

ELECTORAL ARRANGEMENTS WORKING GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 10.30am on 7 MARCH 2011

Present: Councillor A J Ketteridge – Chairman.
Councillors E Godwin and J Salmon.

Officers in attendance: R Procter (Democratic Services Officer), P Snow (Democratic and Electoral Services Manager).

EAWG13 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors R Chamberlain and P Wilcock.

Councillors Godwin and Salmon declared their personal interests as members of Birchanger and Stansted Parish Council, respectively.

EAWG14 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 25 October 2010 were approved as a correct record and signed by the Chairman.

EAWG15 MATTERS ARISING

(i) EAWG11 – Parish Electoral Arrangements

The Democratic and Electoral Services Manager reported on a matter regarding the parish of Swards End. It had come to his attention that as an order had been made in the previous five years, the electoral scheme in respect of Swards End could not be implemented without the permission of the Electoral Commission, as exemption from protected arrangements was required. An order had been made in respect of Swards End in 2006. Therefore an application had been made to the Electoral Commission, which had responded rapidly and given its permission to make the order. The order had to be confirmed before the Notice of Election, so would be made this week. The order reflected the approval by Finance and Administration Committee of all changes in the review, with the exception of the four parishes which were the subject of the Community Governance Review.

EAWG16 COMMUNITY GOVERNANCE REVIEW

The Working Group considered the report of the Democratic and Electoral Services Manager regarding 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). This was the final stage of the review following close of consultation on the Council's proposals on 1 February.

The report sought the Working Group's endorsement of the realignment of the parish boundary between Birchanger and Stansted Mountfitchet, so as to include within Stansted parish the entire Foresthall Park residential development site; with regard to Priors Green, the report recommended that no change of boundaries should presently take place.

The Democratic and Electoral Services Manager summarised the main points of the report. He reminded members of the proposals for both the residential developments in question, upon which consultation in the respective parishes had taken place, and he referred Members to the case of justification.

He said the outcome of the consultation regarding Foresthall Park had been clear, as the indication from the responses was that the new development should be transferred from Birchanger Parish to Stansted Mountfitchet.

The outcome was less clear for Priors Green, as there was no support for any alternative option at present.

The report therefore recommended that there should be no change to the present boundary. The Democratic and Electoral Services Manager advised it might be necessary for the Council to revisit the question of Priors Green in the future, and he asked that Members give their views on when it would be appropriate to do so.

Councillor Salmon said a review of Priors Green could perhaps be undertaken in either three years or seven years. Councillor Godwin said that within three years the development would have a school, and perhaps a shop, which would contribute to a sense of community. From the consultation results it seemed no sense of separate community identity had yet emerged.

Councillor Godwin said the situation at Priors Green contrasted with Foresthall Park, where those living there had perhaps been shocked to find they were not part of Stansted Mountfitchet, but part of Birchanger Parish. She said Birchanger Parish Council was in favour of the proposed boundary change.

The Democratic and Electoral Services Manager provided Members with a copy of an email received from the Parish Clerk at Stansted Mountfitchet stating the Parish Council had no objection to the proposals, which Councillor Salmon confirmed was the case.

Foresthall Park

Members then considered in detail the boundary proposals in respect of Foresthall Park as shown on a map of the area. The Democratic and Electoral Services Manager explained the decision must be taken having regard to the advice set out in the report, requiring alignment of the boundary with a fixed and identifiable feature, if possible. He suggested it would be appropriate to realign the boundary to follow the line of Bridleway 27, and then Forest Hall Road, Stansted Road and Gypsy Lane to the existing boundary. Members agreed with this approach.

Priors Green

Regarding Priors Green, Councillor Ketteridge said it was apparent from the result of the consultation that a recommendation of no change was appropriate, and that the boundary question would need to be revisited, probably in three years.

The Democratic and Electoral Services Manager said the Local Government Boundary Commission had requested that boundary changes be considered before a review of district wards, but imbalances in ward electorates might lead to a review being required before a further CGR could be undertaken. Assuming the proposed changes were agreed it was almost certainly the case that Birchanger would no longer be viable as a separate ward. Councillor Ketteridge said there would be likely to be government pressure in any event to reduce the number of councillors.

The Democratic and Electoral Services Manager confirmed the ward boundaries being considered would not change for the forthcoming election. The term of office of parish councillors in the four parishes in question would be extended for another year. The electoral register would not change until 1 December, and it would make sense to confirm the order and publicise the boundary changes before that date. Parish elections for these parishes would then take place on the first Thursday in May next year.

The Democratic and Electoral Services Manager highlighted for Members the requirements for concluding the CGR and explained the options for grouping or merger of parishes.

The Democratic and Electoral Services Manager said some preliminary work had been done into how the two parish councils of Takeley and Little Canfield could seek changes of postal addresses in those areas where residents were dissatisfied with the current arrangements. Members agreed this matter did not fall within the remit of this review. The parish councils could pursue this matter if they wished.

Electoral Arrangements

Members considered parish warding in light of the forecast number of electors in each of the four parishes under the CGR as at 2015.

Birchanger

The number of electors in Birchanger would reduce considerably as a result of the boundary change, and in accordance with the Council's adopted policy criteria, the number of councillors already allocated was felt to be exactly right. It was therefore recommended that nine councillors should continue to be allocated to Birchanger with effect from May 2012.

Little Canfield

In Little Canfield the five year electorate forecast on the basis of no boundary change was 713, with 522 electors in the proposed Priors Green ward area and 191 electors in the proposed Village ward. Little Canfield parish council had initially agreed to have wards as part of the new electoral scheme, but had then submitted a revised view that nine councillors should be elected for the whole parish with no division into wards. Members therefore had to take account of the statutory guidance in considering whether parish wards were necessary or desirable. The questions to be considered were whether a single election of parish councillors would be impracticable or inconvenient, and whether it was desirable that any area or areas of the parish should be separately represented.

Councillor Ketteridge questioned whether warding for such a small number of people was feasible. The Democratic and Electoral Services Manager explained that warding was desirable in cases where the identity of an area needed protecting, that is, where if no ward existed there was potential for that part of the parish to be unrepresented. Separate polling arrangements would be required if warding were to be considered necessary.

On balance, Members felt warding was not necessary or desirable in the case of Little Canfield, particularly as the parish council had not requested it.

Members agreed the electoral scheme for Little Canfield should be nine councillors with no warding.

Stansted Mountfitchet

With regard to electoral arrangements for Stansted Mountfitchet, Members noted the total number of electors in Stansted would increase considerably as the result of the proposed transfer of the balance of the Foresthall Park site currently in Birchanger. Members agreed with the recommendation that any consideration of further wards in Stansted was unnecessary, and that the proposal to be confirmed allowed 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.

Takeley

With regard to electoral arrangements for Takeley, Members were invited to consider whether the unchanged parish should be warded to reflect the emerging pattern of residential occupation, and also whether it might be necessary to allocate separate representation to the communities of Mole Hill Green and possibly also Bambers Green. However, Members were advised that such an arrangement could only be justified if publicly demanded. Further, no representations had been received specifically on the question of the parish's proposed electoral scheme.

Members agreed with the draft proposal that the number of parish councillors in Takeley be increased from 11 to 13.

Ordinary year of election

Members agreed to confirm the intention to provide for a three year term of office from May 2012 for the four parishes concerned, and to revert to a four year election cycle after that.

Consequential changes

Members agreed that a consequential changes order should be made in the case of the Foresthall Park proposal also that district and parish boundaries

would continue to be coterminous. If agreed an application would be made to the LGBC at the conclusion of the review.

Definition of the new boundary and provision of mapping

Members were requested to agree to propose a suitable boundary line for publication as part of the final proposal (refer to recommendation i below).

Publication of recommendations and conclusion of review

Members agreed that the recommendations should be published once confirmed as final proposals, allowing a period of one week for receipt of further comments. After that time the recommendations would be confirmed as final unless new matters were introduced. A reorganisation order would then be prepared, together with the required mapping.

Summary of recommendations to Finance and Administration Committee:

RECOMMENDED to Finance and Administration Committee on 24 March 2011 to:

- i. Confirm draft proposal 1 in respect of the proposed change of boundaries between Birchanger and Stansted Mountfitchet, by realigning the boundary as follows: from the existing boundary between the parishes of Birchanger and Stansted Mountfitchet at Gypsy Lane the new boundary will run in a north-easterly direction to the junction with Stansted Road, then in a southerly direction to the junction with Foresthall 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 to a point where it meets with the line of bridleway 27, and then continuing along the length of that bridleway in a generally south-westerly direction to a point on that bridleway where it meets the existing parish boundary south-west of Parsonage Farm. The effect of the change will be to transfer from Birchanger to Stansted Mountfitchet parish all land presently in Birchanger parish lying to the north of Forest Hall Road; and transfer from Stansted Mountfitchet to Birchanger parish that area of land to the south of Forest Hall Road lying in between the new boundary line as described and the existing boundary.
- ii. Confirm that Birchanger should continue to have a parish council.
- iii. Confirm draft proposal 2 that there should be no change to the boundary between the parishes of Little Canfield and Takeley.
- iv. Confirm that Little Canfield should continue to have a parish council.
- v. Confirm that Birchanger should continue to have nine councillors, with no warding scheme to be introduced.
- vi. Confirm that the number of councillors representing Little Canfield should increase from seven to nine, with no warding scheme to be introduced.
- vii. 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.

- viii. 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.
- ix. 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.
- x. 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.
- xi. 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.
- xii. 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.
- xiii. That parish arrangements at Priors Green should be re-examined three years from the date of the conclusion of this review, or as otherwise requested or required as a result of a change of circumstances occurring before that date.

The meeting ended at 3pm.