

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Electoral and Community Governance Review Committee **Date:** Thursday, 19 May 2011

Place: Committee Room 1, Civic Offices, High Street, Epping **Time:** 7.30 - 8.45 pm

Members Present: J Philip (Chairman), D Stallan (Vice-Chairman), D Jacobs, Mrs M Sartin and D Wixley

Other Councillors: R Morgan

Apologies: C Whitbread

Officers Present: I Willett (Assistant to the Chief Executive)

12. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a personal interest by virtue of being Chairman of Matching Parish Council. The Councillor had determined that his interest was not prejudicial and that he would stay for the meeting.

13. MINUTES

RESOLVED:

That the minutes of the meeting held on 1 March 2011 be taken as read and signed by the Chairman as a correct record.

14. SUBSTITUTE MEMBERS (Council Minute 39 - 23.7.02)

Councillor M. Sartin attended the meeting as substitute for Councillor C. Whitbread.

15. WORK PROGRAMME

The Committee noted the work programme agreed at the last meeting and in particular that this meeting had been convened to formulate proposals arising from the Community Governance Review for submission to the Council meeting on 28 June 2011.

16. COMMUNITY GOVERNANCE REVIEW - MORETON, BOBBINGWORTH AND THE LAVERS PARISH COUNCIL: OUTCOME OF CONSULTATION

The Committee considered a report which dealt with the results of the second round of consultations with residents of The Lavers Wards in MBL Parish and in Matching Parish concerning the parish boundary at Matching Green Village.

Electoral and Community Governance Review Committee
Thursday, 19 May 2011

The Committee noted that consultation had been conducted by letter with 219 households in the Parish Wards of High Little and Magdalen Laver of MBL Council, with 273 households in the Parish at Matching; and with 180 electors in Matching Green Village (that part of the Village situated in MBL Parish). The consultation had consisted of an explanatory letter, a summary information sheet and a return pro forma with specific questions about the Matching Green boundary change, the possibility of reducing the number of Councillors in The Lavers Ward by one to reflect the possible inclusion of Matching Green in Matching Parish and the possibility of increasing by one the number of Councillors in Matching Parish for the same reason.

The information sheet had been supplemented by more detailed information on the Council's Website. Consultation letters had also been sent to Essex County Council, the two local District Councillors, the two Parish Councils concerned together with County Councillors for North Weald and Nazeing and Ongar and Rural Electoral Division. A public meeting had also been held on 1 April 2011 to which the public from the area consulted were invited.

The consultation period had run from 25 March to 15 April 2011.

The Committee considered the results of the consultation and noted that response rates among Matching Green Electors (MBL) had been 56% whilst for The Lavers Wards and Matching Parish the percentage responses had been 16.4% and 27.4% respectively.

The Committee were advised that the following broad conclusions could be drawn from the results of the consultation:

- (a) that the principle of changing the boundary at Matching Green Village commanded a large percentage support among those who had responded in all three areas but was highest in Matching Parish;
- (b) that lower percentage support would apply if all those consulted (and who had not responded) were taken into account;
- (c) that the new boundary at Matching Green generally commanded support within the MBL area including Matching Green Village;
- (d) that there had been little support for reducing the number of Councillors in MBL Parish or for increasing the number of Councillors in Matching Parish Council to reflect the boundary change.

In terms of the other Consultees, it was noted that both Matching Parish Council and MBL Parish Council had raised no adverse comments about the routing of the boundary. Although there had been a significant, but not overwhelming, response in favour of a reduction in the number of MBL Parish Councillors, MBL Parish Council had made a case for retaining the same number of Parish Councillors on the basis of the large area of that Parish. It was noted that Matching Parish Council was not supporting an increase in the number of its Parish Councillors but had raised the issue of elections in that Parish following the boundary change.

Essex County Council, following consultation with the two County Councillors for the Electoral Divisions affected, had not raised any objection in principle to a consequential boundary change but had queried the timing in the light of the forthcoming review of parliamentary constituency boundaries followed with the Parish District and County Electoral Division boundaries.

Electoral and Community Governance Review Committee
Thursday, 19 May 2011

The Committee concluded that sufficient steps had been taken to ensure that local communities were aware of the proposal to change the boundary and that had those individuals and households wanted to oppose the proposal, they would have expressed that view.

RESOLVED:

(1) That, after consideration of the consultation responses, the Committee's views on the level of public support for the proposals arising from the Community Governance Review (Stage 2) be recorded namely:

(a) that the overall response rate and the expressed views of consultees who had responded indicated support for the re-warding of MBL, and changing to the Matching/MBL Parish boundary;

(b) that the two Parish Councils had taken a pragmatic approach to the change in the Parish boundary whilst Essex County Council had no overriding objection to the boundary change although some concerns had been expressed about matters related to timing;

(c) that the level of support for changes in the number of Councillors in both MBL Parish and Matching Parish did not to present a case for change; and

(2) That, in the light of the public consultation, the Council had sufficient support to move to the next stage of bringing the proposals into effect.

17. COMMUNITY GOVERNANCE REVIEW - MORETON, BOBBINGWORTH AND THE LAVERS PARISH COUNCIL

The Committee considered a report on the next steps required on this review bearing in mind the conclusions reached on the consultation referred to under the previous minute.

The Committee noted that the duty of the District Council was to assess these proposals on the basis that they reflected the identities and interests of the communities in the area and are effective and convenient.

The Committee was advised that there were four main elements to the proposals arising from the review namely:

(a) re-warding of the area comprising the present Parish Wards of High Laver, Little Laver and Magdalen Laver;

(b) transfer of those areas of High Laver and Little Laver Wards within Matching Green Village to the Parish of Matching;

(c) the re-alignment of the MBL/Matching Parish boundary to reflect (b) above; and

(d) proposals relating to changing in the number of Parish Councillors to reflect the transfer of electors between the two Parishes.

Electoral and Community Governance Review Committee
Thursday, 19 May 2011

The Committee also considered the statutory requirements for implementing the results of Community Governance Reviews as established by the Local Government and Public Access to Health Act 2007, namely:

- (i) whether MBL and Matching Parish areas should continue to rely on Parish Councils to provide the most appropriate form of Community Governance;
- (ii) whether MBL Parish should continue to have an electoral wards and whether Matching should continue to elect for the whole of its area;
- (iii) whether any alternative arrangements for improving community governance other than through proposals arising from the review had emerged; and
- (iv) whether the proposed change to the Parish boundary at Matching Green severed any other links which would be detrimental to local community governance.

The Committee also considered a question raised regarding elections in that Parish following the boundary change. It was noted that community governance orders made by District Councils normally came into effect at the next ordinary elections for the Parish Council concerned which would mean that for Matching, the change would take effect in 2015 when Parish elections were next scheduled. In the case of MBL Parish, the proposals in the Order would take effect with effect from the next ordinary Parish elections in 2012.

The Committee discussed whether elections should be held for Matching Parish Council before 2015 to avoid any democratic deficit for those transferring electors. It was noted that re-organisation orders arising from a review could make provision for earlier elections should this be desirable in governance terms. It was noted that Matching Parish Council had considered this issue and was opposed to committing further cost to an election in 2012 when one had been held in 2011, although the latter had not been contested.

The Committee also reviewed the position concerning other boundaries which shared the Parish boundary at Matching Green. It was noted that if this Council changed the Parish boundary it could apply to the Local Government Boundary Commission for a consequential change to the County Electoral Division and District Ward boundaries. The Committee took the view that every step possible should be taken to avoid confusing voters and that this application should be made.

It was noted that the Parliamentary Constituency boundary which also followed the present parish boundary could not be changed as this could only be dealt with as part of a national review which was currently in progress. The Committee hoped that when consultation on the Parliamentary Constituency review opened, there might be an opportunity for the Commission and local MPs to be lobbied in order to ensure that all the boundaries in the area followed the same route.

RESOLVED:

- (1) That a report be submitted to the Council recommending that the following proposals arising from the Community Governance Review for MBL Parish should be adopted, as they reflect the identities and interests of the communities in the area and are effective and convenient namely:
 - (a) re-warding of the area comprising the existing Parish Wards of High Laver, Little Laver and Magdalen Laver to form a single ward entitled "The Lavers";

Electoral and Community Governance Review Committee
Thursday, 19 May 2011

- (b) the transfer of those areas of High Laver and Little Laver wards which are part of Matching Green Village to the Parish of Matching;
 - (c) the re-alignment of the MBL/Matching Parish boundary in Matching Green Village as a consequence of (b) above;
 - (d) MBL Parish, should continue to have a Parish Council with electoral arrangements based on wards;
 - (e) that no change to the number of Parish Councillors in Matching and MBL Parishes be made;
- (2) That the Council be also recommended as follows:
- (a) that an Order be made under Section 92 of the Local Government and Public Involvement in Health Act 2007 to give effect of the proposals arising from the review, subject to a report to this meeting on further consultation with elected Councillors resident in the MBL part of Matching Green village to ascertain the level of public support for a new Matching Parish Council elections in 2012;
 - (b) that a statutory statement under Section 96 of the Act indicating the Committee's response to the review be adopted for subsequent publication all respondents to the public consultation;
- (3) That the Council also be recommended to make an application to the Local Government Boundary Commission (LGBC) for the following consequential boundary as follows:
- (a) the re-alignment of the boundary between North Weald & Nazeing and Ongar & Rural County Electoral Divisions and the District Wards of Moreton & Fyfield and Hastingwood, Matching and Sheering village to follow the new Parish boundary;
 - (b) the holding of an election in 2012 in the District Ward of Hastingwood, Matching and Sheering Village; and
- (4) That the Assistant to the Chief Executive prepare a statement under resolution (2)(b) for approval by the Council.

18. PARLIAMENTARY CONSTITUENCY REVIEW

The Assistant to the Chief Executive gave an update on the current position concerning the Parliamentary Constituency Review.

The Committee noted that the review would be conducted in England on a regional basis with each region having a target number of constituencies. In the case of the Eastern Region (of which the Epping Forest District was part) the number of constituencies was 56. It was reported that the Boundary Commission for England was currently in the process of appointing Assistant Commissioners (3 in each region) and that the work of the Commissioners was likely to be focused in October and/or November 2011 and around in Summer 2012.

The Committee felt that it was important that progress with the review and the opportunity to comment should be carefully monitored and requested that a meeting

Electoral and Community Governance Review Committee
Thursday, 19 May 2011

of this Committee convened as quickly as possible once the consultation was opened.

It was also noted that the Commission had consulted on the following:

- (a) taking into account local government boundaries when forming provisional recommendations as to constituencies;
- (b) the extent to which changes in Ward boundaries which take place after May 2011 can be taken into account was part of the Constituency Review; and
- (c) a target constituency size of around 76,000 electors.

RESOLVED:

- (1) That the Assistant to the Chief Executive monitor progress with the review of Parliamentary Constituencies and convene a meeting of the Committee at the appropriate time; and
- (2) That as part of any consultation of constituency boundaries the opportunity be taken to draw attention to the Parliamentary Constituency anomaly at Matching Green.

19. DATE OF NEXT MEETING

RESOLVED:

That no further meeting of the Committee be convened at the present time.

CHAIRMAN