

Redacted, PUBLIC VERSION

DERBYSHIRE COUNTY COUNCIL

CABINET

8 June 2017

REPORT OF THE CHIEF EXECUTIVE

**SHEFFIELD CITY REGION COMBINED AUTHORITY EXPANSION:
PUBLIC REFERENDUM**

(Strategic Leadership, Culture and Tourism)

1. Purpose of the Report

To seek Cabinet approval to undertake a public referendum with Chesterfield residents under Section 116 of the Local Government Act 2003.

2. Information and Analysis

In July 2016, Sheffield City Region undertook a public consultation as part of their plans to expand their mayoral devolution governance arrangements beyond the four South Yorkshire Metropolitan Councils into Chesterfield in Derbyshire (and Bassetlaw in Nottinghamshire). At the time, the County Council made strong representation to both Sheffield City Region and the Department for Communities and Local Government that, if approved, this expansion would impact on and be detrimental to the whole of Derbyshire. The Council contested that Sheffield City Region's proposals failed to meet the statutory tests in terms of enhancing the functioning economic geography, providing efficient and effective local government but also, more importantly, failed to recognise the opinions and identity of local people.

The Council successfully challenged the consultation process by way of judicial review in December 2016.

Sheffield City Region is continuing to pursue the expansion of its mayoral governance arrangements into Chesterfield (and Bassetlaw) by way of a second consultation in July 2017. However, it is clear from an informal poll undertaken by the Council in 2016, comments on social media and representations received in writing that a large majority of Chesterfield residents simply do not want to become part of Sheffield City Region and have

certain decisions made by a Sheffield City Region mayor. This question was not included in last summer's consultation on the expansion proposals undertaken by Sheffield City Region, an omission that was pivotal in the judicial review proceedings.

It is considered that this expansion could undermine the ambition for, and delivery of, long term economic growth across Derbyshire, whilst also damaging long standing partnerships and the delivery of statutory services. The expansion would undermine the Council's contribution to economic growth in the East Midlands, especially the Midlands Engine and Midlands Connect arrangements. A referendum will more clearly reflect the views of Chesterfield people than the SCR's proposed consultation which will be, of its nature, a wider process.

Accordingly, it is considered that there is no alternative but to hold an urgent referendum in Chesterfield, inviting local people to express their preference.

The referendum would, ideally, take place between 21 June and 5 July 2017. It would involve the 79,700 residents of Chesterfield aged 18 years and over who are on the full electoral register held by Chesterfield Borough Council. A copy of the register would be formally requested under Section 116 of the Local Government Act 2003, in order that the County Council could conduct the referendum. Each resident on the electoral register would receive a personally addressed letter and a ballot form with one question, asking whether or not they want Chesterfield to join Sheffield City Region and a return pre-paid envelope.

In order to ensure objectivity and probity, it is proposed that the Council secures the services of an experienced and expert organisation to undertake the referendum. This end to end service would be provided by Electoral Reform Services, part of the Electoral Reform Society. They are the UK's leading independent provider of end to end ballot election and voting services. They are a nationally recognised and reputable body with experience and expertise which would deliver the referendum to the required timescales.

This would include:

- Expert advice on the process, including legislative requirements and best practice, and handling voter enquiries including the provision of a help line
- Document and data design, print and distribution of the voting document, accompanying letter and reply envelope
- Set up e-voting and text/telephone voting
- Response handling, analysis and storage

It is proposed that the County Council also develops a communication strategy to ensure that local residents understand the reasons for the

referendum and to encourage their participation in order that they may have their voices heard.

The County Council will continue to make representation to Sheffield City Region, Chesterfield Borough Council and the Department for Communities and Local Government in the hope that these expansion plans are abandoned.

In order that the public may be aware of the planned referendum, it is proposed that a redacted version of this confidential report will be made publicly available after the Cabinet meeting in a suitably redacted form.

3. Financial Considerations

The costs of the referendum should, therefore, not exceed £49,060 based on the predicted response rate. This represents a cost of about £0.61 per resident. It is proposed, subject to approval, that the costs will be met from the General Reserve.

4. Legal Considerations

A Council referendum would be a separate and distinct process from the SCR consultation and would not, in legal terms, at least be binding.

5. Other considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, transport and social value considerations.

6. Key decision

Yes

7. Call-in

Is it required that call-in be waived for any decision on this report? Yes

Cabinet is invited to treat this report as urgent and is, therefore, not subject to call-in in view of the need to implement the decision immediately in order that

the referendum may be held without delay and, if possible, in advance of the further SCR consultation.

Councillor Steve Bull, Chairman of the Improvement and Scrutiny Committee - Places, has been consulted and he has agreed that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.

8. Background Papers

File held by the Chief Executive.

9. Officer's Recommendation

- 9.1. That Cabinet approves the holding of a public referendum with residents living within the Chesterfield Borough Council area under Section 116 of the Local Government Act 2003, as detailed in the report.
- 9.2. That call-in be waived.
- 9.3. That this report be made publicly available after the Cabinet meeting, suitably redacted in order to avoid the disclosure of exempt information.

Ian Stephenson
Chief Executive