

## 5 Issues to be considered

5.1 The issues discussed in this section of the guidance will arise in all reviews, but will be handled according to review type. Our advice draws on our experience of conducting electoral reviews. It is also informed by the evaluation of the 1996-2004 PER programme, conducted by the Electoral Commission. Finally, our own consultation on review policies and procedures brought forward views and ideas, many of which were based on respondents' own experience of reviews.

### Council size

5.2 In Chapter 4, we looked at the importance to the whole review of deciding on council size. As discussed, council size is the starting point in any electoral review since it determines the average number of electors per councillor to be achieved across all wards or divisions of the authority. We cannot consider the patterns of wards or divisions without knowing the optimum number of electors per councillor, which is derived from dividing the electorate by the number of councillors to be elected to the authority.

5.3 We face a number of challenges in deciding on the most appropriate council size for any authority. There is wide variation in council size across England, not only between the different types of local authority – metropolitan and shire district councils, county councils and London boroughs – but also between authorities of the same type.

5.4 In our opinion, local government is as diverse as the communities it serves, providing services, leadership and representation tailored to the characteristics and needs of individual areas. We believe, therefore, that each local authority should be considered individually and not compared with other authorities of similar geographic or population size, or those facing similar issues and concerns. In addition, the demographic make-up and dispersal of communities in England are such that to aim for equality in the number of electors each councillor represents as an average across the whole country would be impractical, if not unachievable.

5.5 Consistent, therefore, with our desire to support the preparation of electoral arrangements based on the local views and circumstances of councils and their communities, we are unwilling to apply strict mathematical criteria for council size or impose nationally a formula for its calculation. This also means that we will not base our decisions on council size on comparisons between local authorities. It is important therefore that, if we are to reach clear and transparent decisions on council size, we receive well-reasoned proposals that are based on the individual characteristics and needs of each local authority area and its communities.

5.6 Despite this respect for diversity it is important to remember that a local authority may not have fully considered the number of councillors for a number of years, and that during that time the role and responsibilities of local government and councillors have changed considerably. Following the Local Government Act 2000 (the 2000 Act), most local authorities changed the way they make decisions and operate internally, some more so than others.

5.7 The political management structures that have come into place in most local authorities since the 2000 Act have changed the roles of all councillors, both those who sit on the executives and those who undertake the scrutiny and representational roles. In addition, various central government and local authority initiatives have affected the roles of local councillors, and the impact of these may affect the number of councillors needed to politically manage the authority. Finally, the development and the sharing of knowledge has provided opportunities for councils to learn from their own experience and that of others, encouraging innovation. Some councils have, however, used their experience of working in new ways in order to reach a view of the council size they think appropriate for their area, and tested that view through local consultation and electoral review. In a number of instances this has resulted in considerable reductions in council size.

5.8 Local authority proposals for council size that are based solely on an examination of national statistics, or simply an attempt to make it more consistent with that of a neighbouring area may mean that opportunities are missed either to reflect new models of political management or to adapt to changes in the responsibilities of local authorities.

5.9 When requesting a review in order to change council size, most councils indicate the new number they have in mind. We will need to ask questions about proposals to increase council size in order to establish whether there is a sound business management case for the proposed increase. In the case of a proposed reduction, we will need to be assured that the reduction will not jeopardise the ability of a council to manage its business effectively.

5.10 Whilst we have no absolute numbers in mind, there are obviously levels at which an authority risks being too small to discharge its statutory functions or too large to be able to function in an effective manner. For this reason, we will normally wish to give detailed consideration to proposals for council sizes of below thirty councillors. Equally, we will wish to examine closely proposals for council sizes of above a hundred councillors.

5.11 We will look for any measure of local consensus underpinning the proposals for council size that are submitted. In particular, where there has been local consultation on council size, we will consider the evidence which arose from that process.

5.12 Our preliminary discussions with principal local authorities to be reviewed will give us the opportunity to hear their views about council size. We will be able to determine whether there is already sufficient evidence on which we can base our judgement about the type of review to be undertaken (A, B or C) and our ability to tell people what size of council we would be minded to approve. Those preliminary discussions will therefore progress most effectively if the local authorities have by the time they take place, considered the council size issue and assembled any evidence. We will want to test the conclusions that local authorities have reached. However, that testing will not be made in order to promote a preference on our part. It will be to ensure that we have a thorough understanding of why a particular council size has been proposed and that the authority has thought through all relevant considerations.

## Factors to consider when making a proposal on council size

5.13 Proposals for council size are most easily, and regularly, argued in terms of effective and convenient local government (in terms of choosing the appropriate number of members to allow the council and individual councillors to conduct the council's business most effectively). Arguments can also be made on the basis of reflecting communities and allowing for fairness of representation.

5.14 We believe the factors that influence council size can be drawn together into four broad elements:

- The decision-making process – what decisions, taken where, and how is it managed?
- Quasi-judicial processes – e.g. planning and licensing – what is the workload and how is it managed?
- The scrutiny process – what is scrutinised and how is the total scrutiny workload managed?
- The representative role of the elected member.

5.15 Those submitting proposals to us should examine the political management and working practices of the council under review, and make well-argued and reasoned proposals. We have no pre-conceived views on the number of councillors necessary to run any particular local authority effectively, and we are content to accept proposals for an increase, a decrease or the retention of the existing number of councillors, but only on the basis that they can be justified. We do not accept, for example, that increases in an authority's electorate should automatically result in an increase in council size.

5.16 In the absence of sufficient justification we will consider responses to our challenge to the rationale for the council size being proposed and reach our own conclusions.

5.17 When we consulted on policies and procedures, some people asked us to consider value for money when we are presented with proposals on council size. We believe that value for money is, in part, addressed by our consideration of effective and convenient local government – that an ineffective council is unlikely to offer good value for money. We do not feel that it would be appropriate to make further judgements on other value for money aspects of council size.

5.18 Even if we are content with the rationale provided in support of a proposal for council size, we may choose to consider whether it is necessary to change this number slightly in order to ensure better levels of electoral representation across the district (or county). Having regard to the nature and extent of communities or to appropriate ward/division boundaries, it is often possible to improve the levels of electoral representation across an authority by making minor modifications of one or two to the council size.

## Electoral representation

5.19 Electoral reviews are important in upholding integrity in the democratic process. Fairness at local elections – that is, any elector's vote being worth the same as another's – is a fundamental democratic principle.