

Cherwell District Council

Council

27 January 2015

<p>Cherwell Boundary Review Response to Local Government Boundary Commission for England Draft Recommendations</p>

Report of Chief Executive

This report is public

Purpose of report

To agree Cherwell District Council's response to the Local Government Boundary Commission for England's ("LGBCE" or "the Commission") draft recommendations of the further electoral review for Cherwell District Council.

1.0 Recommendations

The meeting is recommended:

- 1.1 To agree the Cherwell District Council's response to the Local Government Boundary Commission for England's draft recommendations of the further electoral review for Cherwell District Council (Appendix 1).
- 1.2 To delegate authority to the Chief Executive to make any necessary amendments to the council's response to the Local Government Boundary Commission for England's draft recommendations of the further electoral review for Cherwell District Council prior to submission in light of the resolutions of Council.

2.0 Introduction

- 2.1 In May 2012 the Local Government Boundary Commission for England ("LGBCE" or "the Commission") announced that it would be conducting an electoral review of Cherwell. The review was triggered by the Commission's belief, and Cherwell District Council's ("CDC") subsequent confirmation, that more than 30% of wards within CDC had an electoral variance in excess of 10% from the average for the Council.
- 2.2 The first stage of the review was to determine a preferred council size. Following a submission from CDC and subsequent public consultation carried out by the LGBCE. Following the consultation, the Commission adopted a council size for 48 for Cherwell District Council, retaining elections by thirds.

- 2.3 The second stage of the review was the consultation on warding arrangements. All interested parties were able to propose a new pattern of warding arrangements for Cherwell District Council to the Commission during the consultation.
- 2.4 At its meeting of 7 July 2014, Council agreed its warding arrangements submission to the Commission. This can be viewed at the following link: [Cherwell District Council Warding Arrangements Submission](#)
- 2.5 Following consideration of all warding arrangements submissions, on 9 December 2014 the LGBCE published its draft recommendations for the further electoral review of Cherwell District Council. These are attached at Appendix 2. The Commission is inviting comments on their draft recommendations until 16 February 2015.

3.0 Report Details

Electoral Pattern

- 3.1 Cherwell District Council currently elects by thirds and it is recommended this be retained following the boundary review. Where a council elects by thirds, Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009 provides that the Commission should have regard to the desirability of recommending that each ward returns three councillors, subject to its other statutory criteria of achieving electoral equality, reflecting community identity and providing for effective and convenient local government.

Warding Pattern - Principles

- 3.2 Warding patterns should adhere to the following criteria:
- Delivering electoral equality for local voters – this means ensuring each local Councillor represents roughly the same number of people
 - Reflecting the interests and identities of local communities – this means establishing electoral arrangements which, as far as possible, maintain local ties and where boundaries are easily identifiable
 - Promoting effective and convenient local government – this means ensuring that the new wards can be represented effectively by their elected representative(s) and that the pattern of wards reflects the electoral cycle of the council.

Electoral Arrangements of Town and Parish Councils

- 3.3 Under the Local Government and Public Involvement in Health Act 2007, changes to external parish boundaries are the responsibility of local authorities.
- 3.4 The Commission can however recommend changes to the electoral arrangements within parish and town councils i.e. the number, names and boundaries of parish wards; and the number of parish councillors for each parish ward. However, this is only in circumstances where the parished area is already or is to be divided between wards.
- 3.5 The Commission cannot, as part of this review, consider changes to the external boundaries of a parish, the number of parish/town councillors or to creating a new parish.

The Commission Draft Recommendations and Cherwell District Council's Response

- 3.6 The Commission's draft recommendations for the further electoral review of Cherwell District Council were published on 9 December 2014 and are attached at Appendix 2.
- 3.7 The Boundary Review Working Group, an all-party councillor working group, supported by officers from the Democratic and Elections team, considered the Commission's draft recommendations against the council's own warding arrangements submission. A comparison between the two is attached at Appendix 3.
- 3.8 Appendix 1 sets out the proposed response to the Commission's draft recommendations. It has unanimous support from the Boundary Review Working Group.

Local Government Boundary Commission for England Electoral Review of Cherwell

- 3.9 Once the Commission has considered all responses to its draft recommendations, it is intending to publish its final recommendations on the number of councillors, the number and boundaries of wards, and the names of wards in February 2015.
- 3.10 There will be a twelve-week period of consultation on the draft recommendations before the Commission considers all representations received and formulates its final recommendations.
- 3.11 The Commission expects to publish its final recommendations in February 2015. The publication of the final recommendations marks the end of the electoral review process. There is no provision in legislation for representations to be made on the final recommendations.
- 3.12 Once the Commission's final recommendations have been published, they make preparations for the legal order to put them into effect. The Commission prepares a draft order. The final recommendations mapping that will be used as the basis of the map that will be referred to by the order (the order map). The order map will only show new district ward or county divisions and parish ward names and boundaries, and any existing county or district and parish and parish ward names that they do not propose to change.
- 3.13 The Commission will make arrangements for the draft order to be laid in the name of the Speaker of the House of Commons before both Houses of Parliament. It will then be subject to what is the draft negative resolution procedure, meaning the order can only be confirmed after it has been before each house for 40 sitting days (the House of Lords and the House of Commons may have different sitting days). Draft orders can be prayed against in either House. In such an event, a debate on the order may take place. If a debate on a draft order is lost, the order will not be made; there is no provision for Parliament to modify the order.
- 3.14 The orders will come into force at whole-council elections in the next normal year of election for the authority concerned, in the case of CDC, this will be May 2016. Given that it is recommended that elections by thirds are retained, the normal

electoral cycle will be returned to as soon as possible afterwards but no district elections will be held in a year in which they are not normally held. It may be also necessary to alter the years of parish elections to ensure that parish elections are held in the same years as district elections in associated district wards.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Boundary Review Working Group has considered the Commission's draft recommendations and believes that the proposed response reflects CDC's original warding arrangements submission, which it believes will ensure electoral equality across the district.

5.0 Consultation

Boundary Review Working Group	Support the proposed draft response
The Returning Officer and Electoral Registration Officer	No further comments

6.0 Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To agree the recommendations as set out.

Option 2: To amend the recommendations.

Option 3: To request that officers undertake further work on the draft response.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no direct financial implications at this time, although the retention of elections by thirds with three member wards would mean the council funding elections across the whole district every year. This will be addressed as part of the budget setting and medium term financial strategy processes.

Comments checked by:

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Legal Implications

- 7.2 The proposed response is consistent with the consultation process as required by the Local Government Boundary Commission for England and conforms to legislation in force.

Comments checked by:
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8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

N/A

Document Information

Appendix No	Title
1	Proposed Response to the Local Government Boundary Commission for England's draft recommendations
2	Local Government Boundary Commission for England draft recommendations
3	Comparison between the Local Government Boundary Commission for England and the Cherwell District Council warding arrangements submission
Background Papers	
None	
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