

**Democratic Representation Review – Structure and
Timetable**

Final Decision-Maker	Democracy and General Purposes
Lead Head of Service	Angela Woodhouse, Head of Policy, Communications and Governance
Lead Officer and Report Author	Angela Woodhouse, Head of Policy, Communications and Governance and Ryan O’Connell, Democratic and Electoral Services Manager
Classification	Public
Wards affected	All

Executive Summary

This report provides a summary of the consultation undertaken and recommends a way forward for considering Whole Council Elections and the Democratic Representation Review.

Purpose of Report

To agree the approach and structure of the review, taking into consideration the feedback from the Members survey and workshop, and to consider the factors to be covered in the Whole Council Elections report

This report makes the following recommendations to this Committee:

1. That the new approach, structure and timetable for the review as set out in Appendix 1 be agreed; and
2. The factors listed in Appendix 2 be included in the report on Whole Council Elections in November 2019.

Timetable

Meeting	Date
Democracy and General Purposes Committee	4 September 2019
Democracy and General Purposes Committee	13 November 2019

Democratic Representation Review – Structure and Timetable

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Effective democratic representation and elections underpins all the Council’s objectives.	Democratic and Electoral Services Manager
Cross Cutting Objectives	Effective democratic representation and elections underpins all the Council’s objectives.	Democratic and Electoral Services Manager
Risk Management	Please see section 5 below.	Democratic and Electoral Services Manager
Financial	<ul style="list-style-type: none"> • Whilst there are no direct financial implications in this report, the financial impact of Whole Council Elections is a factor that will be considered as part of the final decision on whether to switch to election method. • There are potential costs ranging from £10k to £32k for carrying out an appropriate consultation to support the Whole Council Election decision making process. The funding for any consultation will need to be considered and approved by Policy and Resources Committee. 	Democratic and Electoral Services Manager
Staffing	We will deliver the recommendations with our current staffing.	Democratic and Electoral Services Manager
Legal	<ul style="list-style-type: none"> • Any decision to go to Whole Council Elections will need to be made in accordance with Part 2, Chapter 1 of the Local Government and Public Involvement in Health Act 2007 (as amended) and in accordance with the requirements set out in section 33 of that Act. This has been factored in to the recommended timetable. 	Team Leader (Corporate Governance), MKLS

	<ul style="list-style-type: none"> Any decision on a Community Governance Review, or Single Member Wards arising will need to be made in accordance with Part 4, Chapter 3 of the Local Governance and Public Involvement in Health Act 2007 and the Statutory Guidance on Community Governance Reviews issued by the Secretary of State, under sections 100(1) and (3) and the Local Government Boundary Commission for England (LGBCE) under section 100(2). This has also been factored into the timetable proposed. 	
Privacy and Data Protection	<ul style="list-style-type: none"> None directly but any future consultation on this issue will be carried out with the Council's Policy and Information team and will comply with the data protection principles contained in the Data Protection Act 2018 and in line with the Data Quality Policy, which sets out the requirement for ensuring data quality. 	Team Leader (Corporate Governance), MKLS
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Democratic and Electoral Services Manager
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Democratic and Electoral Services Manager
Crime and Disorder	None	Democratic and Electoral Services Manager
Procurement	None	Democratic and Electoral Services Manager

2. INTRODUCTION AND BACKGROUND

2.1 At its meeting on 3 July 2019 the Committee agreed to undertake a Democratic Representation Review and approved a consultation with Members on Democratic Representation issues. The consultation and outcomes is summarised in section 6 below. Further the Committee

considered the Full Council motion on Whole Council Elections which has been incorporated into the review.

- 2.2 Following consideration of the consultation responses and reviewing the possible routes forward for Whole Council Elections it is recommended that the a structured approach to decisions on these matters is adopted, with different options depending on each decision point. This is set out at Appendix 1.
- 2.3 It should be noted that this is a new approach from the one originally envisaged as it is explicit about timetabling in a decision on whether to undertake a Community Governance Review. There are a lot of considerations for a Community Governance Review and Appendix 3 sets out 'General Duties and powers leading up to a CGR' for context. It is therefore proposed that consideration of the boundary matters raised by Members and Officers are considered under the Community Governance Review framework.
- 2.4 Appendix 2 sets out the factors (drawn from previous Whole Council Election consideration and the consultations) to be considered for decision to go out to consultation in November's Committee meeting. This includes the type and cost indication of consultations. It should be noted that a Policy and Resources decision would be required on the expenditure if the Committee agrees to go ahead in November 2019.

3. AVAILABLE OPTIONS

- 3.1 Option 1 – Adopt the structure and timetable as set out in Appendix 1 and agree the Whole Council Election factors as set out in Appendix 2.

RECOMMENDED (see below)

- 3.2 Option 2 – Decide not to proceed with the boundary issues and matters picked up in the consultation but continue with the Whole Council Elections process.

NOT RECOMMENDED – a number of questions have been raised by Members relating to boundaries which should be explored further. Government guidance on carrying out Community Governance Reviews is that they should be conducted every 10-15 years. The Council's last boundary review was in 2002 (17 years ago). Giving full consideration to whether to conduct a Community Governance Review is therefore recommended.

- 3.3 Option 3 – Decide not to continue with either matter.

NOT RECOMMENDED – in addition to the reasons for not recommending option 2, it is not recommended that the Whole Council Elections matter is abandoned at this point as it was requested that it was considered by Council and the full report is due in November 2019.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option 1 is recommended as this allows full consideration of Whole Council Elections and ensures that the decision making process is clear. It also takes into account the existing legislation, powers and requirements for a Community Governance Review (set out in Appendix 3)

Whole Council Elections

- 4.2 Consideration needs to be given to a number of factors in determining whether to progress with Whole Council Elections, part of the consultation work was to find out what members felt needed to be included in considering the matter. The committee also needs to consider what form of consultation it would like carried out with the public. Costs of consultation are estimated to range from £10k to £32k and Members will need to carefully consider the wording of the consultation, the method and the cost (including a recommendation to Policy and Resources Committee) in November 2019.

Single Member Wards/ Community Governance Review

- 4.3 Single Member Wards would only be a matter for consideration should the Council agree to change to Whole Council Elections but it needs to be factored in to the timetable.
- 4.4 Government guidance on Community Governance Reviews suggests that they should be carried out every 10 to 15 years. Maidstone's last boundary review was in 2002. It is therefore important that Members consider and understand the implications with respect to timescales and activities before determining whether to start a Community Governance Review. This is recommended after the Whole Council Election decision and potential single member ward decision as it could impact on the factors involved or if switching to Single Member Wards would require a review in any event.

5. RISK

- 5.1 There are no direct risks arising from this report but the proposed timetable is proposed in order to give a structure to the review and manage decision making appropriately. At each decision making point relevant risks will be considered in accordance with the Council's adopted approach to risk.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 A Member workshop was held at the end of July 2019 and a Member consultation was carried out in August 2019. The results of these have been factored into this report (including Appendix 2) and will be considered throughout the decision making process proposed.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 Appendix 1 sets out the decision making timetable.

8. REPORT APPENDICES

- Appendix 1: Review timetable and decision making map
 - Appendix 2: Whole Council Elections – Factors to be included
 - Appendix 3: General Duties and Powers Leading up to a CGR
-

9. BACKGROUND PAPERS

None.