

Item No. 10.	Classification Open	Date: 17 March 2015	Meeting Name: Cabinet
Report title:		Electoral Review of Southwark	
Ward(s) or groups affected:		All Wards	
Cabinet Member:		Cllr Peter John, Leader of the Council	

FOREWORD – COUNCILLOR PETER JOHN, LEADER OF THE COUNCIL

Local councils uniquely sit at the heart of the communities they serve. Having electoral arrangements that are fair and equitable is at the centre of a healthy, functioning local democracy. It is therefore right that the local electoral arrangements in place, including the number of councillors and wards, deliver electoral equality. It is also right that such arrangements are properly reviewed to retain this equity over time.

The Local Government Boundary Commission has determined that Southwark must undergo such a review. We're being asked how many councillors we think we need to properly represent our communities. To do this in as open, honest and accountable way as possible this report asks that we set up a cross-party panel to make recommendation back to me to inform our final view.

It is for the Commission to ultimately make their own decision on the number of councillors required in Southwark and they'll do this later in the summer, with final recommendations expected to be laid before Parliament in 2016. The Commission will take submissions from any interested party and is committed to hearing all views on their merits. I therefore hope, through the work of the panel, that we can find common ground on this important issue and I look forward to receiving the findings from the panel in May.

RECOMMENDATIONS

Recommendations for Cabinet:

That cabinet:

1. Note that the Local Government Boundary Commission for England will conduct a review of the electoral boundaries and composition of Southwark Council.
2. Establishes an Electoral Review working group with terms of reference as set out in paragraphs 23-28.

Recommendations for the Leader of the Council:

That the leader:

3. Receives a report from the working group by 29 May 2015

4. Considers the report of the working group and makes a recommendation to the Commission on behalf of the council.

BACKGROUND INFORMATION

5. The Local Government Boundary Commission for England (LGBCE) was established by Parliament under the provisions of the Local Democracy, Economic Development and Construction Act 2009. One objective of the Commission is to provide electoral arrangements for English principal local authorities that are fair and deliver electoral equality for voters. To do this, the Commission conducts electoral reviews. These are reviews of the electoral arrangements of local authorities: the number of councillors, the names, number and boundaries of wards and electoral divisions and the number of councillors to be elected to each.
6. Electoral reviews are initiated primarily to improve electoral equality. This means ensuring, so far as is reasonable, that for any principal council, the ratio of electors to councillors in each electoral ward or division, is the same.
7. When an electoral variance in representation across a local authority becomes notable, an electoral review is required. There are three criteria that trigger this review including where more than 30% of a council's wards have an electoral imbalance of more than 10% from the average ratio for that authority. In Southwark 9 out of 21 wards currently have a population variance of more than 10%. The Commission has therefore determined that Southwark Council is required to undergo a review of ward boundaries which will be implemented for the next full council elections in May 2018.
8. The review is scheduled to begin in August 2015 and be completed in July 2016. Ahead of the formal review, the Commission has invited the council to make a submission about the size of the council. The draft submission is due on 30 June 2015, with a final submission on 21 July 2015. The Commission has indicated it will make a decision about the number of elected members in Southwark by 18 August 2015.
9. The commission will not consider the pattern of wards until a decision is made on the size of the council. Following a decision on size, the Commission will then consider the number of wards, ward boundaries, and number of members in each ward and the names of wards. The Commission have advised that the new wards can be a mix of one, two or three member wards.
10. After consultation on ward patterns, the Commission will publish and consult on draft recommendations. Final recommendations will be laid before Parliament in October 2016.
11. The full timetable of the Commission is set out below:

Draft council size submission	30 June 2015
Final council size submission	21 July 2015
Decision by Commission on number of elected members in Southwark	18 August 2015

Warding patterns consultation	8 September – 16 November 2015
Draft recommendations published	9 February 2016
Draft recommendations consultation	9 February – 4 April 2016
Final recommendations published	19 July 2016
Order laid	October 2016
Implementation at ordinary elections	May 2018

12. The Local Democracy, Economic Development and Construction Act 2009 provide most of the rules which the Commission must follow in conducting a review. The Act requires that the Commission must make recommendations to parliament that have regard to:
- a. The need to secure equality of representation
 - b. The need to reflect the identities and interests of local communities; and
 - c. The need to secure effective and convenient local government.
13. The Act also states that the Commission should take into account any changes in the number and distribution of electors that is likely to take place within the five years following the review. They will therefore consider the council's population forecast.

KEY ISSUES FOR CONSIDERATION

14. The Commission are clear that local government is as diverse as the communities it serves, providing services, leadership and representation tailored to the characteristics and needs of individual areas. Their aim in an electoral review is to recommend arrangements, including a council size, which is right for the local authority in question.
15. The Commission are unwilling to apply strict mathematical criteria for council size or impose nationally a formula for its calculation. However, this approach means that it is important that they receive well-reasoned proposals which clearly demonstrate the individual characteristics and needs of each local authority area and its communities and how its circumstances relate to the number of councillors elected to the authority.
16. The review is an opportunity for Southwark to consider how many councillors it needs, having regard to the political management arrangements, regulatory and scrutiny functions and the representational role of councillors, both in terms of their ward work and representing the council on external bodies.
17. The Commission will take a view on the right size for Southwark by considering three areas:
- the governance arrangements of the council, how it takes decisions across the broad range of its responsibilities, and whether there are any planned changes to those arrangements;
 - the council's scrutiny functions relating to its own decision making and the council's responsibilities to outside bodies, and whether any changes to

- them are being considered; and
 - the representational role of councillors in the local community and how they engage with people, conduct casework and represent the council on local partner organisations.
18. The Commission want council size proposals that reflect not only the council's current arrangements, but also likely future trends or plans.
 19. The council should also identify whether there are any other local factors which would affect how many members are needed in the council.
 20. The Commission will take submissions from different groups, but have advised that they particularly welcome the council's view on the optimal number of members. The Commission will be interested in the justification that the council offers for any recommendation that we make.
 21. The Commission will take submissions from any interested party and look at submissions on their merits. Different political groups and others may have different views on how the council should be made up. They can all therefore submit independently to the Commission. However, where there is consensus, there is an opportunity to present a single view to the Commission as the agreed position of all parties represented on Southwark Council.
 22. A cross party group could enable members of the three parties currently represented on the council to try and establish a shared view on what the optimum number of councillors is for Southwark. The group, supported by officers, should report their findings to inform the leader when making the council's recommendation to the Commission.

Working Group Terms of Reference

23. The working group will be made up of three Labour members, two Liberal Democrat members and one Conservative member. Group whips will nominate members to the working group, with the cabinet agreeing the chair of the group. The chair will have a casting vote. With a small working group of six members, it is not possible to achieve proportionality; however, this split ensures that all parties are represented comparative to their size on the council.
24. The working group will make a recommendation as to the optimum number of councillors for Southwark Council. They should use the guidance of the Commission which sets out the factors they will consider which include:
 - a. How the size of Southwark compares to our 15 nearest neighbours;
 - b. Governance arrangements and how the council takes decisions across the broad range of our responsibilities;
 - c. The council's scrutiny functions relating to our own decision making and our responsibilities to outside bodies;
 - d. The representational role of councillors in the local community and how they engage with people, conduct casework and represent the council on local partner organisations.
25. The working group will report on the number of councillors, and will also set out the justification for that number. They will consider and explain which other options were considered and why they were discounted.
26. The working group will seek to find unanimous agreement, but where this is not

possible will make recommendations on majority vote, with the chair having a casting vote.

27. The Commission has provided guidance to councils on how to make a submission to them on council size and areas that the council should consider when making that recommendation. The guidance is set out in background papers. The working group will consider this guidance to form their recommendation.
28. The working group will report back to the leader of the council by 29 May 2015.

Policy implications

29. A working group will need to consider the existing constitution, and details within it about committee size and makeup. If the council is to change the number of councillors, how the council forms committees, cabinet and other panels and bodies may need to change. The working group will need to consider the legal requirements on the council in terms of functions it has to perform, but need not be constrained by the existing makeup of committees or executive function.
30. The working group will report back to the leader of the council. Upon receipt of the findings of the working group, due consideration will be given as to whether these recommendations should be reported through Council Assembly.
31. The Council Plan sets out the council's values and priorities. The council is committed to being open, honest and accountable and also to promote value for money. Any recommendation to the Commission will need to demonstrate that it provides value for money whilst also ensuring that the council can continue to be open, honest and accountable.

Community impact statement

32. Changing the number of councillors in Southwark and the make up of wards could have an impact on the representation of people in the borough. However, as set out in paragraph 14, the working group is tasked with exploring the impact of any changes and determining what is the best outcome for the community as a whole.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

33. The report notes that the Local Government Boundary Commission for England will conduct a review of the electoral boundaries and composition of the council. The report seeks to establish a cross party working group of members to make recommendations to the commission on behalf of the council.
34. Paragraph 8 of the report notes, the commission has invited the council to make submissions about the size of the council. The final submission is due on 21 July 2015. Paragraph 15 details a full timetable for the implementation of any changes.
35. Part 3B paragraph 10 of the constitution provides that cabinet set the strategic direction for the council's democratic renewal initiatives. Part 3D provides that responses to consultation documents from government and other bodies relating to significant changes affecting the portfolio area which do not require changes to the

budget and policy framework are delegated to the Individual Member for decision. The leader therefore has the authority to agree the recommendation as there are no budgetary or policy framework implications at this stage.

Strategic Director of Finance and Corporate Services

36. There are no direct financial implications arising from this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Local Government Boundary Commission for England – Electoral Reviews Technical Guidance	Southwark Council 160 Tooley Street London SE1 2QH	Chris Page 0207 525 7259
Link: https://www.lgbce.org.uk/data/assets/pdf_file/0006/10410/technical-guidance-2014.pdf		

AUDIT TRAIL

Cabinet Member	Cllr Peter John, Leader of the Council	
Lead Officer	Graeme Gordon, Director of Corporate Strategy	
Report Author	Chris Page, Head of Cabinet Office	
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Strategic Director of Environment and Leisure	Yes	Yes
Cabinet Member	Yes	Yes
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