

Summary Sheet

Council Report

Council – 8 March 2017

Report Title

Local Government Boundary Commission for England's Review of Ward Boundaries in Rotherham

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

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author

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

Wards Affected

All

Summary

The Council has now received confirmation that the Local Government Boundary Commission for England (LGBCE) is minded to recommend that 59 councillors should be elected in future. The next stage of the Commission's review of ward boundaries is to consult on the future make up of electoral wards across the borough. This report details what is involved in the next stage of the review and outlines a recommended approach for the Council to submit a warding arrangement proposal to the LGBCE.

Recommendations

1. That the Local Government Boundary Commission for England's decision for 59 councillors to be elected in Rotherham from May 2020 be noted.
2. That the report and timetable for the remainder of the ward boundary review be noted.
3. That authority be delegated to the Chief Executive, in consultation with the Constitution Working Group, to submit a proposal on behalf of the Council in respect of warding arrangements to the Local Government Boundary Commission for England.

List of Appendices Included

Appendix 1 – Letter from the Chief Executive of the Local Government Boundary Commission for England dated 28 February 2017.

Background Papers

Report to Council – Review of Ward Boundaries and the Size of the Council – 13 July 2016

Report to Council – Review of Ward Boundaries and the Size of the Council – 7 September 2016

Consideration by any other Council Committee, Scrutiny or Advisory Panel
Constitution Working Group

Council Approval Required

Yes

Exempt from the Press and Public

No

Local Government Boundary Commission for England's Review of Ward Boundaries in Rotherham

1. Recommendations

- 1.1 That the Local Government Boundary Commission for England's decision for 59 councillors to be elected in Rotherham from May 2020 be noted.
- 1.2 That the report and timetable for the remainder of the ward boundary review be noted.
- 1.3 That authority be delegated to the Chief Executive, in consultation with the Constitution Working Group, to submit a proposal on behalf of the Council in respect of warding arrangements to the Local Government Boundary Commission for England.

2. Background

- 2.1 The Local Government Boundary Commission for England (LGBCE) initiated a review of the local government ward boundaries within Rotherham following the move to whole council elections in May 2016. 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.
- 2.2 The LGBCE is an independent statutory body which was established by and is accountable to Parliament. The role of the LGBCE is:
 - 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.
- 2.3 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.
- 2.4 In September 2016, the Council indicated to the LGBCE that the preferred size of membership of the authority from May 2020 was 59 councillors.

3. Key Issues

- 3.1 The Council has now received confirmation from the LGBCE that it is minded to recommend that the number of councillors to be elected in May 2020 should be 59. Having done this, the LGBCE will work out the optimum number of local government electors each councillor should represent by dividing the total number of local government electors by the number of councillors. This produces a figure for the average councillor to elector ratio. Using the average ratio of local government 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.
- 3.2 In practice, reviews do not result in wards of mathematically equal size 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 – recognising that councillors represent individual electors and collective communities.
- 3.3 The LGBCE will therefore seek some rationale to explain why, in community or other terms, a particular pattern or set of boundaries is being proposed. The technical guidance from LGBCE states:

“Community identity and interest is harder to define than electoral equality for which there is a simple mathematical test. Often, it cannot easily be measured, and can mean different things to different people. It is essential, therefore, that those taking part in a review who make a case on the basis of community identities and interests can explain to us exactly what the community is and, more importantly, what defines it and marks it out as distinct from others.”
- 3.4 Another consideration for warding arrangements is effective and convenient local government. The impact of proposals on the workload of individual councillors needs to be considered, as a ward may be so large in terms of its physical extent or its electorate that it prevents a councillor from effectively representing the people in it. In making a proposal in respect of warding arrangements, the council’s way of working, rather than an individual councillor’s way of working, is most important. The operation of area assemblies or successor arrangements may add to or reduce councillor workload and these effects should be evidenced in the submission.
- 3.5 The LGBCE recommends that electoral wards should return no more than three councillors, although it should be noted that there is no legislative restriction on the number of councillors that may be returned from a ward. There are currently no principal authority wards in England returning more than three councillors.

3.6 Councils and their communities are able to suggest appropriate names for wards that reflect community identities and mean something to local people. In determining names for wards, the LGBCE will aim to avoid causing confusion amongst local electors and ensure that names are distinct and easily identifiable. Where wards remain largely unchanged, the existing name should be retained to support continuity of identification with an area and voting processes. The preference of LGBCE is for names that are short rather than those which attempt to describe an area exhaustively.

4. Options considered and recommended proposal

4.1 As the next stage of the review commences, the LGBCE will seek to consult on two occasions:

- Information gathering stage – LGBCE will draw up new boundaries for wards across the area to accommodate the 59 councillors. They will ask local people for their help in drawing up draft recommendations for new electoral arrangements.
- Consultation on draft arrangements – when LGBCE has published its draft recommendations for new electoral arrangements (number of wards, number of councillors representing each ward, ward names and ward boundaries) for an area, the Council, public and partners will have the chance to comment on them.

4.2 The period of consultation in respect of the future warding arrangements commenced on 28 February 2017 and will end on 8 May 2017. On 7 September 2017, the Council resolved 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. The Constitution Working Group will meet on 10 March 2017 to consider initial proposals for a warding arrangement for the borough.

4.3 There are no more Council meetings scheduled to be held in the 2016/17 municipal year. Therefore, if the Council is minded to submit a response to the consultation in respect of the future warding arrangements, it will be necessary to delegate authority to the Chief Executive, in consultation with the Leader of the Council, to submit the response to the LGBCE. In doing so, any response will be subject to the agreement of a proposal by the Constitution Working Group. This is the recommended approach.

4.4 The Council is not required to submit a warding arrangement proposal to the LGBCE. However, failure to submit a proposal will create a risk that the future warding arrangements within Rotherham may be determined on the basis on a rationale which may not accord with the priorities of the Council, councillors and partners in the borough. This approach is not recommended.

5. Consultation

- 5.1 In developing a warding arrangement proposal for the LGBCE, the Council will consult Members and may choose to consult partners and local people on its submission. This will be a matter requiring consideration by the Constitution Working Group when it has developed a proposal. Partners are likely to have a significant interest in any proposal from the Council on the basis that it will impact on their approach to neighbourhood working.
- 5.2 The Constitution Working Group will need to review responses to the internal consultation prior to finalising its warding arrangement proposal and submitting to the LGBCE.
- 5.3 It should be noted that partners and members of the public will be able to independently submit their own warding arrangement proposals directly to the LGBCE. The letter from the Chief Executive of the Local Government Boundary Commission dated 28 February 2017, which is appended to this report, has been copied to all town and parish councils in the borough, along with various other public bodies that operate within Rotherham.
- 5.4 During the consultation period, arrangements will be made for a Member Seminar in order to seek the views of the wider membership. Drop in sessions for Members will also be arranged with the officers responsible for preparing a warding submission.

6. Timetable and Accountability for Implementing this Decision

- 6.1 If Council is minded to agree to delegate authority to the Chief Executive, in consultation with the Leader of the Council, to formally submit a warding arrangement proposal to the LGBCE, it will be necessary for the decision to be made at this meeting. There are no further scheduled Council meetings in the current municipal year.
- 6.2 The timetable for the second stage of the review is set out below:

	Date from:	Date to:
LGBCE Consultation on warding arrangements	28 February 2017	8 May 2017
Draft recommendations published for consultation by the LGBCE	4 July 2017	4 September 2017
Final recommendations published	31 October 2017	

- 6.3 The Constitution Working Group will therefore need to meet on 10 March 2017 and then agree to meet through the review period in order to consult upon and finalise a submission for the LGBCE. This work will need to have been completed before the end of April in order for the Chief Executive to formally submit the response on the Council's behalf.

7. Financial and Procurement Implications

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

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.

12. Implications for Partners and Other Directorates

- 12.1 As referred to earlier in the report, there are implications for the Council's partners in that the neighbourhood working arrangements which they currently operate may be subject to change if they are based on the current electoral wards in Rotherham. The Council should consult partners in the development of its warding arrangement proposal.

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.
- 13.2 Paragraph 4.4 of this report details the risks associated with the Council failing to submit a warding arrangement proposal. This report recommends that the Council does submit a warding arrangement proposal to LGBCE to mitigate this risk.

14. Accountable Officers

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

Approvals Obtained from:-

Strategic Director of Finance and Customer Services:- Named officer

Assistant Director of Legal Services:- Named officer

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

This report is published on the Council's website or can be found at:-

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