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Forest Heath
District Council

To: All Members of Forest Heath District Council

Our reference

Your reference N/A

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16 February 2018

Dear Councillor

FOREST HEATH COUNCIL - WEDNESDAY 21 FEBRUARY 2018

In relation to the above meeting, please find enclosed the following documents:

1. An addendum to Report No: COU/FH/18/005 (*Single Council for West Suffolk: Legislative Process*), which contains an update following the publication of the original report.
2. The complete list of the recommendations for Report No: COU/FH/18/006 (*Budget and Council Tax Setting: 2018/2019 and Medium Term Financial Strategy 2018-2022*), which had been produced incompletely within the agenda papers.

Yours sincerely

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Forest Heath & St Edmundsbury councils

West Suffolk
working together

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Council



Forest Heath
District Council

Title of Report:	UPDATE: Single Council for West Suffolk: Legislative Process	
Report No:	CAB/FH/18/005 (Addendum)	
Report to and date:	St Edmundsbury Borough Council	20 February 2018
	Forest Heath District Council	21 February 2018
Portfolio holder:	Councillor Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01799 530325 Email: stephen.edwards@forest-heath.gov.uk	
Lead officer:	Leah Mickleborough Service Manager, Democratic Services and Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	
Purpose of report:	This report seeks to inform Members on the proposed "stop-gap" warding pattern as outlined in Report No: COU/FH/18/005.	
Recommendation:	This report is supplemental to the recommendations in Report No: COU/FH/18/005.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:	None specific to this report	
Alternative option(s):	Officers understand that the proposals within this report will be the sole option put forward by the MHCLG	
Implications:		
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The proposals in this report will inform the legislative process to create the new Council for West Suffolk	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
As per COU/SE/18/003, should a major or unexpected event occur which reduces parliamentary time to undertake legislative processes	Low	Officers continue to work alongside colleagues in MHCLG / LGBCE to ensure progression of the legislation	Low
Ward(s) affected:		All wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		Council Report: 21 February 2018 Report No: COU/FH/18/005	
Documents attached:		Appendix 1: MHCLG note on proposed warding pattern to be included in West Suffolk structural change report	

1. Key issues and reasons for recommendation(s)

- 1.1. In Report No: COU/FH/18/005, it was highlighted that a further update report would be sent outlining how discussions had progressed with the Ministry of Housing, Communities and Local Government (MHCLG) regarding the pattern of warding to be included in the draft order to create the new Council.
- 1.2. Pending new electoral arrangements from the Local Government Boundary Commission for England (LGBCE), the warding pattern for the order must be based on an existing, agreed principal council structure. The only existing structures are county divisions or the existing St Edmundsbury and Forest Heath wards. The existing wards cannot be adopted in full for the new Council as they are based on 72 councillors, and not the 64 that we have proposed for the new Council.
- 1.3. As a result, MHCLG have formed a proposal that is based on the 14 existing county divisions but is broken down, within each division, using the existing St Edmundsbury and Forest Heath wards as building blocks. This provides four West Suffolk councillors for each division in combinations of 1, 2 and 3 Member Wards. This is the only option put forward by MHCLG and an explanation of their approach is attached as Appendix 1 to this report.
- 1.4. As stated in the previous report, this does not represent the Council's view on what the wards should be. Further, this is also simply a stop-gap position for the order until the LGBCE undertakes their review of the ward boundaries, which, barring a significant unexpected event, would be complete in time for the 2019 elections.

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Local government reorganisation in West Suffolk

Proposed warding pattern to be included in the West Suffolk Structural Change Order

1. Following the announcement on 8 February, the plan is for an Order to be laid before Parliament and if approved by Parliament to be made and to come into force by early June at the latest. This will establish the new West Suffolk Council from 1 April 2019, provide for elections in May 2019, and allow the independent Local Government Boundary Commission for England (LGBCE) to undertake an electoral review and provide new warding arrangements in advance of the May 2019 elections.
2. However as is always the case with any Order making provision for local government reorganisation, there must be provision in the Order for warding arrangements which would be used as a fall back if, for any reason, the electoral review was not completed in time for the May 2019 elections. Whilst the expectation is that these fall-back warding arrangements will never be used, the Ministry aims to provide as soundly based as possible arrangements using (which is much necessarily do) existing “lines on the map”.
3. When developing a warding schedule to be included in the Order, the Ministry has regard to the guidance issued by LGBCE. The Commission’s [guidance](#)¹ explains that it is required by law to meet three key objectives when considering electoral boundaries:
 - To secure equality of representation (ie, each councillor represents a broadly equal number of voters)
 - To reflect the identities of local communities
 - To secure effective and convenient local government
4. There is no upper limit in legislation regarding the number of councillors that may be returned to each ward or division. However, particularly with the third objective in mind, the LGBCE are of the view that “wards or divisions returning more than three councillors results in a dilution of accountability to the electorate”. There are currently no principal authority wards or divisions in England that return more than three councillors.
5. It is the view of MHCLG that the proposal to use the fourteen existing county divisions would not meet the objectives and guidance of the LGBCE. It was previously proposed that the following county divisions and councillor allocation be used as the fall-back warding schedule for the new council:

Existing county division	Electorate	Number of Cllrs
BLACKBOURN	8,242	4
BRANDON	6,901	4
CLARE	8,917	4
EASTGATE & MORETON HALL	7,447	4

¹ <https://www.lgbce.org.uk/policy-and-publications/guidance>

Existing county division	Electorate	Number of Cllrs
EXNING & NEWMARKET	8,106	4
HARDWICK	6,844	4
HAVERHILL CANGLE	13,616	8
HAVERHILL EAST & KEDINGTON	7,084	4
MILDENHALL	7,231	4
NEWMARKET & RED LODGE	9,550	4
ROW HEATH	8,372	4
THINGOE NORTH	7,284	4
THINGOE SOUTH	7,495	4
TOWER	15,859	8
(14 divisions)	122,948	64

6. The Ministry is concerned that using the county divisions and electing four or eight councillors to each, would risk criticism, particularly during the Parliamentary consideration of the Order, that it was making provision for warding arrangements which diverged significantly from the commission's guidance and which risked weakening local accountability and hence weakening effective and convenient local government. The Ministry is therefore proposing a warding pattern which significantly mitigates these risks by ensuring significantly greater compliance with the guidance issues by the LGBCE.