

EXTRAORDINARY COUNCIL

Monday 30 April 2018

ELECTORAL REVIEW EAST SUFFOLK - FINAL SUBMISSION (REP1876)

EXECUTIVE SUMMARY

1. Suffolk Coastal District Council (SCDC) and Waveney District Council (WDC) have presented a Business Case to the Ministry of Housing, Communities and Local Government (MHCLG) to create a new single Council for East Suffolk (East Suffolk Council). The business case was accepted by the Secretary of State who, in November 2017, was “minded to” approve the Councils’ submission and more recently, in February this year, issued his “final” decision to proceed with the merger, subject to parliamentary approval. It is expected that the statutory Orders (the Orders) required to bring the East Suffolk Council into existence will be “made” into legislation in the very near future. The Orders will, amongst other things, have the effect of formally creating the East Suffolk Council and dissolving the existing Councils on 1 April 2019. This will enable elections to the East Suffolk Council to take place on 2 May 2019.
2. It is necessary to complete a boundary review exercise of the new East Suffolk electoral area, and to present a ward pattern submission to the MHCLG by 4 May 2018 for subsequent consideration by the Local Government Boundary Commission for England (LGBCE).
3. To help achieve this, an Electoral Review Member Working Group (MWG) comprising of 16 Councillors drawn from both Councils, with representatives of all political groups, was formed at the beginning of this year to formulate and agree a proposed warding structure for the East Suffolk Council. The MWG has been meeting over the last 3 months and in that short space of time, has made significant progress. This has culminated in it making recommendations recently on its preferred warding pattern to the Member Programme Board (MPB) and now, in this report, to the two Councils, at this simultaneous meeting. Member involvement has been key to the process, as they have brought their local knowledge which has been invaluable in informing each iteration of the warding proposals, as well as in the naming of the wards.
4. This report sets out the background to the electoral review process; the informal consultations carried out, the constraints, the legal process and procedures, and recommends the respective Councils to approve the MWG’s proposals, which were further recommended by the MPB, for submission to the MHCLG/LGBCE.

Is the report Open or Exempt?	Open
Wards Affected:	All
Cabinet Members:	<p>CLlr Mark Bee (Waveney District Council)</p> <p>CLlr Geoff Holdcroft (Suffolk Coastal District Council)</p> <p>As Lead Members of the MWG and Members of the MPB for the formation of the East Suffolk Council</p>
Supporting Officer:	<p>Nick Khan</p> <p>Strategic Director</p> <p>01502 523606</p> <p>nick.khan@eastsoffolk.gov.uk</p>

1 INTRODUCTION

- 1.1 Following the submission and acceptance of a business case presented by SCDC and WDC to the MHCLG, for the merger of the two Councils with effect from 1 April 2019, it is necessary to propose a warding structure for East Suffolk Council. Whilst it would be the normal statutory practice for this exercise to be completed by the LGBCE, it cannot officially commence until the Orders for the creation of the East Suffolk Council have been made, formally, by Parliament.
- 1.2 However, once the Orders have been made, the LGBCE is able to commence the formal process of reviewing the warding structure. Given the relatively short time between now and next May, the usual timetable for completing a full boundary review exercise cannot be met in the normal way and much work has been carried out informally, in readiness for a submission to be made from SCDC and WDC.
- 1.3 To overcome this difficulty and assist the LGBCE with its review work, the two Councils commenced a detailed, albeit informal, review exercise that will feed into the LGBCE's formal review work which commences later in the year. This approach will help to meet the tight timescales and provide local input, and evidence, into the exercise. The approach has the complete support of the MHCLG and LGBCE. This type of arrangement has been followed in other local authorities who are looking to create new councils, in other parts of the country.

2 ELECTORAL REVIEW PROCESS

- 2.1 In January this year, a MWG was formed to carry out this informal review. This comprised an equal number of members from the two Councils and was politically balanced. The MWG has met several times and considered a number of alternative warding options.
- 2.2 The MWG agreed a timetable and work plan for the exercise starting from January 2018 through to 31 January 2019. This contained key milestones, including the first stage, namely, to prepare a proposed warding structure to meet the target submission deadline of 4 May 2018 set by the MHCLG and LGBCE.
- 2.3 One of the first exercises was to agree a forecast of the electorate. The LGBCE requirement was that data for the review should be based on a 5 year housing forecast expected in each polling district area by 2023. Nothing beyond this period can be considered for a review. Furthermore, this data had to be submitted by 31 January 2018. This deadline was met and the information has been accepted by the LGBCE.
- 2.4 The MWG's recommendations, are set out in the Warding Submission (Volume 1) attached as Appendix A to this report. The MWG also carried out an informal consultation exercise with town and parish councils, other stakeholders, and residents, to obtain information about community links and joint working arrangements. This feedback assisted the MWG with its task. Details of the responses can be found in the Warding Submission (Volume 2) attached as Appendix B.
- 2.5 The two Councils had expressed a preference for the size of the East Suffolk Council to be 55 councillors. This number has been accepted informally by the MHCLG, subject to a possible variation of plus or minus 2, depending on the final result of the formal review. Therefore, the MWG has concentrated on the other two key areas of the review: the boundaries of the new wards; and the names of the new wards.
- 2.6 In carrying out this exercise, Members have taken into account a number of constraints placed on the review. These include the geographical nature of the district (size and shape) and the spread of the population across the area. Reducing the size of the existing

number of councillors (from 90 to 55), results in significant adjustments in the size of the wards, namely fewer wards, covering larger geographical areas.

- 2.7 Polling districts are the building blocks which have been used to construct the new wards, and it is not advisable to make any changes to these. However, once the LGBCE's final recommendations have been issued in October 2018, a review of the polling districts and polling/stations places will need to take place. This will enable any changes made as a consequence of the review to be in place in time for the start of the timetable for the May 2019 elections to the East Suffolk Council.
- 2.8 Furthermore, it is not possible to adjust the boundaries of Parish Councils or the numbers of Parish Councillors, as part of this exercise. The LGBCE will adjust the internal parish warding arrangements of a parish council only in the event of a district ward boundary "cutting through" a parish boundary, which will need to be confirmed by the Secretary of State.
- 2.9 The final area of constraint concerns the timescale. The MHCLG requires the warding proposals to be submitted by 4 May 2018 at the very latest. Failure to meet this deadline could result in a warding structure being imposed on the East Suffolk Council, which might be based on existing County Council divisions, for example, where there would have been no local input on these significant changes. Whilst ultimately, the LGBCE (and Parliament) will determine what the new wards look like, it is considered vital that local Members are able to play a major part in this exercise.

3 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 3.1 Both Councils are committed to ensuring that East Suffolk is in the best possible position to respond to, and take advantage of, emerging opportunities and challenges. With this in mind, one of the planned actions for East Suffolk, as set out in the joint business plan, is to:

"Explore the options for further integration between the partner authorities for more streamlined and resilient district services, and evaluate the potential for greater east Suffolk autonomy".

- 3.2 This warding proposal is essential to the creation of the East Suffolk Council and in assisting to deliver the planned action, set out above.

4 LOCAL GOVERNMENT BOUNDARY COMMISSION GUIDANCE

- 4.1 In order to bring into effect the structural and boundary changes required to create the new Council, both Councils have put forward their proposals to the Secretary of State.
- 4.2 Orders will need to be made to effect the creation of the East Suffolk Council. These Orders will be made under section 15 of the Cities and Local Government Devolution Act 2016 ("the 2016 Act").
- 4.3 Suffolk Coastal District Council and Waveney District Council have consented to the making of these Orders in accordance with section 15(4) and (5) of the 2016 Act.
- 4.4 The Orders will be laid before and approved by a resolution of each House of Parliament in accordance with section 15(11) of the 2016 Act.
- 4.5 The LGBCE needs to conduct its review of the warding arrangements, in order to enable elections to the East Suffolk Council to take place in 2019.

- 4.6 The LGBCE may carry out such a review under s8 of the Local Government Public Involvement in Health Act 2007 (the 2007 Act). The LGBCE may carry out such a review either on its own initiative, or at the request of the Secretary of State or a local authority. Under s8(2)(A) and (B) of the 2007 Act, a principal authority may make a proposal to the Secretary of State for boundary change of its area, either on its own, or, as here, may make a proposal jointly with any other principal authority.
- 4.7 In considering whether, and if so, what boundary change is desirable, under s8(6) of the 2007 Act, the LGBCE must have regard to-
- The need to secure effective and convenient local government
 - The need to reflect the identities and interests of local communities.
- 4.8 We need to bear these criteria in mind, together with any guidance which the LGBCE has issued on the subject, and any constraints which they have set.
- 4.9 The constraints and guidance are referred to within this report.

5 WARDING OPTIONS

- 5.1 Against the background of the constraints set out and using the LGBCE Guidance, the MWG has met on several occasions over the last 3 months, and considered a variety of options. The MWG's discussions and its decisions have been tabulated in the Warding Submission Volume 2 (background information), attached as Appendix B.
- 5.2 At the meeting of the MWG of 3 April, Members agreed a final warding pattern option, option 6, and agreed to recommend this to the MPB held on 16 April 2018 and, subsequently, to the simultaneous meeting of the Full Council of each Authority. Option 6 has been included as the Councils' preferred structure and incorporated in the Warding Submission (Volume 1), attached as Appendix A.
- 5.3 Option 6, based on 55 Members, would create 29 wards and comprises of 8 Single Member wards, 16 two Member Wards and 5 three Member wards. There are three wards that are marginally outside the 10% tolerance for electoral equality, but in each case this variation can be justified by mitigating evidence which is outlined in the Ward Submission documents. An evidence submission schedule sets out the rationale behind each ward boundary recommendation, in order to meet the statutory criteria within the LGBCE guidance.
- 5.4 The recommendations of the MWG were considered by the MPB on 16 April 2018. Members considered the merits of option 6 which was the MWG's preferred option, and also other ideas put forward by individual Members. After some discussion, the MPB agreed to endorse the MWG's decision and recommended that the Council, at this meeting, approve Option 6 as the Warding Pattern Submission.

6 CONSULTATION

- 6.1 As explained previously, an informal consultation exercise was carried out with Town and Parish Councils and other stakeholders over a 6 week period. The responses received were reported to the MWG for consideration, and the findings included in the proposal process. Where a comment was made which was relevant to a proposed district ward area, it has been incorporated into the evidence schedule.

7 WARD NAMES

- 7.1 The final area for consideration is the requirement to agree and recommend names for the proposed wards, making use of the LGBCE guidance that they should be short, distinct and identifiable in encapsulating the ward area.
- 7.2 The last meeting of the MWG, on 18 April 2018, received various options for the names of the new wards, taking into account this guidance, which have been incorporated into the proposal.

8 TIMETABLE

- 8.1 The timetable for the Electoral Review Project commenced in January 2018 and continues through to 31 January 2019, with some key milestones dates. The LGBCE will publish its draft proposals for consultation on 3 July 2018 and will be holding meetings with Parish Councils to provide information about the review prior to that, in June. Obviously, at this stage, we cannot say what the LGBCE proposals will contain, although it is hoped that they will include most, or all, of this warding submission. However, we will need a mechanism to report the details of the LGBCE proposals, to provide them with any Council comments, and to ensure that they are received within the LGBCE timeframe. It is suggested that delegated authority to submit comments and observations on behalf of the Councils be given to the Chief Executive in consultation with each of the Council Leaders, subject to this being reported to and discussed by the Electoral Review Member Working Group.

9 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 9.1 A successful business case was made to the MHCLG for the creation of the East Suffolk Council, highlighting the financial benefits and savings of bringing together the two Councils. This builds on the financial success of the partnership working that has taken place over a number of years.

10 OTHER OPTIONS CONSIDERED

- 10.1 A range of warding options (1 to 5) have been considered. Full details of these are included in the Ward Submission Volume 2 (Appendix B) covering background information.

11 REASON FOR RECOMMENDATIONS

- 11.1 To progress with the establishment of a warding pattern for the East Suffolk area and thereby, to assist with the creation of the East Suffolk Council on 1 April 2019, and the local government elections to the same, to be held on 2 May 2019.

RECOMMENDATIONS

1. That approval be given to submit to the MHCLG, by 4 May 2018
 - (a) the Warding Submission Volume 1, set out as Appendix A to this report (REP 1876), being the warding proposals for the East Suffolk Council and the proposed ward names
 - (b) the Warding Submission Volume 2, set out as Appendix B to this report (REP 1876), being the background information and evidence.
2. That the Chief Executive, in consultation with the Leader of Suffolk Coastal District Council and

the Leader of Waveney District Council be given delegated authority to:-

- (a) make any necessary minor typographical amendments to the content of the Final Warding Patterns Submission to ensure that the deadline for the submission to the MHCLG of 4 May 2018, is met.
- (b) submit comments and observations (as required) in response to the Local Government Boundary Commission for England draft warding proposals, once these are published, on or around 3 July 2018, on behalf of each Council.

APPENDICES

Appendix A

Warding Submission Volume 1

Appendix B

Warding Submission Volume 2 (background information) *To follow*

BACKGROUND PAPERS Please note that copies of background papers have not been published on the Council's website but copies of the background papers listed below are available for public inspection free of charge by contacting the relevant Council Department.

Date	Type	Available From
	None	