

Committee: South West Area Panel
Date: 1 March 2007
Agenda Item No: 3
Title: Parish Electoral Arrangements
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Summary

Following the adoption, by the Operations Committee, of criteria guiding the Council's approach to parish electoral arrangements, a further letter was sent last November giving parishes one final opportunity to comment upon their electoral arrangements prior to the ordinary election of parish councillors in May.

As a result, three further parishes have written requesting a change to their electoral scheme before the election takes place.

Recommendation

That the requests from Great Hallingbury, Hatfield Broad Oak and Little Easton Parish Councils are determined in accordance with the principles set out in this report; and that Members decide whether to revise arrangements in those parishes that have not responded to this consultation.

Situation

- 1 The review of parish electoral arrangements commenced as long ago as August 2005. At its meeting on 16 November, the Operations Committee agreed revised arrangements at Quendon and Rickling, noted revisions already agreed in other parishes (Great Easton and Tilty, and Little Dunmow), and decided to make one further approach to parish councils on the basis of the following criteria:
 - For parishes with up to 700 electors, there should be between six and eight councillors (although the statutory minimum of five will continue to be allowed where justified by local circumstances).
 - For parishes with between 701 and 2,500 electors, there should be between nine and 12 councillors.
 - For parishes with more than 2,500 electors, there should be between 13 and 16 councillors.
 - That any parish wards fixed or altered as part of a future electoral review be based on principles of broad proportionality.

- 2 Following the original consultation letter and reminder, it was reported that as many as 26 parish councils had not submitted any comments at all as part of this review. In response to the Operations Committee's decision, a further letter was sent to parish councils on 24 November headed 'Urgent and important: please do not ignore'.
- 3 As a result of this approach, further responses have been received from twenty-two parish councils. However, most of these were from parishes that had already submitted representations and only seven were from parishes that had not already done so, leaving nineteen parish councils that have not responded to any of the three consultation letters sent. This is in spite of the initial letter stating that the Council might have to make assumptions about the views of those parishes not submitting representations. It is difficult to see what else the Council can do to elicit a response from these parishes about their own electoral arrangements.
- 4 Those representations received were either summarised in Appendix B to the previous report, or have been quoted, where relevant, in this report. Of those received, three have taken note of the criteria adopted in November 2006 and requested a change to their electoral arrangements. A number of others have made a case for either not increasing or not reducing their existing level of representation.
- 5 Taking these one at a time, **Great Hallingbury Parish Council** states that 'on looking at the figures of parish representation by electorate size, and taking into account the criteria, it was agreed that we would be willing to reduce our number of councillors from 10 to 9.'. The letter goes on to say 'our village is spread over a wide area, this being ... the original reason for such high representation, but we trust this adjustment will be acceptable.'.
- 6 Based solely on the adopted scale of representation, the number of councillors at Great Hallingbury should be reduced to eight or fewer but it is felt that the adjusted figure of nine is a suitable number for the parish as there is not believed to be any difficulty locally in the recruitment of parish councillors and contested elections have taken place in the recent past.
- 7 **Hatfield Broad Oak** has until now been one of the largest parishes with seven or fewer councillors. The Parish Council's letter asks for an increase to nine councillors made up of one representing the Bush End ward and eight representing the Village ward. This seems an entirely reasonable response to the adopted criteria and the proposed balance between the wards (Bush End 99 electors, one councillor; the Village 845 electors, eight councillors, is broadly proportional.
- 8 A letter has been received from **Little Easton Parish Council** seeking an increase to six councillors as 'an extra councillor would greatly ease the difficulties we have had, on occasions, of being quorate. This has been due to a number of reasons, including sickness and business commitments and having an extra councillor would greatly ease this problem.'.
- 9 This response fits in with the Council's policy and it is suggested the relevant change in representation is agreed.

- 10 No other requests for change have been made. This leaves consideration of those parishes not complying with the guidelines set out in paragraph 1. At the November meeting, Members agreed with the view that it was potentially difficult for parishes to maintain effective administration with only the statutory minimum of five councillors.
- 11 Leaving aside Little Easton (see above), there are nine parishes currently with the statutory minimum of five. These are summarised below:
- **Arkesden** says 'it has always been difficult to fill the positions of 5 councillors with such a small electorate'.
 - **Aythorpe Roding** commented 'they do not wish to increase the number of councillors beyond five. Attendance is usually 100% and we do not experience difficulty in recruitment or retention'.
 - **Hadstock** stated 'In respect of the new criteria, and bearing in mind the points detailed in your letter, we have concluded that it would not be advantageous for our parish to have an increased number of members on its Council, so I write to advise you that we do not wish to make any changes to our electoral arrangements'.
 - **Leaden Roding Parish Council** states that 'due to the difficulty in recruiting new parish councillors in our village and that at most parish council meetings a full representation of councillors attend, they would prefer that the number of councillors for Leaden Roding remains at five for the time being'. Notwithstanding these comments, it is considered that the number of electors in the parish (currently 457) probably justifies the addition of an extra councillor.
 - **Little Bardfield** 'feels that as a very small parish it would be unlikely to get more than five councillors to represent the parish' and that 'no more than five councillors are necessary'.
 - **Little Chesterford** has not responded to the consultation. The parish has a very small electorate (164) but did have a contested election in 2003 (eight candidates).
 - **Margaret Roding** has not responded but the parish clerk has spoken to the ESO. There is such a small electorate in the parish (140) that there seems little purpose in increasing the number of councillors. At the last election the parish was undersubscribed and had to undergo a further election. That was uncontested and they then had to co-opt one further member.
 - **Sewards End** really should have either six or seven councillors. When the new parish was established, the minimum number was suggested to address local fears that there would be insufficient candidates. These fears have proved groundless but the order introducing electoral arrangements has only recently been made (effective from May 2007) and further changes are not possible for a further five years.
 - **White Roothing** – no comments received. As with some of the other parishes, this parish has a very small electorate (259) and it may not be appropriate to increase the number of councillors. However, the former parish clerk once told the ESO that he always considered five to be an insufficient number for the reasons outlined in paragraph 10.

- 12 A number of other parishes do not fall within the scope of the guidance criteria. For instance, according to the guidelines, Hatfield Heath and Wimbish should both have more than seven members. No response has been received from either parish. **Hatfield Heath** parish has 1364 electors and is by far the largest parish with no more than seven councillors. The parish council area was formerly part of Hatfield Broad Oak and was first established in the 1980s. Members may wish to consider increasing the number of councillors at Hatfield Heath to nine.
- 13 At **Wimbish**, there are now 1024 electors. However, about half of this number are either service personnel or their families at Carver Barracks and because of their transient nature are perhaps less likely to wish to participate actively in parish affairs. In the circumstances, seven councillors is probably the correct number.
- 14 Of those parishes currently with nine councillors, those at **Chrishall**, **Littlebury**, and **The Sampfords** look potentially to be oversized, while **Thaxted** appears to be under-represented.
- 15 Neither of the first two named have submitted any representations at all, but **The Sampfords** parish requested no change to their arrangements. All three parishes are known to be quite active and have had contested elections in the recent past. That being the case it is not proposed that there should be any change in their representation.
- 16 The Sampfords is a grouped parish with Great Sampford and Little Sampford accorded separate representation. Strictly, the balance between the two wards is not proportional as now required by the Council's adopted guidelines. The electorate balance is roughly 2 to 1 and should more properly be reflected by six members for Great Sampford and three for Little Sampford instead of 5/4 as at present. However, the scheme has local acceptance and it is not proposed it should be altered now unless Members wish to do so.
- 17 **Thaxted Parish Council** has indicated that it would prefer to remain with nine councillors. This is because seeking any more than nine points of view would extend the time taken at meetings which already overrun the allocated time of two hours, and because of the limited size of the table used!
- 18 Thaxted is within the guidelines at present and no change is suggested.
- 19 No other discrepancies are apparent but **Saffron Walden Town Council** has expressed concerns about its current electoral scheme given the recent reduction in numbers from 16 to 15 (owing to the readjustment involving Swards End). The letter says that the Council has concerns over the number of members in relation to its population as compared to Dunmow and Stansted. It would be 'inappropriate for this Council to discuss it and believe it should be an issue to be considered by the new Council' after next May.
- 20 Saffron Walden Town Council has, until now, always had 16 councillors. There were initially four wards of four members each and from 2003 until the recent order was made there were three wards of five councillors each as well as the single member for Swards End. The latter ward has now been

abolished. Now that the parish's electoral arrangements have been reviewed by order it is not legally possible for a further adjustment to be made without seeking permission from the Secretary of State. This can be done if justified by circumstances after May 2007.

- 21 The ward boundaries cannot be changed in any way that would involve a crossing of district ward boundaries although internal ward divisions can be changed within whole district wards. A better long-term solution might be to adjust the number of councillors based on existing ward divisions to reflect projected electorate numbers. There are indications that the electorate in Shire ward will continue to rise at a faster rate than electorate numbers in either of the other wards and it may well be, in time, that the number of councillors can be adjusted accordingly.
- 22 Finally, it appears that no formal response of any kind has been received to any of the three letters sent from the following parishes: Barnston, Chrishall, Debden, Elmdon and Wenden Lofts, Elsenham, Hatfield Heath, High Easter, High Roothing, Langley, Littlebury, Little Chesterford, Manuden, Margaret Roding, Stebbing, Takeley, Ugley, White Roothing, Widdington and Wimbish.
- 23 In conclusion, the Panel is asked to consider the requests for change, decide whether any further changes need to be made and note the comments made by the various parish councils. The suggested changes are summarised below:
- **Great Hallingbury** – reduce the number of councillors from ten to nine.
 - **Hatfield Broad Oak** – increase the number of councillors from seven to nine, with the number of councillors allocated to Bush End ward remaining at one and the number allocated to the Village ward increasing from six to eight.
 - **Little Easton** – increase the number of councillors from five to six.
- 24 In addition, Members are asked to consider and determine the position of those parishes currently allocated five councillors (see paragraph 11), those where the existing number may be considered insufficient according to the size of the parish (paragraphs 12 and 13), and those where the guidelines indicate the number of councillors allocated may be higher than is warranted (paragraphs 14-16).
- 25 The criteria set out in paragraph 1 were not intended to be unduly prescriptive and it was intended that, by and large, matters would proceed by full agreement with parishes in the district. The intention was that the criteria would provide Members and officers with guidance in reviewing future arrangements, or in considering how to deal with new parishes, or new parish groupings. However, the adoption of the criteria has clearly had the desired effect of persuading some parish councils to consider seriously their electoral schemes. The objective must be to ensure that the arrangements in place are, and remain, fair, effective and relevant.
- 26 None of the parishes approached have responded to the suggestion that they might wish to consider the possibility of seeking a grouping arrangement (as

has now happened at Great Easton and Tilty), although this may well be the best way forward, in the long term, for some of the smaller parishes.

- 27 Apart from those matters listed in paragraph 23 above, it appears that potential questions remain about the most suitable number of parish councillors allocated at Hatfield Heath and Leaden Roding, and perhaps at Hadstock and White Roothing as well.
- 28 Officers have also been concerned about the administration of **Great Canfield Parish Council** as no fewer than four co-options were required after the 2003 election and it is known that the parish has been under-subscribed by either one or two councillors for a considerable portion of this four year term. It is known that the parish has experienced problems in recruiting councillors over a considerable period. Ideally, the parish should be reduced in number from seven to six, although the Parish Council has expressed satisfaction with its present arrangements. Members may prefer to advise the parish that the position will be monitored and then reviewed again in four years time.
- 29 One further matter that must be considered when reviewing parish electoral arrangements is the requirement to take account of the number of local government electors for the parish and any expected changes in the number and distribution of electors within the next five years (Section 18 Local Government and Rating Act 1997).
- 30 The following paragraphs contain brief details of expected electorate changes, for the parishes concerned, in the five years to 2012. This has been taken from the 'Results of Residential Site Survey 2006' as supplied by the planning office.
- 31 At **Great Hallingbury**, the survey indicates four outstanding units from known total capacity. This is likely to make little or no difference to the parish's electorate total and has no impact on the proposal received from the Parish Council.
- 32 At **Hatfield Broad Oak**, the equivalent figures indicate four units in each of the Bush End and Village wards. This will not alter the balance between the wards unduly and does not affect the Parish Council's proposal.
- 33 At **Little Easton**, there are three outstanding units. Again, this level of development makes no significant difference to the projected electorate in five years time.
- 34 This leaves only those parishes mentioned in the report as being subject to possible adjustment because of the factors mentioned. The number of outstanding units in each case in those parishes is:
 - Great Canfield – 6 units
 - Hadstock – 1 unit
 - Hatfield Heath – 8 units
 - Leaden Roding – 3 units
 - White Roothing – 4 units

- 35 Again, none of these figures make any difference to the level of representation in these parishes, other than the factors already mentioned.
- 36 Finally, it must be recorded that a letter has been received about the level of representation in **Little Canfield** which is, of course, subject to considerable development at Priors Green. The Parish Council's letter states 'although we have comparatively few electors, reducing the number of councillors to six or even five would cause problems should any one or more not be able to attend the prescribed meetings'.
- 37 The Council is committed to conducting a parish review at Little Canfield/ Takeley at some future stage because the parish boundary divides the Priors Green development. Any such review will examine levels of parish council representation in any case. Neither was there ever any intention on the Council's part to reduce representation in Little Canfield.

Background Papers:

Guidance on the establishment and review of parish electoral arrangements
issued by the Electoral Commission August 2006

Environment Circular 11/97 on parish reviews

The published scheme of parish council representation and wards in
Uttlesford updated to August 2005

The file on the current review of parish electoral arrangements