

# Report to Council

**19 March 2024**

<b>Subject:</b>	Sandwell Council submission to the Local Government Boundary Commission for England (LGBCE) – proposed council size
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## 1 Recommendations

For the reasons set out in the report, it is recommended that Full Council –

- 1.1 agree a council size of 72 Councillors be recommended to the Local Government Boundary Commission for England (LGBCE); and
- 1.2 approve the submission and accompanying documentation as set out at Appendices 1 to 4 of the report to the Local Government Boundary Commission for England (LGBCE), fulfilling stage one of the LGBCE electoral review process.

## 2 Reasons for Recommendations

- 2.1 This report seeks Full Council endorsement of a submission to the Local Government Boundary Commission for England on a proposed council size for Sandwell MBC.



### 3 How does this deliver objectives of the Corporate Plan?

	<p><b>Strong resilient communities</b></p> <p>The Council plays a major part in promoting local democracy, encouraging people to register as electors, providing information about local issues and providing pathways by which people can influence decision-making.</p> <p>Electoral reviews seek to establish and maintain the conditions for a fair and representative democracy at local level. In addition, the review will ensure that the council size is appropriate for ensuring that the Council is able to deliver on its corporate priorities and in a manner consistent with the Council’s desire to be open and accountable to its residents.</p>
	<p><b>A connected and accessible Sandwell</b></p> <p>The geographic configuration of wards through the review will be undertaken in accordance with LGBCE requirements. These include recognition of the need to ensure community identity and accessibility within wards, often associated with key community facilities, infrastructure, and transport hubs.</p>

### 4 Context and Key Issues

4.1 Sandwell’s council size submission provides the LGBCE with the Council’s view on the appropriate council size for having considered the current and future direction of the Council in the following areas which are a requirement of the LGBCE:

4.1.1. **Strategic Leadership** – providing evidence about the current Council decision-making structure, involvement and workload of those Councillors involved as well as on the Scheme of



Delegation and other bodies, and emergent future trends for governance.

4.1.2. **Accountability (Scrutiny, Regulatory Functions & Partnerships)** – providing evidence about how Councillors hold decision-makers to account and ensure that the Council can discharge its responsibilities to other organisations and how these responsibilities will evolve in the coming years; and

4.1.3. **Community Leadership** - providing evidence about how Councillors interact and engage with their communities, their caseloads and the support required to represent local residents and groups effectively and on emergent trends for the future, including how the relationship between Council, Councillors and communities will continue to develop.

4.2 This submission forms part of the first stage of the LGBCE process – information on the position of the council, population, and electorate forecasts. Following review, the LGBCE will draw conclusions on the most appropriate council size. It is important to note that opportunity for public representations on council size will be available, with any submissions from public, stakeholders or representative groups being considered by the LGBCE alongside the Council’s submission.

4.3 After consideration of all submissions and supporting evidence, the LGBCE will write to the Chief Executive with details and timing of the next phase of the process which will be to determine the warding pattern for the Council. This will include a further consultation phase where all interested parties will be invited to make representations.

4.4 A further submission will be required at stage two of the process setting out the Council’s view on the most appropriate pattern of wards. The Council has not yet reached any conclusions on this matter. The LGBCE will then hold a second round of consultation on the draft recommendations which the Council will again be able to comment on and propose alternatives.

4.5 The LGBCE will then draw up the new electorate arrangements that provide the best balance of the statutory criteria within which they must make their decisions. The criteria comprises three elements –



#### 4.5.1 **Delivering electoral equality for local voters**

This means ensuring that each councillor represents roughly the same number of voters so that the value of an elector's vote is the same regardless of where they live in the local authority area.

#### 4.5.2 **Interests and identities of local communities**

This means establishing electoral arrangements which, as far as possible, avoid splitting local ties and where boundaries are easily identifiable.

#### 4.5.3 **Effective and convenient local government**

This means ensuring that the wards can be represented effectively by their elected representative(s) and that the new electoral arrangements, including both the council size decision and warding arrangements, allow the local authority to conduct its business effectively.

### **Conclusions**

- 4.6 The Council has a strong and positive view of the future relationship between the Council and its electorate, which is an essential part of the delivery of the Sandwell Plan and Vision 2030, enabling and empowering local communities. The emergent neighbourhood arrangements underpin these objectives.
- 4.7 A council size of 72 Councillors is optimum for that relationship to develop and embed over the long term and will contribute to the positive improvement in outcomes that the Sandwell Plan and Vision 2030 envisage.
- 4.8 It is also considered that a council size of 72 is an appropriate number to discharge statutory and regulatory functions satisfactorily and efficiently, to fulfil council duties as a strategic place maker, deliver high quality and efficient services, allow for adequate citizen representation, and deliver robust governance. These considerations recognise continuous improvements and transformation in service delivery models and governance that the Council continues to implement.



4.9 Council Officers will continue to work with Councillors and representatives of the LGBCE during the next stage of the review process. This timeframe for this will be determined by the LGBCE and will be communicated to all members in due course.

## 5 Alternative Options

5.1 Alternative options are considered and set out at section 7 of the Council’s submission document.

## 6 Implications

<b>Resources:</b>	As the electoral review process progresses and the warding pattern for the Council is agreed, any additional financial implications arising from that will be set out in the proposals and reports to Full Council.
<b>Legal and Governance:</b>	<p>The LGBCE operates under the provisions of Part 3 of the Local Democracy, Economic Development &amp; Construction Act 2009 (the 2009 Act). This established the LGBCE in place of the former Boundary Committee of the Electoral Commission.</p> <p>Under s.56(1) of the 2009 Act, the LGBCE must, from time to time, conduct a review of the area of each principal council, and recommend whether a change should be made to the electoral arrangements. In this regard, “electoral arrangements” means:</p> <ul style="list-style-type: none"> <li>• The total number of councillors</li> <li>• The number and boundaries of electoral areas for the election of councillors</li> <li>• The number of councillors to be returned by any electoral area</li> <li>• The name of the electoral area</li> </ul> <p>The legislation does not set out how many councillors each authority (or type of authority) will have. It is the LGBCE’s responsibility to</p>



determine the appropriate number of councillors for each authority.

In making its recommendations, Schedule 2 to the 2009 Act requires the LGBCE to have regard to:

- (a) The need to secure that the ratio of the number of local government electors to the number of councillors is, as nearly as possible, the same in every electoral area – over the five-year period following the implementation of recommendations
- (b) The need to reflect the identities and interests of local communities and, the desirability of fixing boundaries:
  - which are and will remain easily identifiable
  - so as not to break any local ties
- (c) The need to secure effective and convenient local government

Schedule 2 to the 2009 Act also states that the LGBCE should consider any change to the number and distribution of electors that is likely to take place within the five years following the end of a review.

This requirement means that, at the start of the review the LGBCE asks us to provide them with six-year forecasts of electorate changes in all polling districts, i.e., up to 2030.

The LGBCE's decision on council size will mark the formal start to the review process. However, this decision will not be formalised until their Final Recommendations are agreed and published at the end of the process.



	<p>This is because the number of councillors may change marginally (generally <math>\pm 1</math>) from the initial decision if it is felt that modifying the number of councillors may provide for a pattern of wards that better reflects the three statutory criteria referred to in paragraph 4.31.</p> <p>The Final Recommendations describe the complete set of electoral arrangements, including ward names and locations, as well as the number of elected members.</p> <p>These recommendations will be implemented at the next scheduled borough council elections in May 2026 by means of an Order laid before Parliament.</p>
<p><b>Risk:</b></p>	<p>Sandwell Council has a duty to comply with the requirements of LGBCE during an electoral review.</p> <p>The main risk is that if a proper and robust review is not conducted, there may be an unfair and disproportionate number of members to electors throughout the borough.</p> <p>If the Council does not produce a detailed, evidenced-based submission on its council size, the LGBCE will impose its own recommendations for the future electoral arrangements for Sandwell. The Council's submission must be clear and evidence the Council's requirements.</p>
<p><b>Equality:</b></p>	<p>S.149 of the Equality Act 2010 states a public authority must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> <li>• eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.</li> <li>• advance equality of opportunity between persons who share a relevant protected</li> </ul>



	<p>characteristic and persons who do not share it; and</p> <ul style="list-style-type: none"> <li>• foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>These requirements are known as the Public Sector Equality Duty (PSED). In complying with this duty, the Council must consider whether the decision will or could have a differential impact on ethnic minorities; people with disabilities; people of a particular sexual orientation; people due to their age; people due to their gender; people due to their religious belief; or people who are pregnant</p> <p>The Council must ensure that all communications are as inclusive and accessible as possible throughout the review. An equality impact assessment is not necessary for the purpose of responding to the LGBCE on the number of councillors or patterns of ward boundaries.</p> <p>Future stages in the LGBCE process require the submission of a proposal from the Council on a proposed warding pattern. At this point a detailed equality analysis will be provided to support the development of the Council’s submission.</p>
<b>Health and Wellbeing:</b>	There are no implications of the proposals on health and wellbeing of our communities arising from this report.
<b>Social Value</b>	There are no implications for social value and how the proposals are meeting this (for e.g., employment of local traders, young people) arising from this report.
<b>Climate Change</b>	There are no relevant climate change implications arising from this report.
<b>Corporate Parenting</b>	The are no corporate parenting implications arising from this report.



## 7 Appendices

Appendix 1 – Council Size Submission

Appendix 2 – Councillor Survey 2024

Appendix 3 – Technical Report & Methodology

Appendix 4 – Electorate & Population Data Projections 2023-2030

## 8 Background Papers

None.

