

Committee: Full Council

Agenda Item

Date: 9 January 2013

2

Title: Further Electoral Review

Author: Peter Snow, Democratic and Electoral Services Manager, tel: 01799 510430

Item for decision

Summary

1. The Council is required to submit to the Local Government Boundary Commission for England (LGBCE) a revised electoral warding scheme based on a council size of 39 by no later than 14 January 2013. The purpose of the Further Electoral Review (FER) is to rectify imbalances in the existing warding scheme. This extraordinary meeting was arranged specifically to consider a recommendation from the Electoral Working Group (EWG) to agree proposed electoral arrangements to be submitted by the due date.
2. The EWG has examined a number of options for a new warding scheme. A preferred scheme has now been agreed and recommended to this meeting for approval. A minority scheme submitted by the Liberal Democrat group is also attached for consideration. Full details of both the preferred scheme and the minority scheme are attached to this report as appendices C and D respectively.

Recommendation

3. That the Council approve for submission to the LGBCE the preferred option for a revised electoral scheme as set out in full at appendix C to this report.

Financial Implications

4. *There are no financial implications arising directly from this report.*

Background Papers

5. No background papers have been referred to by the author in the preparation of this report other than documents already published.

Impact

6. Please refer to the impact table below.

Communication/Consultation	The FER includes full public consultation
Community Safety	No impact
Equalities	No specific impact

Health and Safety	No impact
Human Rights/Legal Implications	No impact
Sustainability	No impact
Ward-specific impacts	All wards
Workforce/Workplace	No specific impact

Background to the Further Electoral Review

7. The Electoral Working Group (EWG) has met on several occasions to consider options for a revised electoral scheme based on a council size of 39 as now agreed by the LGBCE. The need for the FER is driven by the need to rectify imbalances in the existing electoral scheme.
8. In conducting any electoral review, the LGBCE is required to have regard to the following statutory criteria:
 - The need to secure equality of representation;
 - The need to reflect the identities and interests of local communities (including the desirability of fixing boundaries which are and will remain easily identifiable, and which will not break local ties); and
 - The need to secure effective and convenient local government
9. These criteria have equal weight and the LGBCE will seek to achieve the best scheme having regard to all the factors. In doing so the LGBCE must consider both the existing electorate (as at July 2012) and a five year forecast of the electorate (actually six years from the start of the review) as at 2018. The figures supplied to the LGBCE have been included in previous reports.
10. In considering new warding scheme options, the Council is asked to seek to bring the greatest possible improvement to electoral equality at the first election at which they will come into effect (May 2015). However, at the same time, the Council must take account of the five-year forecast as there is a requirement to have regard to the *likely increase, decrease or movement in electorate* over that time.
11. As reported previously, the LGBCE generally operates to a tolerance benchmark of no more than 10% variance from the electoral equality rule, taking account especially of the five year forecast figures.
12. Early on in this process the EWG agreed that any attempt to formulate new electoral arrangements based on a council size of 39 should be approached from the perspective of preparing an entirely new warding scheme rather than attempting to tinker with existing ward boundaries on the basis of minimum

change. This approach was agreed partly because of the scale of existing imbalances and to accommodate the agreed change from a council size of 44 down to 39, and partly to ensure the preparation of a well-balanced scheme taking account of all of the statutory criteria.

13. To assist the EWG in completing this complicated task, a number of guiding principles were agreed as explained in more detail later in this report.
14. All members were asked for their views individually on the outline option presented to the first EWG meeting on 12 September and the political groups were all invited to provide detailed feedback on the more developed option considered by the EWG on 26 September, as well as on the alternative scheme suggested by Councillor Dean. Some adjustments were made to the scheme in the light of the comments received from the political groups and these are reflected in the preferred option presented for consideration.
15. No direct consultation has been carried out by the Council because of the need to concentrate on developing the Council's own scheme but a number of representations have been received from parish councils and from individual members of the public. A list of all those submitting comments, including councillors, is set out towards the end of this report. All comments made have been considered carefully. It must also be borne in mind that the LGBCE has conducted a full public consultation involving all parish councils.
16. The impact of the scheme on parishes is discussed later in this report.
17. The following documents are presented for consideration at this meeting:
 - Appendix A – the Minutes of the EWG meeting on 12 December 2012.
 - Appendix B – the proposed scheme in summary
 - Appendix C – the proposed scheme in detail including a full explanation for the recommended wards
 - Appendix D – details of the minority proposal submitted by Councillor Dean on behalf of the Liberal Democrat Group
 - Appendix E – an outline map showing the proposed ward divisions of the recommended scheme
 - Appendix F – an outline map showing the proposed ward divisions of the minority scheme
18. More detailed maps will be available for inspection at the meeting. These will include the proposed ward divisions in Great Dunmow, Saffron Walden and Stansted, as well as the proposed divisions between Little Walden and Saffron Walden, Littlebury Village and Littlebury Green, Debden Village and Debden Green, Little Easton and Great Dunmow, Takeley Village and Priors Green, and Felsted East and West.

The preferred option (as recommended to this meeting)

19. Appendix C sets out in detail the preferred option recommended to this meeting for approval. It can be seen immediately that the proposed scheme involves significant changes to a number of wards and a change of some degree to every existing ward.
20. The preferred option is very similar to the draft outline scheme proposed originally to the EWG on 12 September. Inevitably, this involves some major changes. There are 24 proposed wards, twelve electing a single member, nine electing two members and three electing three members. A number of existing wards will effectively disappear by being dispersed between two or more wards (as in the case of Littlebury), or absorbed into larger areas (as in the case of Birchanger). A reduction from nine councillors to seven is proposed in Saffron Walden.
21. The principal area of contention throughout this exercise has centred around the parishes of Elsenham and Henham, and Takeley and Little Canfield (including the problem of how to deal with Priors Green). It is not intended to repeat in this report the explanation provided for the proposed ward of Elsenham and Takeley (for which see appendix C). However, the simple fact is that it has proved impossible to accommodate a scheme retaining a linkage between Elsenham and Henham (as most members would have preferred) without producing what are considered by the majority of the EWG to be unsatisfactory ward boundaries in the remainder of the southern part of the district.
22. The preferred option is recommended for approval as it is seen as the best way of providing a properly balanced scheme to meet the needs of the whole district over the next ten to 15 years.

The minority scheme

23. Early on in this process, Councillor Dean submitted an alternative electoral scheme based on 39 members. This has been gradually refined and the details of the scheme as finally proposed by him are set out in appendix D.
24. The main differences between this scheme and the recommended scheme involve the proposed retention of the Elsenham and Henham ward with some changes, the creation of a separate Takeley ward incorporating the whole of Priors Green, and the creation of a new ward including the Eastons (less Duton Hill), the Canfields (less that part in Priors Green) and High Roding. The effect of this scheme is also to break the proposed link between Great Dunmow and Barnston, thus changing the alignment of all of the proposed wards to the south of Stansted, Takeley and Dunmow.
25. It will be for Councillor Dean and the Liberal Democrat group to explain why they prefer this particular scheme and this report does not offer any further comment.

Other options considered

26. At the EWG's meeting on 28 November, officers were asked to examine possible options for a 38 member scheme and to explore options to retain the Elsenham and Henham link and to propose a discrete Takeley ward incorporating the whole of Priors Green.
27. The Democratic and Electoral Services Manager submitted a series of options at the next meeting on 12 December designed to achieve those objectives. These demonstrated that it was not possible to retain Elsenham and Henham in the same ward under a 39 member scheme, without either dividing Takeley village in a wholly artificial and unsatisfactory way, or proposing a scheme similar to that submitted by Councillor Dean incorporating at least one ward linking parishes located on either side of the A120.
28. A possible scheme was submitted at that meeting for a council size of 38. The LGBCE has indicated that a council size of either +1 or -1 can be proposed if it fits better with the number and distribution of electors in the district.
29. The main feature of the proposed 38 council size scheme was to divide Stansted into three wards instead of two, thus allowing Takeley/Priors Green/Little Canfield to form a separate two member ward. To enable an independent Takeley ward to be proposed, incorporating all of the central built up part of the village, as well as Little Canfield and all of Priors Green, some 300 electors in the western part of the parish (in The Street) would have been moved into the proposed Hatfield Forest ward, while the Henham and Broxted ward would have included the rural northern portion of Takeley parish instead of Debden Green.
30. Under the 38 council size option, the three way division in Stansted would have included Elsenham with part of Stansted East, and then linked the parishes of Farnham, Manuden and Ugley with Stansted West. Stansted South, including all of Forest Hall Park, would have remained linked with Birchanger almost unchanged from the 39 council size option.
31. After considering carefully all of the options presented, the EWG concluded that the suggested three way division of Stansted was unacceptable and that it was better instead to retain a 39 council size option and make that work for the benefit of the Council and of the district. It was recognised that whichever scheme was selected for submission to the LGBCE would involve some element of compromise.

The approach adopted by the Electoral Working Group

32. In preparing the options presented in this report, officers have had regard to a set of guiding principles as adopted by the EWG at its first meeting. These have guided the EWG in preparing the preferred option for consideration as explained in more detail in the following paragraphs.
33. The aim throughout has been to produce proposed wards having an electorate as at 2018 within 5% of the average number of electors per councillor

wherever possible, and in no case more than 10% from the average. The attached schedules indicate that 16 of the proposed 24 wards are within 5% of the average councillor/elector ratio and all wards are within 10% as at 2018 figures. The greatest variance in the recommended scheme is at the proposed Chesterford and Littlebury ward with a variance of +9% but it is not possible to achieve a better outcome without dividing Littlebury village in half.

34. The second guiding principle was that a mix of one, two and three member wards would be adopted with a preponderance of single member wards in rural areas. Three member wards would be proposed only where no reasonable alternative was available. This aim has been achieved also. The largest settlements in proposed single member wards are Priors Green (as divided between the parishes of Little Canfield and Takeley) and Hatfield Heath. All other single member wards contain settlements under 1500 electors in size. Three member wards have been proposed only in Saffron Walden and Great Dunmow and to accommodate the proposed link between Elsenham and Takeley.
35. The third principle was to avoid splitting parishes between wards wherever possible. Apart from the three main settlements where internal division is inevitable, it is being proposed that six parishes will be divided between different wards. This is regrettable but is seen as unavoidable in each case.
36. At Littlebury, Saffron Walden/Little Walden and Felsted, it is being proposed that these parishes are divided roughly along the line of the existing polling district division in each case, with minor adjustments. The same is true to a lesser extent at Takeley, where there is already a separate polling district of Priors Green but this will involve a bigger adjustment so that the ward boundary line is drawn tightly around the new residential development site.
37. An entirely new division will be needed to separate Debden Green from Debden Village to facilitate the proposed new ward of Henham and Broxton. This will replicate as far as possible the polling district boundary that used to exist before the present polling district arrangements were adopted.
38. The position at Little Easton is entirely different because the proposed division is needed to rectify a boundary anomaly whereby the sector 4 development at Woodlands Park overflows the parish boundary into Little Easton. A boundary adjustment will be needed here as otherwise the sector 4 housing will be included almost entirely in Thaxted and the Eastons ward, instead of Great Dunmow North as intended.
39. Little Easton Parish Council supports this arrangement and has already made enquiries about a Community Governance Review being initiated to bring about a parish boundary change. The parish clerk has commented that 'it would seem sensible to me for the ward boundary and parish boundary to be the same'. The difficulty with this proposal is that the CGR could not now be completed before the outcome of the FER is implemented by order and so Little Easton parish must first be divided and then warded for parish council election purposes.

40. One effect of the proposed scheme will be to unify Great Easton parish back within the same district ward, as Duton Hill is presently included within Thaxted ward. However, the parish council area will still be divided at the Tilty portion of the grouped parish council of Great Easton and Tilty is proposed to be included within the Henham and Broxted ward.
41. In each of these cases, the effect will be to require the parishes to be warded for parish election purposes along the lines of the new district ward divisions. This is because it is not possible for a parish or parish ward to straddle a county division or district ward boundary. The effect on each individual parish has not yet been considered but the LGBCE's order will have to specify the wards and the number of parish councillors to be elected in each one.
42. In each case where a parish division has been proposed, this has been done with the express intention of maintaining the integrity of individual settlements. This is in keeping with the second statutory rule of reflecting the identities and interests of local communities. For example, the proposals for Debden and Littlebury seek to utilise the division between the village settlements in those parishes. It is maintained that this could not be accomplished by, for example, dividing either Debden or Littlebury village between wards.
43. The next principle is to avoid including a mix of urban and rural areas within the same ward, unless it becomes unavoidable. Of course there are very few truly urban environments anywhere within Uttlesford but it would not be considered good practice, for example, to incorporate part of the town of Saffron Walden with an outlying village. By and large, this principle has been met. The only exceptions might be considered to be the linkage of Barnston with part of Great Dunmow and Birchanger with part of Stansted. However, in each case there are historic associations between these settlements.
44. The third statutory criterion refers to securing effective and convenient local government. This is often taken as referring to the workload of individual councillors in relation to the size of the area covered or the number of parish councils contained within a proposed ward. In the existing scheme only one ward (The Rodings) includes more than three parish councils. Under the proposed scheme, High Easter and the Rodings will include five parish councils while Ashdon, Elmdon and Wenden, Hatfield Forest, Henham and Broxted, Stort Valley and The Sampfords will all include four each. In addition, Newport and Thaxted and the Eastons wards will both include three parish councils and one further parish meeting.
45. This change is seen as inevitable given that council size is reducing from 44 to 39 and no direct account has been taken of the number of parishes within each of the proposed wards.
46. The next principle relates to the maintenance of coterminosity between the proposed ward boundaries and existing county council divisions (and the proposed new Parliamentary boundaries as well). This principle has proved harder to maintain. The proposed Ashdon, Clavering, Elsenham and Takeley, and Henham and Broxted wards will all fall into more than one county division area. This is the most difficult of the guiding principles to uphold.

47. It is presently unclear whether the new Parliamentary boundary arrangements will proceed but if they do it appears that parts of Elsenham and Takeley, Hatfield Forest, High Easter and the Rodings and Stebbing wards will fall into different constituencies. There is also an anomaly in respect of the proposed Great Dunmow North/Little Easton boundary so that the portion of Woodlands Park presently in Little Easton will be in a different constituency to the remainder of the ward.
48. No detached or doughnut wards (principles 7 and 8) have been proposed.
49. Refer to paragraphs 34-41 for commentary on the impact of these proposals on parish electoral arrangements. Please note though that no proposals for new parish electoral schemes have yet been made.

Representations received

50. As stated earlier in this report, no attempt has been made to consult directly with either the public or with parish councils in Uttlesford about the form or effect of the proposals for a new electoral scheme. This is because the LGBCE has consulted directly with the public and with other interested parties such as parish councils and any individual or organisation is able to submit proposals directly to the LGBCE.
51. Representations have nevertheless been received from a number of parishes and individuals as listed below.
- Councillor Rich about warding arrangements in Stansted
 - Councillor Godwin about warding arrangements affecting Birchanger
 - Councillor Menell about warding arrangements affecting Littlebury
 - Councillor Oliver about warding arrangements affecting Clavering
 - The Conservative Group expressing concerns about the draft proposals for the Broad Oak and Hallingburys group of parishes, Elsenham and Takeley, and Little Walden, and proposing alternative arrangements for parishes south of Stansted, Takeley and Dunmow.
 - Councillor Dean on behalf of the Liberal Democrat group expressing views as described elsewhere in this report
 - Councillor Lemon about warding arrangements in Hatfield Heath
 - Great Hallingbury Parish Council supporting proposals to maintain the ward link between Great and Little Hallingbury and Hatfield Broad Oak
 - The Chairman of Wicken Bonhunt Parish Meeting and various residents of Wicken Bonhunt about the importance of maintaining the ward link between Clavering and Wicken Bonhunt

- A joint representation from the chairmen of Elsenham and Henham Parish Councils about the importance of maintaining the ward link between the two parishes
- Stansted Parish Council about the importance of maintaining Stansted as a separate community for district warding purposes (except for the proposed link with Birchanger)
- Little Easton Parish Council as discussed elsewhere in this report

52. All representations received have been reported to and considered by the EWG.

Conclusions

53. The following decisions are now needed:

- The number and boundaries of the wards to operate from 2015.
- The number of councillors to be elected for each of those wards.
- The names of each of the proposed wards.

54. For all of the reasons given in this report, the proposals set out in full in appendix C are recommended for approval.

Risk Analysis

55. Please see below for the risk analysis.

Risk	Likelihood	Impact	Mitigating actions
A new electoral scheme is agreed that does not meet either the business needs of the Council or the representational needs of the communities within Uttlesford	1 – There is some risk that unsuitable arrangements will be agreed but only if the Council does not engage fully with the review and consultation process	3 – The impact on the operational and decision-making needs of the Council might be severe if an unsuitable scheme is agreed	Full engagement with the review process both at officer and at member level to ensure that the case is made for an appropriate council size and warding scheme

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.