

Licensing & Regulatory Committee

Minutes of the meeting held on Thursday 11 January 2018, at the Town Hall, Royal Leamington Spa at 4.30 pm.

Present: Councillor Illingworth (Chairman); Councillors Ashford, Boad, Davies, Gallagher, Gill, Miss Grainger, Heath, Mrs Hill, Naimo, Murphy, Quinney, Mrs Redford and Mrs Stevens.

26. **Apologies and Substitutes**

- (a) Apologies for absence were received from Councillor Cain;
- (b) Councillor Boad substituted for Councillor Gifford, and Councillor Naimo substituted for Councillor Mrs Knight.

27. **Declarations of Interest**

All Members declared an interest because the subject matter covered the entire District and would affect all Wards they represented.

28. **Local Government Boundary Commission for England Review of Warwick District Ward Boundaries**

The Committee received a report from the Chief Executive which updated them on the review of the Council's Ward Boundaries by the Local Government Commission for England (LGBCE) and sought agreement from the Committee on a proposed warding arrangement for this Council to be put to the LGBCE.

At the request of this Council the Local Government Boundary Commission for England (LGBCE) was undertaking a review of the Ward Boundaries. The review was requested in March 2016 and was partly because of the rapid growth in the electorate which was causing issues of voter equality but sought to restore coterminous Ward Boundaries between Town/Parish Council wards and District Council wards which had been thrown into confusion owing to the impact of the recent review of County Council division boundaries.

The request for the review was accepted and Warwick District Council made a submission that the Council size (number of Councillors) should be 48. However, the LGBCE considered all representations received and had set the Council size as 44. This was the final decision.

The LGBCE had started the public consultation on the warding arrangements and any party, group or individual was able to make a representation to the LGBCE for proposals on warding patterns. Anyone wishing to do this had to do so by 5 February 2018.

The intention had been to engage with as many parties as possible and to seek agreement to a common approach, from not only this Council but also Parish & Town Councils and Warwickshire County Council. It was felt that a consensual approach would make for a stronger argument to the LGBCE on the decision it should make.

The size of the electorate growth was taken from the 1 September 2017 electoral register and forecast through to 2023. The methodology for growth was summarised in section 3.5 of the report.

Now that the LGBCE had determined the size of the Council, Officers had been able to provide a proposal for the warding arrangement based on coterminous boundaries for consideration. In doing so Officers were mindful of the statutory criteria for the outcome of a review; Delivering electoral equality for local voters; Interests and identities of local communities; and Effective and convenient local government.

The initial proposal was revised following feedback and a summary of those proposals was set out at Appendix B to the report, along with a plan illustrating them at Appendix C to the report.

These proposals had been based on using the WCC Divisional Boundaries for Warwick District Ward Boundaries, to enable both District and Parish/Town Wards to be the same as WCC Divisions. It proposed that all the Wards should have three District Councillors each, except for Warwick South and Budbrooke & Bishops Tachbrook. Numerically, these should each have four Councillors but for practical purposes should be divided into two smaller wards each with two Councillors in the case of Budbrooke and Bishop's Tachbrook; and in the case of Warwick South into two wards of a 3 and a 1.

The report advised a further proposal which meant that the Cubbington & Leek Wootton Division be split into a 2 and a 1 arrangement with the current Radford Semele single Member District Ward being retained. This had the advantage of allowing for the ward to be part of a new Parliamentary Constituency of Rugby and Southam should it be confirmed but would still work even if that did not occur. It also had the advantage of reducing the geographical scale any Councillor would have to cover if it were left as the current County Division.

The LGBCE would seek to have electoral equality within each Ward of no greater than +/- 10% than the average ratio for all electors and Councillors. The greater concern would be those Wards above 10%, because those at -10% or greater could allow for future development within them. The LGBCE had been clear that exceptions could be made as long as robust arguments were put forward.

In the initial proposal outlined at Appendix B, the wards of concern were the proposed Budbrooke Ward (+14) and the Cubbington & Leek Wootton ward being (+16). These could be argued as exceptional based on the local circumstances to enable communities to be recognised and remain coterminous with other electoral boundaries. The other exceptional figure would be Leamington Milverton at -15%.

Within the initial proposal, the split for Warwick South as a 3 and 1 member ward was recognised as not ideal and views had been sought from Groups on this and on the proposals overall.

The Labour Group had proposed an alternative arrangement to divide the Warwick South Ward of Councillors, retaining the use of coterminous boundaries with WCC and providing a sub division of the proposed Warwick South Ward. This was set out at Appendix D to the report along with an appropriate map at Appendix E to the report.

At section 3.15 of the report, a table was provided which showed that the proposal from the Labour Group provided a greater level of electoral equality at the end of the five years compared to the original proposal.

The Conservative Group had undertaken and brought forward the same approach as the initial proposal for the rural areas and Kenilworth but had different proposals for Leamington and Warwick. These proposals were summarised at Appendix F to the report and with respective plans at Appendices G and H to the report. These proposals provided an overall greater level of electoral equality but lost the ability to achieve coterminous boundaries between the Town Council and District wards in Leamington and Warwick.

The report outlined that both the Liberal Democrat Group and Whitnash Residents Association (Independent Group) supported the initial proposal.

The Chief Executive introduced the report and highlighted that the Boundary Commission was the decision making body and this report outlined the options for Warwick District Council's submission. This would lead to how the District was apportioned and determine how many Councillors would be allocated to each Ward.

He reminded the Committee of the significant growth in population across the District and reminded them that the County Divisions were an un-changeable element. As Returning Officer, he had a direct personal interest as it was his responsibility to ensure that elections were run smoothly and to avoid any voter confusion.

The Democratic Services Manager and Deputy Monitoring Officer updated the Committee following a conversation that had taken place with the Boundary Commission that afternoon. Progression of the review had been discussed along with the percentage of electoral equality detailed in Appendix B to the report. He explained that the commission were unlikely to accept any variation on any individual ward of greater than 12%.

Members queried the issue of coterminosity and how many Wards would not meet this principal within the Conservative proposal. Following discussions, it was noted that seven of the proposed wards would not be coterminous.

Members were also mindful of the need to avoid confusing voters as to which ward they voted in at different elections.

Some Members raised concerns that the Conservative proposal detailed at Appendix F to the report would result in additional cost to Royal Leamington Spa and Warwick Town Councils but it was argued that this may be the closest the Council would get to retaining existing communities whilst allowing for future expansion.

It was identified that there was an error within Appendix G, because the boundary between the Clarendon and Brunswick Wards at District and County level should have been the same.

The recommendations as set out in the report were duly proposed, with the Conservative proposal as the preferred Warding arrangement, subject to the revised plan. Following discussion between the Committee the proposal was

amended so that the submission from this Council did not have to be agreed with Group Leaders, only the Chairman of the Licensing & Regulatory Committee.

The Committee therefore

Resolved that

- (1) the decision by the LGBCE to set the size of the Council at 44 Councillors, is noted;
- (2) the decision of the Commission to accept the methodology which projects the Local Government electorate in the District to increase from 109,855 in 2017 to 123,334 in 2023, is noted;
- (3) the proposal put forward, as detailed at Appendix F, was agreed as the Council's preferred Warding pattern for submission to the LGBCE, subject to an amendment to the map of Leamington, Appendix G, to retain a coterminous boundary between the Clarendon and Brunswick Wards at District and County level;
- (4) authority is delegated to the Chief Executive, in consultation with the Chairman of this Committee to produce, agree and submit the formal submission document to the LGBCE; and
- (5) the Chief Executive will notify Warwickshire County Council and all Parish & Town Council's in Warwick District of the proposed warding arrangements from this Council.

(The meeting ended at 5:46 pm)