

Summary Sheet

Council – 13 July 2016

Review of Ward Boundaries and the Size of the Council

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

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Report Author(s)

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Ward(s) Affected

All wards

Summary

- 1.1 Following the recent move to all-out elections for the Council, the Local Government Boundary Commission for England (LGBCE) has determined that it will undertake a review of Rotherham's local government ward boundaries. With the change from elections by thirds, the LGBCE was of the opinion that there no longer needed to be a presumption that all wards would have three members.
- 1.2 The LGBCE will be visiting Rotherham shortly to meet with elected members as a group, group leaders, appropriate officers and representatives from local parish and town councils to explain how the review is to work and has set a challenging timetable for the review, which is proposed to be completed in October 2017. It is necessary at this stage for the Council to identify how it will work with the LGBCE to undertake the review. The first stage of the review is concerned with the size of the council – how many councillors are required to fulfil the functions and responsibilities of the council. The second part of the review will involve the identification of and consultation on warding patterns.
- 1.3 This paper proposes an approach and decision-making timetable to accord with the review timetable set out by the LGBCE. A Member-led approach will be necessary, with support from a core group of officers to address the two stages to the review. This paper recommends that this work be led by the

Constitution Working Group given that the outcome of the boundary review will determine the number of elected members and the arrangements for warding which will then form the foundation for the Council's decision making processes. A key consideration will be to ensure that the outcome of the review allows for effective decision-making and scrutiny of decisions.

Recommendations

- 1.1 That the Local Government Boundary Commission for England's timetable for the boundary review for Rotherham Metropolitan Borough Council be noted.
- 1.2 That the Constitution Working Group be authorised to make representations in respect of the optimum size of membership of Rotherham Metropolitan Borough Council to the Council's Chief Executive.
- 1.3 That the Chief Executive be authorised to submit a draft submission on the optimum size of membership of Rotherham Metropolitan Borough Council to the Local Government Boundary Commission for England in the light of the representations received from the Constitution Working Group.
- 1.4 That a report be brought to the next meeting of Council to enable Council to approve a final submission to the Local Government Boundary Commission on the optimum size of membership of Rotherham Metropolitan Borough Council.

List of Appendices Included

None

Background Papers

Further information about the process for reducing the number of councillors can be found at: www.lgbce.org.uk/home

More detailed guidance can be found at:

http://www.lgbce.org.uk/data/assets/pdf_file/0006/10410/technical-guidance-2014.pdf

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Review of Ward Boundaries and the Size of the Council

1. Recommendations

- 1.1 That the Local Government Boundary Commission for England's timetable for the boundary review for Rotherham Metropolitan Borough Council be noted.
- 1.2 That the Constitution Working Group be authorised to make representations in respect of the optimum size of membership of Rotherham Metropolitan Borough Council to the Council's Chief Executive.
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- 1.4 That a report be brought to the next meeting of Council to enable Council to approve a final submission to the Local Government Boundary Commission on the optimum size of membership of Rotherham Metropolitan Borough Council.

2. Background

- 2.1 As part of the Secretary of State's intervention in the governance of Rotherham MBC in February 2015, the electoral cycle for the authority was changed from elections by thirds (i.e. one third of the council was elected in three years out of four) to whole council elections every four years. The Secretary of State determined that this change was a necessary move to enable the Council to start afresh. The first whole council election was held on 5 May 2016 and all Members have been elected to serve for a four-year term until May 2020.
- 2.2 The Local Government Boundary Commission for England (LGBCE) has initiated a review of the local government ward boundaries within Rotherham following the move to whole council elections. The objective of the review is to deliver effective and convenient local government, with a presumption that there is no longer a requirement to have three councillors representing each ward.
- 2.3 The LGBCE is an independent statutory body which was established by and is accountable to Parliament. The role of the LGBCE is to:
 - to provide electoral arrangements for English principal authorities that are fair and deliver electoral equality for voters; and
 - to keep the map of English local government in good repair by working with councils to help them deliver effective and convenient local government to citizens.
- 2.4 The LGBCE will be visiting Rotherham shortly to meet with elected members as a group, group leaders and appropriate officers to explain how the review is to work.

3. Key Issues

3.1 There are two distinct stages to a Boundary Review:-

- (a) Preliminary Stage – for the Council to indicate what size of membership will be appropriate for the future to undertake the functions and responsibilities of the authority
- (b) Second Stage – for the LGBCE to identify and consult upon the warding pattern for the Borough. Within the overall number of councillors, there will be a need to create wards which address the criteria of electoral equality, community identity and effective and convenient local government.

3.2 The LGBCE has set a challenging timetable for the completion of the review:

Stage	Date
Draft Council Size Case to the Commission	By 30 August 2016
Submission of Council Size Proposal to the Commission	By 13 September 2016
Council Size Meeting	18 October 2016
Warding Patterns Consultation	25 October 2016 – 9 January 2017
Draft Recommendations published	14 March 20-17
Draft Recommendations Consultation	14 March – 8 May 2017
Final Recommendations published	11 July 2017
Order Laid in Parliament	October 2017

3.2 The preliminary stage of the review needs to be completed and submitted to the LGBCE by 30 August 2016. In considering the size of a Council, LGBCE are clear that each local authority should be considered individually and not compared with other authorities of similar geographic or population size, or those facing similar issues and concerns. In addition, LGBCE consider that the demographic make-up and dispersal of communities in England are such that to aim for equality in the number of electors each councillor represents as an average across the whole country would be impractical, if not unachievable. LGBCE do not therefore apply a strict mathematical criteria for council size or impose nationally a formula for its calculation.

3.3 LGBCE acknowledge that various changes over time in the role and responsibilities of local government and councillors, especially following the Local Government Act 2000 and as a result of various central government and local authority initiatives, is likely to have reduced the number of councillors needed to politically manage an authority. There has been a trend towards reducing the number of councillors at local authorities in recent years, with the following reasons given:

Finance and capacity of Council

- Financial savings from reducing the number of councillors

Electoral fairness

- Electoral variances in each ward should not be greater than 10% of the average for that local authority area. This would need to be taken into account if lowering the number of wards.

- Would not adversely affect the capacity of the authority to perform its statutory functions
- Would provide suitable representation
- More cohesive local government
- Greater focus on the business of the Council
- Conduct an electoral review if one ward has significantly more electors than the rest of the authority
- Take into account future projected electorate for each ward

3.4 Once LGBCE have made a decision on council size, they can work out the optimum number of electors each councillor should represent by dividing the total number of electors by the number of councillors. This produces a figure for the average councillor to elector ratio. Using the average ratio of elector per councillor, LGBCE can measure how far the ratio in each current or proposed ward departs from that average. When formulating recommendations, LGBCE will seek to achieve ratios close to the authority average in each ward. The further that electoral equality departs from the average for the authority, the stronger the evidence of the other considerations they take into account will need to be.

3.5 In practice however LGBCE do not see reviews resulting in wards of mathematically equal size. This is because the approach to electoral equality must be tempered by other considerations which generally reflect the particular characteristics of an area under review, and its communities. This recognises that councillors represent individual electors and collective communities.

3.6 There are a number of issues requiring consideration before the Council submits its draft case:-

- Is the current size of the Council the best fit for Rotherham?
- What are the demands of time on councillors?
- Could the Council operate more effectively with a different number?
- How do councillors engage with residents, conduct casework and represent the Council on local partnership bodies?
- Can a reduced membership enable councillors to carry out their broader representational roles within their local areas, whilst continuing to undertake executive, scrutiny and regulatory functions?
- What is the workload of executive and non-executive Members?

3.7 At its Annual Meeting Council created a Constitution Working Group, the remit of which included reviewing the operation of the Council's Constitution with a view to improving the Council's decision-making processes and procedure. The boundary view will have a fundamental impact upon the Council's decision-making and the Working Group would appear to be well placed to address the question of the optimal size of the Council and its members would be able to draw upon their experience as members of the Governance Review Working Group.

3.8 The political groups may wish to develop their own response to the LGBCE in respect of the size of the Council. Such responses would be separate to the formal response of the Council, but would be welcomed by the LGBCE.

4. Options considered and recommended proposal

- 4.1 The Council must make its draft submission on the size of the Council to the LGBCE within two months. The Council must consider how it wishes to proceed in developing its submission.
- 4.2 As above, the Constitution Working Group appears well placed to lead on the development of the draft submission.
- 4.3 Given that the final submission on the size of the Council is a matter for Council the alternative would be to delegate the preparation of the draft submission to the Standards Committee, given its remit in respect of elements of the Constitution.

5. Consultation

- 5.1 There will be extensive consultation through the LGBCE, which will seek the views of councillors, political groups and parties, the public and partners.

6. Timetable and Accountability for Implementing this Decision

- 6.1 If the recommended approach is approved by Council, the Constitution Working Group would be accountable for making representations on the optimal Council size to the Chief Executive in good time for the delivery of a draft submission to the LGBCE.
- 6.2 The Assistant Director of Legal Services will be accountable for bringing a further report to Council to approve a final submission.

7. Financial and Procurement Implications

- 7.1 There are no financial implications directly associated with the recommendations in this paper. In examining the options available in determining the optimum size of the Council it will be necessary to consider the financial implications of all scenarios.

8. Legal Implications

- 8.1 LGBCE will undertake an electoral boundary review in accordance with the statutory criteria detailed in Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009, which requires LGBCE to have regard to the need to:
 - secure equality of representation;
 - reflect the identities and interests of local communities; and
 - effective and convenient local government.

9. Human Resources Implications

- 9.1 There are no human resources implications arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

10.1 There are no direct implications for children and young people or vulnerable adults arising from this report.

11 Equalities and Human Rights Implications

11.1 Securing equality of representation and reflecting the identities and interests of local communities are key aspects of electoral boundary reviews. Such considerations therefore form part of formal LGBCE reviews. At this stage therefore, an Equality and Diversity analysis is not considered necessary.

12. Implications for Partners and Other Directorates

12.1 The review will require support from officers in the Assistant Chief Executive's Directorate and the Directorate of Regeneration and Environment. It is envisaged that Communications and Marketing, Democratic Services and Policy, Improvement and Performance will contribute to the review, as well as the Planning Policy team.

12.2 Partners will be able to respond to the various consultations arising from the review. There are no other implications arising for partners.

13. Risks and Mitigation

13.1 Failure to engage Members sufficiently in the boundary review process at this preliminary stage could result in the loss of primary evidence to justify the proposed council size submission which needs to be submitted to the LGBCE by 13 September 2016.

14. Accountable Officer(s)

Approvals Obtained from:-

Strategic Director of Finance and Customer Services
Assistant Director of Legal Services

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<http://modern.gov.rotherham.gov.uk/ieDocHome.aspx?Categories=>