

# Report to the Electoral and Community Governance Committee

**Date of Meeting:** 19 May 2011

**Item:**

**Subject:** Community Governance Review –  
Moreton, Bobbingworth and The Lavers (MBL)  
Parish Council – Response by the Council

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**Committee Secretary:** -

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## Recommendations:

- (1) To consider recommending to the Council that proposals arising from the community governance review for MBL Parish should be adopted, namely:
  - (a) the 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”; and
  - (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 Boundary in Matching Green Village as a consequence of (b) above; and
  - (d) any proposals arising from (a) – (c) above to change the number of Parish Councillors in Matching and MBL Parishes.

on the basis that these proposals will reflect the identities and interests of the communities in the area and are effective and convenient;
- (2) That, subject to (1) above, recommendations be made to the Council on the following:
  - (a) in respect of MBL Parish Council:
    - whether the Parish Council should continue to be known as “Moreton, Bobbingworth and The Lavers Parish” and should continue to have a Parish Council;
    - whether the Council should continue to have electoral arrangements based on wards subject to the change proposed in recommendation (1) taking account the area of the Parish;
    - whether there are alternative arrangements proposed for improving community governance which could be used instead of the proposals arising from the review;

- whether the proposals sever any links within MBL Parish;
- (b) in respect of Matching Parish:
- whether that Parish should continue to be known as “Matching Parish” and should continue to have a Parish Council;
  - whether the Parish Council’s electoral arrangements should continue to be organised on the basis of a single election;
  - whether there are alternative arrangements proposed for improving community governance other than through the proposals arising from the review;
  - whether the proposals to change the parish boundary at Matching Green Village reflects local community interests and does not sever any other local links.
- (3) That, subject to (1) and (2), the Council be recommended to make and publish an order under Section 92 of the Local Government and Public Involvement in Health Act 2007 to give effect to the proposals under the review, subject to any changes made at this meeting;
- (4) That, subject to (1) and (2), a statutory statement under Section 96 of the Act indicating the Committee’s response to the review be prepared for submission to the Council and subsequent publication and notification to all respondents to the public consultation;
- (5) That ,subject to (1) and (2), the Council be recommended to make an application to the Local Government Boundary Commission (LGBC) for the following consequential changes arising from the review:
- (a) the re-alignment of the boundary between the North Weald and Nazeing and Ongar and Rural County Electoral Divisions to accord with the proposed change to the Parish boundary at Matching Green Village;
  - (b) the same re-alignment for the District Wards of Moreton and Fyfield and Matching, Hastingwood and Sheering Village;
  - (c) an ‘out of turn’ election in May 2012 for the District Ward of Matching, Hastingwood and Sheering Village.
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**Report:**

**1. Introduction**

- 1.1 The purpose of this report is to enable the Committee to determine its response to the community governance review in the light of the consultation responses dealt with under the previous item. The matters involved are as follows:

- (a) to assess the proposed changes to warding arrangements in MBL Parish and the change in the boundary between MBL and Matching Parishes and to be satisfied that these changes are effective and convenient and reflect community interests;
- (b) to review the proposed route for re-aligning the parish boundary;
- (c) to hear from MBL and Matching Parish Council about their views on the number of Councillors after any boundary change;
- (d) to consider the question of changing the County Electoral Division and District Ward boundaries to accord with the new Parish boundary at Matching Green; and
- (e) to consider recommending an order to be made under the 2007 Act and its contents and a supporting statement.

1.2 The final decision on the review is a matter for the Council. To comply with the statutory requirement for completion of this review within 1 year, the Committee must make recommendations to the Council meeting on 28 June 2011.

## **2. Effective and Convenient Community Governance**

2.1 The Council's duty under the 2007 Act is to ensure that the identities and interests of the community in the area are reflected in its proposals. Those proposals must also be effective and convenient.

2.2 The Council must also take account of the view of local communities and others with an interest in the review.

### **2.3 Relevant Considerations: MBL Parish**

- (a) the review has noted that Matching Green village is divided between two Parishes;
- (b) the review has identified a new boundary which encloses the whole village in Matching Parish;
- (c) the new boundary has been acknowledged by most consultees as more logical;
- (d) electors who have responded from Matching Green Village (MBL part) seem to favour inclusion of the village wholly in Matching Parish;
- (e) reducing the number of parish wards from 5 to 3 has the benefit of achieving a better electoral balance across the whole parish between Councillors and electors;
- (f) the area which would transfer to Matching unifies a village which would be differentiated from the neighbouring rural areas in the new Lavers Ward which will remain in MBL parish; and
- (g) the MBL electors who do not transfer would continue to be directed to the present polling station in Matching Green.

## 2.4 Relevant Considerations: Matching Parish

- (a) the village of Matching Green is currently only partly included in this parish, with which it shares the “Matching” name;
- (b) the present parish boundary with MBL at Matching Green is generally regarded as an anomaly and has been raised in previous electoral reviews;
- (c) voting arrangements for all Matching Green electors will continue as at present and will continue to be convenient to local electors; and
- (d) including all of Matching Green Village in Matching Parish seems to be a clear message from the public consultation.

## 3. Electoral Arrangements

3.1 The Council is required to review the effect of the review on electoral arrangements for the parishes involved below:

**(a) Should both continue to have Parish Councils?**

3.2 No suggestion has come forward stating that the parish pattern should change. The purpose of the one boundary change between the two parishes is to remove an anomaly in defining community links in the area.

**(b) Are there any other arrangements (apart from Parish Councils) which have already been made or could be made for the purposes of community engagement or representation?**

3.3 None have been reported as being in operation and no proposals have come forward. The kind of proposals envisaged by Section 93(5) of the Act would be residents’ associations, community or neighbourhood forums or local committees if these provide better governance arrangements.

**(d) Should the area under Review continue to have Parish Councils? Are the names of the existing Parish Councils still appropriate if the proposals from the review are implemented?**

3.4 The review has been conducted on the basis of clarifying the local pattern of Parish Councils. No proposals to disband, combine or create new parishes have come forward.

3.5 The names of the two parishes continue to reflect the areas for which they are responsible. Although a part of the High Laver and Little Laver Parish Wards in MBL would transfer, the Lavers is still a name associated with MBL parish, through Magdalen Laver and those areas of High Laver and Little Laver which will not transfer.

**(e) As a result of the review are the electoral arrangements appropriate?**

3.6 Section 90(2) requires the Council to consider the electoral arrangements which will apply to the two parishes. These include the ordinary year of elections, Council size and parish warding.

## Election Cycle

- 3.7 Ordinary years for elections are 2011 in Matching and 2012 for MBL and every 4 years thereafter. Within the Epping Forest District, one half of the 24 Parish Councils are contested in each of two years in the 4 year cycle. These are arranged to take place in tandem with District Ward elections. No proposal to change this cycle has been proposed. The changes being proposed could be regarded as not sufficiently large in scale to warrant these more radical options.

## Council Size

- 3.8 The size of the two Councils has been raised by the Committee already. Consultation asked the question whether, with a transfer of electors from MBL to Matching, there should be an adjustment by one in the number of Councillors who serve.
- 3.9 It is recommended that the views of the two Councils should be taken into account but the ratios of Councillors are as follows:

	<b>Councillors</b>	<b>Electorate</b>	<b>Ratio/Cllr/Electors</b>
MBL Current	14	1089	1:77.78
MBL Proposed	14(13)	991*	1:70.78 (76.23)
Matching Current	7	544	1:77.77
Matching Proposed	7(8)	726*	1:103.71 (90.75)

\* includes 5 year electorate growth estimate.

Figures in brackets show the effect of reducing/increasing by one Councillor.

## Parish Wards

- 3.10 The Council is required to look at the effect of boundary changes on Parish Wards. Matching is not currently warded, whereas MBL has five wards and there is a proposal to reduce to 3.
- 3.11 The Committee must consider whether the addition of 159 voters necessitates Matching parish being divided into wards. Defining wards is designed to assist in accessibility to polling stations (i.e. no voter should have to travel excessive distances to vote). The electorate for Matching is smaller than MBL and the polling arrangements are well established. With the boundary change, voters in the MBL part of Matching Green would vote at the same station as the rest of the village.
- 3.12 For MBL Parish, the electorate is larger and the overall area of the Parish greater. Polling arrangements would be unaffected by the transfer of voters for Matching Parish as the existing accessible stations could continue to be used for the new Lavers ward. Although the number of electors is reduced by the boundary change, the Council should consider whether account need be taken of the dispersed population of this rural area. In such a situation, a single unwarded election may not be appropriate.

#### **4. Implementing the Proposals Formulated by the Review**

4.1 Proposals are brought into operation by an order under Section 92 of the 2007 Act. Proposals come into effect on the next day of ordinary elections. The order can specify changes in the boundaries, warding and the number of Councillors. It also authorises the Registration Officer to reflect the changes in the next updated electoral register.

4.2 Such orders may also provide for:

- (a) property transfer;
- (b) transfer of functions, rights or liabilities;
- (c) provisions regarding current legislation;
- (d) transfer of staff and any related staffing matters;
- (e) supplementary agreements (including any affecting any other public body);
- (f) dispute resolution;

No such requirements have been notified.

4.4 If the Council makes an order it must publish a statement to accompany the public deposit copy of the order. This statement must indicate the reasons for approving (or rejecting) any proposals from the review.

#### **5. County Electoral Division Boundaries/District Ward Boundaries**

5.1 Section 92 of the 2007 Act enables the Council to apply to the LGBC for consequential changes to other boundaries, in this case to the District Ward and County Electoral Divisions which share the same boundary as the two parishes.

5.2 In deciding whether to recommend this application, the Committee should take account of:

- (a) potential voter confusion if the 3 boundaries are not the same;
- (b) the requirement of LGBC that there is an additional election in 2012 to ensure that one of the District Wards regains the 4 year cycle;
- (c) the Committee has already noted that the Moreton and Fyfield District Ward has ordinary elections in 2012 and concluded that the additional election should therefore be in the District Ward including Matching Parish which elected in 2011.
- (d) the additional cost which will fall to the District Council as a result of the additional 2012 election (estimated at approximately £2,500).

5.3 LGBC will not be able to amend the Parish Council boundary change if agreed by this Council. The Commission will make its decisions based on the review undertaken and the projections regarding future electorate changes in the 2 County Divisions and the 2 District Wards. LGBC can decline to make such an order but has indicated that in principle, it sees no objection to the changes, subject to review of the details.

## **6. Parliamentary Constituency Boundary**

- 6.1 The common boundary is also followed by the constituency boundary between Harlow and Brentwood and Ongar. The Council or LGBC are unable to take any action to bring that boundary into line with the others. This is a matter for the Parliamentary Boundary Commission which is currently engaged in a national review.
- 6.2 If the latter review does not change the boundary in this area, special arrangements for voters will need to be considered for the General Election due in 2015. In terms of possible voter confusion, this also needs to be taken into account. However, if the Council is consulted by the Commission as part of its forthcoming review, the Council could make representations to align the Parliamentary boundary with the others in this area, assuming that the constituency boundary remains in its present location.

## **7. Conclusion**

- 7.1 The recommendations at the commencement of this report are designed to clarify the proposals will put to the Council in June 2011.

## **Background Papers**

Letter dated 4 February 2011 from Director of Reviews, LGBC.

Background data/methodology on electoral projections.