

OVERVIEW AND SCRUTINY COMMITTEE**30 JUNE 2021**

Subject: Creation of South Warwickshire Council Consultation
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1. Introduction

This note sets out the possible processes to be used for a consultation in the district council areas of Stratford-on-Avon and Warwick on the creation of a South Warwickshire Council.

2. The Requirement for Consultation

The views of residents, businesses, partners and parish/town councils will have to be taken into account in any decision on the future of local government in South Warwickshire.

We would use the "Gunning Principles. They are the founding legal principles applicable to public consultation in the UK. They were first laid down in 1985 by Stephen Sedley QC and have stood the test of time in successive court judgements, making them applicable to all public consultations that take place in the UK.

They define that a consultation is only legitimate when these four principles are met:

1. Proposals are still at a formative stage - A final decision has not yet been made, or predetermined, by the decision makers.
2. There is sufficient information to give 'intelligent consideration' - The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response.
3. There is adequate time for consideration and response - There must be sufficient opportunity for consultees to participate in the consultation.
4. 'Conscientious consideration' must be given to the consultation responses before a decision is made. Decision-makers should be able to provide evidence that they took consultation responses into account.

It is also interesting to note that for a similar consultation, albeit for unitary government, that the previous Secretary of State included the following paragraph within the invitation to the councils in Northamptonshire, to submit proposals for unitary structures to replace the existing 2-tier system.

Extract:

"That there should be extensive local consultation about any proposal before it is made, seeking the views by appropriate means of residents, stakeholders and partners including local enterprise partnerships, health bodies, businesses, and other organisations including voluntary organisations. The means of seeking views may include professionally led open consultation questionnaires, representative household surveys, surveys of parish and town councils, workshops, telephone interviews with other major stakeholders, and inviting written submissions."

3. Consultation Approach

In the autumn/winter 2020/21, the five district/boroughs in the county undertook a pre-engagement consultation exercise with a wide range of people and organisations in the process, regarding the potential of unitary government in Warwickshire.

Some of the techniques used for this are included in the suggested approach for the consultation process on a possible South Warwickshire Council.

3.1 Residents - Telephone Survey

How - A sample of local residents in each council area would be contacted by telephone given background information before asking each question. This is a tried and tested formula for this sort of consultation.

Sample - The achieved sample would reflect the profile data for both districts, using age, gender, working status, disability and tenure, and subsequently weighted accordingly.

Number - 600 telephone interviews are suggested at this stage split equally between Stratford and Warwick District Councils. This gives statistical reliability based on the population.

3.2 Open Questionnaire

This would be predominantly online available for completion by anyone, available on the council websites and across social media.

The open consultation questionnaire provides information about the views of particular groups and individuals at very local levels, but it is less appropriate as a guide to overall opinion because the profile of people that respond will not match the overall Council population in terms of age, employment status etc. Nonetheless, the open questionnaire would be used to explore how people's views differ by location, gender, age and other characteristics. In this context, both the similarities and differences between the open questionnaire findings and the telephone survey would be reported fully.

This questionnaire would be completed accordingly by residents living in the two districts, people who live outside the area, businesses, parish/town councils, and from other organisations.

Additionally, any resident could request a paper copy for those without access to a computer.

Consultation Period - The online consultation online would run for a seven or eight week period.

3.3 Residents - Focus Groups

When we undertook the engagement work on unitaries we used focus groups. These are key as you use a 'deliberative' approach to encourage members of the public to reflect in depth about the case for change and the possibility of changing local government structures, while both receiving and questioning background information and discussing their ideas in detail. The meetings would last for two hours. I would suggest up to six be undertaken, three in both Districts.

3.4 ***Businesses***

A deliberative virtual focus group ran by the external research agency would be set up lasting around two hours. Promotion and recruitment of the focus group would be by the district councils utilising their contacts, i.e. Stratford District Council has a Business Sounding Board. In addition, any business in the two districts would be encouraged to complete the open questionnaire. We should also target the business organisations in our area such as the local Chambers of Commerce, etc.

3.5 ***Town and Parish Councils***

This will be a key consultee. A briefing session ran by each Council for their area is suggested, followed up by a survey to them directly.

A deliberative virtual focus group ran by the external research agency is also suggested lasting around two hours. For the unitary consultation we utilised WALC (Warwickshire Association of Local Councils) to help recruit their members to take part. This worked well.

3.6 ***Voluntary and Community Sector***

Utilising the contacts each district council has for the voluntary and community sector, invitations would be sent out inviting them to a deliberative virtual focus group ran by the external research agency lasting around two hours.

3.7 ***Stakeholders***

This will be important to satisfy the conditions for any submission to government.

Over the coming month's engagement would be encouraged with the major players in each district, other Warwickshire district and borough councils and adjoining councils such as Coventry, Solihull, Redditch, etc. Other public sector organisations would be included, for example; WCC, PCC, SWFT, CWPT, CCGS, LEP, University, Colleges, WMCA, MPs, etc. This could be done informally by the councils themselves or utilise the research agency to undertake depth interviews.

3.8 ***Staff and Councillors***

Staff cannot be ignored with this consultation. They should be offered an open meeting(s) to attend with a question and answer session following a presentation. A survey would follow and this element would be done in-house, with the use of an online questionnaire.

All councillors in both Stratford and Warwick District Councils would be consulted.

3.9 ***Other Consultation Methods***

Other techniques could be considered.

Face to Face interviewing of residents was considered at the time of writing, but current Market Research Society guidance is for this technique not to be used unless absolutely necessary due to the current restrictions. It would be prudent not

to plan for this at this time. Indeed the research agency I spoke to confirmed no clients were currently using face to face techniques.

Citizens juries is another technique mentioned. This is very expensive. An explanation of the technique is shown in **Appendix 1**.

A referendum / public vote is an option, but that would also be very expensive and is a non-binding vote. The five Somerset districts undertook one regarding unitary government in May 2021, at a cost of £310,000 resulting in a 25% turnout.

3.10 ***Use of External Research Company***

I strongly recommend that the majority of the consultation is managed by an independent company. This independence is **crucial**.

We must consider that if the consultation was done in-house an “unconscious bias” may occur when analysing responses.

4. Supporting Information/Engagement

Good supporting information will be key with this consultation and as/even more important than the consultation itself. It would be necessary to receive assistance from both district council communications teams to produce the material.

This will need to be well planned and financed. The better the information provided, the better the decision making. This will clarify plans on the part of the two councils as to what exactly will be involved in the process of going to an enlarged council area.

This supporting information should be in place before any consultation takes place in order for people to digest the information.

We would produce a document available on the website and used to inform those completing the open questionnaire – a good example is attached in **Appendix 2** from East Suffolk. The aim will be to give the information they need to understand the situation, so they can complete the consultation questionnaire in an informed way. This is crucial.

It would be good practice to provide a list of frequently asked questions.

Some of the methods used currently by colleagues undertaking the South Warwickshire Plan consultation should be considered. Namely a short video explaining the reorganisation plans and posted on the respective websites and via social media.

The use of open meetings (virtual or in person depending on when this could happen) to communicate what a South Warwickshire Council would look like. It would provide the opportunity to talk to local stakeholders, from businesses and voluntary organisations to parish and town councils, to answer any questions they have, and so they could find out how the proposals would affect them. There could be open meetings separate for residents.

Appendix 1 – What is a Citizens Jury?



Knowledge: Citizens Juries – a Q&A

What is it?

A group of lay people consider a complex issue together. Borrowing from the terminology of the courtroom, jurors hear from expert witnesses, cross-examine them, deliberate together and finally give their verdict. The jury consists of 12 to 24 people who meet for two to five days and are paid a small sum for their trouble. Unlike a courtroom jury, they actively investigate the evidence. Their verdict comes in the form of recommendations to the council.

Why is it a good idea?

A citizens Jury enables input from a well-informed and representative group of residents. Therefore, the policies it influences are likely to have credibility in the wider public's eyes. In 2008, the City of Wolverhampton Council held one on the issue of budget priorities. From it they learnt that the future prosperity of the city was the most important issue for people. One juror said, "If there are no jobs for the kids, they will leave Wolverhampton." Beneath economic prosperity were 27 other issues listed in order of priority, and the council could plan its expenditure with that in mind.

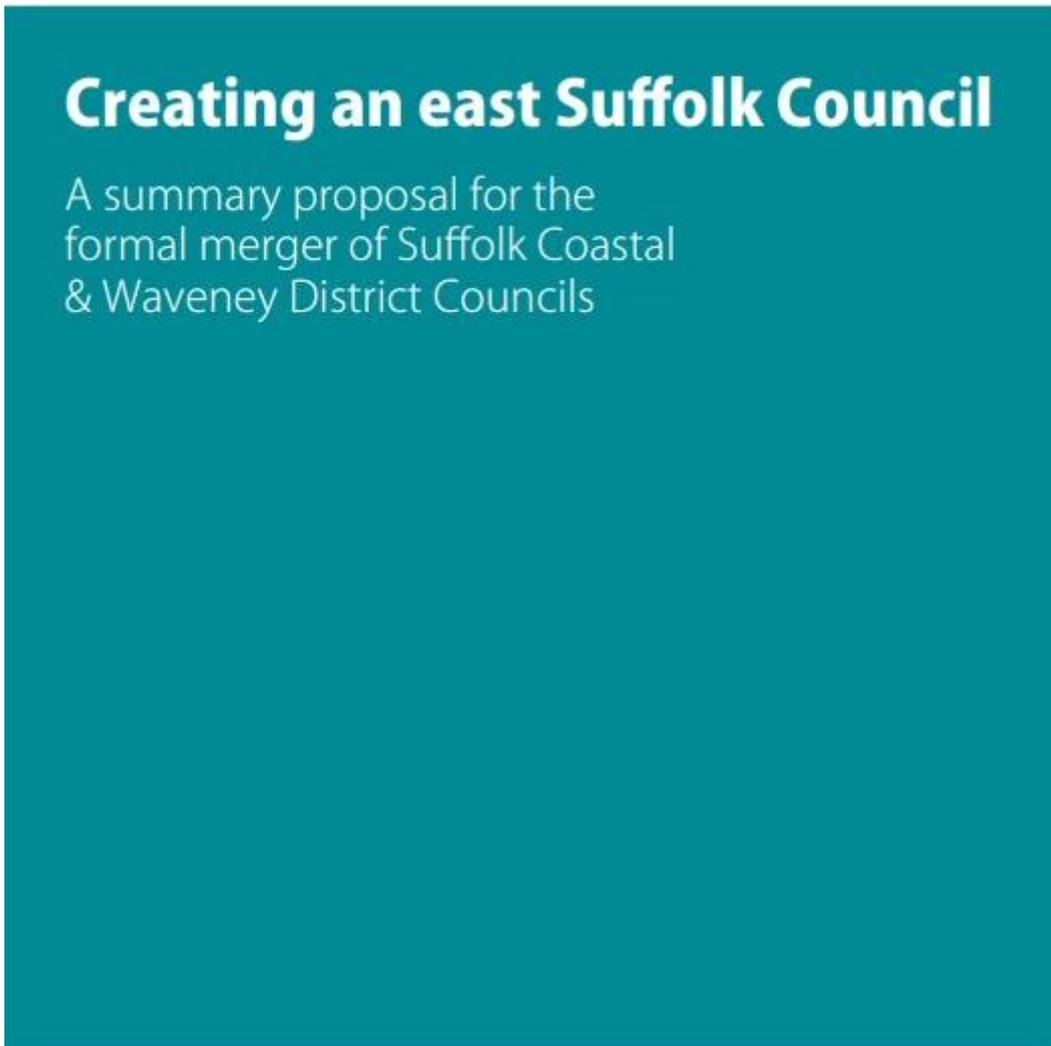
How can it be done?

In 2004, The Jefferson Center put together a useful [handbook](#) on citizens juries. Probably the most crucial step is the first one: making sure the jury is representative of its community. This can be achieved in different ways. One is by doing a random telephone survey to gauge who might be interested in taking part, then carefully selecting the jury from this list so that its makeup reflects census data for the area (gender, age, socio-economic group, ethnicity). The potential jurors in Wolverhampton were also given an area satisfaction survey to make sure that their opinions were broadly similar to the average, i.e. that they were both positive and negative about the present and the future of their city.

What are the important things to remember?

To avoid bias, it is important that an independent organisation is involved from the start. They will also be involved in choosing the questions for the jury, and selecting appropriate expert witnesses. Once the 'hearing' is over, the jury presents its recommendations to the council, usually in the form of a written report. The council must then show how it has worked these recommendations into its policy decisions.

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Suffolk Coastal and Waveney District Councils are considering a merger to create a new council, serving the residents and communities of east Suffolk, from Lowestoft in the north to Felixstowe in the south. This document summarises the reasons for the proposal and the process that the councils will follow.

How do the councils work together at the moment?

Suffolk Coastal and Waveney have been working together in partnership since 2008 when they first began sharing a Chief Executive. They now share a full management team and the majority of services are run together on behalf of both councils.

Why does this arrangement need to change?

Working in partnership has been hugely successful and has already enabled the councils to save over £16m since 2010. However, further savings cannot be made unless the partnership progresses further. Most of the services provided are delivered in partnership, and a huge amount of innovation and improvement has been achieved. There are however some internal/support services that cannot be delivered in partnership whilst the councils are

separate and a merger would allow these services to be delivered by a single council. This would enable further savings to be made and would open up further possibilities for the future, ensuring that the councils are best-placed to deal with future changes in local government. In addition, there is considerable duplication of effort including, for example, meetings, decision-making and administration, under the current arrangements. The councils could continue to work in partnership, but there is a limit to what more can be achieved in the future under this arrangement.

Is a merger the only option?

Various alternative options were explored, including a wider partnership with one or more other district / borough councils, a Unitary Council for east Suffolk to replace the district and county councils, and a stand-alone company to deliver all services in east Suffolk (with or without other

public and / or private sector partners).

None of these alternative options were found to be as suitable as a merger, which is the most natural next step from the current partnership arrangement and which is something the Councils can pursue themselves to produce significant further savings.

What could the new council achieve?

The new council would be the largest district council in England, by population - giving it a greater ability to represent local people with a stronger voice across Suffolk. It would have greater influence at a regional level (with other bodies such as the New Anglia Local Enterprise Partnership) and would be able to run more services, particularly from Suffolk County Council, to ensure they are tailored to meet the needs of our local communities.



How would the new council benefit the residents of east Suffolk?

A new, merged, council would be better placed to address the shared challenges that Suffolk Coastal and Waveney District Councils both face. We could grasp more opportunities, and deliver on our collective priorities of becoming financially self-sufficient, encouraging sustainable growth across east Suffolk, and enabling our communities to achieve more. There are a number of key challenges that east Suffolk faces in the current changing world of Local Government. A new merged council would have the scale to ensure that it can negotiate and influence to best respond to these challenges. The councils already have a joint 'East Suffolk Business Plan' that sets out our vision for the future of the area. We are committed to building a strong and successful future - enhancing the quality of life for east Suffolk's residents - and the new council would continue with this vision. The districts share a number of similarities including geography, infrastructure, the railway, A12, market towns and coastline. Our economy boasts a small number of nationally and internationally significant businesses in technology, ports & logistics and the public sector; but is dominated by a huge number of small and medium-sized

enterprises, especially micro businesses, in and around our market towns, with a focus on areas such as tourism, creative industries, agriculture and food & drink. Most significantly the area also includes the Tourism and Energy Coast (combining expanding off-shore wind sector and nuclear power). This shared economy also shares the same economic difficulties, with under-achievement educationally, a skills & wages gap, the impact of welfare reform, poor transport & communications infrastructure, lack of commercial land supply, coastal erosion & flooding risks, and a lack of 'affordable' social and private housing to rent & buy. A new council could better address a variety of economic challenges and opportunities with the scale required to borrow and invest in solutions ourselves; and reinvest business rates more effectively for further sustainable growth. For example, the two councils currently have different models of social / affordable housing delivery as a result of their individual circumstances. Coming together as a new council, with a single Planning Authority and aligned Local Plan, would significantly accelerate the number of additional, truly affordable, homes being built across east Suffolk.



The new council would better enable us to:

Address the need for investment in growth and infrastructure projects

Tackle increasing housing demand and costs

Capitalise on growing employment opportunities and wages

Withstand significant reductions in Central Government funding for councils

Take advantage of the devolution of greater local powers from Central Government

Encourage further alignment and integration across the public sector

Play a greater role in improving education and skills

Make better use of technology

Address the effects of further welfare reform

Further encourage sustainable growth across east Suffolk

How would a merger affect residents?



Most of the services provided by the two councils are already delivered in partnership, so the impact on residents would be minimal. Residents would see a new name for their council but service delivery itself would not be affected. There would be a need to equalise council tax rates across

the area, however there is only a 9p difference between the council tax amount payable per year for a Band D property in Suffolk Coastal and Waveney, so there would not be a dramatic change for any residents. Importantly, the new council would not create a single 'headquarters' but would still

operate out of offices in both Lowestoft and Melton. Residents would still have local offices to visit for any enquiries that could not be serviced by the customer call centre or using the council's online facilities (which already includes a single joint website at www.eastsuffolk.gov.uk).

How much money would be saved?

Merging to form a new single council would deliver an estimated saving of £1.3m per year, and because the councils already work so closely together, the transitional costs to join the councils as a single local authority would be very low.

The financial saving of £1.3m per year would be delivered through:

- Aligning the remaining teams that do not work in partnership into single service teams;
- Removal of duplication of work that happens as a consequence of operating as two councils;
- Reduction in external costs incurred as a consequence of operating as separate organisations;
- A reduction in the current number of district councillors that Suffolk Coastal and Waveney have;
- Becoming a single organisation,

and one legal entity, will also remove perceived and technical obstacles to wider partnership working;

- Working with current and prospective partners to develop optimal partnership arrangements that best serve east Suffolk;
- Using the new council's increased scale to renegotiate contracts on more favourable terms;
- Governance efficiencies e.g. one constitution, one set of service priorities and strategies etc;
- Removal of the complexity and duplication of time, effort and resources by managers - 'freeing up' capacity and resources to deliver more for the residents of east Suffolk;
- Reductions in the total amount of reserves that would be needed for the new council.

Further Useful Reading

Detailed proposal for merging Suffolk Coastal & Waveney District Councils

East Suffolk Business Plan (2015 - 2023)

East Suffolk Growth Plan (2014 - 2025)

East Suffolk Enabling Communities Strategy (2015)

East Suffolk Annual Reports (2015 & 2016)

www.eastsuffolk.gov.uk

What are the risks if the councils do not merge?

The primary consideration and objective in merging is ensuring that east Suffolk is in the best possible position to respond to, and take advantage of, the emerging opportunities and challenges facing local government. Ensuring value for money for council tax payers, financial savings and future resilience in all aspects of service delivery is therefore critical. If the councils do NOT merge, there are a number of potential consequences:

- Detrimental impact on service provision - cuts to or removal of services;
- Reductions in current levels of service performance and / or customer satisfaction;
- Greater pressure on council tax levels;
- Reductions in capacity of some service areas and associated redundancies;
- Inadequate capacity to meet the challenges facing the Councils, leading to poor services, the needs of communities and citizens not being met;
- Insufficient capacity to maintain the 'in partnership' approach and working;
- Reduced staff morale;
- Public and Councillor dissatisfaction;

- Disjointed or contradictory political / managerial leadership in a period of considerable change;
- Political change resulting in strain between the councils, competing priorities, inefficient use of resources and / or termination of the 'in partnership' relationship.

...And what are the risks if the Councils DO merge?

Significant change will always cause concern and anxiety; however both councils have a successful history of partnership working and managing change and are therefore confident that a merger can be delivered successfully. The councils do not believe there are any significant issues that cannot be resolved or that would have significant financial implications that would undermine the detailed merger proposal.

How are we consulting with you?

Councillors from Suffolk Coastal and Waveney have decided that a merger of the two councils is their preferred option and have therefore requested that officers further analyse this option and go out to public consultation to gain residents views. In order to gain feedback from residents, telephone polling (a survey of between 10–15 minutes of 1,000 residents of east Suffolk) will be conducted by an independent external provider in October 2016, followed by a detailed engagement campaign which will take place from 1st November 2016 to 12th December 2016. Residents will be able to submit their views and any questions they have about the merger proposal during the consultation period, and their submissions will be considered by all councillors along with the



feedback received during the telephone polling. Following the consultation period, all councillors will meet to decide whether to adopt the proposal to merge. The final decision on whether the councils merge would be taken by the Secretary of State in 2017. There will not be a referendum/vote



on the decision to merge, largely because a referendum is a non-binding vote which would cost a considerable amount of money to run (around £100,000) when public opinion can be established in far greater depth through alternative, more cost-effective, forms of engagement, as described above.

Key facts

The councils first started working together in 2008.

The councils began by sharing a Chief Executive, saving over £70k annually

Today there is a single Corporate Management Team for both councils which is less than half the size of the original two management teams – delivering annual savings of around £1million

64% of staff are already working in single staffing teams that operate a shared service across the two councils (over 73% of the services) saving over £16m since 2010

90 district councillors represent the wider east Suffolk area (42 for Suffolk Coastal & 48 for Waveney)

This is a reduction from the original number that formed the partnership as Suffolk Coastal reduced its number of councillors from 55 to 42 in 2015

Both councils are currently Conservative led with mixed political opposition groups of varying sizes.

Unlike the staffing resource, the political and governance arrangements of the two councils have remained largely separate

Each council has its own Leader and Cabinet (with broadly aligned portfolios), committee system and Constitution.

Each council raises its own council tax and sets separate budgets to deliver its services. There is only 9p difference per year between the current Council Tax levels

There has already been some political integration e.g. Simultaneous Cabinet Meetings, joint Business Plan and performance reporting, merged partnerships and shared representation at Suffolk meetings e.g. Suffolk Health & Wellbeing Board

Combined savings of £10m are required over the next three years as a result of increased cost pressures and dramatically reduced Central Government funding.

Next steps:

Council decision **January 2017** Secretary of State decision **September 2017**

Was this useful? How do you want to be kept informed? Email: merger@eastsoffolk.gov.uk