

Report of:	Director of Legal and Governance Services
Submitted to:	Council
Date:	8 March 2024
Title:	Ward Boundary Review – Council Warding Patterns (Phase Two)
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	Yes
Why:	Decision(s) will have a significant impact in two or more wards
Urgent:	No
Why:	Not applicable

Executive summary

The Local Government Boundary Commission for England (LGBCE) is an independent body responsible for determining the electoral arrangements of local authorities across England.

Each year, the LGBCE considers electoral data to establish if there is a need for an electoral review. The LGBCE carry out a review if electoral inequality is identified or if it is more than 10 years since the last review. Middlesbrough's last review was carried out in 2013, therefore the LGBCE advised the Council that it would be carrying out a review because 10 years had passed.

Phase One, which considered councillor size, was considered first, followed by Phase Two which examines warding patterns.

Overview and Scrutiny Board considered and approved the Council's submission for Phase 1 of the review at its meeting of 18th October ahead of the deadline of 31st October 2023. After consideration of the Council's submission that Councillor numbers increase from 46 to 47 the LGBCE was minded to maintain Councillor numbers at 46.

Phase 2 of the review has focussed on ward patterns and considers number of wards, boundaries between wards, names of each ward and numbers of councillors elected to each ward.

Following an engagement process which was open to all Councillors during a series of workshops, several proposals have been suggested which are contained in Appendix 2 and which were approved for submission to the LGBCE at OSB on the 28th February 2024.

Council is asked to approve the proposal for submission to the Local Government Boundary Commission ahead of its 11 March deadline.

1. Purpose

- 1.1 To present Members with the final submission regarding Phase Two (Warding Patterns) to the Local Government Boundary Commission in respect of the forthcoming Electoral Review.

2. Recommendations

- 2.1 That the Council

- Approves the submission of the proposals at Appendix 2 to the Local Government Boundary Commission for England (LGBCE) in respect of Phase Two (Warding Patterns) of their electoral review of Middlesbrough 2023/24.

3. Rationale for the recommended decision(s)

- 3.1 Councils play a major part in promoting local democracy and provide pathways by which people can influence decision making. The task of the LGBCE is to establish and maintain the conditions for a fair and representative democracy at a local level. During an electoral review the LGBCE will work closely alongside members and officers in order to determine the best electoral arrangements that will work to support the Council and its ambitions for the people of Middlesbrough.
- 3.2 Phase Two of the review provides Members the opportunity to comment on the community characteristics of their wards and, as community champions, to provide insight into effective warding patterns for the town.
- 3.3 By submitting a proposal in respect of the warding patterns, the views of members and the communities that they represent will be considered by the LGBCE when making their recommendations.

4. Background and relevant information

- 4.2 In March 2023 the LGBCE informed the Council that it was to carry out an Electoral Review of Middlesbrough Council in order to deliver electoral equality for voters in local elections.
- 4.3 The LGBCE calculates electoral equality in an authority by dividing the number of electors in a ward by the number of Councillors elected to represent that ward. This gives an 'electoral ratio'. High levels of electoral equality for a local authority will be a situation where a high proportion of wards across the authority have roughly the

same electoral ratio and where no ward or division has a ratio which is significantly above, or below, the average for the authority, and that ward arrangements help the council work effectively. The review will also look at creating ward patterns that are appropriate, reflecting community ties and identities.

- 4.4 On 26 July 2023 Overview and Scrutiny Board received an overview of the proposed Ward Boundary review. The overview covered how the review would take place and the timescales involved. It was explained the process consisted of two phases the first focussing on overall size of the Council – that is the number of elected Members that the Council requires to properly undertake its duties and responsibilities.
- 4.5 Phase One of the electoral review is to determine the number of Councillors who should represent the local authority, referred to by the LGBCE as determining 'council size'.
- 4.6 The LGBCE required that in determining the number of Councillors, it agreed the Council's projected electorate for 2029. Based on Office for National Statistics data, and the methodology set out by the Commission, Middlesbrough's projected electorate for 2029 was 104,225 based on the 2023 baseline of 97,154 which was agreed with the Commission.
- 4.7 The Phase One submission was considered and approved by OSB and was submitted in advance of the deadline of 31st October 2023. It suggested an increase in Councillors from 46 to 47.
- 4.8 The LGBCE carefully considered the submission made by the Council on the number of members Middlesbrough should have. It considered there was insufficient evidence to justify the proposed increase to 47 and was therefore minded recommending that 46 Councillors should be elected to the council in future.
- 4.9 On 19 December 2023 the LGBCE wrote to the Chief Executive informing him that the next stage of the Electoral Review was commencing, and this stage was to consider the new pattern of ward arrangements for the town, based on a Council size of 46 Councillors. The LGBCE also informed the Council that the closing date for representations would be 11 March 2024.

5. Phase Two: Consideration of the Warding Pattern for the town

- 5.2 In considering the warding pattern for an Authority, the LGBCE has regard to the statutory criteria set down in the Local Democracy, Economic Development and Construction Act 2009. In broad terms these are:

The need to secure equality of representation

- 5.3 Each Councillor under the new warding arrangements must represent between +/- 10% of the average.
- 5.4 Given the Council size of 46 Members, and the projected electorate of 104,225, the optimum Member: elector ratio is 2,266 per Member.

5.5 To fall within the +/-10% of average requirement, this gives a target range of between 2,033 and 2,500 electors per Councillor under the new warding arrangements.

The need to reflect the identities and interests of local communities.

5.6 The Commission will look for strong boundaries and defined communities.

5.7 Factors such as access to public or other facilities, travel and communications should be considered. The location of doctors' surgeries, hospitals, libraries or schools could be relevant factors. Access to shops and other services could also be relevant, as might an area's history, culture, and traditions.

5.8 The existence and activities of residents' associations and local voluntary organisations might contribute to the evidence of community identity and interest.

5.9 Importantly, the Commission will require well-argued evidence of community identity if it is to be persuaded to move from equality in the number of electors each Councillor represents.

The need to secure effective and convenient local government

5.10 The Commission will be looking for factors such as coherent wards with good transport links. There should be reasonable road links across the ward so that it can be easily traversed, and so that all electors in the ward can engage in the affairs and activities of all parts of the ward without having to travel through an adjoining ward.

5.11 Wards should not be so large in terms of physical extent or electorate that it prevents a Councillor from effectively representing the people in it

5.12 The Commission takes the view that wards or divisions returning more than three Councillors results in a dilution of accountability to the electorate. Consequently, it will not normally recommend a number above that figure.

6. Process

6.2 Following the practice adopted during the previous Ward Boundary Review it was decided that the Overview and Scrutiny Board (OSB) would co-ordinate the Council's submissions to the LGBCE.

6.3 OSB first considered the second phase of the review at its meeting held on 18 January 2024. It was the view of OSB that managing the development of the Council's submission to the Commission through the Scrutiny process, prior to discussion and approval by full Council, would result in more meaningful opportunities for democratic participation by all Members of the Council than simply to have a debate (or debates) in full Council. OSB therefore resolved to hold 4 workshop sessions to manage the preparation of the Council's submission.

- 6.4 In order to engage as many Members as possible in the process, and in particular to utilise their knowledge of the communities that they represent, OSB agreed to run workshops to which all Members of the Council were invited to participate. The workshops were run during the day and the evening in order to maximise the opportunity of Members to attend. The workshops were structured around the Southern Wards of the town (Coulby Newham, Hemlington, Kader, Ladgate, Marton East, Marton West, Nunthorpe, Park End and Beckfield, Stainton & Thornton, Trimdon) and the Northern Wards of the Town (Acklam, Ayresome, Brambles & Thorntree, Berwick Hills & Pallister, Central, Linthorpe, Longlands & Beechwood, Newport, North Ormesby, Park). Nineteen Councillors participated across the four workshops.
- 6.5 In phase two the LGBCE requires the Council to meet the statutory criteria of Electoral equality for voters (eg, all voters should carry the same weight, based on forecast electorate); Community identities and interests (eg, all communities should be represented); and Effective and Convenient local government (eg, coherent wards that are logical to represent)
- 6.6 In consideration of the statutory criteria, the objectives of the workshops were:
- To utilise members knowledge of the communities that they represent mapping identifiable, strong, ‘natural’ communities with which electors identity strongly and/ or have identifiable interests
 - Considering the possible boundaries between those identified communities that would result in effective and convenient local government.

7. Initial Considerations

7.2 The following Wards were identified as falling outside a 10% variance of the optimum Councillor to elector ratio:

<u>Ward</u>	<u>Variance from Optimum Ratio</u>
Stainton & Thornton	+80%
Central	+15%
Trimdon	+13%
North Ormesby	-15%
Berwick Hills & Pallister	-17%
Park End & Beckfield	-20%

7.3 While Central and Trimdon Wards had a higher than 10% variance, feedback from the workshops was these two wards did not need to be changed because of their physical and community makeups.

7.4 Working on the predicted 2029 elector population already agreed with the

Commission (as part of the Council size consultation) the variance, based on the current ward structure, can be found at Appendix 1.

7.5 Overview & Scrutiny Board has considered a number of matters. These include:

Projected build and demolitions

7.6 The projected elector population figures agreed with the Commission have taken into account the best available estimates relating to new build housing that will come into occupation between now and beyond 2029.

7.7 However, given the current national and regional economic climate, these projections cannot be assured. OSB is mindful of the fact that any major fluctuation in these figures could trigger a further review.

7.8 Again, with a mind to future-proofing its recommendations, OSB noted that there are areas of town where there is little opportunity for new build, and areas of town – particularly the southern fringes of the area where new build is far more likely.

7.9 In view of this, if there is to be a variance of greater than +/-10% from the optimum elector/Councillor ratio, then wherever possible variance between 10% and 15% should be limited to areas of town where fewer opportunities for development exist.

8. Member Workshops

8.2 Council officers convened four workshops for members to engage with the review process. Each workshop lasted three hours and 19 members attended the workshops which is a significant increase on the degree of engagement with the boundary review process in 2013.

8.3 Members were asked to identify what they considered to be identifiable, strong, 'natural' communities with which electors identified strongly and/ or have identifiable interests. They were also asked to consider the possible boundaries between those identified communities that would result in effective and convenient local government. Over the nearly 12 hours of discussion members and officers took great care to address community links and to draw boundaries that would best refer to local identity and community consciousness. The workshops were universally well-received by members with a wide range of cross-party contributions and collaboration by members and varied suggestions around how the boundaries could be redrawn effectively.

8.4 During the workshops Members were mindful of elector numbers with any proposals but their primary consideration was community interest. Due to this it was felt that all other wards did not need to change even if their elector variance was above or below 10%.

8.5 All proposals made during the workshops were considered by the Overview

and Scrutiny Board on 28 February 2024. OSB deliberated the proposals and found they were all valid and well thought out. Only one proposal was not included as part of the Council's submission, and this can be found in Appendix 4. The proposals approved for inclusion in the Council's submission can be found at Appendix 2.

9. Proposals

- 9.2 While the details of each ward proposals can be found in Appendix 2, it is important to stress these proposals are made adhering to the statutory requirements described above while being mindful of the Boundary Commission's recommendation that overall Councillor size remain at 46.
- 9.3 Most of the changes proposed are within the East Middlesbrough area. As Appendix 2 highlights, this area of Middlesbrough has several distinct and common characteristics whose community narratives have been grouped together to try and reflect this.
- 9.4 East Middlesbrough (currently North Ormesby, Berwick Hills and Pallister, Brambles and Thorntree and Park End and Beckfield) was identified early in the process as an area where it would be necessary to delete one Councillor from the overall total with a concomitant extra Councillor required in the South of the town due to projected housing developments.
- 9.5 The wards in East Middlesbrough are a self-contained area with strong community connections. They are bordered to the East and South by Redcar and Cleveland, to the North by the railway line and A66 and to the West by the railway line and the beck valley.
- 9.6 As a result, any changes would need to be within the confines of those clearly identified boundaries. For example- linking the East Middlesbrough Wards with wards to the West beyond the beck valley and the hospital would encroach into the Marton area which has no community or geographical link. The workshops deliberated at length over how to redraw the East Middlesbrough Boundaries and the ward Councillors across all political groups were in agreement that the Council's proposed changes met the well-defined community connections within East Middlesbrough to a much greater degree than the current boundaries.
- 9.7 The proposals for East Middlesbrough have changed optimum Councillor/ electorate variances, however there were no iterations that would not have changed these variances without affecting other wards whose variances fell within tolerance.
- 9.8 It could also be argued that the proposed changes to the variances in East Middlesbrough is a positive given this area's relatively high deprivation levels which increases access to elected Members.
- 9.9 Proposals were also made for name changes only to some wards. This was partly for community purposes but also efficient and effective local government purposes. These suggestions can be found at Appendix 3.

10. Other potential alternative(s) and why these have not been recommended

10.2 Do nothing – the Council is not required to submit its own proposal. However, the Boundary Commission will make proposals irrespective of other representations. As such it is essential to form a submission to ensure the Council's views are taken into consideration.

10.3 There is an opportunity for all individuals, including Councillors, and political groups, to submit proposals in respect of Council size and they have been encouraged to do so outside of this process if they have further information they wish to be considered.

11. Impact(s) of the recommended decision(s)

Financial (including procurement and social Value)

11.2 There are no immediate financial implications as the decision being sought is the approval of a proposal for consideration by the Local Government Boundary Commission within their review. The decision as to the warding pattern is ultimately that of the Local Government Boundary Commission.

11.3 Any changes to the Ward Boundaries made by the Local Government Boundary Commission will come into effect in May 2027.

11.4 Should the proposals as at Appendix 2 be adopted, there are the following financial considerations:

- a) The number of members will remain at 46 therefore the cost of members allowance will not increase in number, but may of course increase in line with changes to allowances as it would in any event.
- b) There will be a requirement for an additional one or two polling stations in each local election. This may come with a small cost, dependent on the location and nature of the station.
- c) As the ward boundary for Nunthorpe ward is suggested to change, some houses will move into the are of Nunthorpe Parish Council and will therefore be required to pay the Nunthorpe Parish precept. The amount that this equates to is not known at this stage.

11.5 There will be an opportunity for Council to consider the proposed changes once they are shared by the Local Government Boundary Commission in June 2024. At this stage we will be able to fully cost the financial implications of the suggested changes.

Legal

11.6 There are no legal implications in relation to this decision as this is simply a proposal for a decision that will be made by the Local Government Boundary Commission.

11.7 Once the recommendations in regards to the ward boundaries are made, the Local Government Boundary commission will take this through the relevant parliament route.

Risk

11.8 This submission contributes to the Council's Quality of Service strategic objective; *We will ensure that we place communities at the heart of what we do, continue to deliver value for money and enhance the reputation of Middlesbrough.*

Human Rights, Public Sector Equality Duty and Community Cohesion

11.9 No protected groups are affected by the decision.

Climate Change/Environmental

11.10 Not applicable

Children and Young People Cared for by the Authority and Care Leavers

11.11 Not applicable

Data Protection / GDPR

11.12 There are no data protection or GDPR to consider as a result of the decision.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Submit Council Size Submission to Local Government Boundary Commission	Ann-Marie Wilson	11 March 2024

Appendices

1	Ward Variance Data
2	Ward Boundary Proposals
3	Ward Name Proposals

Background papers

Body	Report title	Date

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