

Council



Forest Heath
District Council

Title of Report:	Community Governance and Electoral Reviews	
Report No:	COU/FH/16/013	
Report to and date/s:	Council	29 June 2016
Portfolio holder:	Not applicable – electoral matters are not a Cabinet function	
Lead officer:	Alex Wilson Director Tel: 01284 757695 Email: alex.wilson@westsuffolk.gov.uk	
Purpose of report:	To seek the consent of Council to request an Electoral Review of the District’s electoral arrangements by the Local Government Boundary Commission for England before the 2019 elections and, based on their response, to put in place arrangements for a corresponding Community Governance Review of parish electoral arrangements.	
Recommendation:	It is <u>RECOMMENDED</u> that the Head of Human Resources, Legal & Democratic Services be authorised to: (1) request the Local Government Boundary Commission for England to carry out an Electoral Review for Forest Heath District Council before its next elections in 2019; and (2) subject to the Commission’s response, consult parishes and other stakeholders on the terms of reference for a district-wide Community Governance Review, and report back to Council accordingly.	

Consultation:	<ul style="list-style-type: none"> Internal and external consultation will be a major element of any reviews. 		
Alternative option(s):	<ul style="list-style-type: none"> To wait until a review is triggered automatically by the Commission due to electoral imbalances or, in the case of parish arrangements, by local petition. 		
Implications:			
Are there any financial implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> Depending on the method of consultation chosen, it should be possible to carry out the reviews with very little direct additional expenditure. 		
Are there any staffing implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any ICT implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any legal and/or policy implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> If agreed, review would be carried by the Commission under existing legislation and guidance 		
Are there any equality implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> An Electoral Review is intended to maintain electoral equality whereby, within agreed tolerances, each vote in the District carries equal weight (in terms of numbers of electors served by each councillor) 		
Risk/opportunity assessment:			
<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Population growth causes imbalances in electoral equality of wards	High	Request an Electoral Review	Low
Electoral arrangements between parish and district get out of step	High	Carry out a Community Governance Review to coincide with the Electoral Review.	Low
Ward(s) affected:		All Ward/s	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		https://www.lgbce.org.uk/policy-and-publications/guidance .	
Documents attached:		None	

1. Key issues and reasons for recommendation(s)

1.1 Electoral Review

- 1.1.1 Electoral Reviews are carried out by the Local Government Boundary Commission for England (LGBCE). 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).
- 1.1.2 It is common for reviews to take place every 15-20 years. The last Electoral Review for the District Council took place around 15 years ago and the new warding scheme which arose was put in place in 2003. Since that time, however, imbalances between wards have started to develop as the District's population has grown. An Electoral Review may be triggered automatically if more than 30% of a council's wards have an electoral imbalance of more than 10% from the average ratio of councillors to electors for that authority (or one ward/division has an imbalance of over 30%). Alternatively, a council could request the LGBCE to carry out an Electoral Review for its area, as is proposed in this paper. An Electoral Review is based on a five year electorate forecast from the date of implementation, so that known growth can be taken into account and there is a degree of 'future-proofing'.
- 1.1.3 The electoral register for Forest Heath in November 2015 showed that 4 (28%) of the District's 14 wards (containing 8 (30%) of its councillors) already have an imbalance in electoral equality of over 9%. That is to say that they varied (higher or lower) from the average number of electors per ward by over 9%. Of these, 2 wards (with 5 councillors) were around 15% smaller than the average. While the Council is not quite at an automatic trigger point for a review, it can therefore be seen that it is getting close (half of wards vary from the average by at least 7%) and these existing imbalances are likely to grow in the coming years, as growth continues in different places across the District.
- 1.1.4 The Council could therefore make a very strong case to the LGBCE that it should carry out an Electoral Review of the whole District prior to its 2019 elections, to reflect current and future imbalances in electoral equality. For similar reasons, St Edmundsbury Borough Council has already asked the LGBCE if it will carry out an Electoral Review before 2019, and the Commission has agreed to do this, most likely starting in 2017/18. An Electoral Review by the Commission would normally take around 12-18 months to complete.
- 1.1.5 Ultimately it will be for the Commission to decide whether it will carry out an Electoral Review, but it has indicated informally that it would be able to carry out a review of Forest Heath at the same time as St Edmundsbury and, indeed, could see merit in doing so, given the fact that the two councils share a constitution and policy framework (which would be one of the factors in a review). However, the Commission would need to know from Forest Heath in the near future so that it could programme work accordingly. It is therefore recommended that Council consider whether it should make such a request for an Electoral Review at this meeting. Elections for the County Council in 2017 would take place using existing Divisions, but the Commission may decide to carry out an Electoral Review for these arrangements before 2021. However, this is entirely a matter for the Commission and the County Council.

1.2 **Community Governance Review**

- 1.2.1 A Community Governance Review (CGR) is carried out by the district council and looks at electoral arrangements at parish and town council level (boundaries, number of councillors, parish wards, whether to create new parishes, etc). Reviews can be carried out when there are demographic changes which affect the provision of effective local government at parish level or where community identity changes over time, as places evolve. The district council can choose to carry out a CGR, or local communities can trigger one by petition. It is known that some parishes in the District are already interested in CGRs taking place before their next elections in 2019.
- 1.2.2 A typical time to carry out a CGR is after there is some certainty about the shape of major future development (for instance the adoption of a local plan or masterplan, or a major planning application being determined) if there is reason to believe such development might also impact on parish electoral arrangements (which is not always the case). This isn't to pre-suppose the outcome of carrying out a CGR (since each is taken on its merits) but taking this approach allows the Council and local community to examine the impact of the development and how best to deal with it.
- 1.2.3 Normally, a major district-wide CGR would also be planned by a district council to coincide with its own Electoral Review, as the LGBCE believes that a misalignment of electoral boundaries for district and parish elections is both confusing for electors and an impediment to effective and convenient local government. However, the LGBCE would not normally permit a CGR to take place at the same time as an Electoral Review, to avoid confusion between the two different processes. Therefore, a CGR would need to be planned to take place immediately before or after an Electoral Review (if one is sought).
- 1.2.4 Completing a CGR in full before early 2017 would constrain the process, which should allow time for full public engagement and proper deliberation by district councillors. Furthermore, carrying out a CGR during a local plan process may potentially cause confusion where large potential development sites straddle or are close to existing parish boundaries. This is because electors may believe that the decision on administrative boundaries through the CGR will influence the planning decisions, or vice-versa. Experience suggests it is better, if possible, to carry out such a CGR when there is a degree of clarity over the planning situation.
- 1.2.5 This suggests that carrying out a CGR in 2018, and immediately after any Electoral Review (if this is agreed), would be a good compromise. This would still be in time for the 2019 elections (when changes would normally be implemented). It would also allow the Council to take into account any new district wards proposed by the LGBCE when deciding on the wards of parish or town councils. For this reason, it is suggested that the Council commits now to carry out a full CGR for the District in time for implementation at the 2019 elections and, at the appropriate time, consults parishes and other stakeholders on the terms of reference. Terms of reference, including means of consultation and review timetable, would then be the subject of a future report to Council. The timing of these next steps would, to a large degree, be determined by the Council and LGBCE's decisions on an Electoral Review.