

Summary Sheet

Council Report

Council – 7 September 2016

Title

Ward Boundary Review – Proposed Council Size Submission

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

No

Strategic Director Approving Submission of the Report

Chief Executive

Report Author(s)

James McLaughlin, Democratic Services Manager
01709 822477 or james.mclaughlin@rotherham.gov.uk

Ward(s) Affected

All

Summary

At the Council meeting on 13 July 2016, the Council agreed its approach to responding to the timetable for the review of ward boundaries in Rotherham that the Local Government Boundary Commission for England had established. Since that meeting, the Constitution Working Group has met twice to develop a proposal in respect of the future size of the Council.

This report seeks approval of the submission which recommends that the future number of councillors in Rotherham be reduced from 63 to 59.

Recommendations

1. The Council is invited to comment on, amend as necessary and approve the Council's submission on Council size.
2. That the Chief Executive be authorised to make any final amendments to the submission, in consultation with the Leader of the Council, by way of response to comments or suggestions from the LGBCE and to send the final submission.

3. That the Constitution Working Group be authorised to continue to lead on the Review of Ward Boundaries for the duration of the review, subject to any further proposals being agreed by Council for submission to the Local Government Boundary Commission for England.

List of Appendices Included

Appendix A – Draft Council Size Submission to the Local Government Boundary Commission for England

Background Papers

Further information about the process for reviewing the membership of local authorities can be found at: www.lgbce.org.uk

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

Ward Boundary Review – Proposed Council Size Submission

1. Recommendations

- 1.1 The Council is invited to comment on, amend as necessary and approve the Council's submission on Council size.
- 1.2 That the Chief Executive be authorised to make any final amendments to the submission, in consultation with the Leader of the Council, by way of response to comments or suggestions from the LGBCE and to send the final submission.
- 1.3 That the Constitution Working Group be authorised to continue to lead on the Review of Ward Boundaries for the duration of the review, subject to any further proposals being agreed by Council for submission to the Local Government Boundary Commission for England.

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 (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 On 13 July 2016, the Council agreed:
 - 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.
 - 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.
 - 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.
- 2.4 Since then, the Constitution Working Group has met on two occasions to consider the issue of Council size and at its meeting on 3 August 2016 agreed to recommend to the Chief Executive that the Council size should be reduced

to 59 Members. The Chief Executive forwarded the Council's draft size submission to the LGBCE on 30 August 2016.

3. Key Issues

- 3.1 The review process requires the Council to make a submission setting out its proposals for Council size evidencing the reasoning and rationale for this. This is then considered by the Commission prior to the commencement of the more detailed and in-depth formal review process. Appended to this report is the current draft Council size submission for Members' consideration. Following consideration at the Council meeting, it is proposed that the submission be finalised and sent to the Commission by the Chief Executive. This will enable the Commission to evaluate the submission and the proposed Council size and determined if it is justified, reasoned and evidence based.
- 3.2 Guidance issued by the LGBCE suggests that the following issues should be considered when developing a proposal for Council Size:
- Managing the business of the Council and the roles and responsibilities of councillors – the model of local governance used by the local authority impacts on the workload of councillors and the working practices of the council, and therefore will have an effect on the number of councillors needed.
 - The functions of scrutiny, regulatory committees and other panels and bodies – the structure and responsibilities of these functions impacts on the workload of councillors.
 - Representational role: Representing Electors to the Council and the Council in the Community – the role and responsibilities of councillors, especially if there have been any significant changes since the introduction of the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007.
- 3.3 The above issues are considered in the submission, which presents the case for the recommended Council size. The submission has been drafted taking into account the Commission's guidance and examples of best practice as highlighted by the Commission.
- 3.4 The submission proposes to reduce the size of the Council from 63 to 59 councillors. Based on the information set out in the submission, a reduction in Council size of this nature would not affect the ability of councillors to carry out an effective representational role. It would also not be detrimental to the internal management of the Council. However, such a reduction would require adjustment of the existing governance structure to evaluate the appropriate number and composition of the Council's committees.
- 3.5 The submission indicates that a reduction in Council size from 63 to 59 councillors would assist in addressing issues of electoral equality and support consistency across the Borough. The submission identifies that a figure of 59 councillors could be achieved through provision of two and three members, dependent on the ward size adopted in the next stage of the review process.

- 3.6 It is recognised that the proposed reduction would initially impact on existing ward boundaries, however at this preliminary stage the submission can only reflect a proposal in relation to Council size. It cannot propose any changes to ward boundaries.
- 3.7 The deadline for the Council's final formal submission to the LGBCE on Council size is 13 September 2016. It is important to note that any single member or group of members can submit a proposal for Council Size. The LGBCE places no more weight on a submission which has agreement by full council than a single member submission.

4. Options considered and recommended proposal

- 4.1 The approach of the working group was to consider what the Council would look like in 2020 and beyond and to identify whether there was a need to retain the same number of councillors. Consideration was given to whether there was a need to retain a similar size of membership given the anticipation of the return of all executive powers by 2019 and the increasing level of scrutiny activity that is complementing the cultural change within the authority. On balance, the working group came to the conclusion that a small reduction in the size of the Council could be accommodated due to the changes in decision making and scrutiny since the last review of ward boundaries and recognising that the Council would be a significantly changed organisation from 2003 when the last review took place. The size submission appended to this report further sets out the rationale for the proposal.

5. Consultation

- 5.1 Consultation has taken place within the political groups of the Council in respect of the draft size submission. Commissioners have also been consulted on the proposed size. At the time of writing this report, no responses have been received, however these can be verbally reported to the meeting.

6. Timetable and Accountability for Implementing this Decision

- 6.1 If Council is minded to agree to the recommended Council size of 59 members from the Constitution Working Party, the Size Submission must be finalised and sent to the LGBCE by 13 September 2016. It is recommended that the Chief Executive be authorised to make any final amendments to the submission, in consultation with the Leader of the Council, prior to submitting the proposal to the LGBCE.
- 6.2 The next stage of review process will involve more detailed and technical analysis of ward boundaries. It is proposed that the Constitution Working Group continue to lead on this work for the Council and the Assistant Director of Legal Services will be accountable for ensuring that the working group is able to discharge this remit.

7. Financial and Procurement Implications

- 7.1 There are no financial or procurement implications directly arising from this report.

7.2 A reduction in the number of councillors would have a financial impact as it may reduce the cost of allowances. If the review process were to reduce the number of councillors then it may be necessary to review the Members Allowances Scheme in line with any review of governance arrangements ahead of implementation in 2020. This will ensure that any future proposed changes to the number of committees and their composition is reflected in councillors' allowances.

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 directly arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

10.1 There are no 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 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 There are no implications for partners or other directorates arising from this report.

13. Risks and Mitigation

13.1 Failure to ensure electoral representation is fair and equitable restricts the Council's ability to deliver services reflective of local need, demands and choice. Disproportionate electorate to Councillor numbers reduces capacity to ensure understanding of local representation and ensure it properly reflects community identity.

13.2 It is therefore essential that a reasoned and justified submission on Council size is made by the authority at this stage. This will enable the Council to influence

and inform the review process ensuring its proposals will provide sufficient Councillors for effective and convenient governance and community leadership.

14. Accountable Officer(s)

Sharon Kemp – Chief Executive
Dermot Pearson – Assistant Director of Legal Services

Approvals Obtained from:-

Strategic Director of Finance and Corporate Services:- Named officer
Assistant Director of Legal Services:- Named officer
Head of Procurement (if appropriate):- N/A

*James McLaughlin, Democratic Services Manager
01709 822477 or james.mclaughlin@rotherham.gov.uk*

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