

Committee:	Electoral Arrangements Working Group	Agenda Item
Date:	5 November 2009	3
Title:	Timetable of Electoral Reviews	
Author:	Peter Snow, Committee and Electoral Services Manager, 01799 510430	Item for decision

Summary

- 1 The Electoral Arrangements Working Group (EAWG) was established in 2007 to deal with the detailed consideration of all electoral, polling and community governance reviews on behalf of the Finance and Administration Committee and to make suitable recommendations to that Committee as appropriate.
- 2 The Working Group will be asked at this meeting to agree a timetable for electoral reviews to be carried out during the 18 months or so before the local elections in May 2011.

Recommendations

It is recommended that the suggested work programme of electoral reviews set out in paragraph 15 of the report be approved for recommendation to the Finance and Administration Committee to be adopted as Council policy.

Background Papers

Formal approach from Stansted Parish Council asking for a parish review to be carried out (not yet received).
Local Government and Public Involvement in Health Act 2007 and other relevant legislation.
Guidance on Community Governance Reviews issued by the Department for Communities and Local Government in April 2008.

Impact

Communication/Consultation	In accordance with statutory guidelines
Community Safety	N/a
Equalities	N/a
Finance	To be reported at the appropriate time
Human Rights	N/a
Legal implications	None at present
Sustainability	N/a

Timetable of Electoral Reviews

Electoral Arrangements Working Group, item 3

Ward-specific impacts	Potentially all wards, or those affected by specific reviews
Workforce/Workplace	N/a

Situation

- 3 The Council has a legal duty in relation to electoral reviews required to be carried out within the district. The general matters to be considered include:
- Parish reviews (now called community governance reviews) to examine the boundaries of existing parishes to decide whether existing arrangements reflect community identities and meet the needs of the communities they are serving.
 - Parliamentary, County, District and Parish electoral arrangements – reviews of the first three of those listed are initiated by the Boundary Committee for England; parish reviews may be conducted at any time by this Council, either independently of a community governance review, or in conjunction with one.
 - A review of parish electoral arrangements may involve deciding whether an existing parish should become a parish council, such as at Lindsell, as there are trigger points for this to happen.
 - Polling district and polling place reviews – these are statutory reviews of the geographical units within electoral areas within which electors physically cast their votes and the building designated for polling purposes. A review of this kind must take place every four years, the next one being due by 2012.
 - Reviews of Returning Officer's fees and charges. Each principal council must either pay all legitimate charges incurred by a returning officer in conducting elections of that authority, or agree a scale of charges that will apply at such elections. The Council has a scale of fees and charges for this purpose. This is updated annually and is reviewed at Committee every four years before the scheduled district elections.
- 4 It is proposed that the EAWG should meet as and when required in accordance with a work programme to be drawn up at this meeting and agreed by F&A Committee.

Work Programme

- 5 The most urgent and immediate matter for consideration is undoubtedly the parish boundary between Birchanger and Stansted at Rochford Nurseries or, as it is now known, Foresthall Park. As Members will know, Foresthall Park is crossed randomly by the historic parish boundary, leaving many new residents of that development confused as to the parish in which they are living. This has resulted in an unsatisfactory apportionment of electors to either Birchanger or Stansted depending on which side of the boundary their

Timetable of Electoral Reviews

Electoral Arrangements Working Group, item 3

property appears to fall. In some cases, individual residential properties appear to be divided by the boundary.

- 6 The Council has a long standing commitment to review the position at Foresthall Park once 200 houses on the site are occupied. According to current figures, there are now some 130 houses in occupation.
- 7 There are a number of options at Foresthall Park including:
 - a. Leave things as they are;
 - b. tidy up the boundary so that it does not pass through roads or houses;
 - c. create a new, separate, parish of Foresthall Park;
 - d. transfer the entire site into Stansted; or
 - e. transfer the entire site into Birchanger.
- 8 A formal approach is expected from Stansted Parish Council (not received as at the date of drafting this report) asking for a review of the boundaries at Foresthall Park. Once this has been received from the Parish Council, details will be circulated.
- 9 It is important however that the Council does not establish any pre-conceived ideas at this point as to how to deal with the parish boundary. A community governance review is a formal process that involves much local consultation and it is better that the Council does not adopt a position before this process begins.
- 10 It is inevitable that Members will wish to take ward boundaries into account. The viability of any existing ward (such as Birchanger) should however not be directly considered in determining parish boundaries as the parish boundary proposals must reflect community loyalties and identities. If, for arguments sake, the review resulted in the whole of Foresthall Park being moved into Stansted parish, it would not result in automatic district ward changes, as that would await the next ward review. In time, no doubt, a district ward review would follow and would take full account of parish boundaries as they then existed.
- 11 There is also the position at Priors Green to consider. Again, the Council has previously said that the boundary between Takeley and Little Canfield at this location should be examined at a suitable time once occupation of the entire site has taken place. Under existing conditions, it seems unlikely that this pre-condition for a review will be realised for many years to come. Members may therefore wish to consider whether there is merit in any review being tied in with the expected review of Foresthall Park.
- 12 Officers are not aware of any other particular problems associated with parish boundaries at the present time and it is suggested that any future review should concentrate on these locations.
- 13 One option may be to signal the intention to review Foresthall Park, and perhaps Priors Green as well, but to invite comments or proposals about any other part of the district when the review is advertised, and to consider these all at the same time. It would not necessarily mean that changes need be made if, on consideration, they were not merited.
- 14 Any review of the kind discussed above would inevitably have resource implications. Any review would have to be carried out in the Democratic

Timetable of Electoral Reviews

Electoral Arrangements Working Group, item 3

Services office. Staffing resources are thinly spread and there is the challenge of administering the Parliamentary General Election due by early June 2010.

- 15 The following work programme is suggested for consideration:
- A commitment in principle to begin a community governance review (terms of reference yet to be decided, but definitely to include Foresthall Park) in June/July 2010. It is likely that the review will take between six and nine months to complete so it is possible that the proposals could be implemented in time for the parish elections in May 2011. However, any change in parish boundaries – which can be implemented by UDC – would almost certainly not be reflected in the ward boundaries to be used at the corresponding district elections. This is because principal area boundaries can be changed only by the Electoral Commission as consequential alterations and there is an inevitable time lag. There is a danger of confusion arising if electors are voting in Birchanger ward but in Stansted parish, or vice versa.
 - A review of parish electoral arrangements co-inciding with the parish review, and to be concluded before May 2011. Such a review will consider the number of parish councillors in each parish, the boundaries and number of any wards within parishes, and the number of councillors representing each ward. It is suggested this review could commence in September 2009 and will involve consultation with parish councils in the district.
 - A review of Returning Officer's fees and charges to be concluded by December 2010 in time for the local elections in May 2011.
 - The next statutory review of polling districts does not have to be undertaken until 2012. However, if there is opportunity for a review to be carried out, it would be advisable to do so before the local elections in 2011. Such a review could take account of any changes required to fit in with the proposed community governance review due to commence next year, and any other changes needed at that time. The proposal therefore is to commence a polling district review during the summer of 2009. If a full scale polling district cannot be carried out, an alternative approach is to identify particular areas of concern for close examination and to deal with those on an ad hoc basis.
- 16 If Members are prepared to accept the above work programme, more detailed proposals can be prepared for consideration at a future meeting of EAWG. It is recommended that the above programme be recommended to Finance and Administration Committee for approval.
- 17 This is undoubtedly a very challenging work programme. It is frankly not ideal to be reviewing parish boundaries less than a year before the scheduled elections take place. However, in the circumstances, it is hard to see a viable alternative approach, unless Members feel it appropriate to delay the entire process.

Timetable of Electoral Reviews

Electoral Arrangements Working Group, item 3

Community Governance Reviews

- 17 I had intended for this meeting to summarise for Members the main provisions of the 2007 Act and the DCLG Guidance on community governance reviews but I regret there has not been sufficient time to do that. Essentially, the Act has transferred to district councils the power to implement all aspects of what were formerly referred to as parish reviews, except for the implementation of related alterations to the electoral areas of principal councils.
- 18 It is therefore intended to issue guidance about the powers now available to councils, and about how reviews should be conducted, at the next meeting, together with a suggested timetable for conducting the various reviews mentioned in this report.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
That parish boundaries and the arrangements for voting do not reflect the community identities and values of the district's residents.	3 – If nothing is done soon to address the position, confusion and dissatisfaction is likely to arise.	3 – see under 'likelihood'.	Conduct appropriate reviews, involving full consultation at individual household level, to ascertain the community identities of local residents.

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.