NEWCASTLE UNDER LYME
BOROUGH COUNCIL

SPECIAL MEETING OF THE COUNCIL

PLEASE NOTE THAT PRAYERS WILL BE HELD AT 6.50PM BEFORE THE COMMENCEMENT OF THE BUSINESS OF THE COUNCIL.

THE MAYOR REQUESTS THAT ANY MEMBER WISHING TO PARTICIPATE IN PRAYERS BE IN ATTENDANCE IN THE COUNCIL CHAMBER BY NO LATER THAN 6.45PM.

Dear Sir/Madam,

You are summoned to attend the meeting of the Borough Council of Newcastle-under-Lyme to be held in the ***Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG*** on ***Wednesday, 25th November, 2015*** at ***7.00 pm***.

B U S I N E S S

1 Apologies

2 DECLARATIONS OF INTEREST

To receive declarations of interest from Members on items contained within this agenda.

3 Proposed Changes to the Electoral Cycle (Pages 5 - 12)

Yours faithfully

Chief Executive

NOTICE FOR COUNCILLORS

1. **Fire/Bomb Alerts**

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs. Do not stop to collect personal belongings, do not use the lifts.

Fire exits are to be found either side of the rear of the Council Chamber and at the rear of the Public Gallery.

On exiting the building Members, Officers and the Public must assemble at the car park at the rear of the Aspire Housing Office opposite to the Civic Offices. DO NOT re-enter the building until advised to by the Controlling Officer.

2. **Attendance Record**

Please sign the Attendance Record sheet, which will be circulating around the Council Chamber. Please ensure that the sheet is signed before leaving the meeting.

3. **Mobile Phones**

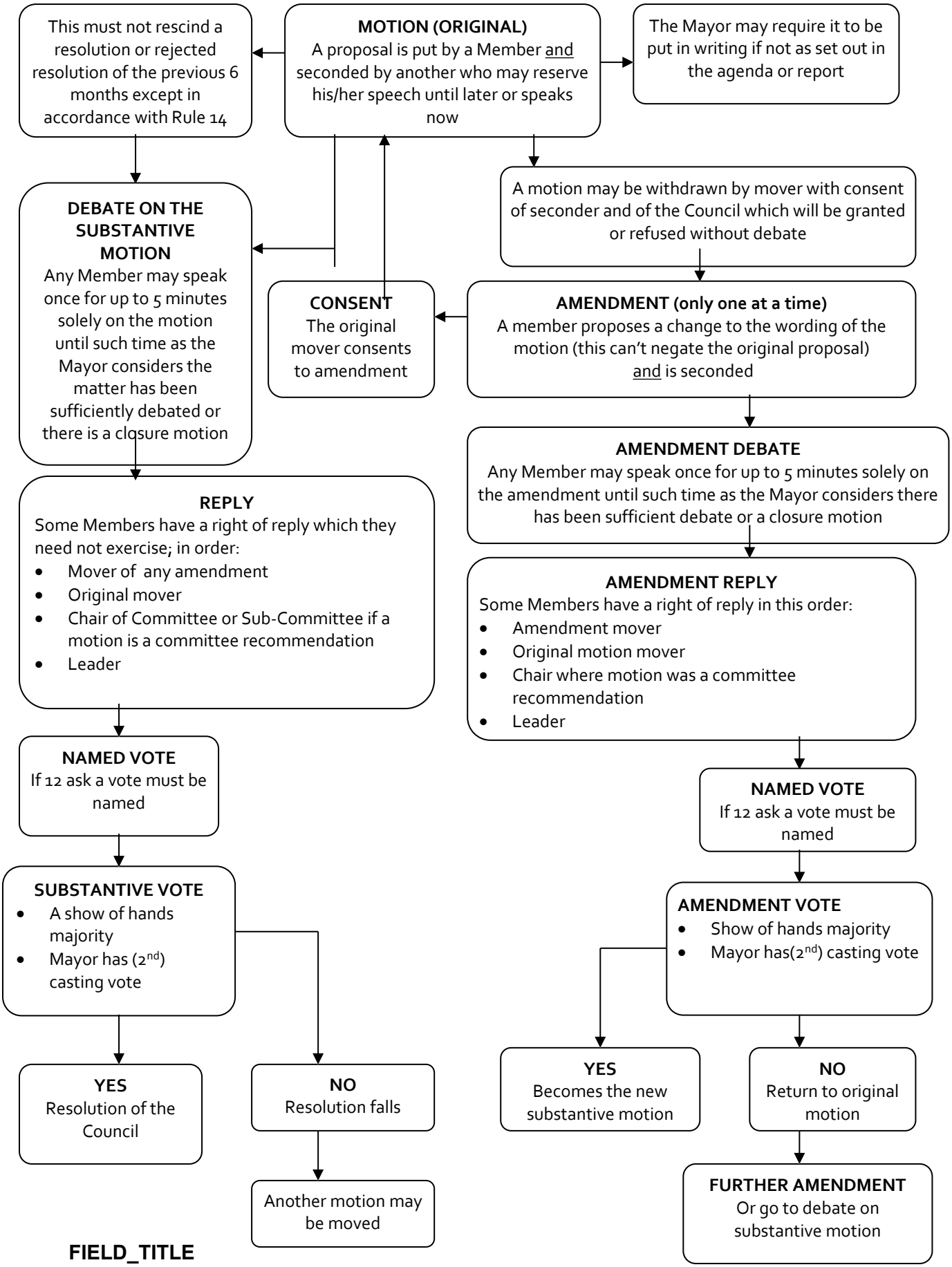
Please switch off all mobile phones before entering the Council Chamber.

4. **Tea/Coffee**

Refreshments will be available at the conclusion of the meeting, or in the event of a break occurring, during that break.

5. **Notice of Motion**

A Notice of Motion other than those listed in Standing Order 19 must reach the Chief Executive ten clear days before the relevant Meeting of the Council. Further information on Notices of Motion can be found in Section 5, Standing Order 20 of the Constitution of the Council.


MOTION (ORIGINAL)
A proposal is put by a Member and seconded by another who may reserve his/her speech until later or speaks now
This must not rescind a resolution or rejected resolution of the previous 6 months except in accordance with Rule 14
The Mayor may require it to be put in writing if not as set out in the agenda or report
A motion may be withdrawn by mover with consent of seconder and of the Council which will be granted or refused without debate
DEBATE ON THE SUBSTANTIVE MOTION
Any Member may speak once for up to 5 minutes solely on the motion until such time as the Mayor considers the matter has been sufficiently debated or there is a closure motion
CONSENT
The original mover consents to amendment
AMENDMENT (only one at a time)
A member proposes a change to the wording of the motion (this can't negate the original proposal) and is seconded
AMENDMENT DEBATE
Any Member may speak once for up to 5 minutes solely on the amendment until such time as the Mayor considers there has been sufficient debate or a closure motion
REPLY
Some Members have a right of reply which they need not exercise; in order:
Mover of any amendment
Original mover
Chair of Committee or Sub-Committee if a motion is a committee recommendation
Leader
AMENDMENT REPLY
Some Members have a right of reply in this order:
Amendment mover
Original motion mover
Chair where motion was a committee recommendation
Leader
NAMED VOTE
If 12 ask a vote must be named
NAMED VOTE
If 12 ask a vote must be named
SUBSTANTIVE VOTE
A show of hands majority
Mayor has (2nd) casting vote
AMENDMENT VOTE
Show of hands majority
Mayor has(2nd) casting vote
YES
Resolution of the Council
NO
Resolution falls
YES
Becomes the new substantive motion
NO
Return to original motion
Another motion may be moved
FURTHER AMENDMENT
Or go to debate on substantive motion

FIELD_TITLE

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1. **REPORT TITLE** **Proposed changes to Electoral Cycle**
Submitted by: **The Monitoring Officer**

Portfolio: **Policy, People & Partnerships**

Ward(s) affected: **All**

Purpose of the Report

Members are asked to consider changing the current electoral cycle from elections by thirds to whole Council Elections. If there is a consensus to this then by virtue of a special resolution of a meeting of full council and by a two-thirds majority voting on it resolve to move from the current scheme of election by thirds to whole Council elections.

Recommendations

(a) That Council resolve to move to whole borough elections once every four years.
(b) Any move to whole borough elections be implemented to coincide with the implementation of an electoral review undertaken by the Local Government Boundary Commission for England (LGBCE)

Reasons

After considering the matter the Sub-Committee is recommending the Council adopt all out elections every four years and that this should be undertaken to coincide with the implementation of the electoral review.

1. Background

1.1 Newcastle Borough Council has 60 Councillors representing 24 wards. Wards are represented by either two or three councillors; and elections take place by thirds i.e. elections are held three in every four years with each councillor being elected for a four year term of office. In the fourth year when the county council elections are held there are no Borough elections. Through this mechanism individual seats are elected on a rotational basis for a four year term. Under the Local Government and Involvement in Health Act 2007, the Council has the power to change its election arrangements to 'whole council elections' which mean that all seats of the Council would be elected at the same time, once every four years

1.2 A resolution for whole council elections must be preceded by consultation with persons the Authority thinks is appropriate. The resolution has to be passed at a meeting specially convened for the purpose by a majority of at least two thirds of those attending. As soon as possible after the resolution the Authority must produce an explanatory leaflet and publicise the change.

1.3 Local authorities that resolve to move away from either elections by thirds or elections by halves to whole-council elections also need to notify the Electoral Commission. However, no Electoral Commission Order is required for a move to whole-council elections.

1.4 The Electoral Commission's view on local government electoral cycles, published in their January 2004 report 'The cycle of local government elections in England' is that all local authorities in England should hold whole-council elections once every four years. This is to increase participation in voting.

1.5 Any local authority that holds whole-council elections every four years will be able to request that the Electoral Commission directs the Local Government Boundary Commission for England LGBCE to undertake a fresh electoral review, with a presumption in favour of recommending single-member wards or divisions. Those local authorities that hold elections either by thirds or by halves will not be able to make such a request.

1.6 If the Electoral Commission decides to direct the LGBCE to undertake such a review, it does not necessarily mean that a uniform pattern of single-member wards will result, as the LGBCE must take other factors into account, in particular the levels of electoral equality and community identity and interests. However, all other matters being equal, the LGBCE must look to establish a pattern of single-member wards.

Governance Sub Committee

1.7 At its meeting on 16 April 2014 the Council resolved to undertake a consultation on proposals to change the election cycle from thirds to whole council elections. It was agreed that the consultation should run from the start of July 2014 until the end of August 2014. It was agreed that a report of the consultation be brought back to a special meeting of the Council in October 2014.

1.8 On the 26 November 2014 the results of this consultation were reported back to Council. As part of this same report and in light of the advice which had been received and the results and feedback from the consultation the Council approved the establishment of a Sub-Committee working on a task and complete basis to review the council's electoral arrangements. The Sub-committee was to comprise 7 members, 5 of whom are members of this Council with full voting rights, 2 will be independent with no voting rights.

1.9 The first meeting of the Sub-Committee took place on the 9 March 2015; the main focus of this meeting was to receive a presentation from the LGBCE which was provided by Max Caller, Chairman of the LGCBE and Joylan Jackson, Chief Executive of the LGBCE.

1.10 Members from the Commission provided an overview of the options that were available to the authority in terms of an electoral review. The Commission acknowledged that currently this authority with 60 members was at the top of the range when compared to our 'CIPFA nearest neighbours group'. They reported that in relation to reviews recently undertaken with authorities within this family group, there had been a reduction in Council size of up to 10%.

1.11 Since March the Sub Committee has met on two occasions and has discussed a number of issues in relation to this review. The main issues that need to be considered and agreed upon are council size and the electoral cycle. Issues in relation to Council size will be brought to a separate Council meeting on 25 November 2015.

Local Government Boundary Committee Review

1.12 Since the Governance Sub-Committee commenced its work there have been further developments in that the Council has now hit the trigger points for the LGCBE to automatically undertake an electoral review.

1.13 Contact has been made with the LGBCE to confirm timescales for a review and it is anticipated that they will address the Council in the early 2016, with a view to work commencing in March 2016.

1.14 Before the Council engages with the LGBCE, a decision will need to be made regarding electoral cycle as any review carried out will use this as a starting point for the ward structure e.g. elections by thirds will require a three members per ward structure, all out elections will provide the flexibility of one, two or three member wards. In terms of the electoral cycle, the 2009 legislation states that where authorities elect by thirds there should be a uniform pattern of 3 member wards. At present

we do not have such a uniform pattern and therefore if the Council wished to continue on this basis it should consider all out elections. If the option to stay with thirds was taken then in terms of electoral equality then the LGBCE would look to uniform warding patterns i.e. three members per ward.

2. **Issues**

2.1 There are arguments on both sides for the pattern of the electoral cycle;

Election by thirds	Whole Council Elections
	The Council has a 4 year mandate, allowing it to adopt a strategic approach to policy and decision making in line with its Medium Term Financial Strategy
The risk of electing a complete change of Councillors with no experience is mitigated	Increased continuity and certainty enabling stronger leadership as a result of four years.
Allows the electorate to judge the Council three years out of four	The Council has a longer term to deliver its mandate before being judged by the electorate.
More likely to be influenced by local rather than national policies	
Residents are used to electing Borough Councillors 3 years out of every four	
	The just over half of district councils (8 out of 14) in our CIPFA nearest neighbour's family group hold whole council elections. In addition neighbouring authorities of Stoke on Trent City Council and Staffordshire County Council also hold whole council elections
	The Police and Crime Commissioner is elected for a four year term
	Over a four year cycle whole council elections would save £196,250
Provides more opportunities for electors to vote and influence the political make up and decision making of the council	
Gives greater continuity of councillors, without the change of them all being replaced at a single election	Ability for electors to completely change the political leadership of the Council and therefore its direction
Councillors who lose their seats are presented with an earlier opportunity to stand again	
One councillor is elected for each ward at a time, allowing the electorate to focus on the particular candidates being put forward in their ward	
It is easier for independent and small party candidates to stand and be represented when less seats are contested	
This method is familiar to voters	Less confusion as all electors in the Borough would be voting at the same time

Election by thirds	Whole Council Elections
Regular elections ensure that voting for council seats is kept in the public eye	Holding elections less frequently may increase turnout for local elections
	The results from whole council elections are simpler and more easily understood by the electorate
	Reduced expenditure by political parties because of fewer elections and less campaigning required.
	All out elections would mean better and more efficient use of staff resources.

2.2 The Sub-Committee has considered the findings of the consultation which was undertaken in the summer of 2014 and which was reported to the Council on 26 November 2014.

2.3 The Sub-Committee has considered the case for moving to an all-out pattern of elections every four years and on balance considers that the interests of the Council and of the Borough would be better served by this rather than the current election by thirds arrangement. It has come to this view on the basis of a set of key criteria.

2.4 **The strategy and delivery case**

The Borough Council has a long and proud history of delivering major projects and initiatives in the community. Many of these are of a large scale and have required a number of years to plan, implement and deliver. Illustration of the types of project which the Council has been able to deliver has been most recently provided by the Council's decision to redevelop the Ryecroft site promoting a major development programme of a former supermarket and the civic office site for a comprehensive retail and student accommodation scheme, a project with a net value of £6.1millon which has been planned since 2013 and will see a completed build in 2017. Whilst this programme has been progressed whilst the Council has the election by thirds arrangement, the Sub-Committee considers that having a four year electoral mandate would considerably assist the Council to plan and deliver such strategic projects in the future.

The Sub-Committee believes very strongly that there would be considerable benefit for the Council to have a medium term electoral mandate by moving to all out elections. The Sub-Committee has heard the views of many members that the election by thirds arrangement means that the Council is in "permanent election mode". The relatively short period of time between elections under the current arrangement gives the party (or parties) forming an Administration insufficient time to fully implement its political mandate.

Further, the demands of campaigning in elections takes a considerable amount of time for elected Members and this of itself draws time and energy from delivering the expectations of the community. In practice, in any year in which there is an election, in the following year (i.e. in three out of four years) there is a relatively short time internally for the actions mandated through the election to be implemented. Whilst this was true under the Committee system, this has come into very sharp focus under the Cabinet system. Members of all parties who have served on the Cabinet have commented on the fact that there is a period following the election up until the summer to develop the policy framework, a period from the summer through until the spring to implement that policy and to formulate the Council's budget for the following year before needing to consider again the election and the need to reformulate policy for consideration by the electorate. Even in the years when there is a two year electoral mandate period, this is a very short timescale in which to progress major policy initiates. Representatives of all political parties have commented on the fact

that this arrangement is hampering the formulation of effective strategic policies which are required to drive the economic and social well-being of the Borough forward.

2.5 **The consistency case**

The Borough Council has strong and effective arrangements with key partner agencies. It is notable that those which are themselves democratically elected bodies are in the main subject to a four year election cycle. Staffordshire County Council, Stoke on Trent City Council and the Staffordshire Police and Crime Commissioner all have four year electoral terms. Whilst the mismatch of electoral arrangements have not necessarily curtailed any partnership working it has nonetheless made it more challenging for the Borough Council to engage strategically when it is subject to elections in three out of four years. The Sub-Committee has also noted that eight out of the Borough Council's nearest neighbour group of comparator authorities have a four year electoral cycle.

2.6 **The financial case**

Moving to an all-out cycle of elections would reduce the direct cost of conducting elections and yield additional non-cashable savings in staff time. The finance and resource implications section of this report sets out the direct financial savings. This demonstrates that the savings to the Council's revenue budget would deliver savings of approximately £50,000 per annum over a five year cycle.

In addition to these direct financial savings, there would also be non-cashable savings in officer time, particularly in the Democratic Services team. Whilst in most cases the Borough elections are combined with other elections there is an additional overhead in conducting the Borough elections on a three out of four year basis. It has also been indicated above that there is a demand and uncosted impact on the time of Members under the election by thirds arrangement. The Sub-Committee believes that there is a significant impact on the time budget of officers and Members created by the more frequent cycle of elections which, if it did not exist, would mean that this time could be used to other purposes of more direct benefit to the needs of the Borough.

3. **Views of Independent Members**

3.1 *"We believe very strongly that Newcastle Borough Council should move to a four yearly cycle of elections. This would give the elected Members a longer period over which to develop and implement policies. Newcastle has an enviable record of delivery for the community and this would be enhanced if the electoral mandate was for a longer period. Strong policies, effective delivery and a medium term perspective would be enhanced significantly by a four year electoral term and would provide added stability to the Council's operation. This would serve the interests of Newcastle much better than the current electoral cycle."*

4. **The implications for the forthcoming Boundary Committee Review**

4.1 In terms of the electoral cycle, the 2009 legislation states that where authorities elect by thirds there should be a uniform pattern of 3 member wards. At present the Council does not have a uniform pattern in this respect and therefore if it wished to continue on this basis it should seek to look at all out elections. If the option to stay with thirds was taken, then in terms of electoral equality the LGBCE would look to warding patterns i.e. three members per ward.

4.2 By adopting an all-out pattern of elections every four years the Council has a greater range of options concerning the number of Members per ward. Should the Council retain the existing election by thirds cycle then this will require each ward to have three Members as a result of the review to be undertaken by the Boundary Commission. Where the Council elects every four years then there are options for a pattern of one, two or three Member wards to be established.

5. **Proposal**

5.1 That the Council resolves to change the electoral cycle to all out (whole) elections which will provide both a financial saving and also give more stability by enabling it to adopt a more strategic approach to policy and decision making.

6. **Reasons for Preferred Solution**

6.1 The Sub-Committee considers that there is a strong strategy and delivery case as well as a clear financial case to move to all out elections every four years. It considers that the Borough's interests would be better served by adopting a four year electoral cycle as this would give the Council a strategic mandate to implement policies over a four year period. This cycle of elections is noted to be consistent with the cycle adopted by a number of its key partner agencies including Staffordshire County Council, Stoke on Trent City Council and the Police and Crime Commissioner for Staffordshire. Moving to a four year pattern of elections for the Borough would be more cost efficient and would produce a cashable saving and it would also be more effective in the use of officer and Member time.

6.2 The move to all out elections would provide the Council with more stability and enable it to adopt a more strategic approach to policy and decision making in line with its Medium Term Financial Strategy.

7. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- creating a clean, safe and sustainable Borough
- creating a Borough of opportunity
- creating a healthy and active community
- creating a co-operative Council, delivering high-value, community-driven services

8. **Legal and Statutory Implications**

Part 2, Section 32 of the Local Government and Public Involvement in Health Act 2007 (as amended) gives district councils subject to elections by thirds or halves power to change to whole-Council elections.

On passing a resolution for whole-Council elections, a council becomes subject to an electoral scheme as set out in Sections 33 and 34 of the above Act.

9. **Financial and Resource Implications**

Proposals to be considered are to remain the same i.e. election by thirds or move to all out elections every four years.

To calculate cost savings in relation to these options a number of factors have had to be taken into consideration for example under the current arrangements of election by thirds in the years where there are combined elections then there will be cost savings due to the fact that premises, staffing and stationery etc. are all shared. Also the scheduling of other elections has had to be considered i.e. County Council, Parliamentary, European and Police and Crime Commissioner Elections to ensure that a complete analysis of costs can be considered.

When taking all these factors into consideration it has been calculated that the average saving to the Council if we were move to all out elections compared to that of elections by thirds would be approximately **£50,000** per annum

10. **Major Risks**

A full risk assessment will be completed prior to the report being submitted to Full Council in November 2015.

11. **Earlier Cabinet/Committee Resolutions**

Report to Full Council on 26th November 2014
Report to Full Council on 9th September 2015

12. **Background papers**

The Local Government and Public Involvement in Health Act 2007, Sections 32, 33 and 34
Localism Act 2011
Report to Council 16 April 2014 'Proposed Changes to Electoral Arrangements'
Report to Council 9 September 2015 'Governance Review Sub Committee – Update'
The Local Government Boundary Commission for England Technical Guidance based on electoral reviews

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