

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Electoral and Community Governance Review Committee      **Date:** Thursday, 20 October 2011

**Place:** Committee Room 1, Civic Offices, High Street, Epping      **Time:** 5.30 - 5.55 pm

**Members Present:** Councillors C Whitbread (Chairman), D Stallan (Vice-Chairman), D Jacobs, J Philip and Mrs C Pond

**Other Councillors:** Councillors Mrs M Sartin, Mrs A Grigg and R Morgan

**Apologies:** C Finn

**Officers Present:** I Willett (Assistant to the Chief Executive), W MacLeod (Elections Officer) and R Perrin (Democratic Services Assistant)

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### **26. Substitute Members (Council Minute 39 - 23.7.02)**

Councillor C Pond attended the meeting as substitute for Councillor C Finn.

### **27. Declarations of Interest**

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

### **28. Terms of Reference**

The Terms of reference were noted.

### **29. Minutes**

#### **RESOLVED:**

That the minutes of the meeting held on 29 September 2011 be taken as read and signed by the Chairman as a correct record subject to minute 20 Substitute Members being amended by deleting "Councillor Whitbread" and substituting "Councillor Stallan".

### **30. Parliamentary Constituency Review**

The Assistant to the Chief Executive reported on the drafted response to the Boundary Commission for England's review of the Parliamentary Constituencies.

The general responses from the committee supported the initial proposals from the Commission and were set out as follows;

(a) that the committee had concentrated the discussions on the 3 constituencies affecting the District and were not commenting on the Eastern Region or the rest of the Essex Sub Region;

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(b) that the Epping Forest Constituency as amended, met the legal requirements as to the number of electors and by joining Lambourne Ward with the rest of the constituency it would create a logical single unit. The committee paid particular attention to the fact that Lambourne appears to have strong links with the Theydon Bois area therefore the choice that the Commission had made seems to be logical;

(c) that in terms of the Harlow and Brentwood and Ongar Constituencies the committee had restricted the comments to noting the new configuration of District Wards both within the area and neighbouring Councils. The reason for that was that the Committee thought that the Council should strongly support the Epping Forest Constituency as now proposed because any weakening of that position would mean changes could be made as a result of representations from any other area. The committee wishes to send a strong message to the Commission that the new Epping Forest Constituency had our firm support;

(d) that the Committee was also very pleased to see that the District Wards covering the Parish of North Weald remain in their present Parliamentary Constituency because there was a history of this area being transferred between different Parliamentary Constituencies over the years and the Committee was glad that the initial proposals of the Commission provide continuity.

However in relation to Matching Green, the Council had already made an order to include all of Matching Green in Matching Parish and that had now been supported by the Local Government Boundary Commission which had made consequential changes to the County Electoral division and District Ward boundaries to align them with a new Parish boundary. This left an anomaly as the Parliamentary boundary would still follow the previous route. With that in mind the Committee asked for strong representations to be made to the Commission for the anomaly to be put right and the Parliamentary boundary made to follow the other three boundaries in that area. It was suggested that if the anomaly was perpetuated a degree of voter confusion could be expected during a Parliamentary election which was likely to be held to concurrently with another local government election as these would be on different boundaries. It was preferable, in the Committee's view, that this should be addressed now and boundaries unified for 2015.

The Parish Councils of Moreton, Bobbingworth & The Lavers and Matching had been advised of the change in the Parliamentary boundary at Matching Green as this would transfer 160 voters from the Brentwood and Ongar Constituency to Harlow Constituency. This would be within the 5% tolerance prescribed in the rules to which the Commission was working. However, the changes in the Matching Green boundaries had taken place after the publication of the electoral registers on which the review was based. The Committee were therefore conscious that it would need a decision to waive the criteria to allow the change to be made. However, the Commission had some discretion to take account of current boundaries provided that does not contradict the electoral quota and the Committee took the view that it was worth making this point.

**RECOMMENDED:**

(1) That the proposed formal response (set out in the Appendix to the report) to the Boundary Commission for England in respect of the review of Parliamentary Constituencies be approved subject to amendments to 2.2 and the removal of word "adverse";

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- (2) That a copy of the Council's views be sent to the three local members of Parliament;
- (3) That the relevant Government Minister be advised ( with copies to the local MPs) about the Council's concerns about the Constituency boundary at Matching Green; and
- (4) That the action taken by the Committee in authorising the Assistant to the Chief Executive (accompanied by Councillor R.Morgan, the local District member for the Matching area) to attend the Commission's hearing about the review on 31 October 2011 in Colchester and present these views in person be confirmed.

**31. Matching Green Boundary**

The Assistant to the Chief Executive reported that the Local Government Boundary Commission had agreed to make the order realigning the County Electoral Division and District Ward boundaries with the new Parish boundary. A copy of the order was awaited.

**CHAIRMAN**

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## 1. Introduction

1.1 At the last meeting, the Committee agreed its general approach to the review of parliamentary constituencies as follows:

(a) to support the proposed revisions to the Epping Forest constituency;

(b) to limit comments on the proposed changes to the Harlow and Brentwood and Ongar constituencies to a statement of general support;

(c) to make representations to the Boundary Commission for England concerning the anomaly in the parliamentary boundary at Matching Green, bearing in mind changes to other local government boundaries in that area; and

(d) to authorise the Assistant to the Chief Executive to make representations to the Commission regarding (c) above, at the public hearings being held in Colchester on 31 October and 1 November 2011, if possible accompanied by the District Member for the Matching Green area, Councillor R Morgan.

1.2 The report submits draft representations on the parliamentary review for submission to the Council on 1 November 2011 and also on the brief to the Assistant to the Chief Executive for the public hearing on this review and the Matching Green boundary in particular.

## 2. Parliamentary Review – General Response

2.1 The Council is asked to comment on the Commission's proposals in four respects. These are set out below with, after each heading, a suggested response.

2.2 **Whether the Council agrees in full, in part or not at all with the Commission's initial proposals for the Eastern Region.**

### **Response:**

The Council has no adverse comment on the proposals for the Eastern Region, subject to the comments set out below in relation to the Essex Sub-Region.

### 2.3 Which sub-region proposals the Council agrees with and why.

#### Response:

The Epping Forest District is part of the Essex Sub-Region and the Council has restricted its consideration of the Commission's initial proposals to consideration of that Sub-Region. The Council fully supports the proposals for new constituencies in the Sub-Region and in particular the new constituencies of Epping Forest, Brentwood and Ongar and Harlow.

The proposals for the local area seem to the Council logical in that:

- (a) the new constituency for Epping Forest retains its current community identity;
- (b) the one change (ie the addition of Lambourne district ward) to the Epping Forest constituency is appropriate in community governance terms in that the ward has links to the neighbouring Theydon Bois ward which sits at the heart of the Epping Forest constituency;
- (c) that the community links between Lambourne and Theydon Bois wards are reflected in local services, local retailing facilities, transport links and in terms of distance which places Lambourne much closer to the heart of the Epping Forest constituency than to Brentwood;
- (d) that the new Epping Forest constituency provides North Weald Bassett ward with continuity of parliamentary representation in that it remains in Brentwood and Ongar thereby avoiding the difficulties experienced in previous reviews where the ward has been transferred between different constituencies at different times;
- (e) that the new Epping Forest, Harlow and Brentwood and Ongar constituencies meet the Commission's electorate criteria and create constituencies which are logical and justified by existing community links;
- (f) that the only aspect of the Essex Sub-Region review which the Council cannot support is the boundary at Matching Green between the Harlow and Brentwood & Ongar constituencies, which the Council regards as anomalous in that it divides a single community taking no account of recent changes to the

Parish, District and County Electoral Division boundaries with which the constituency boundary was previously coterminous;

(g) that aligning the parliamentary constituency boundary at Matching Green with the other local government boundaries in that location would transfer approximately 160 electors from the Brentwood & Ongar Constituency to Harlow which, in the Council's view, is within the electoral tolerances prescribed in the Commission's criteria for the review;

(h) that if the Parliamentary boundary is not coterminous with the other boundaries in Matching Green, voter confusion will occur at Parliamentary elections as to polling arrangements if elections are held concurrently.

### **3. Matching Green**

- 3.1. The Local Government Boundary Commission has agreed to make an order realigning the County Electoral Division and District Ward boundaries with the new parish boundary. In presenting a case for realigning the Parliamentary constituency boundary as well, the Council would be going against one of the key criteria of the Commission for conducting this review.
- 3.2 This criterion relates to local government boundaries which can be taken into account. The legislation allows the Commission "to take into account, if and to such extent as they think fit, local government boundaries as they exist on the most recent ordinary Council election day before the review date." For this review, the Commission is able to take into account those boundaries which existed on 6 May 2010. The Commission's criteria state that any changes in local government boundaries which took effect in May 2011 or will take effect in the future are not to be taken into account.
- 3.3 The case to be put forward about the parliamentary boundary will therefore be based on convincing the Commission to depart from its own criteria. Although the wording of the Act gives some hope that such a case might be successful in exceptional circumstances, it cannot be taken for granted. In the event that the case fails to convince the Commission, polling arrangements at a Parliamentary election in Matching Green will obviously need very careful attention.

3.4 It is recommended that the case for changing the parliamentary boundary should be made in person as well as by correspondence. A member of the Committee or the Assistant to the Chief Executive should be authorised to present the Council's case. With this in mind, the Council is provisionally booked to speak at the public hearing to be held on 31 October 2011 (pm) in Colchester. Unfortunately, this hearing will be held prior to the Council meeting on 1 November 2011, when the Committee's recommendations on its formal response will be discussed. However, it is suggested that in making representations at the hearing, the Assistant to the Chief Executive should condition his comments by informing the hearing that these are provisional views which are subject to confirmation at the following night's Council meeting.