



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	<b>COUNCIL – 27 NOVEMBER 2024</b>
Subject	<b>COUNCIL SIZE PROPOSAL (PHASE I OF THE ELECTORAL REVIEW OF WEST OXFORDSHIRE)</b>
Wards affected	All
Accountable member	Councillor Alaric Smith, Chair of the Constitution Working Group Email: <a href="mailto:alaric.smith@westoxfordshire.gov.uk">alaric.smith@westoxfordshire.gov.uk</a>
Accountable officer	Andrea McCaskie, Director of Governance Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Report author	Andrew Brown. Head of Democratic and Electoral Services Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Summary/Purpose	To consider the submission of a Council Size Proposal to the Local Government Boundary Commission for England as part of the electoral review of West Oxfordshire, and any associated change to the electoral cycle for the district council and town and parish councils within the West Oxfordshire district area.
Annexes	Annex A – Draft Council Size Proposal Appendix 1 – Summary of survey responses Appendix 2 – Detailed survey responses Annex B – Electoral Review Timetable
Recommendation(s)	That Council resolves to: <ol style="list-style-type: none"><li>1. Approve the Draft Council Size Proposal (Annex A) for submission to the Local Government Boundary Commission for England.</li><li>2. Delegate authority to the Head of Democratic and Electoral Services, in consultation with the Chair of the Constitution Working Group, to make any minor amendments required to finalise the document to reflect the discussion at full Council, correct typographical errors or otherwise strengthen and improve the proposal document.</li></ol>

	<ol style="list-style-type: none"> <li>3. Note that whole-Council elections will be held on new ward boundaries in May 2027 in any scenario.</li> <li>4. Agree in principle to move to whole-Council elections every four years from May 2027.</li> <li>5. Agree to convene a special meeting of full Council on 29 January 2025 at 4.00pm for the purpose of formally deciding whether to change the electoral cycle to whole-Council elections every four years from May 2027 (which will require a 2/3 majority at the specially convened meeting).</li> <li>6. Authorise the Chief Executive Officer to seek the views of town and parish councils on whether to harmonise ordinary elections of all town and parish councils within the district area with district council elections from May 2027, in the event that the District Council does decide to move to whole-Council elections from May 2027.</li> </ol>
Corporate priorities	<ul style="list-style-type: none"> <li>• Putting Residents First</li> <li>• Working Together for West Oxfordshire</li> </ul>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Constitution Working Group Boundary Review Project Group

## 1. EXECUTIVE SUMMARY

- 1.1 West Oxfordshire District Council is subject to an electoral review by The Local Government Boundary Commission for England (“the Commission”). The review is primarily aimed at addressing variances in the numbers of electors in wards across the district, with 12 of 27 wards outside a variance of +/-10%, and Witney West ward at +31%. The Commission has a duty set out in law to review every local authority “from time to time” and West Oxfordshire was last reviewed in 2001.
- 1.2 Phase I of the review is to consider the future size of the Council i.e. the number of Councillors, also known as Members, on West Oxfordshire District Council. The Council is invited to submit a Council Size Proposal to the Commission by mid-February 2025.
- 1.3 The future size of the Council is ultimately a decision for the Commission. On the current timeline for the electoral review (Annex B), the Council can expect to be informally notified of the Commission’s decision in March/April 2025.
- 1.4 Regardless of what the future size of West Oxfordshire District Council is, the Council will be required to hold whole-Council elections on new ward boundaries in May 2027. Councillors elected at the local elections in May 2026 will serve a one-year term.
- 1.5 At its meeting on 13 March 2024, full Council resolved to amend the terms of reference of the Constitution Working Group to include the following responsibilities within its remit:

*The Constitution Working Group will also formulate draft recommendations to the Local Government Boundary Commission for England for consideration by the Council including:*

- a) the total number of Councillors of the Council;*
- b) the number and boundaries of electoral wards for the purposes of the election of Councillors;*
- c) the name of any electoral ward area.*

*The Constitution Working Group will also make recommendations to the Council on its future electoral cycle, if considered appropriate.*

*The Constitution Working Group will also consider any review of polling districts and polling places.*

- 1.6 As such, the development of a Council size proposal has been overseen by the Constitution Working Group. The Members of the Working Group are Councillor A Smith (Chair), Aitman (Vice-Chair), Ashby, Coles, Goodwin, Graham, Mead, Melvin and Pearson.
- 1.7 The Draft Council Size Proposal at Annex A has been informed by an analysis of the workloads associated with Member meetings and a survey which was circulated to all Members to which 26 of the Council’s 49 Members responded (53%). The survey responses are appended to the draft Council Size Proposal document.
- 1.8 The Working Group, having taken advice from officers and considered the issues, recommend that maintaining a size of 49 Councillors with a mix of 1, 2 and 3-Member

wards would be appropriate for the district to ensure effective representation for communities and sufficient Member-capacity on the Council into the future.

- 1.9 To enable the Council to continue with a mix of 1, 2, 3-Member wards, full Council would need to resolve by a two-thirds majority at a specially convened meeting to amend the electoral cycle from elections by thirds (three years out of every four) to whole-Council elections every four years from 2027. Should the Council decide to move to whole-Council elections it would have the power to align the electoral cycles of the town and parish councils within the district area with its own whole-Council elections.
- 1.10 The alternative to whole-Council elections would be to retain elections by thirds but with a uniform pattern of 3-Member wards across the whole of the district area. This would necessitate the creation of some very large 3-Member wards in sparsely populated rural areas which the Working Group do not believe would be conducive to effective representation. This option would also require a council size which is divisible by 3 e.g. 48 or 51 Members but not 49 Members.
- 1.11 Phase 2 of the electoral review will be to consider the warding arrangements after the size of the Council has been determined and that stage will involve public consultation. The Commission require that any decision to change the Council's electoral cycle is taken prior to the public consultation on warding arrangements, which is currently expected to start following the county council elections in May 2025.

## **2. BACKGROUND**

- 2.1 The Council currently has 49 Members representing 27 wards, with a mix of 1, 2 and 3-Member wards. Maintaining the status quo of elections by thirds with a mix of 1, 2 and 3-Member wards is not an option that is open to the Council under current legislation.
- 2.2 The Commission does not have a policy on the size of the Council or the number of electors per councillor but will assess proposals against the Council's 15 "Nearest Neighbours". Where a Council's proposed elector ratio is significantly above or below the average of the Council's statistical neighbours, the Council will need to ensure that its case is particularly strong.
- 2.3 The size of the Council is relatively large at 49 Members but is within the Commission's expected range based on comparator councils. The Council's elector ratio (i.e. the number of electors per councillor) is relatively low at 1,811. The elector ratio is based on the electoral register published in December 2023. This doesn't account for the c. 3,000 electors who joined the electoral register ahead of the parliamentary general election held in July 2024. This would put the electorate ratio at c. 1,878, which is still relatively low.

## **3. COUNCIL SIZE PROPOSAL**

- 3.1 In making its judgement on council size the Commission will consider three board areas:
  - the governance arrangements of the Council and how it takes decisions across the broad range of its responsibilities.

- the Council's scrutiny functions relating to its own decision making and the Council's responsibilities to outside bodies.
- the representational role of councillors in the local community and how they engage with people, conduct casework and represent the Council on local partner organisations.

- 3.2** The Commission's decision on council size will enable the review to progress to phase 2, i.e. the drafting of ward boundaries. At this stage, the council size is a 'minded to' intention because the final number of councillors may be adjusted slightly (generally  $\pm 1$ ) where this would achieve a pattern that best reflects the three statutory criteria set out above.
- 3.3** The Commission expects the Council and/or its political groups to present the Commission with a case for a council size that they believe is right for their authority.
- 3.4** The draft Council Size Proposal document at Annex A uses the template provided by the Commission and is recommended for approval subject to any amendments consequent to the discussion at Full Council and any corrections or minor amendments that are considered necessary to improve the final document.
- 3.5** The Working Group found that evidence from the Member survey and the analysis of workloads associated with Member meetings demonstrate that the workload of Members has increased and become less comfortable for Members over recent years. This has been driven by a number of factors, notably case work, special responsibilities and the number and complexity of reports.
- 3.6** The Working Group noted that the response to a survey question showed that a majority of Members believed that the current size of 49 Members remains appropriate, with only two Members favouring a decrease and one Member favouring an increase.
- 3.7** With population growth expected to be concentrated in and around the main settlements, to provide for electoral equality into the future the rural wards in the district would need to increase in size and cover more parish areas on average than they do at present. The Working Group was concerned that this would exacerbate the particular pressures faced by Members representing the sparsely populated rural areas of the district and would not provide for effective representation in those areas.
- 3.8** Having considered the available evidence and discussed the issues, the Working Group consider that there is a strong rationale for maintaining a size of 49 Members and a mix of 1, 2 and 3-Member wards.
- 3.9** A Council size of significantly more than 49 Members is not considered necessary. This would reduce the elector ratio and risk providing for more Members than the Council needs to operate effectively, diluting the responsibilities and influence of individual Members and adding unnecessary costs to the Council (e.g. in the form of additional allowance payments).
- 3.10** A Council size of significantly fewer than 49 Members would increase the workloads of individual Members, many of whom work and/or have caring responsibilities in addition to their duties as a Councillor. The survey results show that a further increase in workload of

10% would result in Members becoming less comfortable with their workload on average, with some Members becoming very uncomfortable with their workload.

#### **4. ELECTORAL CYCLE**

- 4.1 Retaining a mix of 1, 2 and 3-Member wards, as opposed to a uniform pattern of 3-Member wards, is only possible if the Council passes a resolution to hold whole-Council elections every four years. Such a resolution must be passed at a specially convened meeting of full Council by a two thirds majority.
- 4.2 The survey results show that 42% of respondents favoured whole-Council elections and 19% favoured maintaining elections by thirds. However, nearly a third of Members responded that they would need more information to form a view.
- 4.3 The Commission requires that any such resolution be passed prior to public consultation on the warding arrangements, which on the current electoral review timetable is expected to start after the County Council elections in May 2025.
- 4.4 Any change to the electoral cycle would be effective from May 2027. This means that Members elected at the local elections in May 2026 would serve a 1-year term.
- 4.5 Should Council approve the Council Size Proposal based on 49 Members then it will be necessary to convene a special meeting of full Council. It is recommended that a special meeting be held on the same day as the next ordinary meeting of full Council, 29 January 2025.
- 4.6 Should the Council resolve at a special meeting to move to whole-Council elections every four years from May 2027 then the Council would have the power to align the electoral cycles of the town and parish councils within the district area with its own whole-Council elections. Currently the town and parish councils are on different electoral cycles, with elections to some town and parish councils held in three years out of every four. This report seeks an authorisation to the Chief Executive to consult with town and parish councils on the option of aligning electoral cycles in the event that the District Council moves to whole-Council elections every four years.

#### **5. ALTERNATIVE OPTIONS**

- 5.1 Full Council could choose not to submit a proposal to the Commission. However, this would be more likely to result in an outcome that is not desirable for the Council or the district and is not recommended.
- 5.2 Political groups could choose to submit their own Council Size Proposals to the Commission, but a single proposal approved by full Council is likely to be more impactful.
- 5.3 Full Council may consider that the Council Size Proposal should be based on a different Council size. This is not recommended for the reasons set out in section 3. However, if Council did wish to propose a significantly different Council size from 49 then an alternative proposal would need to be brought to full Council at a later date before mid-February 2025.

- 5.4 Full Council may consider that retaining elections by thirds with a uniform pattern of 3-Member wards across the whole of the district area would be preferable to holding all out elections with a mix of 1, 2 and 3-Member wards. The Working Group has not recommended this option for the reasons set out in section 3. Again, if this is the will of Council then an alternative proposal would need to be brought to a future meeting of Council before mid-February 2025.
- 5.5 Council could decide to convene a special meeting to change the electoral cycle on an alternative date prior to 25 February 2025.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 Maintaining a size of 49 Councillors would be cost-neutral to the Council in terms of the cost of allowance payments.
- 6.2 Moving from holding district, town and parish elections three years out of every four to once every four years would result in some savings in the cost of administering elections. The detail of any such savings would need to be worked through and factored into the Council's medium term financial plan from 2027 onwards if this proposal is agreed by full Council. However, the primary consideration for full Council is to ensure appropriate governance and electoral arrangements for the district into the future.

## **7. LEGAL IMPLICATIONS**

- 7.1 The size of the Council is a decision for the Commission. The Council is not required to submit a Council size proposal to the Commission but doing so is more likely to result in an outcome that will meet the needs of the Council and the district area.
- 7.2 The electoral cycle is a decision for the Council and any change to the current arrangement of elections by thirds requires a 2/3 majority vote at a specially convened meeting of full Council under Section 33 of the Local Government and Public Involvement in Health Act 2007.
- 7.3 There are statutory arrangements that must be met should the Council resolve to move to whole-Council elections, including a requirement to publicise the fact that a resolution has been passed and produce an explanatory document; and to notify the Commission of the resolution.

## **8. RISK ASSESSMENT**

- 8.1 There is a risk that if the Council does not submit a Council Size Proposal to the Commission, then the outcome of the electoral review will be less likely to meet the needs of the Council and the wider district.
- 8.2 There is a risk that full Council approves the Draft Council Size Proposal, which requires a simple majority, but does not approve a consequential change to the electoral cycle, which requires a two thirds majority. This would serve to negate the Draft Council Size Proposal, which is based on whole-Council elections rather than elections by thirds.

## **9. EQUALITIES IMPACT**

**9.1** There are no equalities implications arising directly from this report.

**10. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

**10.1** There are no climate and ecological emergencies implications arising directly from this report.

**11. BACKGROUND PAPERS**

**11.1** None.

(END)