

AGENDA ITEM 5

REPORT FOR CORPORATE AFFAIRS COMMITTEE

WEDNESDAY 15th February, 2012

FURTHER ELECTORAL REVIEW OF MIDDLESBROUGH

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PURPOSE OF THE REPORT

1. To inform members of the proposed electoral review to be carried out by the Local Government Boundary Commission.

BACKGROUND

2. In 2011 the Local Government Boundary Commission notified the Council that it had decided to carry out a further electoral review because of the current electoral imbalances in Middlesbrough. The process will commence in May, 2012, although the Commission will be making a presentation to the Council on the 22nd February. Under the Commission's guidelines, if either of the following conditions are found to exist, then consideration is given for the need for a review;
 - Any local authority with a division or ward that has an electoral variance in excess of 30%. This means a division or ward having at least 30% more (or less) electors in it than the average for the authority as a whole;
and/or
 - Any local authority where more than 30% of the divisions or wards have an electoral variance in excess of 10% from the average of that authority.

CURRENT POSITION

3. The electoral register for February, 2012 indicates that one ward (Middlehaven) had a variance of more than 30% and a further 6 of the wards had variances of more than 10% The current variances are set out in the table below.

Name of unitary ward	No of Cllrs per ward	Electorate 2012	Variance
Acklam	2	4842	15%
Ayresome	2	4628	10%
Beckfield	2	3698	-12%
Beechwood	2	3890	-8%
Brookfield	2	4758	13%
Clairville	2	3868	-8%
Coulby Newham	3	6993	10%
Gresham	3	5646	-11%
Hemlington	2	4256	1%
Kader	2	4112	-3%
Ladgate	2	4181	-1%
Linthorpe	3	7161	13%
Marton	2	3901	-8%
Marton West	2	4284	1%
Middlehaven	2	2766	-35%
North Ormesby & Brambles Farm	2	4387	4%
Nunthorpe	2	4001	-5%
Pallister	2	4338	3%
Park	2	4328	3%
Park End	2	4595	9%
Stainton & Thornton	1	2339	11%
Thorntree	2	4299	2%
University	2	4077	-4%

PREVIOUS REVIEWS

- 4 In a report dated October, 2002, the Boundary Committee for England made its final recommendations relating to "The future electoral arrangements for Middlesbrough." Those final recommendations were:-
- **Middlesbrough Borough Council should have 48 Councillors, 5 fewer than at present;**
 - **There should be 23 wards, instead of 25 as at present;**

- The boundaries of 23 of the existing wards should be modified, resulting in a net reduction of two, and two wards should retain their existing boundaries.

5 Furthermore, the Report stated:-

“The purpose of these proposals is to ensure that, in future, each borough councillor represents approximately the same number of electors, bearing in mind local circumstances.

- in four of the proposed 23 wards the number of electors per councillor would vary by more than 10% from the borough average.
- This improved level of electoral equality is expected to improve further, with the number of electors per councillor in only one of the wards, Brookfield, expected to vary by more than 10% from the average for the borough in 2006.”

6 A table showing the effect of the final recommendations is shown below

Table 2: Final recommendations for Middlesbrough

Ward name	Number of councillors	Electorate (2001)	Number of electors per councillor	Variance from average %	Electorate (2006)	Number of electors per councillor	Variance from average %
1 Acklam	2	4,636	2,318	7	4,593	2,297	5
2 Ayresome	2	4,872	2,436	13	4,547	2,274	4
3 Beckfield	2	4,025	2,013	-7	4,028	2,014	-8
4 Beechwood	2	4,016	2,008	-7	4,096	2,048	-6
5 Brookfield	2	4,976	2,488	15	4,931	2,466	13
6 Clairville	2	4,186	2,093	-3	4,317	2,159	-1
7 Coulby Newham	3	6,536	2,179	1	6,758	2,253	3
8 Gresham	3	6,336	2,112	-2	6,307	2,102	-4
9 Hemlington	2	4,663	2,332	8	4,624	2,312	6
10 Kader	2	4,179	2,090	-3	4,171	2,086	-4
11 Ladgate	2	4,564	2,282	6	4,522	2,261	4
12 Linthorpe	3	6,329	2,110	-2	6,623	2,208	1
13 Longlands	2	4,919	2,460	14	4,545	2,273	4
14 Marton	2	3,908	1,954	-9	3,982	1,991	-9
15 Marton West	2	4,155	2,078	-4	4,401	2,201	1
16 Middlehaven	2	3,311	1,656	-23	4,140	2,070	-5

17 Nunthorpe	2	3,870	1,935	-10	4,004	2,002	-8
18 Pallister	2	4,439	2,220	3	4,395	2,198	1
19 Park	2	4,257	2,129	-1	4,218	2,109	-3
20 Park End	2	4,629	2,315	7	4,587	2,294	5
21 Stainton & Thornton	1	2,345	2,345	9	2,337	2,337	7
22 Thorntree	2	4,323	2,162	0	4,336	2,168	-1
23 University	2	4,116	2,058	-5	4,206	2,103	-4
Totals	48	103,590	–	–	104,668	–	–
Averages	–	–	2,158	–	–	2,181	–

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

- 7 The Local Government Boundary Commission for England was established through the provisions of the Local Democracy, Economic Development and Construction Act, 2009. It is directly accountable to Parliament through a Committee chaired by the Speaker of the House of Commons. Within its guidance, the main aim of an electoral review is as follows;

“...try to ensure that each Councillor on any District or County Council represents approximately the same number of electors as his/her colleagues on that Council – this contributes to a fairer electoral system....”

- 8 As was previously the case, the Local Government Boundary Commission for England is required to conduct electoral reviews of individual authorities at periodic intervals. The Commission will decide when to conduct a review of an authority and is also responsible for implementing the new electoral arrangements, following Parliamentary approval. The requirement to achieve “electoral equality” through a Councillor(s) representing the same number of electors as his/her colleague is also balanced “...with the need to reflect community identity and provide for convenient and effective local government” *The Local Government Boundary Commission for England – Guidance, April 2010*). Under Schedule 2 of the 2009 Act there are “statutory criteria”, to which the Commission shall have regard in conducting an electoral review. These criteria are as follows;

- The need to reflect the identities and interests of local communities
- The need to ensure effective and convenient local government, and
- The need to secure equality of representation.

- 9 The 2009 legislation also requires the Commission to take into account any changes to the number and distribution of electors that are likely to place within the next 5 years. Of note, under Section 57 of the 2009 Act, any local authority which elects the whole Council every 4 years, or has resolved to do so, can also

request that the Commission conduct an electoral review and make recommendations for single Member wards or divisions.

CONDUCT OF AN ELECTORAL REVIEW

10 A series of briefing meetings have been organised at the request of the Commission to include the following individuals;

- An initial meeting at Officer level to discuss the detail of the review (2nd November,2011)
- A briefing by one of the Commissioners, supported by Commission staff to leaders of political groups and the Elected Mayor (12th January,2012)
- A briefing by one of the Commissioners and staff for the whole Council (22nd February, 2012)

The Commission can make the following recommendations for local authority electoral arrangements;

- The total number of Councillors to be elected to Council (known as “Council size”)
- The number of boundaries of wards or divisions
- The number of Councillors to be elected for each ward or division, and
- The name of any ward or division.

11 The Commission are also required to make recommendations for changes to electoral arrangements of existing Parishes when the same are directly consequential to the Commission’s recommendations for changes to district wards. The Commission cannot make recommendations for changes to the external boundaries between local authorities or Parishes or to consider the creation of new Parish areas. The Commission can initiate reviews of external boundaries of District Councils and make recommendations for consequential changes to electoral arrangements but cannot alter them during an electoral review.

12 The Commission cannot make recommendations for changes to how often local authorities hold elections (electoral cycle), but under the Local Government Public Involvement in Health Act, 2007, a local authority can resolve to effect changes to their electoral cycle. In the event of such changes to the electoral arrangements of a local authority, the Commission would need to consider whether an electoral review is required in order to ensure that the number of Councillors being returned from each ward reflects the proposed electoral cycle. There is the presumption that local authorities that elect by thirds shall return three Councillors from each ward and similarly those that elect by halves should return two Councillors from each ward. The Commission cannot change or take account of the boundaries of Parliamentary constituencies. Such reviews are conducted through a separate body, namely the Boundary Commission for

England. Further, the recommendations of the Commission do not determine the size and shape of polling districts or the location of polling stations both of which are decisions for the local authority.

13 The “typical review timetable” indicated by the Commission, is as follows :-

Typical review timetable

Stage	What happens?	Timescales
Preliminary stage	Briefings and meetings with local authority, as mentioned above	6-8 weeks
<i>Council size consultation</i>	<i>Where possible and practicable we will conduct a short consultation specifically on council size</i>	<i>6 weeks</i>
Stage One	The initial consultation stage on electoral arrangements	Typically 12 weeks
Stage Two	The LGBCE’s deliberation and analysis of representations received	Typically 10-14 weeks
Stage Three	Publication of the LGBCE’s draft recommendations and consultation on them	Typically 12 weeks
Stage Four	The LGBCE considers representations on the draft recommendations, and publishes final recommendations	Typically 10-14 weeks

14 The Commission will initially consider the optimum number of electors per Councillor known as “Council size”. Such a number will be reflective of Middlesbrough and a decision will be based on the individual local authority area and will not be based upon size in comparison with other local authorities. Further, the Commission indicate that they will proceed upon such information that they receive on a foundation of what “can be justified”. The involvement of all stakeholders is required not only in balancing the “equality” of representation criteria but also features of “community identity” and also “effective and convenient” local government. It is therefore mentioned by the Commission that

wards need to be “internally coherent”. By this they mean that, for example, reasonable road links across a ward can be a defining feature to allow for accessibility as well as identity of individual electors to a particular ward.

PROCESS OF THE REVIEW

- 15 The Commission has indicated their intention to commence their review in May 2012. They will initially consult on the appropriate Council size for the authority. In the light of evidence submitted, the Commission would then prepare its recommendations on Council size. The recommendations will be sent to the Council and other organisations and all those parties who submitted representations during “stage 1” of the review. Thereafter there will be a 12 week period of consultations upon possible electoral arrangements. That consultation will form the basis of the Commission’s draft recommendations and there will subsequently be a 12 week consultation period on the draft recommendations before the Commission formulates its final recommendations.
- 16 The publication of those final recommendations will signify the end of the electoral review process. For the avoidance of doubt, there is no provision in legislation for representations to be made on those final recommendations. Once those recommendations have been published a Draft Order will be submitted to the local authority with a request for any technical comments on the draft and on the final recommendations mapping, which will be the basis of the map that will be referred to in any order. The final version of the Order will show any new ward and Parish ward name and boundaries that are the subject of those final recommendations. Thereafter, arrangements for the Draft Order to be laid before both Houses of Parliament, will be made. The Order is subject to a 40 sitting day procedure which could entail formal debate on the Order taking place. In the absence of any debate, the final Order will be published. If there is a debate on the Draft Order it will be a case of whether or not Parliament agree to the Order there being no provision to modify an Order. An Order will come into force at whole Council elections in the normal year of election for the authority concerned. It may however be necessary to allow the changes to electoral arrangements for a District Council, to come into force in different years.

RECOMMENDATION

- 17 That Members note the content of this report and discuss.

AUTHOR

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