

Committee: Electoral Arrangements Working Group

Agenda Item

Date: 7 March 2011

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Title: Community Governance Review

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

Item for decision

Summary

1. The Community Governance Review (CGR) of the parish arrangements at Foresthall Park (Birchanger and Stansted Mountfitchet parishes) and Priors Green (Little Canfield and Takeley parishes) has now reached its final stage following the consultation on the Council's proposals between November and 1 February.
2. In respect of Foresthall Park, the Council had proposed to realign the parish boundary between Birchanger and Stansted Mountfitchet, so as to include within Stansted parish the entire area of the new residential development site.
3. In respect of Priors Green, the Council had proposed that no change of boundaries should presently take place.
4. Revised electoral arrangements were agreed for consultation and it was agreed to extend the terms of office of existing parish councillors in all of the affected parishes for one year until May 2012.
5. The Working Group is required to make final recommendations for confirmation by the Finance and Administration Committee on 24 March. The revised parish arrangements will then be confirmed by a reorganisation order later this year and the next ordinary election of parish councillors will take place in May 2012, reverting to a four yearly term from May 2015.

Recommendations

6. Determine new parish arrangements in respect of the parishes of Birchanger, Little Canfield, Stansted Mountfitchet and Takeley for implementation with effect from the ordinary election of parish councillors in May 2012. The recommendations made will be referred to the Finance and Administration Committee on 24 March for confirmation.

Background Papers

7. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Government Guidance and legislation

Consultation responses received from members of the public, parish councils and others at the draft proposals stage

Impact

8.

Communication/Consultation	Consultation with all affected interested parties
Community Safety	No impact
Equalities	No impact
Finance	No specific implications
Health and Safety	No known impact
Human Rights/Legal Implications	Need to follow due legal process for carrying out any boundary changes, or other changes to parish arrangements
Sustainability	No direct relevance to this process
Ward-specific impacts	Birchanger, Stansted South and Takeley and the Canfields
Workforce/Workplace	No impact

Situation

9. The Council commenced a review of parish arrangements at Foresthall Park and Priors Green in August 2010. On 25 October 2010, the Council agreed proposals for consultation and a case of justification as set out in the public notice dated 17 November 2010 (see appendix 1) and in paragraphs 10 to 14 below.
10. Proposal 1: Transfer the entire site of the Foresthall Park development into Stansted Mountfitchet Parish by realigning the boundary to follow the existing boundary from Gipsy Lane in a north-easterly direction to the junction with Stansted Road, then in a southerly direction to the junction with Forest Hall Road, then following the centre of that road for nearly its entire length in a generally easterly direction nearly to the junction with Parsonage Lane, and then following the rear boundaries of the properties known as 1 and 2 Parsonage Farm Cottages in a southerly and then easterly direction to a point where it meets with Parsonage Lane, and then in a generally southerly direction to the existing parish boundary immediately south of Parsonage Farm. The effect of this change would be to transfer to Stansted Mountfitchet Parish everything lying to the north of Forest Hall Road, including properties at Pines Hill.
11. The Council intends that the boundary change above should be accompanied by the following revised electoral schemes for the two parishes concerned: Birchanger Parish Council will retain nine councillors; Stansted Mountfitchet

Parish Council will retain 15 councillors but the balance between the two wards will change so that the representation of Stansted North ward will reduce from seven to six councillors and the representation of Stansted South ward will increase from eight to nine councillors, thus better reflecting the balance between the number of electors in the two wards. The ordinary parish elections scheduled to take place in May 2011 will be postponed by one year to enable these revised arrangements to be put into place.

12. The justification for this proposal is that the unification of the whole of the Foresthall Park development will reflect the interests and identities of the local community, especially the residents of the new residential site, and lead to the more effective and convenient delivery of local services. It is considered that Foresthall Park is part of the natural extension of the limits of Stansted village south of Stoney Common Road, Stoney Common and Manor Road. A new boundary following the line of Forest Hall Road for most of its length will act as suitable demarcation between the two communities of Birchanger and Stansted Mountfitchet and act as a sustainable long term boundary.
13. Proposal 2: There should be no change to the boundary between the parishes of Little Canfield and Takeley. If this proposal is confirmed at the final stage of the review, the electoral schemes for the two parishes should be amended as follows: the number of councillors to be elected in Little Canfield should be increased from seven to nine, with six councillors to be elected in a newly created ward of Priors Green (consisting of the new development site and possibly to include some adjoining residential properties at Dunmow Road), with the remaining three councillors to be elected in the remainder of the parish to be known as The Village ward; the number of councillors to be elected to Takeley Parish Council is proposed to increase from 11 to 13. The ordinary parish elections scheduled to take place in May 2011 will be postponed for one year to enable these revised arrangements to be put into place.
14. The Council is presently minded not to make any change to the parish boundary at this location and that is reflected in the draft recommendation. However, the Council wishes to consult on a range of options for possible change to establish the strength of local opinion. Some form of change to the boundary may be appropriate but this will depend on the nature of the responses made to this consultation. Whatever is decided, the Council wishes to encourage the process of integration between the new development and the established communities in Little Canfield and Takeley to continue. A number of different views were expressed at the initial consultation stage of the review, including a proposal for the creation of a new parish covering the Priors Green area, and it has not been possible at this stage of the review to identify a solution that would meet the community interests and identities of the majority of the residents concerned. It is hoped that the next stage of the review will enable community interests to be better identified thus enabling the Council to agree a proposal that has majority support within the Priors Green development itself.
15. Consultation on these proposals was carried out in the following way. In respect of proposal 1 at Foresthall Park, letters of consultation, together with a

voting form (as set out in Appendix 2 to this report) were sent to all residential occupiers directly affected by this proposal at the following addresses: Bayford Way, Bentley Drive, Blake Mews, Dockerell Road, Felstead Crescent, Forest Hall Road, Grey Close, Hampton Road, Hudgell Road, Livings Way, Miller Close, Newell Road, Peachey Walk, Pines Hill, Reeve Road, Shaw Close, Snow Lane and Walson Way (all Birchanger Parish); and Dockerell Road, Forest Hall Road, Hampton Road, Harbridge Road, Herington Avenue, Jordon Close, Palmer Close, Peachey Walk, Sandford Road, and Walson Way (all Stansted Mountfitchet Parish). Some of the streets mentioned are located in both parishes as they are divided by the existing boundary. In addition, many of the properties on the new development site are as yet unoccupied or not yet constructed. However, letters were sent originally to more than 400 addresses.

16. In respect of proposal 2 at Priors Green, letters of consultation were again sent to all residential occupiers affected by the proposal, or by any potential proposal to change the boundary. The letter was accompanied by a voting form (see appendix 3) and an information leaflet explaining the different options on the table (appendix 4).
17. Letters of consultation were sent to the following residential addresses: Burgattes Road, Clarendon Road, Dryvers Close, Dunmow Road, Haddesley Road, Hamilton Road, Honey Road, Mortymer Close, Rumbles Way, Stokes Road, Thornton Road, and Wyndrell Close (all Little Canfield parish); and Bennet Canfield, Broadfield Road, Cawbeck Road, Champneys Way, Dunmow Road, Little Canfield, Fleming Road, Garrett Road, Goodwins Close, Hubberd Road, Loveden Way, Newman Road, Parker Way, Roding Drive, Speller Way, and Wintershutt Road (all Takeley parish). In all, some 500 letters were sent.
18. In addition to the letters sent to residential occupiers, letters regarding both proposals were also sent to each parish council concerned, Sir Alan Haselhurst MP, Essex County Council, and to all district and county councillors.
19. The following section contains a detailed analysis of the consultation responses and draws some conclusions based on the consultation outcome. The Council must now decide on its final proposals for publication and subsequent implementation by reorganisation order made later this year.

Analysis of Consultation Responses – Foresthall Park

20. Please refer to the attached sheet at appendix 5 for details of the responses received during the consultation. As can be seen, the overwhelming balance of replies is in favour of the Council's proposal to unify the whole of the Foresthall Park site within Stansted Mountfitchet parish.
21. A total of 63 responses have been received from local residents, 57 of whom have expressed a view as being in support of the Council's proposal. Very few of the respondents have chosen to add further comments to the voting return. Of those that have added comments, these are set out in full in the attached summary sheet attached to the report as appendix 6.

22. The response from local residents amounts to some 15% of the households likely to be affected by any change. Of that figure, more than 90% of the responses received are in favour of the proposal to transfer the whole of Foresthall Park to Stansted Mountfitchet parish.
23. An email has been received from Stansted Mountfitchet Parish Council confirming that the council is fully in support of proposal 1. No specific response has yet been received from Birchanger Parish Council but details of any comments made will be reported to Members. It will be recalled that the Parish Council previously supported the boundary change.

Analysis of Consultation Responses – Priors Green

24. Please refer to the attached sheet at appendix 6 for details of the consultation responses. The matter of the consultation at Priors Green is very much more complicated than the corresponding consultation at Foresthall Park. That is because, although the position of the boundary between Little Canfield and Takeley is not very satisfactory, there is seemingly no clear alternative boundary definition that has significant support within the local community.
25. In the absence of a clearly viable alternative boundary arrangement, the Council decided at the draft proposals stage to recommend that there should be no change. However, a raft of alternative parish arrangements was suggested at the initial submissions stage and all of these alternatives should be examined and tested before being discarded.
26. A total of 68 voting forms were returned. Of these, 61 agreed to the proposal for no change while seven disagreed. Therefore, some 14% of residents returned a voting form and, of these, around 90% expressed a preference for no change. However, in practice, the response rate was probably greater as many of the 500 households consulted are as yet unoccupied or not yet built.
27. The response disguises a multiplicity of different responses at the secondary level of voting options presented on the reverse sheet of the voting form. It is hard to be very clear about what conclusions may be drawn from the results. For one thing, it cannot be stated with any certainty whether the outcome of the vote on the remaining options can be granted equal status to the voting on the main proposal, especially when 90% of respondents have already stated that they agree with a position of no change.
28. However, it can be seen from looking at the voting choices made on page 7 of the appendix that there is no clear majority for any one of the options presented. As many as 19 respondents have stated that they favour the transfer of the entire Priors Green site to Little Canfield. So it must be the case that many of those voting for no change on the main proposal have nevertheless voted for a boundary change as their first choice from those options remaining. On the converse, as many as 16 respondents have stated their opposition (by placing it last on a scale of six) to the unification of Priors Green within Takeley parish.
29. The second most favoured option after the no change proposal is that of establishing a new parish of Priors Green. However, that option is supported by only 12 of 68 respondents, or 17.5% of those responding. This proportion

can hardly be taken as an expression of strong support within the community for the creation of a new parish.

30. Members will be able to draw their own conclusions about what can be implied from the nature of the responses received. However, it is clear that no consensus view exists within the Priors Green community for any change to existing boundary arrangements.
31. Detailed responses have been received from both Little Canfield and Takeley parish councils and these are set out as appendices 7 and 8. Little Canfield Parish Council states that it does not wish any boundary changes to take place. The letter makes a number of other points about the position of part of the new community of Priors Green within the parish and refers to the confusion caused by the allocation of Little Canfield postcodes to all addresses on the site, including those in Takeley. The letter concludes by stating that the only reason for any change would be to extend the Little Canfield boundary to incorporate all of those properties allocated a CM6 postcode. The Parish Council is not advocating that solution but the comment serves to highlight a cause of potential disharmony at Priors Green.
32. There is some confusion about the position of Little Canfield Parish Council on what electoral scheme should be allocated to the parish from May 2012. The initial letter did not comment on this aspect but a subsequent email from the parish clerk stated 'I have consulted with the Council and they prefer option 1 – 9 councillors in all, 6 for Priors Green and 3 for the village'. After a further enquiry, the clerk forwarded an email from the parish chairman stating 'the warding of our parish would make things too complicated so all we need is to have 9 councillors and try to sort the balance of where they come from ourselves'.
33. I have asked for further information about this matter as the decision seems not to have been agreed at a parish council meeting but no further clarification has been received to date.
34. The letter from Takeley Parish Council concurs with the draft proposal for no change. The main basis for this view is that Priors Green was always intended to be integrated into the existing communities of Takeley and Little Canfield. The development is yet to be completed and this process of integration will take time to achieve. The Parish Council says that it supports the concept of collaborative working on the management of community facilities at Priors Green in order to deliver local services. There is also reference to the proposed relocation of Takeley Primary School to a site at Priors Green within the current Takeley boundary.
35. Reference is also made in the Parish Council's letter to the confusion caused by the allocation of Little Canfield postcodes to many Takeley addresses and the letter asks for a reconsideration of this decision, and for further consultation to be carried out with those residents concerned.
36. On the matter of electoral arrangements, the letter supports an increase in the number of parish councillors to be elected to 12. This is one more than the present number but is one less than the 13 proposed in the Council's published draft proposal of November 2010.

37. Finally, and intriguingly, the Parish Council's states that option 5c, allowing for the grouping together of the two parishes into a single parish council, is their next preference. Under such an arrangement, the representation of councillors is suggested as Takeley – 8; Little Canfield – 2; and Priors Green – 5. The Council's suggestion for representation under this option was 9/1/5. The letter states that the remaining options are not seen as viable.

What happens next? – making the decision in principle

38. The Working Group must decide on a recommendation for either change or no change at each location, and define the nature and extent of the proposed change and the reasons for it.
39. In concluding a CGR, a principal council must make recommendations as to:
- Whether a new parish or any new parishes should be constituted
 - Whether existing parishes should or should not be abolished or whether the area of existing parishes should be altered
 - What the electoral arrangements for new or existing parishes, which are to have parish councils, should be
40. The rules relating to parish councils in the 2007 Act are that the review must recommend that a parish with 1,000 or more local government electors should have a council; if the parish has fewer than 150 electors it must recommend that the parish should not have a council (unless the parish currently has a parish council, or is part of an area that has); if the parish has between 150 and 1,000 electors, it is for the principal council to decide whether or not the parish should have a council.
41. Decisions about the grouping together of parishes, or whether related alterations should be made to the boundaries of principal councils' electoral areas, are not mandatory and are for the principal council to decide.
42. Electoral arrangements are clearly defined and the report will explain later on what matters must be taken into consideration.
43. In deciding on the outcome of a CGR, the Council must ensure that parish boundaries reflect the identities and interests of the areas under review and provide for the effective and convenient delivery of local services.
44. In defining the identities and interests of local communities, Government guidance states that parishes should reflect a distinctive and recognisable community of place, with its own sense of identity. In defining what is meant by this phrase, the views of local communities and inhabitants are held to be of central importance.
45. The Working Group must therefore consider the definition of the parishes under review, and any changes to be recommended, within the context of the criteria described above.
46. The best method of determining what is meant by the identities and interests of local communities is by paying close attention to the outcome of the public consultation. However, in the case of Priors Green in particular, there may be a conflict between the wishes of local inhabitants and the definition of a local community.

47. At **Foresthall Park**, all of the evidence points clearly to the need to make a new definition of the boundary between the communities of Birchanger and Stansted Mountfitchet so as to unite in one parish the whole of the Foresthall Park development area. One consequence of that will be also to transfer other longer established residential addresses from one parish to another.
48. Common sense tells us that the residential development at Foresthall Park 'belongs' to the village community of Stansted. This is because the development effectively forms a southern extension to the built up area of Stansted village, to which it is physically attached, and is physically remote from the village settlement of Birchanger. This is in spite of the longstanding historical association of the parish of Birchanger with the majority of the Rochford Nursery site and much of Stoney Common, which has already resulted in two redefinitions of the parish boundary within the last 30 years.
49. This review now offers the opportunity to define a settled and sustainable long-term boundary between the communities of Birchanger and Stansted, that will meet the twin tests of reflecting community identities and helping to ensure the effective delivery of local services.
50. While the importance of historical association cannot be disregarded, the entire purpose and process of this review is intended to reflect and define communities as they presently exist. In this case, the outcome of the public consultation overwhelmingly supports the draft proposal to transfer to Stansted Mountfitchet parish the whole of the Foresthall Park residential development area and it is **proposed that the draft proposal is recommended for adoption as a final proposal**.
51. As part of the above proposal, the Council must confirm whether or not Birchanger should continue to have a parish council as the forecast 2015 electorate (728) is below the number (1,000) at which a parish council becomes an automatic choice. It is therefore recommended that the revised parish of Birchanger **should continue to be represented by a parish council**.
52. At **Priors Green**, it is not possible to form such a clear cut view about community identity. It must be remembered that the review was undertaken in the first place because a new residential estate has been built over historic boundaries leading to assumptions that the boundary may no longer reflect the interests and identities of the two communities concerned. It must be considered unsatisfactory that what might otherwise appear to be a cohesive residential area sharing a number of common community facilities is divided artificially by a boundary that no longer reflects the division between two nearby village communities. Ideally therefore, the unification of the two parts of Priors Green within a single parish council area might seem the obvious solution.
53. However, it will be recalled that no clear solution has presented itself throughout this review. The position at Priors Green is complicated by a number of factors including perceptions about the surrounding villages of Little Canfield and Takeley by many of the new residents of Priors Green, a large proportion of whom may have moved to the area from a more urban based environment. Marketing methods undertaken by the developers, the allocation of postal addresses and the close proximity of Stansted Airport all seem to

have played a part in the way that residents of the new community perceive the area in which they now live.

54. Because the unification of the Priors Green community within either one of the two existing parishes was widely seen as 'difficult', some other options were presented for consideration. These included a merger or a grouping together of the two parishes, and the creation of a new parish of Priors Green entirely separate from both Little Canfield and Takeley.
55. It is now clear that none of the other options presented has found either strong or majority support among the local community. The overwhelming view of local residents is that the boundary should remain unchanged. It cannot be entirely discounted that parish arrangements might again be considered in the future once further or complete occupation of the site has taken place. This might allow for a period when the new settlement can bed in to the surrounding community and allow for a full and proper process of integration, both within Priors Green and by reference to the surrounding villages, to be allowed to develop naturally.
56. In terms of the boundary, it is hard to argue convincingly that the present division represents a natural break either within Priors Green itself, or between the communities of Little Canfield and Takeley. To some extent, any boundary at this point would be an artificial division because of the nature of the ribbon development along Dunmow Road between Smiths Green and the Lion and Lamb. There is also the existence of the island sites comprising the 'old' roads of Broadfield Road, Warwick Road, Hamilton Road and Thornton Road.
57. Any new boundary would need to take account of these pre-existing settlements and the ribbon development along the south side of Dunmow Road between the Canfield Road junction and Canfield End. Whatever permutation is used there seems to be no satisfactory way of reconfiguring the boundary to provide a demarcation line between the two communities. When all is said and done, this is the principal purpose and function of a boundary line.
58. The existing boundary does follow a natural line along Jacks Lane, which is a public byway, and down to the B1256 road via what appears to be an old field boundary. The line was perfectly satisfactory before the development of the Takeley Nurseries site but has now been overgrown by the Priors Green development. The one advantage of the boundary division as it stands is that it does not divide individual properties in the same street between different parishes as it does at Foresthall Park. However, the latest phase of the development north of Jacks Lane will change that position in that Burgattes Road will now pass through two parishes. Numbers 1-7 (odd) and 2-14 (even) will be in Little Canfield while all remaining numbers will be located in Takeley.
59. It seems inevitable that the division between Little Canfield and Takeley will become more obvious when the development north of Jacks Lane is completed and a consensus view may emerge at that point about the future direction and delivery of parish council services.
60. The Council must also satisfy the test of providing for the convenient delivery of services. It will be difficult to meet this test satisfactorily as the community facilities at Priors Green will continue under present arrangements to be

administered by different parish councils. It would clearly be more convenient for these facilities to be administered by a single council so that consistent standards of maintenance can be achieved.

61. This consistency of approach to administering services and facilities seems to be acknowledged in the submission from Takeley Parish Council as the letter makes reference to collaborative working to deliver local services and the initiation of a joint working party to progress the opening of the community hall. Their letter also states that the Parish Council has been proactive in reviewing play areas and open spaces and in ensuring that residents' views are represented when making decisions.
62. It was largely for this reason that the option of either a merger or grouping together of the two parishes was suggested, as this would provide a method of unifying the service provision over both segments of the site whilst providing for separate representation for the three separate elements of the communities. In the event, apart from the reference to a grouping arrangement in the letter from Takeley Parish Council, and a handful of residents opting for either merger or grouping as their first choice, there is little evidence of any support for either option.
63. However, the two criteria of community identity and service delivery sit side by side and neither has precedence over the other. As it has not been possible to identify majority support for any single change option, the advantage of a single council providing all of the services at Priors Green cannot be considered as a serious option at this stage.
64. As it has not been possible to find local agreement about any of the possible change options, there seems no alternative to recommending **that the draft proposal for no change to the present boundary should be upheld.**
65. Under the no change option, Little Canfield is forecast to have 713 electors in 2015 and the Council must therefore affirm whether the unchanged parish should continue to be represented by a parish council from May 2012. **It is proposed that the Council should be recommended to do so.**
66. Takeley is forecast to have 3,028 electors in 2015 and so must continue to have a parish council.

Postal addresses at Priors Green

67. It has been reported previously that dissatisfaction has been expressed by some residents about the decision taken to allocate CM6 Little Canfield postcodes to all of the residential addresses at Priors Green, including of course the 70% or so of properties actually located within Takeley parish.
68. The original intention was to allocate CM22 Takeley postcodes to all of the addresses concerned and some early occupiers received notice of this intention before the decision was changed. The decision to allocate CM6 postcodes was related to limited sorting office capacity for the new site at Takeley and Bishop's Stortford.
69. However, the sorting office at Dunmow has now closed and all of the mail for Priors Green is sorted at Braintree. Some residents have complained about the mail delivery arrangements.

70. Both parish councils have commented on the allocation of postal addresses and have expressed dissatisfaction with the arrangements made. Takeley Parish Council has asked for a review of the decision. It appears unlikely that it will now be possible to change the allocation of postcodes to this site but any further developments will be reported to Members.

Electoral arrangements

71. The following matters must be taken into account in determining electoral arrangements:
- The ordinary year of election – the year in which ordinary elections of parish councillors are to be held.
 - Council size – the number of councillors to be elected to the council.
 - Parish warding – whether the parish should be divided into wards for the purpose of electing councillors. This includes the number and boundaries of any such wards, the number of councillors to be elected in any such ward, and the name of each ward.
72. In considering whether wards are either desirable or necessary, the Council must consider the following matters: whether the number or distribution of local government electors would make a single election of councillors impracticable or inconvenient; whether it is desirable that any area or areas of the parish should be separately represented; if the parish is divided into wards, the size and boundaries of the wards and the number of councillors to be elected for each must be decided.
73. In determining the above arrangements, the Council is required to take into account any change in the number or distribution of electors in the period of five years from the start of the review. In effect this means that the electoral scheme for each parish should be determined on the basis of the five year electorate forecast.
74. A forecast of the expected number of electors in each parish as at 2015 has already been produced for consultation purposes and has been reported to Members. The number for each parish in the review is as follows:
- Birchanger (based on the proposed new boundary) = 728
 - Little Canfield (no boundary change assumed) = 713
 - Stansted Mountfitchet (based on the proposed new boundary): North Ward = 2,342; South Ward = 3,475; total for parish = 5,817
 - Takeley (no boundary change assumed) = 3,028

Birchanger

75. The number of electors in Birchanger will reduce considerably as a result of the expected change. The number of councillors proposed at the draft proposals stage was nine. According to the Council's adopted policy criteria for a parish having between 701 and 2,500 electors there should be between nine and 12 councillors allocated.

76. With the expected removal of the electors at Foresthall Park from the revised parish, there is no need either to consider the allocation of more than nine councillors, or to divide the parish into wards. The number of councillors already allocated is felt to be exactly right and there are now no parts of the parish that appear to require separate representation.
77. It is **recommended that nine councillors should continue to be allocated to Birchanger with effect from May 2012.**

Little Canfield

78. There are presently seven parish councillors allocated to Little Canfield with no division of the parish into wards. The draft proposal was for an increase of councillors from seven to nine with a new division into a Priors Green ward (electing six councillors) and with three councillors being elected in a new Village ward.
79. The five year electorate forecast for Little Canfield on the basis of no boundary change is 713, with 522 electors in the proposed Priors Green ward area and 191 electors in the proposed Village ward.
80. As stated earlier, Little Canfield initially agreed that wards should be agreed as part of the new electoral scheme and then submitted a revised view that nine councillors should be elected for the whole parish with no division into wards.
81. In considering whether parish wards are either necessary or desirable, Members must take account of the statutory guidance. The questions to be considered are whether a single election of parish councillors would be impracticable or inconvenient, and whether it is desirable that any area or areas of the parish should be separately represented.
82. These questions are a matter for Members' own judgement but my feeling on the first question is that a single election of parish councillors would be neither impracticable nor inconvenient. However, the question of whether there should be separate representation for that portion of Priors Green within the parish and for the older village settlement is a more difficult one to answer.
83. The quote from the email of 13 February sent by the parish chairman that warding 'would make things too complicated so all we need is to have 9 councillors and try to sort the balance of where they come from ourselves' is not considered to be sufficient justification not to have a warding scheme. Indeed it implies that warding may be necessary to provide a balance of representation from each of the two distinct residential parts of the parish.
84. The purpose of warding is either to divide up unduly large electorates to make an election manageable, or to ensure representation for separate communities within a parish. On the latter of those two grounds, warding may well be considered necessary.
85. However, it must be remembered that as the boundary is to remain unchanged, only a small part of the community of Priors Green (about 30%) will remain part of Little Canfield Parish and a Priors Green ward may therefore be considered as an entirely artificial creation. If such a ward were to be created, separate registers and polling stations would be required for the two wards. The village ward area would be able to continue to vote at the village hall but a separate polling facility would be needed for the Priors Green

ward. Unfortunately, both the new school and the community hall will continue to be located in Takeley parish and therefore unavailable to act as a polling station for this area.

86. If warding is considered to be needed in Little Canfield, the boundary between the two wards must be clearly defined. The most obvious solution is to draw the boundary tightly around the Priors Green development itself so leaving established properties on the south side of Dunmow Road, and all land to the east of Thornton Road in the Village ward.
87. **Members are asked to determine and recommend an electoral scheme for Little Canfield, whether warded or not, allowing for nine parish councillors in total.**

Stansted Mountfitchet

88. The total number of electors in Stansted will increase considerably as the result of the proposed transfer of the balance of the Foresthall Park site currently in Birchanger. The number in 2015 is forecast to be 5,817, of which 2,342 are expected to be located in the North ward and 3,475 in the South ward.
89. The scheme published at the draft proposals stage was for the total number of councillors to remain as 15, but for a reduction of one in the North ward from seven to six councillors and an increase of one in the number elected in the South ward from eight to nine. This would better reflect the balance between the electorates in both wards in that it would be broadly proportional and would meet the Council's policy that parishes with more than 2,500 councillors should have between 13 and 16 councillors.
90. In considering whether to confirm the boundaries between the existing wards, Members should be aware of the rules governing the identification of parish wards. The rules governing reviews of district wards state that no unwarded parish should be divided by a district ward boundary and that no parish ward should be split by such a boundary.
91. Effectively this means that the Council is obliged to retain a parish ward boundary replicating the district ward boundary between Stansted North and South wards. The Council may choose if it wishes to set additional ward boundaries entirely within the district wards themselves but may not cross those boundaries. So it could, for example, create a new parish ward of Foresthall Park from within the Stansted South ward as long as neither ward encroached into Stansted North ward.
92. However, any consideration of further wards in Stansted seems unnecessary and it is **recommended that the draft proposal is confirmed.**

Takeley

93. The draft proposal allows for an increase in the number of councillors allocated in Takeley from 11 to 13. As will be seen, the Parish Council has proposed instead an increase of one from 11 to 12.
94. On the basis of no change to the existing parish boundary, Takeley is forecast to have 3,028 in 2015. the Council's policy is that parishes with more than

2,500 electors should have between 13 and 16 councillors. On this basis the draft proposal of 13 councillors is exactly right and should be confirmed.

95. The working group should consider whether the unchanged parish should be warded to reflect the emerging pattern of residential occupation. On the basis of the criteria listed in paragraph 68 it might be argued that separate wards for Takeley Village and Priors Green are justified or necessary, especially if a separate ward of Priors Green is established in Little Canfield parish.
96. On this basis also, it might be considered necessary to allocate separate representation to the small and distant communities of Mole Hill Green (where there is a separate polling district in place) and possibly also Bambers Green. A similar arrangement exists for example in Hatfield Broad Oak parish where separate representation is granted to the small settlement of Bush End.
97. However, such is the disparity in electorate between Mole Hill Green and Takeley Village that such an arrangement could only be justified if publicly demanded. The same consideration can also be applied to Priors Green as, although the electorate of the new development area is expected eventually to exceed 1,000 electors, the site is not sufficiently geographically separate from the remainder of Takeley parish as to make such an arrangement necessary.
98. In addition, no representations have been received specifically on the question of the parish's proposed electoral scheme. The matter can always be reviewed again in the light of experience once full occupation of the site has taken place.
99. In these circumstances, it is **proposed that the draft proposal to increase the number of parish councillors in Takeley from 11 to 13 is recommended for approval, with no division of the parish into wards.**

Ordinary year of election

100. The Council has already agreed to postpone the election of parish councillors for one year until the day of ordinary election of parish councillors in May 2012. The next term of office of councillors in the four parishes concerned will be shortened to three years to enable elections to revert to the normal four yearly cycle from May 2015. A reorganisation order has already been made postponing the 2011 elections. The matter of the electoral cycle after May 2012 will be covered in the reorganisation order made at the conclusion of this review.
101. Members are asked to **confirm the intention to provide for a three year term of office from May 2012 and to revert to a four year election cycle after that.**

Consequential changes

102. Whilst the Council now has the power under the 2007 Act to decide and enforce changes in parish arrangements, there is no corresponding power to make consequential changes to principal area ward or electoral division boundaries. Neither is it necessarily automatic that such changes should take place.
103. In other words, the boundary between Birchanger and Stansted South district wards will not change as a result of the proposed parish boundary alteration

unless the Council makes a specific application to the Local Government Boundary Commission (LGBC) to make a consequential changes order.

104. The position is that electors will vote in the district ward elections in May 2011 for the ward in which they are presently registered, that is before any parish changes take place. The parish reorganisation order will be made after the election and, if Members so decide, a request will be sent to the LGBC for an order to be made making the boundaries of the district wards coterminous with those of the revised parish boundary.
105. The parish election will then take place in May 2012 on the basis of the revised parish boundaries as changed by the reorganisation order. It is not yet clear how long it will take for the LGBC to make a consequential changes order but whenever that may be it is probable that the district ward boundaries will not change until the elections due in May 2015. The County Council's electoral division boundary is not affected by the proposed change.
106. Members must therefore decide whether to recommend that a consequential changes order should be made and to make an application to the LGBC accordingly. There seems no conceivable advantage to be gained in not seeking to harmonise the boundaries as quickly as possible and it is therefore **recommended that such an application be made to the LGBC at the conclusion of the review.**

Definition of the new boundary and the provision of mapping

107. The order must clearly and precisely define the revised boundary to be agreed and this must be shown on high quality maps both attached to the order and to be used for other purposes. Any maps must be produced to a standard equivalent to using Ordnance Survey large scale data as a base. Maps can be graphically presented at a reduced scale for convenience but preferably no smaller than 1:10,000 scale.
108. The most important matter to be addressed at this meeting is to provide a clear and acceptable definition of the revised boundary for confirmation in the order. It is not possible to produce further information in this report beyond confirming the boundary mapping already published at the draft proposals stage.
109. Further information and advice about mapping conventions and requirements will be available at the meeting. Members will be **recommended to propose a suitable boundary line for publication as part of the final proposal.**

Publication of recommendations and conclusion of review

110. After these recommendations are confirmed they must be published as final proposals and a period of one week must then be allowed for the receipt of any further comments. After that time, the recommendations will be confirmed as final unless new matters are introduced which appear to cast doubt on the validity of the changes to be made.
111. The recommendations must take account of any representations received and should be supported by evidence which demonstrates that the recommended arrangements meet the criteria set out in the 2007 Act (as described earlier in this report).

112. The reorganisation order will then be prepared, together with the required mapping, and the recommendations published as final some time later. The publication must include a statement of its reasons for taking that decision. The original timetable envisaged that this would be done towards the end of May. The only legal stipulation is that the review must be completed within 12 months of the start of the review.
113. Existing parish councillors in the four parishes concerned will remain in office until May 2012 at which point new parish councillors will be elected for a three year term. Elections will revert to the four yearly cycle in Uttlesford from May 2015.
114. The Council must send copies of the order to the Secretary of State, the Electoral Commission, the Office of National Statistics, the Director General of the Ordnance Survey, and any other principal council. All other departments of the Council will be informed so the necessary adjustments to parishes can be made. The Audit Commission should also be informed.

Summary of decisions needed to conclude this review

115. The following is a list of decisions needed to be taken to conclude the CGR:
 - Confirm draft proposal 1 in respect of the proposed change of boundaries between Birchanger and Stansted Mountfitchet.
 - Confirm that Birchanger should continue to have a parish council.
 - Confirm draft proposal 2 that there should be no change to the boundary between the parishes of Little Canfield and Takeley.
 - Confirm that Little Canfield should continue to have a parish council.
 - Confirm that Birchanger should continue to have nine councillors, with no warding scheme to be introduced.
 - Confirm that the number of councillors representing Little Canfield should increase from seven to nine, and that a warding scheme should be agreed or otherwise as determined by Members.
 - Confirm that the number of councillors in Stansted Mountfitchet should remain at 15 but that the balance between the existing wards should change so that the North ward is represented by six councillors instead of seven as at present, and that the enlarged South ward should be represented by nine councillors instead of eight as at present.
 - Confirm that the number of councillors to be elected in Takeley should increase from 11 to 13, with no division of the parish into wards.
 - Confirm that the ordinary year of election for all of the parishes concerned should remain as 2015, and that the respective terms of office from May 2012 should be three years reverting to four years from 2015.
 - Confirm that an application be made for a consequential changes order to harmonise the district ward boundary between Birchanger and Stansted South with the revised parish boundary, in accordance with proposal 1, at the earliest practicable time.

- Clearly define a revised parish boundary between Birchanger and Stansted Mountfitchet in accordance with accepted mapping conventions.
 - Confirm that the proposals be published and that a parish reorganisation order be made implementing all of the matters covered above (except for the consequential changes order which is beyond the Council's powers), unless new matters are raised within one week of publication requiring further consideration by the Council.
 - Confirm the implementation dates of the reorganisation order as 1 December 2011 in respect of the registration of electors and for proceedings preliminary or relating to the election of parish councillors to be held on the ordinary day of election in 2012, and 3 May 2012 in respect of the revised scheme of electoral arrangements in each of the parishes.
112. Finally, Members may wish to consider whether parish arrangements at Priors Green should be re-examined at some future point either when occupation of the entire site has taken place, or when a specified number of properties have been occupied.

Risk Analysis

116. Please see risk analysis below.

Risk	Likelihood	Impact	Mitigating actions
2 - parish boundaries and voting arrangements do not reflect the community identities and values of the district's residents	2 – the review has been conducted according to the proposed timetable; although some dissatisfaction may remain in the short term, community interests and identities should be addresses in the longer term	3- damage may be done to community values and to levels of participation if action is not taken to address concerns expressed during the review	The review process has involved full consultation with affected residents and other bodies such as parish councils as well as the opportunity to submit and comment upon proposals

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.