

### Information provided to Democratic Renewal Working Party

#### Issue 26: Consequential reviews – borough and county electoral arrangements

##### 1. Impact of the CGR on the Borough and County Councils

- 1.1. The Local Government Boundary Commission for England (LGBCE or “Commission”) believes that a misalignment of electoral boundaries for county, district and parish elections is both confusing for electors and an impediment to effective and convenient local government.
- 1.2. The CGR is therefore an important building block for consequential electoral reviews of other tiers of local government, which are carried out by the Commission. Its guidance can be found at <https://www.lgbce.org.uk/policy-and-publications/guidance>.
- 1.3. It should, however, be stressed that changes to parish arrangements under a CGR should not be driven by the impact on borough wards or county divisions; the criteria for the CGR should take precedence, and any changes to wards or divisions be consequential.
- 1.4. As part of a CGR, and to ensure coterminosity, the Borough Council can, however, also consider whether to request the LGBCE to make changes to the boundaries of borough wards or county divisions to reflect the changes made at parish level. In two tier areas, district councils are advised to seek the views of the county council in relation to any consequential alterations to division boundaries.
- 1.5. To provide this option if needed, issue 26 in the terms of reference for this CGR was therefore:

*“Consequential impacts and changes to Parish and Borough Council wards and County Council divisions representing the Borough associated with any proposed changes to parish boundaries or wards arising from the CGR. Changes may be in the form of ward/division boundaries and numbers of councillors.”*
- 1.6. It will be for the LGBCE to decide, following the receipt of proposals, if a related alteration should be made to borough or county arrangements, and when it should be implemented. No order will be made by the LGBCE until the CGR is completed and sufficient time should be given to the Commission to consider proposals in advance of scheduled elections.
- 1.7. Rather than make related alterations arising from a CGR that would create anomalies or have a disproportionate impact on electoral equality, the LGBCE may decide to programme an electoral review of the whole principal council area instead. An electoral review may also be triggered automatically if more than 30% of a council’s wards/divisions have an

electoral imbalance of more than 10% from the average ratio for that authority (or one ward/division has an imbalance of over 30%).

- 1.8. Alternatively, the Borough and County Councils could request the LGBCE to carry out an electoral review for their whole area, irrespective of the CGR. The most common reasons for undertaking an electoral review of a principal council are where significant change in population, localised increases from major housing developments or the movement of people into, out of, or within the local authority area, have resulted in poor levels of electoral equality (the concept whereby votes across the whole council area have an equal weight in terms of the number of electors represented by each councillor).
- 1.9. The last such review for the Borough Council took place 15 years ago, at which time a new warding scheme was put in place to achieve electoral equality. Since that time, however, imbalances between wards have started to develop as the Borough's population has grown. The electoral register as at November 2015 shows that there are now seven Borough wards (all single member) with an imbalance in electoral equality of over 10% (23% of wards, or 16% of councillors). Two of these variances are around 20%, with a range in average ward size of 1450 to 2184 electors, and they are not localised in one part of the Borough. Imbalances of over 10% have increased by two wards since 2011 and, as this CGR illustrates, the imbalances are likely to grow in the coming years, as major growth is focused on the Vision 2031 sites being examined in this review, and other locations in the Borough.
- 1.10. The Borough Council could therefore make a very strong case to the LGBCE that it should carry out an electoral review of the whole Borough prior to the 2019 elections, to reflect not only the consequential impact of this CGR on borough wards but also current and future imbalances in electoral equality (which will occur regardless of the CGR). The County Council could make a similar case in relation to a review before its 2021 elections, although this would be a county-wide decision.
- 1.11. Ultimately it will be for the Commission to decide whether it will carry out an electoral review, but it is recommended to the Working Party that it consider whether the Council should make such a request in the near future. An electoral review by the Commission would take around 18 months to complete and, since the Commission would not start it until after the CGR had been concluded, it would not be likely to start before their 2017/18 work programme. The sooner the Council makes its application, the better the chance of a review being completed before the 2019 Borough Council elections.
- 1.12. If the Council is not successful in its application for a whole Borough electoral review, it will know by spring/summer 2016. Therefore, it could still consider making a request for consequential changes to ward/divisions as part of this CGR at the final stage of the process, so that these could be reflected in the 2019 parish and borough elections.

1.13. The proposed course of action above has some bearing on this CGR which is explained in the next two sections.

## **2. Impact of Borough Wards and County Divisions on decisions taken in this CGR**

2.1. The first stage of any electoral review of a principal council will be to set the size of the council i.e. number of councillors. The Council will be able to make its own submission, as will individual councillors and other stakeholders, but this will be a decision for the Commission. It will look at population changes, the governance arrangements of the Council, the size of similar authorities, etc. Until this number is known, it will be impossible to know what the target number of electors per councillor/ward will be in the electoral review, and how that would play into a new map of ward boundaries.

2.2. Consequently, there would be little point in trying to further examine borough wards and county divisions at this stage of the CGR, knowing that the LGBCE might carry out an electoral review before the 2019 elections.

2.3. It would also be inappropriate to use current or future borough wards or county divisions as a factor in making recommendations through the CGR regarding what constitutes effective community governance at parish level.

## **3. Treatment of Parish Wards in this CGR**

3.1. The Commission itself has limited powers in relation to parish councils. It can neither create nor abolish a parish council. Nor can it change the boundary of an existing parish, which is a matter for the Borough Council through a CGR. However, it should also be noted that, in their subsequent electoral review of the Borough or County Councils, the Commission could make further changes or recommend changes to parish electoral arrangements.

3.2. The Commission can make recommendations about the electoral arrangements of any parish council that might be directly affected by new district ward or county division boundaries. As well as changing the size of councils (i.e. number of parish councillors), this power primarily relates to creating new parish wards or changing existing parish wards to ensure that:

- every ward of a parish lies wholly within a single electoral division of the relevant county council, and a single ward of the relevant district council; and
- every parish which is not divided into parish wards lies wholly within a single electoral division of the county council and a single ward of the district council.

3.3. This means that parishes can be split between district wards or county divisions and, by implication, it also means the Commission can create new parish wards to achieve electoral equality in district and county councils. This is what happened in the last electoral review for St Edmundsbury, when

the parish of Honington was split between RAF Station and Honington Village wards, and the two were put in different borough wards and county divisions. This was required because no rural warding scheme could be found to achieve the required electoral equality. Achieving electoral equality takes precedence over other considerations in electoral reviews for districts and counties.

- 3.4. Given the power of the LGBCE to alter or create parish wards to ensure electoral equality for a principal council, and the likelihood of this taking place before 2019, there is, again, a justification for not spending too long at this stage of the CGR examining parish wards. Focusing on the external boundaries of parishes, and putting forward a 'least change' model for parish wards might be the best approach. This would allow parish and town council wards to be examined properly at the same time as borough wards, as part of a principal council electoral review.
- 3.5. The following approach for this stage of the CGR is therefore suggested:
  - (a) the Working Party consider whether the Council should make a request for a full electoral review of the electoral arrangements for St Edmundsbury Borough Council.
  - (b) subject to the outcome of issue 7, the ward boundaries (and number of councillors) of Bury St Edmunds and Haverhill Town Councils be left unchanged within their existing boundaries, pending any electoral review of the Borough Council;
  - (c) if the CGR results in the extension of either of the towns' boundaries then the new area(s) be added, on an interim basis, to an existing adjacent town council ward, with no increase in the number of town councillors. This will result in a temporary electoral imbalance, but this imbalance can also be corrected by the subsequent electoral review before any scheduled elections;
  - (d) ward boundaries and other electoral arrangements for any other parishes (existing or new) be fully considered as part of this CGR, but it be explained to the parishes involved that these may be subject to later change by the LGBCE if they need to ensure electoral equality for, and coterminosity with, their own scheme for borough wards or county divisions.

Implicit in the above approach would be a need to make it clear in any final recommendations for phase 2 of the CGR that the Borough Council would, as a fall-back, seek the appropriate consequential changes to existing borough wards and county divisions if, for any reason, the LGBCE could not carry out full electoral reviews before 2019 or 2021 respectively. This would keep electoral arrangements across all three tiers in step.