; Ward boundaries and Ward names; and the number of Members to be elected for each Ward.
- 1.2 The Council meets the criteria for an electoral review as the last review was undertaken in 2001. During that review, the Council chose to move from whole council elections to elections by thirds.
- 1.3 The normal timeframe for an electoral review is every fifteen years. Accordingly, the LGBCE has advised the Council that it will be conducting an electoral review with a view to changes being implemented at the May 2026 elections.
- 1.4 Schedule 2 of the Local Democracy, Economic Development and Construction Act 2009 sets out the statutory criteria which the LGBCE is required to have regard to in making its recommendations. The criteria are:
 - Secure equality of representation.
 - Reflect the identities and interests of local communities; and
 - Secure effective and convenient local government.

- 1.5 If the authority chooses to retain an electoral cycle of electing Members by thirds (three out of every four years), there is a presumption of uniform three-member Wards being applied. Any departure would need to be justified on a ward-by-ward basis. In past LGBCE reviews nationally, for council's which elect by thirds, they only permit a small handful of single or two Member Wards.
- 1.6 If the Council chooses to move to a cycle of whole council elections, the presumption of three Member Wards does not apply. Whole council elections are where all the seats are up for election at the same time. This happens every four years.

Process for Change

- 1.7 When reviewing the electoral frequency, the council must:
- Consult on both options (election by thirds or whole council elections).
 - Convene a special meeting of Council to consider the outcome of the consultation.
 - If the Council would like to change the frequency of elections, two thirds of the voting members must be in favour of the change.
 - If this vote is successful, the Council must publish an explanatory document on the decision and make this available for public inspection; and
 - Give notice to the Electoral Commission.

Parish Councils

- 1.8 A move to four yearly elections would affect Parish Councils. There are thirteen Parish Councils and one Town Council, and their elections are held every four years. The next scheduled election is 2027. If North East Lincolnshire Council moved to whole council elections, these would be held in 2026.
- 1.9 The Act does enable the Council to make an Order to alter the years of ordinary elections of Parishes so that they coincide with the date of the whole council elections. The Order can make transitional provision for the retirement of parish councillors at different times than would have otherwise applied during that transitional period. Parish Councils will be consulted as part of the consultation process.

Programme of Forthcoming Elections

- 1.10 The current electoral cycle is as follows:-
- UK Parliamentary – every 5 years
 - Police and Crime Commissioner – every 4 years
 - North East Lincolnshire Council – every 4 years
 - Town and Parish Councils – every 4 years.
- 1.11 In addition, the Localism Act 2011 allows for local referenda to be held. Examples are the Government Referenda held in 2011 and 2016.
- 1.12 In terms of future scheduled elections, the current electoral cycle is:
- 2024 – NELC Elections (12 Wards) and Police and Crime

Commissioner Elections

- 2025 – Fallow year
- 2026 – NELC Elections (All Wards)
- 2027 – NELC Elections (All Wards) and Parish Council elections
- 2028 – NELC Elections (12 Wards) and Police and Crime Commissioner Elections
- 2029 – Fallow year
- 2030 – NELC Elections (15 Wards)

- 1.13 If the Council moved to all out elections, the electoral cycle would be:
- 2024 – NELC Elections (12 Wards) and Police and Crime Commissioner Elections
 - 2025 – Fallow year
 - 2026 – NELC Elections (All Wards) and Parish Council elections
 - 2027 – Fallow year
 - 2028 – Police and Crime Commissioner Elections
 - 2029 – Fallow year
 - 2030 – NELC Elections (All Wards) and Parish Council elections

- 1.14 It must be noted that Parliamentary elections will be held at least every five years, albeit it is not known when these will be held. Indeed, the last two Parliamentary elections were held outside of the May elections (June 2017 and December 2019).

Timing

- 1.15 The Council can determine when to introduce whole council elections. The impact on sitting Councillors would be dependent on the date agreed for any new scheme. For example, if whole council elections were introduced in 2026, councillors elected in 2023 and 2024 would only serve three and two years respectively out of the four they stood for.

Advantages of Whole Council Elections and Elections by Thirds

- 1.16 The advantages of moving to whole Council elections include:-
- The Council has a clear mandate for four years, allowing it to adopt a more strategic, long-term approach to policy and decision-making – and spend less time and effort on yearly election campaigning.
 - Avoids election “fatigue” and results are simpler and more easily understood by the electorate. There would be clear opportunity for the electorate to change the political composition of the Council once every four years – greater publicity of whole council elections may generate higher turnout.
 - The Electoral Commission suggests that electorates associate more clearly with whole council elections.
 - Cheaper for the Council and political parties as well as less disruptive to public buildings used as polling stations.
- 1.17 The advantages of elections by third elections include:-
- Avoids potentially electing a complete change of Councillors with no

experience and allows continuity of Councillors; avoids disruption to on-going policies.

- More likely to be influenced by local rather than national politics. National influence would increase if a Parliamentary election were held on the same day though.
- Encourages people into the habit of voting, and voting for one person is well understood by voters. Voting for two or three Councillors under whole council elections could cause voter confusion.
- Allows judgement of a Council annually rather than every four years and allows the electorate to react sooner to local circumstances, thereby providing more immediate political accountability.
- Smaller parties may find it harder to resource the “whole council” elections process. It may be harder for independent candidates standing on a matter of strong local interest to get elected without an annual election poll.

Nature of Consultation

1.18 The Act does not specify the form of consultation required; only that the Council determines that it is reasonable. Good practice guidance on consultation exercises suggests that eight weeks is a reasonable time period for response.

1.19 The method of consultation will take the following form:

- Website – information about the process on the website with the ability for members of the public to complete an online survey.
- Press release and social media.
- Brochure to all households in North East Lincolnshire about the review.
- North East Lincolnshire Council Consultation and Survey Group
- Consultation with Political Groups, Elected Members, local Members of Parliament, Parish Councils and other key stakeholders.

1.20 The responses would then be collated and made available to Members prior to an Extraordinary Meeting of the Council.

Costs and Savings

1.21 Currently, North East Lincolnshire Council funds the cost of elections every three out of four years. An election currently costs approximately £240,000. If elections are held with a national election, the costs are shared equally. If only a national election is held, the cost is funded in its entirety by Central Government.

1.22 If the Council chose to hold whole council elections, it would save the cost of holding elections in two out of every four years. Whilst there would be a small amount of additional costs when those elections are held (e.g., additional count staff costs), it would potentially generate up to a maximum £200,000 saving over four years – noting the current election budget is approximately £100,000 per year.

1.23 It should, however, be noted that whole council elections do mean that by-elections can occur more frequently. These cost between £10,000 and

£20,000. Funding would need to be identified to fund these by-elections, if required.

2. RISKS AND OPPORTUNITIES

2.1 The advantages of whole council elections and elections by thirds are set out in the report.

3. OTHER OPTIONS CONSIDERED

3.1 The review of the Electoral Cycle is the first stage in the electoral review of North East Lincolnshire Council Wards which will be conducted in May 2024 and implemented from the May 2026 elections. As part of this review, Elected Members are required to consult and establish a Special meeting of Council to consider the results.

3.2 There is no option to do nothing as this is a statutory review.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

4.1 Before any decision on whether or not to move to a scheme of whole council elections is reached, the Council is required to consult and should show regard to the responses in coming to its decision.

4.2 All households will be consulted on the proposals as well as key stakeholders as explained in the report.

5. FINANCIAL CONSIDERATIONS

5.1 There will be minimal financial costs involved in undertaking the review, which will include postage costs and stationery. These costs will be met from within existing budgets.

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

6.1 There are no children and young people implications arising from this report.

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

7.1 There are no climate change or environmental implications arising from the recommendations in this report.

8. CONSULTATION WITH SCRUTINY

8.1 By law, it is the responsibility of Council to determine Review of North East Lincolnshire Council's Electoral Cycle. However, the proposals can be considered by the appropriate scrutiny panel at a future date if that is felt beneficial.

9. FINANCIAL IMPLICATIONS

- 9.1 As outlined within section 5, there are minimal costs that would result from the consultation process.
- 9.2 Should the review result in a change to the electoral cycle, this could have positive financial benefits, by reducing the number of elections required.

10. LEGAL IMPLICATIONS

- 10.1 The above report largely sets out the legal implications. The Council is enabled by sections 31 to 36 and s53 of the Local Government and Public Involvement in Health Act 2007 (as amended) to change its electoral cycle. The Act also enables the Council to change the electoral cycles of Parish and Town Councils by way of order. If the Council so resolves, it will be unable to change the scheme again for at least five years.

11. HUMAN RESOURCES IMPLICATIONS

- 11.1 The work on the Review of North East Lincolnshire Council's Electoral Cycle will be undertaken by officers by way of normal business.

12. WARD IMPLICATIONS

- 12.1 The proposals contained within this report will, if agreed, affect all Wards.

13. BACKGROUND PAPERS

Legislation:

- The Local Government and Public Involvement in Health Act 2007
- The Localism Act 2011

14. CONTACT OFFICERS

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Councillor Stephen Harness
Portfolio Holder for Finance, Resources and Assets

Review of Electoral Cycle – North East Lincolnshire Council

Consultation Methodology

Introduction

The Local Government Boundary Commission for England (LGBCE) will be commencing a review of North East Lincolnshire Council's Ward boundaries in Summer 2024, with a view to completing the review by Autumn 2025. The new electoral arrangements will be implemented from the May 2026 elections.

Ahead of this review, North East Lincolnshire Council is required to review whether it should retain elections by thirds or move to whole council elections. Election by thirds means that a third of Councillors are elected three out of every four years. Whole council elections mean all Councillors are elected on the same election day, every four years.

Proposed Consultation Methods

Assuming the recommendations in the Review of Electoral Cycle report are agreed by Council on 25th May 2023, public consultation on these proposals will commence on 2nd June and conclude on 28th July 2023.

E-Mail invitations to respond will include (but not limited to):

- North East Lincolnshire Councillors
- Town and Parish Councils in North East Lincolnshire
- Local Members of Parliament
- Voluntary and Community Sector Partners
- North East Lincolnshire Council Consultation E-Mail Group
- Political parties
- Other key stakeholders.

A brochure will be delivered to every household in June 2023, and this will contain information about the review. Information about the review will also be included on the Council's website and this will be publicised through social media and a press release.

Paper copies of the documentation will be available for inspection in Municipal Offices.

Feedback

Feedback can be provided by email (elections@nelincs.gov.uk), through a consultation form on the council's website, or in writing to the Elections Manager at Municipal Offices, Town Hall Square, Grimsby, DN31 1HU. Respondents will be asked to choose which option they prefer and explain why they prefer that option.

All of this feedback will be presented to Council in September 2023. The responses will be made anonymous for the public report.