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What is the Local Government Boundary Commission for England?

The Local Government Boundary Commission for England (LGBCE) was established by Parliament under the provisions of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). Independent of central and local government, and political parties, it is directly accountable to Parliament through a committee of MPs chaired by the Speaker of the House of Commons.

The Commission's objectives are:

- To provide electoral arrangements for English principal local authorities that are fair and deliver electoral equality for voters.
- To keep the map of English local government in good repair and work with principal local authorities to help them deliver effective and convenient local government to citizens.

We are responsible for, among other things, conducting three main types of review of local government:

Electoral Reviews – These are reviews of the electoral arrangements of local authorities: the number of councillors, the names, number and boundaries of wards and electoral divisions and the number of councillors to be elected to each. Electoral reviews are initiated primarily to improve electoral equality. This means ensuring, so far as is reasonable, that for any principal council, the ratio of electors to councillors in each electoral ward or division, is the same. However, electoral reviews can also be carried out at a local authority's request, for example to look at council size (the total number of councillors) or provide for single-member wards or divisions. The Commission is responsible for putting any changes to electoral arrangements into effect and does this by making a Statutory Instrument or order. The local authority then conducts local elections on the basis of the new arrangements set out in the order.

Principal Area Boundary Reviews (PABRs) – These are reviews of the boundaries between local authorities. Reviews range from addressing minor boundary anomalies that hinder effective service delivery to a few houses, to whole-council mergers. A PABR may also give rise to the need for a consequential electoral review of the local authorities involved, depending on the scale and/or nature of the boundary change. For guidance relating to the review of the boundaries between principal local authority areas, please refer to our companion document; *Principal area boundary reviews: technical guidance*. Unlike electoral reviews, the Commission is not responsible for *implementing* PABR reviews: the orders relating to changes to administrative boundaries (and any consequential electoral arrangements) are made by the Secretary of State.

Structural Reviews - Advising the Secretary of State, at his request, on proposals he receives from local authorities to change from two-tier to unitary local government. Generally, the establishment, by the Secretary of

State, of a new unitary authority will itself be followed by an electoral review of the new authority.

The Commission's website www.lgbce.org.uk provides details of reviews which it is or has undertaken. It also provides all representations received on current reviews.

1 Introduction

1.1 The purpose of this document is to provide detailed technical guidance to all those who wish to participate in an electoral review which started after 1 July 2013¹. It is intended to be a resource for anyone requiring detailed information on the legislation, our processes, information requirements and the overall approach we take to our work on electoral reviews. It outlines the processes that we will normally follow in such reviews. However, we may vary our procedure before or during a review, where we feel that to do so is appropriate to ensure that our statutory criteria are properly considered. We will discuss with the relevant local authorities, any such variation.

1.2 We also publish three other guidance documents which set out – in simple terms – different aspects of the review, to encourage local people to get involved in the process:

- An introduction to the Commission and electoral reviews;
- Have your say on council size; and
- How to propose a pattern of wards or divisions.

These documents are available on our website at:

<http://www.lgbce.org.uk/guidance-policy-and-publications/guidance> .

1.3 The electoral arrangements of every principal local authority² in England must, by law, be reviewed from time to time³. These reviews, where the electoral arrangements of every English local authority are reviewed by the Commission, are known as periodic electoral reviews (PERs). We decide when there is a need to conduct a programme of such work. The last round of PERs commenced in 1996 and was completed in 2004.

1.4 The Commission is not currently undertaking PERs but has a rolling programme of electoral reviews undertaken for a number of different reasons. The most common reasons for undertaking an electoral review are where significant change in population, localised increases from major housing developments or the movement of people into, out of, or within the local authority area, have resulted in poor levels of electoral equality.

1.5 We also undertake electoral reviews, following requests from local authorities that wish to operate with a different number of elected members or seek to replace multi-member wards with single-member wards. In addition, when a boundary of a principal local authority area undergoes significant change, there will also be a need to examine the electoral arrangements of the authorities affected in order to ensure that electoral fairness is maintained or restored. The types of electoral review, the reasons we conduct them and the overarching purpose of electoral reviews are described in **chapter 2** of this guidance.

1.6 When we conduct electoral reviews we must adhere to certain legislation which sets out the steps which we must take in conducting a review, the matters on which we must make recommendations and the factors we have to take into account in reaching the conclusions which underpin our recommendations⁴.

¹ There is separate guidance for the electoral reviews which commenced before that date. Electoral reviews: technical guidance. LGBCE, July 2012. www.lgbce.org.uk/guidance-policy-and-publications/guidance

² A county, district, metropolitan or London borough council or the Council of the Isles of Scilly

³ Section 56 of the Local Democracy, Economic Development and Construction Act 2009

⁴ Section 56 of the Local Democracy, Economic Development and Construction Act 2009

- 1.7 We have limited powers in relation to parish councils. We can neither create nor abolish a parish council. Nor can we change the boundary of an existing parish. However, when making recommendations about the electoral arrangements of a principal local authority, we can make recommendations about the electoral arrangements of any parish councils that might be directly affected by new district ward or county division boundaries. In effect, this primarily means creating new parish wards or changing the boundaries of existing ones.
- 1.8 Details of the legislation, how it affects the way we carry out reviews, and the limits of the Commission's powers can be found in **chapter 3** of this guidance.
- 1.9 **Chapter 4** sets out our process for conducting reviews and our approach to matters such as the community identity and the way they interact, taking account of the geographic characteristics of a local authority area and any potential barriers to movement. It describes how we seek to recommend electoral arrangements that balance these criteria in an effective way. We also give guidance on specific technical topics, such as electorate forecasts and coterminosity (also explained in the chapter).
- 1.10 Coupled with our independence is our impartiality. Our decisions are based on evidence and reason. Our approach, therefore, is one of evidence-gathering through consultation with local people and organisations, and the analysis of all the evidence we receive from them. It is therefore very important that what people say to us is well-argued, and supported by credible evidence. We explain what we mean by evidence in **chapter 5**.
- 1.11 Further technical guidance, specifically for a local authority under review, can also be found in **chapter 6** where we give details of information that we require from the council.
- 1.12 When conducting electoral reviews in areas that are parished, we try to use parishes as building blocks for new wards or divisions. **Chapter 7** gives some guidance about parishes, our approach to them and what we can and cannot do as part of an electoral review.
- 1.13 Finally, we are responsible for the implementation of our recommendations through the making of a Statutory Instrument or order, which is subject to Parliamentary scrutiny. **Chapter 8** gives information about that process.
- 1.14 There are several bullet-point lists of factors, considerations, etc. set out in this guidance. Unless specifically indicated otherwise, the order in which items appear in such lists does not imply any order of priority or weight to be given to them.
- 1.15 The electoral areas of district councils are called 'wards'. Those of county councils are called 'electoral divisions', or 'divisions' for short. Throughout this guidance, unless provisions affect divisions only, we use 'ward/division' to describe the electoral areas of all principal authorities and 'parish ward' to describe the electoral areas of parishes.

2 What is an electoral review?

2.1 An electoral review is an examination of a council's electoral arrangements. This means⁵:

- the total number of members to be elected to the council;
- the number and boundaries of electoral areas (wards/divisions) for the purposes of the election of councillors;
- the number of councillors for any electoral area of a local authority; and
- the name of any electoral area.

Where it appears that an area's electoral arrangements should be changed in order to provide for better representation of an area's electors, a review will give rise to recommendations for changes which we will lay before Parliament.

2.2 Whenever we undertake an electoral review, we aim to deliver good, electoral equality across a local authority area. This means ensuring that, for any principal council, the ratio of electors to councillors in each electoral ward/division, is as nearly as possible, the same.

2.3 We balance our consideration of electoral equality with the need to reflect local community identities and interests, and provide for effective and convenient local government. In reviews of two-tier county council areas, we must also have regard to the desirability of aligning county electoral division and district ward boundaries. Overall, we must strike what we consider to be the best balance between all these factors when conducting electoral reviews. These considerations, often referred to as our statutory criteria⁶, are set out in more detail in the next chapter.

Why do we conduct electoral reviews?

2.4 All principal local authorities have been the subject of an electoral review, either as part of the programme of PERs (see section 1.3) or subsequently, in a review specific to the needs and circumstances of a particular local authority area. Those reviews established electoral arrangements which were appropriate at the time of, and for the years immediately following, the review.

2.5 When the electoral variances in representation across a local authority become notable, an electoral review is required. Our criteria for initiating a review in those circumstances are as follows:

- more than 30% of a council's wards/divisions having an electoral imbalance of more than 10% from the average ratio for that authority; and/or
- one or more wards/divisions with an electoral imbalance of more than 30%; and
- the imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period.

⁵ Section 56 of the Local Democracy, Economic Development and Construction Act 2009

⁶ Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009

We monitor the levels of electoral imbalance across all principal local authorities in England annually, and those that meet the above-mentioned criteria will, at some point, be included in our review programme.

- 2.6 The population – and hence electorate – of any local authority area is constantly changing, with migration into, or out of, areas as well as within the same area. For example, if a major housing development takes place and doubles the electorate of its ward/division, it is possible that a change in the representational arrangements for that area will be needed. There are two important reasons why this would be so:
- a. When a council forms its policies or makes other decisions, it does so according to the votes of the members of the council. If the electors in some parts of the council's areas are under-represented relative to those in other parts, then the influence of those electors on the council's decision-making is diminished.
 - b. The accessibility of elected members to their electorate should be, as nearly as possible, equal. This can only be measured by reference to the numbers of electors.
- 2.7 We calculate electoral equality by dividing the number of electors in a ward/division by the number of councillors elected to represent that ward or division to produce an 'electoral ratio'. High levels of electoral equality for a local authority will be a situation where a high proportion of wards/divisions across the authority have roughly the same electoral ratio and where no ward/division has a ratio which varies by a great degree from, the average for the authority.
- 2.8 The Commission accepts that mathematically exact electoral equality across a local authority is unlikely to be achieved. This is because, when drawing boundaries, we also consider community identities and interests, the need for strong, clear boundaries and parish boundaries as well as the need to secure effective and convenient local government. As a result, there will always be some variance of actual representation from the theoretical numerical average. Similarly, changes in population, from the moment we complete a review, mean that the electoral ratio and the electoral variance from ward to ward are likely to change immediately and over time.
- 2.9 We also may carry out reviews for other reasons. When new unitary authorities are established by the Government we are required to consider whether we should conduct an electoral review of the new authority, in order to provide appropriate electoral arrangements.
- 2.10 We may also conduct an electoral review in cases where local authority administrative (i.e. external) boundaries have been subject to alteration.
- 2.11 Local authorities that hold whole-council elections⁷ and which have ward/division represented by two or three members can ask us to undertake electoral reviews with the objective of providing for single-member ward/division. Local authorities that want to bring about a change in the total number of councillors to be elected may also ask us to conduct a review. We will not normally review an area for these reasons unless requested to do so by the council.
- 2.12 If a council wishes to change its electoral cycle from whole-council elections to one in which there are elections in alternate years for half its members at a time

⁷ In which elections are held for all councillors every four years

(elections by halves) or elections in three years out of four for a third of its members at a time (elections by thirds), we are required to consider whether an electoral review is desirable⁸. The purpose of this provision is to ensure that, so far as is practicable having regard to our other statutory criteria, the number of councillors in each ward reflects the council's electoral cycle. This is to give electors in every ward across a local authority's area the same opportunity to participate in every local election.

- 2.13 The rationale for conducting a review may raise different issues and concerns, but all involve reviews conducted under the same legislation (described in chapter 3). Similarly, our core principles for the conduct of reviews apply to all electoral reviews.

Our core principles

- 2.14 Councils play a major part in promoting local democracy, encouraging people to register as electors, providing information about local issues and providing pathways by which people can influence decision-making. We see our task as establishing and maintaining the conditions for a fair and representative democracy at local level.
- 2.15 We recognise that our recommendations may have local political implications but that is not a factor we take into account. We are also sensitive to the fact that political groups may seek to obtain an electoral advantage in contributing to a review. Our task is to ensure that our recommendations are based on evidence, and that the representations of all those participating in a review are treated equally and without bias. Consistent with this is our determination that reviews will be conducted with transparency and the involvement of local people.
- 2.16 We also seek to help councils at all levels by putting in place electoral arrangements which are conducive to effective and convenient local government for both them and the electorate. In initiating reviews or responding to requests for reviews, we will:
- Support councils in making changes intended to improve their effectiveness and ability to represent fairly the people of their area;
 - Provide opportunities for local people and organisations to contribute to reviews;
 - Respond to the need for electoral reviews in a measured way, selecting areas for review based on clearly expressed criteria;
 - Give priority, when programming reviews, to areas in which electoral imbalances affect a greater number of electors than those in which a lesser number of electors is affected;
 - Have regard to councils' electoral timetable, endeavouring to complete reviews within a reasonable period in advance of elections. So far as is possible, we will seek to make electoral change orders around six months in advance of the election in which the changes to electoral arrangements will be implemented;

⁸ Section 43 of the Local Government and Public Involvement in Health Act 2007, as amended by the Local Democracy, Economic Development and Construction Act 2009.

- So far as legislation permits, conduct reviews in a manner that seeks to minimise the administrative and resources burden on local authorities. Minimising the burden means informing and supporting the timely preparation of relevant and necessary information and proposals but ensuring that we have sufficient information as to enable us to reach decisions on our recommendations;
- Start a review with no pre-determined view of its outcome;
- Aim to improve electoral equality at the next election of the council, particularly where we are conducting a review to address electoral imbalances. However, we must always have regard to forecast changes to electorate. Where those forecasts are made with particular confidence, they will carry more weight;
- Precede a review by having a preliminary stage in which we will talk to the council concerned and other key partners in the area, usually some six months in advance of the review being formally commenced; and
- Give clear guidance and effective support to local authority members and officers regarding the information we require in order to undertake an effective review. This includes inviting key officers to electoral review workshops to brief them on the review process and share information.

2.17 Our approach is, therefore, one of consultation, reliance on evidence, openness, transparency and proportionality. We aim to build as many of our recommendations as possible on locally-generated proposals and, to that end, we will gather as much information and undertake consultation as is appropriate to the purposes and the context of any review. We will publicise the review and we ask that the local authorities, political parties, parish and town councils, community groups, residents' associations and other main stakeholders help us engage with local people in the electoral review process.

3 The legislation and statutory criteria

- 3.1 When we conduct electoral reviews we must adhere to certain rules. The main piece of legislation to which we work is the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). This consolidates and amends provisions previously contained in the Local Government Act 1972, the Local Government Act 1992 and the Local Government and Public Involvement in Health Act 2007.
- 3.2 Section 56 of the 2009 Act requires that we review “from time to time” every principal local authority in England and make recommendations about electoral arrangements (but not their external boundaries). We call these, periodic electoral reviews (PERs).
- 3.3 In addition, we can at any time, review the arrangements for all or any part of a principal local authority’s area. This means that we can carry out a review of a particular area if it appears to us to be desirable. For reasons set out in paragraph 3.21, we are unlikely to review only part of a council area.

What can we recommend as part of an electoral review?

- 3.4 We can make recommendations for the following aspects of local authority electoral arrangements:
- the total number of councillors to be elected to the council (known as ‘council size’);
 - the number and boundaries of ward/division;
 - the number of councillors to be elected for each ward/division; and
 - the name of any ward/division.

What must we take into consideration as part of an electoral review?

- 3.5 Schedule 2 to the 2009 Act sets out the statutory criteria to which we are required to have regard in conducting electoral reviews. In broad terms, in making recommendations, we are required to have regard to:
- the need to secure equality of representation;
 - the need to reflect the identities and interests of local communities; and
 - the need to secure effective and convenient local government.
- 3.6 Included in the community identities and interests criterion is the desirability of fixing boundaries which are and will remain easily identifiable, and which will not break local ties. Our aim is to identify clear and long-lasting boundaries for ward/division. We also take into account factors such as the location and boundaries of parishes and the physical features of the local area when drawing boundaries.
- 3.7 In addition, in reviewing two-tier⁹ county councils we are required to have regard to the boundaries of district or borough wards. We will seek to use them as the building blocks for county electoral divisions. In making our recommendations, we must ensure that every electoral division is wholly within a single district, so that no division crosses the boundary between two neighbouring districts.

⁹ Where there are both county councils and district or borough councils

Electoral Cycles

- 3.8 We must have regard to the desirability of setting the appropriate number of councillors in each ward of a district or borough council which elects by halves or by thirds¹⁰. As such, we start with a presumption that, for example, for local authorities that elect by thirds we will recommend a uniform pattern of three-member wards (and, by inference, a council size that is divisible by three) so that every elector has the same opportunity to vote whenever local elections take place. In a district that elects by halves, the presumption would be for two-member wards. However, if it can be shown that such a pattern would not meet our statutory criteria (see section 3.4) we are prepared to depart from that presumption.

Electorate forecasts

- 3.9 Schedule 2 to the 2009 Act also states that we should take into account any changes to the number and distribution of electors that is likely to take place within the five years following the end of a review. This requirement means that, at the start of a review we ask local authorities to provide us with electorate forecasts. (Further guidance on forecasting is given in chapter 4).

Consultations

- 3.10 The legislation also provides us with rules on how we should undertake reviews. As soon as reasonably practical after deciding to conduct a review, we must take steps to inform people who we think might be interested in the review. This benefits everyone who wants to take part in a review, because they need time to:
- collect evidence about community identities and interests;
 - consider how the number and distribution of electors might change;
 - think about what they would like to see as an outcome of the review; and
 - present their arguments and the evidence they have collected.
- 3.11 We cannot complete a review without first publishing draft recommendations, giving people an opportunity to comment on them and then considering any comments made. Only after doing this can we publish our final recommendations.
- 3.12 We can consult before we publish our draft recommendations but do not have to do so; and any such consultations do not have to be public ones. This means that we can use such consultations to gather any information we need during the early part of a review. However, where we see a need to air a particular aspect of a review, for example to invite views on the number of councillors to be elected to a council, we can carry out a specific consultation exercise.
- 3.13 We can, and sometimes do, undertake limited further consultations following comments received during the consultation on draft recommendations. However, this only happens where we are minded to make significant changes to our draft recommendations and where we have insufficient evidence of wider local views in relation to those changes. These consultations are additional to the statutory requirement. Our use of consultation processes is therefore intended be proportionate, to add knowledge and value to the review process and to allow people opportunity to influence the review's outcome.

¹⁰ 'Elections by halves' occur every two years, when half the council is elected at each election; elections by thirds' means one third of the council is elected every year for three years, with no elections in the fourth year. Councillors normally serve a four-year term.

Single Member ward/division reviews

- 3.14 Section 57 of the 2009 Act enables any local authority that elects the whole council every four years, or has resolved¹¹ to do so, to request that we conduct an electoral review and make recommendations for single-member wards or divisions. We will normally endeavour to meet such requests. If we decline a council's request for such a review we have to give our reasons for doing so.
- 3.15 If we do conduct a single-member warding review, we are not obliged to recommend a uniform pattern of single-member wards or divisions. We are specifically required to have regard to the desirability of securing single-member electoral areas. However, this requirement does not override the statutory criteria referred to in paragraph 3.5. This means that whilst we will endeavour to recommend single-member wards, we may include one or more two or three-member wards if a uniform pattern of single member wards would result in the following:
- community identity and interests would not be reflected; and/or
 - that obstacles to the effectiveness and convenience of local government in the area would be created; and/or
 - that resultant electoral variances would be such that we would normally consider an electoral review of the area.
- 3.16 We may also be requested by councils to conduct reviews for other reasons. A council may feel that a change in the total number of councillors is necessary to reflect changes in the way it works, or it may feel that a change to ward boundaries is necessary because they are no longer clear and distinct or no longer reflect community identities and local ties. Section 56(2) of the 2009 Act allows us to respond to such requests by conducting a review although it does not compel us to do so. We give advice to local authorities about making a request for a review in chapter 4.

Parishes

- 3.17 Our reviews can have consequences for parishes and their councils, and the legislation requires us to make recommendations to the effect that:
- every ward of a parish having a parish council (whether separate or common) must lie wholly within a single electoral division of the relevant county council, and a single ward of the relevant district council, and
 - every parish which is not divided into parish wards must lie wholly within a single electoral division of the county council and a single ward of the district council.
- 3.18 Sometimes, we will recommend a district ward or county electoral division boundary which splits a parish that is not warded, or has wards which follow different alignments. A misalignment of electoral boundaries for county, district and parish elections is both confusing for electors and an impediment to effective and convenient local government. In those cases, we will recommend that the parish be divided into parish wards with boundaries that are common, or coterminous, with the district ward and/or county division boundary. We will also consider the number and distribution of electors across that parish before deciding on the need for and extent of parish wards, but this concern will not take

¹¹ Local authorities may only resolve to move to whole council elections once every five years. See sections 32-36 of the Local Government and Public Involvement in Health Act 2007 (as amended by the Localism Act 2011).

precedence over the need to secure good levels of representation at district ward or county division level. It should be noted that unlike principal councils, in warding parish and town councils there is no requirement on us to provide for electoral equality.

- 3.19 Where parish or town councils are directly affected by our recommendations for district ward or county division boundaries, we can make recommendations for their electoral arrangements. These include recommendations for:
- the number of councillors to be elected to the council or, in the case of a common parish council that represents a group of parishes, the number of councillors to be elected from each parish in the group;
 - the need for parish wards¹²;
 - the number and boundaries of any parish wards¹³;
 - the number of councillors to be elected from any parish ward; and
 - the name of any parish ward.
- 3.20 Whilst making recommendations on these aspects of parish electoral arrangements, we will not normally make recommendations to change the total number of parish councillors for any particular parish. We believe that this is a matter best resolved locally. A local authority may make such changes following a Community Governance Review.
- 3.21 We may recommend changes to electoral arrangements for just part of a local authority. This means that in the review of the whole of a council's area, a review may leave some aspects of electoral arrangements and some ward or division boundaries unchanged. Legislation provides for a review which only considers part of a council's area. However, we are reluctant to conduct such reviews for a number of practical reasons and potential consequential implications. For example, we may find that recommending a change in the boundary between two or three wards may only resolve unacceptable electoral imbalances if current electoral arrangements for the rest of the local authority area are satisfactory both now and on the basis of five-year forecasts. Furthermore:
- In each review we will generally wish to consider whether an authority has the appropriate council size. If we take the view that the existing council size should be altered, this is likely to have an impact across the whole of the local authority area;
 - For authorities that elect by thirds or halves, we are required to consider the desirability of providing a uniform pattern of three- and two-member wards respectively for the whole district; and
 - We can only implement electoral changes at an ordinary election of the authority, and not all affected wards may hold elections in the same year.
- 3.22 While the legislation places a number of obligations on us in conducting a review, it also places a requirement on principal local authorities and parish councils. They must, "if requested by the LGBCE to do so, provide the Commission, by such date as it may specify, with any information that it may reasonably require"

¹² Section 56(9) of the 2009 Act

¹³ The Commission will not normally recommend the creation of parish wards that contain no or very few electors (see chapter 8)

What we cannot do as part of an electoral review

- 3.23 We cannot choose between the statutory considerations to which we are required to have regard. Some people responding to a review may prefer that we focus on reflecting community identities and interests to the exclusion of electoral equality, or vice versa. We need to take account of all strands of our statutory criteria and, where those strands may be in conflict one with another, seek to strike what in our judgement is the right balance, having regard to the evidence provided to us.
- 3.24 As part of an electoral review we cannot make recommendations for changes to the boundaries *between* local authorities or parishes, or consider the creation of new parishes¹⁴.
- 3.25 We cannot make changes to the electoral arrangements of parish and town councils that are unaffected by any changes to district wards or county divisions. Community governance reviews by principal local authorities can, however, be used for such purposes and be implemented by those councils' own order¹⁵.
- 3.26 We cannot make recommendations about how often local authorities hold elections (the electoral cycle). Under the Local Government and Public Involvement in Health Act 2007 (as amended by the Localism Act 2011), local authorities can resolve to change their electoral at any time. Where a council resolves to move from whole-council elections to elections by halves or thirds, we must make the legal order which implements the change. Before doing so, we must 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.
- 3.27 We cannot change, or take account of, the boundaries of Parliamentary constituencies. These are reviewed under separate legislation by a separate body, the Boundary Commission for England, which has traditionally based its recommendations on the ward boundaries put in place as a result of electoral reviews we undertake. Any queries on Parliamentary boundaries should be addressed to the Boundary Commission for England¹⁶.
- 3.28 Our recommendations do not affect local taxes, or result in changes to electors' addresses or postcodes. Nor is there any evidence that our recommendations have an adverse effect on house prices, or car and house insurance premiums. They do not determine the size and shape of polling districts, or the location of polling stations, both of which are decided by the local authority. We therefore will not take into account any evidence based on these factors

¹⁴ We can initiate reviews of the external boundaries of counties and districts (known as 'principal area boundary reviews') under the Local Government and Public Involvement in Health Act 2007 (and make recommendations for consequential changes to electoral arrangements) but we cannot alter them during an electoral review. Local authorities are able to carry out community governance reviews to create new parishes, or amend existing parish boundaries, and implement the outcome

¹⁵ The LGBCE and the Department for Communities and Local Government (DCLG) publish separate joint guidance on community governance reviews (through which parishes can be created, abolished or their boundaries and electoral arrangements amended), which is available on our website at <http://www.lgbce.org.uk/documents/lgbce/guidance-policy-and-publications/guidance/community-governance-review-guidance.pdf>.

¹⁶ The Boundary Commission for England's contact details can be found at <http://boundarycommissionforengland.independent.gov.uk/>.

4 The electoral review procedure

- 4.1 This chapter sets out the procedure we will follow when we conduct an electoral review. It also gives guidance on how issues raised during an electoral review should be addressed. Our guidance draws on our experience of conducting electoral reviews, the evaluation of the 1996-2004 PER programme, conducted by the Electoral Commission and our own consultation in 2010/11 on review policies and procedures which brought forward views and ideas, many based on respondents' own experience of reviews.
- 4.2 The review procedure is essentially the same for requested reviews and for those where we intervene in order to address electoral imbalances. In the case of requested reviews, however, before deciding whether to agree the request, we will wish to meet with the Chief Executive and Leader of the Council. The purpose of that meeting will be to establish:
- the reason for the request;
 - the likely scope of the review; and
 - the commitment and capacity of the council to meet our information requirements in a timely manner.
- 4.3 For all reviews, when the Commission has decided that a review is to take place, the Commission will advise the council concerned of that decision and the likely timescale for a review at the earliest opportunity.
- 4.4 Figure 1, overleaf, sets out the process, the stages and the indicative timescales for the conduct of an electoral review.

Figure 1 - Stages for electoral reviews

Stage	Action	Duration*
Preliminary Period	Informal dialogue with local authority. Focus on gathering preliminary information including electorate forecasts and other electoral data. Commissioner-level involvement in briefing group leaders on the issue of council size. Meetings also held with officers, group leaders, full council and, where applicable, parish and town councils. At the end of this process, the council under review and its political groups should submit their council size proposals for the Commission to consider.	Up to 6 months in advance of formal start of review
Council size analysis	Commission analyses submissions from local authority and/or political groups on council size. A decision on the terms on which public consultation will take place will be made at a formal meeting of the Commission.	5 weeks
Formal start of review		
Council size consultation	Public consultation based on the Commission's view of submissions received from the local authority and/or political groups. This may include consulting on more than one size of council.	6 weeks
Council size decision	Commission considers evidence received during public consultation and takes 'minded to' decision on council size and publishes its conclusions.	5 weeks
Consultation on future warding/division arrangements	General invitation to submit warding/division proposals based on Commission's conclusions on council size.	10 weeks
Development of draft recommendations	Analysis of all representations received. The Commission reaches conclusions on its draft recommendations.	For a county review: up to 14 weeks For a district review: up to 10 weeks
Consultation on draft recommendations	Publication of draft recommendations and public consultation on them.	Up to 10 weeks
Further Consultation (if required)	Further consultation only takes place where the Commission is minded to make significant changes to its draft recommendations and where it lacks sufficient evidence of local views in relation to those changes.	Up to 5 weeks
Development of final recommendations	Analysis of all representations received. The Commission reaches conclusions on its final recommendations.	For a county review: up to 14 weeks For a district review: up to 10 weeks

* Time periods shown are the expected typical duration of stages. They are not standards or undertakings. The progress of a review will be determined by the nature of the issues to be addressed and the availability of information to underpin sound decision-making, not by a determination to complete a review within any given period.

Preliminary period

- 4.5 Each review will generally start with a preliminary period during which time we will meet with the local authority and interested parties to explain the review process and enable them to prepare the information we will need for the review. In this stage we will work with members and local authority officers and their key partners to gather information regarding the following:
- details of current electoral arrangements – the current electoral register;
 - identification of parishes and their boundaries;
 - other indicators which identify and build up a map of communities;
 - electorate forecasts.
- 4.6 We will also need to gain a clear understanding of the extent and nature of communities and the linkages between them. Furthermore, we will wish to explore the way in which councils and councillors aim to work effectively with their communities in order to understand council size proposals.
- 4.7 The Preliminary Period normally ends with the submission of proposals on council size by the council under review and/or the political party groupings represented on the council. Other submissions on council size may also be received.

Council size

- 4.8 Council size is the starting point in any electoral review since it determines the average number of electors per councillor to be achieved across all wards or divisions of the authority. We cannot consider the patterns of wards or divisions without knowing the optimum number of electors per councillor, which is derived from dividing the electorate by the number of councillors to be elected to the authority.
- 4.9 We face a number of challenges in deciding on the most appropriate council size for any authority. There is wide variation in council size across England, not only between the different types of local authority – metropolitan and shire district councils, county councils and London boroughs – but also between authorities of the same type.
- 4.10 In our opinion, local government is as diverse as the communities it serves, providing services, leadership and representation tailored to the characteristics and needs of individual areas. Our aim, in an electoral review, is to recommend electoral arrangements, including a council size, which is right for the local authority in question.
- 4.11 Consistent with our desire for electoral arrangements to reflect local circumstances, we are unwilling to apply strict mathematical criteria for council size or impose nationally a formula for its calculation. However, this approach means that it is important that we receive well-reasoned proposals which clearly demonstrate the individual characteristics and needs of each local authority area and its communities and how its circumstances relate to the number of councillors elected to the authority.
- 4.12 Many councils have not considered, for a number of years, the total number of councillors which they require to manage their business and provide for effective representation of citizens. In many local authorities, council size has remained largely unchanged since local government re-organisation in 1974. Since that

time, the role and responsibilities of local government and councillors have changed considerably. Following the Local Government Act 2000 (the 2000 Act), most local authorities changed the way they make decisions and operate internally, some more so than others. Subsequent legislation, including the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011, introduced further opportunities for local government to alter its governance and management arrangements.

- 4.13 We believe that councils should take the opportunity provided by an electoral review to consider how many councillors they need, having regard to their political management arrangements, regulatory and scrutiny functions and the representational role of councillors, both in terms of their ward work and representing the council on external bodies.
- 4.14 The political management structures that came into place in most local authorities following the 2000 Act changed the roles of all councillors, both those who sit on executives and those who undertake the scrutiny and representational roles. The potential to move back to a modified committee system raises different challenges and opportunities for councillors. In addition, various central government and local authority initiatives have affected the roles of local councillors, and the impact of these may affect the number of councillors needed to politically manage the authority, whether this is under a Leader and cabinet or a modified committee structure. The development and the sharing of knowledge has provided opportunities for councils to learn from their own experience and that of others, encouraging innovation. Some councils have used their experience of working in new ways in order to reach a view of the council size they think appropriate for their area, and tested that view through local consultation and electoral review.
- 4.16 There are levels at which an authority risks being too small to discharge its statutory functions or too large to be able to function in an effective manner. For this reason, we will normally wish to give detailed consideration to proposals for council sizes of below thirty councillors to be assured that the reduction will not jeopardise the ability of a council to manage its business effectively. Equally, we will wish to examine closely proposals for council sizes of above a hundred councillors.
- 4.17 In short, whatever council size local authorities have in mind, we will wish to test the assumptions underlying the proposals regardless of whom they are from.
- 4.18 Our preliminary discussions with principal local authorities, which will start up to six months in advance of the formal start of the review, will give us the opportunity to hear their views about council size and begin to test the assumptions made to us. This will not be due to any presumption on our part but rather to ensure that we have a thorough understanding of why a particular council size has been proposed and that the authority has thought through all relevant considerations. The preliminary discussions will therefore progress most effectively if the local authority has considered its view at the earliest possible stage and is able to provide supporting evidence for it.

Factors to consider when making a proposal on council size

- 4.19 Proposals for council size are most easily, and regularly, argued in terms of effective and convenient local government (in terms of choosing the appropriate number of members to allow the council and individual councillors to conduct the council's business most effectively). Arguments can also be made on the basis of reflecting communities and allowing for fairness of representation.

- 4.20 Broadly speaking, we will take a view on the right council size for an authority by considering three areas:
- we will look at the governance arrangements of the council, how it takes decisions across the broad range of its responsibilities, and whether there are any planned changes to those arrangements;
 - we will examine the council's scrutiny functions relating to its own decision-making and the council's responsibilities to outside bodies, and whether any changes to them are being considered; and
 - we will also consider the representational role of councillors in the local community and how they engage with people, conduct casework and represent the council on local partner organisations.
- 4.21 In short, we will be asking local authorities and local people to consider the number of councillors for the authority not simply in the context of the council's current arrangements, but also likely future trends or plans. In every review we carry out, we aim to ensure our recommendations remain relevant for the long term and to recommend a number that delivers effective and convenient local government well after the completion of the electoral review. Accordingly, we will be looking for those involved in a review to set out their vision for the local authority in five to ten years hence.
- 4.22 Those submitting proposals to us should examine the political management and working practices of the council under review, and make reasoned proposals. We have no pre-conceived views on the number of councillors necessary to run any particular local authority effectively, and we are content to accept proposals for an increase, a decrease or the retention of the existing number of councillors, but only on the basis that they can be justified. However, we do not accept, for example, that increases in an authority's electorate should automatically result in an increase in council size.
- 4.23 We are often asked for a more detailed breakdown of the sort of rationale we are seeking in support of a council size proposal. We have therefore developed further guidance (see Appendix C) that local authorities and political groups are asked to consider in submitting their council size proposals to us. They are not exhaustive and we encourage local authorities and others to present us with any such further material as they consider appropriate. We are content to discuss the guidance at preliminary meetings in advance of the review commencing.
- 4.24 As previously stated, we will always seek to propose a council size which is appropriate for the individual characteristics of the local authority in question whether that would involve an increase, decrease or no change to the existing arrangements. However, we will also seek to put the council's proposal in context before we hold a public consultation on that number (or range of numbers – see 4.35).
- 4.23 To provide context to the authority's proposal on council size, we will refer to the *Nearest Neighbours* model prepared and published by the Chartered Institute of Public Finance and Accountancy (CIPFA) which can be found at:

www.cipfastats.net/resources/nearestneighbours/profile.asp?view=select&dataset=england

- 4.24 We will identify the authority's 15 *Nearest Neighbours* authorities amongst the following groups: London boroughs, metropolitan districts, unitary districts, unitary county councils, two-tier county councils, and two-tier district councils. We will then assess where the council size proposal would place the authority compared to its statistical neighbours.
- 4.25 In cases where the authority's proposal would mean its council size differs to a significant extent from similar authorities, we will require particularly strong evidence, based on the areas set out in 4.20 and in Appendix C, to recommend that council size for consultation. In a small number of cases, retention of the existing council size will require a strong case to be made before we put it forward for public consultation.
- 4.26 In the rare cases where we do not believe the council has made a sufficiently strong case to adopt a council size which is significantly different from its nearest neighbours, we will substitute our own number as the basis for the consultation. We will seek to propose a council size which is nearer to that of other authorities within the relevant CIPFA grouping.
- 4.27 Where final recommendations of an electoral review of a council in the comparison group have been published, we will use that council size figure as the basis for the analysis. Council size figures can be found for all authorities on our website at:
- www.lgbce.org.uk/records-and-resources/local-authorities-in-england
- 4.28 Even if we are content with the rationale provided in support of a proposal for council size, we may choose, at a later stage of the review process, to consider whether it is necessary to change this number slightly in order to ensure better levels of electoral representation across the district or county. Having regard to the nature and extent of communities or to appropriate ward/division boundaries, it is often possible to improve the levels of electoral representation across an authority by making minor modifications of one or two to the council size.
- 4.29 We will consult with local people on a council size which we believe, from our analysis of the evidence presented to us in the preliminary period, best provides for effective and convenient local government in the area concerned. Where we believe that the evidence received supports differing council sizes, we may consult on more than one council size. We will consider all responses to consultation although those which offer additional evidence on appropriate council size will be particularly valuable.
- 4.30 After our consideration of the responses to consultation we will announce the council size which we believe to provide the appropriate basis for the preparation of warding proposals.
- 4.31 In doing so, for local authorities that elect by thirds, we will ask that warding proposals be based on a uniform pattern of three-member wards. For local authorities that elect by halves, we will ask that proposals be based on a uniform pattern of two-member wards. Similarly, where we have agreed to a request from a local authority for a single-member ward or division review, we will ask for proposals for a uniform pattern of single-member wards or divisions.
- 4.32 Some local authorities that currently elect by thirds or by halves may wish to consider changing their electoral cycle to whole council elections prior to an electoral review. Any resolution to that effect must be made and notified to us, at the latest, before we invite proposals on warding patterns.

Ward/division patterns

- 4.38 Ward/division proposals include the number, names and boundaries of wards/divisions and the number of councillors to be elected to each.

Electoral equality

- 4.39 Electoral reviews are important in upholding integrity in the democratic process. Fairness at local elections – that is, any elector’s vote being worth the same as another’s – is a fundamental democratic principle^{4.40} Once we have made a decision on council size, we can work out the optimum number of electors each councillor should represent by dividing the total number of electors by the number of councillors (as described in section 2.6). This produces a figure for the average councillor:elector ratio. Using the average ratio of elector per councillor, we can measure how far the ratio in each current or proposed ward or division departs from that average. When formulating our recommendations, we will be seeking to achieve ratios as close to the authority average in every ward or division. The further that electoral equality departs from the average for the authority, the stronger the evidence of the other statutory considerations we take into account will need to be.
- 4.41 However, in practice we do not see reviews resulting in wards of mathematically equal size. This is because the approach to electoral equality must be tempered by other considerations which generally reflect the particular characteristics of an area under review, and its communities. This recognises that council members represent individual electors *and* collective communities.
- 4.42 We will therefore look for some rationale explaining why, in community or other terms, a particular pattern or set of boundaries is being proposed. We will take account of geographic considerations if they impede our ability to achieve good levels of representation in a certain area, although the presence of barriers to movement such as rivers with no crossing points or other strong geographical features are likely to be reflected in patterns of community identity and interaction and so taken into account for those reasons.

Community identity

- 4.43 Community identity and interest is harder to define than electoral equality for which there is a simple mathematical test. Often, it cannot easily be measured, and can mean different things to different people. It is essential, therefore, that those taking part in a review who make a case on the basis of community identities and interests can explain to us exactly what the community is and, more importantly, what defines it and marks it out as a distinct community.
- 4.44 For some, community identity could be defined by the location of public facilities such as doctors’ surgeries, hospitals, libraries or schools. Research¹⁷ on community identity supports this view but notes that such arguments cannot be considered in isolation. It will certainly not be the case that merely saying that such facilities exist can justify a community identity argument. We would be looking for evidence that such facilities stimulate or provide a focus for community interaction: this would be distinct from their role as points of service delivery to individual citizens.

¹⁷ Community identity: literature review and analysis, <http://www.lgbce.org.uk/guidance-policy-and-publications/policy-and-research/electoral-review-research>

- 4.45 For others, an area's history and tradition may be the basis of its sense of community identity. However, communities change over time and historical considerations may not have such importance in areas which have been subject to recent development or population dispersal.
- 4.46 Major roads can be seen to be the focus of an area if they are the location of shops or community facilities which people visit regularly and where they interact. They may themselves be the subject of issue for communities, perhaps when safety, environmental or economic considerations are a catalyst to community interaction. Alternatively, major roads, rivers or railway lines are often physical barriers marking the boundary between different communities.
- 4.47 Evidence of the identity of a community may be presented where there are recorded community interactions and collective engagements with the principal local authority for their area. The existence, and activities of, town and parish councils, residents' associations, and local voluntary organisations will, for example, be sources of evidence on this.
- 4.48 Some councils have made progress in mapping the physical extent of identifiable communities and, where they have done so, such research would help those preparing proposals and our consideration of them considerably. Mapping of communities that depend heavily on area profiling will, however, be treated with caution. Area profiling often uses demographic characteristics common to individuals: it may not reflect that there are (or are not) interactions between those individuals.
- 4.49 In some areas, a ward or division will be greater in physical extent than an identifiable community: sometimes we have to combine two or more distinct and separate communities within a single ward or division. This is particularly so in rural areas. We will in these cases consider the nature of local ties or interactions *between* communities, as well as within them.

Again, there may be opportunities to provide evidence of this, for example through local voluntary organisations or projects. However there are likely to be instances where we recommend a ward or division that encompass communities that have no community linkages.

- 4.50 We understand that people have strongly held views about their communities and the impact that new warding arrangements may have on them. It is important to us that we hear all those views. However, we ask that, rather than simply asserting that recommendations would affect a community, people explain carefully to us in terms that might be understood by those not living in their locality, why a particular warding or division pattern we have recommended would – or would not – have an adverse effect on their community. What may be self-evident to local people who work or live in an area may not be obvious to us, or even to people living in another part of a review area. It is for that reason we need to have well-argued evidence of community identity if we are to move away from equality in the number of electors each councillor represents. We will take into account all proposals we receive but those which are supported by argument and evidence are likely to carry more weight with us.

Effective and convenient local government

- 4.51 Effective and convenient local government is also relatively difficult to define; it is a consideration when we take our decision about council size, but is often overlooked as a consideration by people making proposals to us on warding and division arrangements. The impact of proposals on the workload of individual councillors needs to be considered, as a ward or division may be so large in terms of its physical extent or its electorate that it prevents a councillor from effectively representing the people in it. If there are a large number of parish councils, this can also (but does not always) make demands on a councillor's time which are difficult to meet.
- 4.52 In either case, there should be an explanation of why this effect occurs, having regard to the council's chosen way of working either with individual electors or with parish councils and other community representative organisations. It will be the council's way of working, rather than the individual member's way of working which is important in this respect because an individual member may or may not be returned at subsequent elections. The operation, or otherwise, of area forums or similar mechanisms may, for example, add to or reduce councillor workload and these effects can be evidenced.
- 4.53 A practical example of effective and convenient local government for us when considering proposed warding arrangements is to ensure that wards are internally coherent. That is to say, that there are reasonable road links across the ward so that it can be easily traversed, and that all electors in the ward can engage in the affairs and activities of all parts of it without having to travel through an adjoining ward.

Number of councillors in each ward or division

- 4.54 There is no upper limit in legislation regarding the number of councillors that may be returned from each ward or division. However, we take the view that wards or divisions returning more than three councillors results in a dilution of accountability to the electorate and we will not normally recommend a number above that figure. There are currently no principal authority wards or divisions in England returning more than three councillors.
- 4.55 Arguments have been made in the past that if all wards or divisions in an authority return the same number of councillors this helps the local electorate to understand and therefore engage with local government. The 2009 Act states that, when reviewing district councils, we have to take account of the scheme for elections used by the council when making our recommendations¹⁸. In some councils, all councillors are elected at the same time; once every four years. Others elect a third of the council in each of three years out of four (elections by thirds), or half the council every two years (elections by halves). The legislation says that we should have regard to the desirability of recommending that the appropriate number of councillors is returned from each ward: where councils elect by thirds this is three, and where elections are by halves, two.
- 4.56 In each review of local authorities that elect by thirds or by halves we will aim to deliver such patterns of multi-member wards. However, in all cases this consideration will not take precedence over our other statutory criteria, and we will not recommend uniform patterns in the number of councillors per ward or division if, in our view or as is shown in evidence provided to us, it results in unacceptable levels of electoral inequality, does not reflect communities or

¹⁸ Paragraph 2(3)(d) of Schedule 2 to the 2009 Act.

hinders the provision of effective and convenient local government. However, in each case, such evidence needs to be provided on a ward by ward basis.

- 4.57 In addition, we may conduct a review at the request of any authority which elects the whole council every four years (or has resolved to do so) and wishes to move to a uniform pattern of single-member wards or divisions across the authority. In conducting any such review we are required to have regard to the desirability of securing single-member wards or divisions. This means we *must* assess whether it is appropriate – taking into account our statutory requirement to achieve good levels of electoral equality, reflect community identities and interests and provide for convenient and effective local government – that each ward or division should be represented by one councillor. If in our judgement the statutory criteria cannot be met by providing a uniform pattern of single-member wards or divisions, it is open to us to recommend multi-member wards or divisions.
- 4.58 Some contributors to past reviews of local authorities that hold whole-council elections have argued that multi-member wards provide, in principle and practice, greater effectiveness and convenience than do single-member wards. Others have argued the reverse. Our consideration of this issue will be aided by evidence of benefits to electors, not benefits to local political organisations as well as being firmly based on our statutory criteria, when proposals which are based either on a preference for single- or multi-member wards are presented.

Coterminosity

- 4.59 When we are conducting a review of a county council, we will also be seeking to provide for coterminosity between district wards and county divisions¹⁹. Coterminosity occurs when district ward boundaries align with county division boundaries. This is also a consideration of convenient and effective local government.
- 4.60 Coterminosity can improve the convenience and effectiveness of local government by facilitating representation and joint working between the county and district council. However, it is necessary sometimes to divide district wards between county divisions in order either to minimise the levels of electoral inequality or better reflect communities.
- 4.61 We therefore do not insist on a target for the levels of coterminosity we achieve in any county council area, as it can inhibit us from achieving a good balance between the other statutory criteria. However, if we can balance the criteria acceptably and reflect the evidence put to us, we will also seek to achieve a satisfactory level of coterminosity when making our recommendations.

Detached wards

- 4.62 Proposals are occasionally put forward for a detached ward, made up of two geographically separate areas. We have concerns over the use of detached wards. They lend themselves to the creation of electoral areas that lack community identity and which may owe more to purely political considerations than to community identity and interest. We therefore take the view that the use of detached wards, other than to recognise particularly unusual circumstances (offshore islands, for example) is undesirable, and we will not normally recommend them.

¹⁹ Paragraph 2(3)(d) of Schedule 2 to the 2009 Act.

Doughnut wards

- 4.63 From time to time we receive proposals for what we have called doughnut wards, where one ward, normally based on a small town, is completely surrounded by a rural ward. Generally speaking, the rationale sometimes put to us for such a warding pattern has been that it ensures urban and rural interests are separately represented. Such considerations do not form part of our statutory criteria. In any event, they ignore the tendency for the town to be the focus for the rural areas, for shopping, medical and other services. Indeed, rural communities to, for example, the north and south to the town area are likely to identify more with the town than with each other. Accordingly, we will not normally recommend such warding patterns unless it can be clearly demonstrated to us that they would better meet our statutory criteria than any other, alternative pattern.

Rurality

- 4.64 Many local authorities have both urban and rural areas. When we consulted on our policies and procedures, some people said that urban areas should have proportionately more councillors because rural populations are more dispersed, and therefore harder to contact.
- 4.65 There is no provision in legislation for such proportionality. Increasing use of electronic communication methods generally makes no distinction between urban and rural areas. However, there may be exceptions where local characteristics, including topography, lead to an acceptance of a particular variance in electoral ratio for one or more wards.

Ward/division names

- 4.66 Councils and their communities are usually able to suggest appropriate names for wards and electoral divisions that reflect community identities and mean something to local people.
- 4.67 In determining names for wards and divisions, we aim to avoid causing confusion amongst local electors and ensure that names are distinct and easily identifiable, especially in two-tier areas.
- 4.68 Our approach to the naming of electoral areas is that, when wards or divisions remain largely unchanged, the existing name should usually be retained. This supports continuity of identification with an area and voting processes. However, even where there has been little or no change to electoral boundaries, ward names may be altered where there is good reason for change. For example, where community identification has clearly changed over time, a different ward or division name may better reflect the constituent communities of the proposed electoral area.
- 4.69 We may adopt compass point names when there is not a more suitable name. These are generally more applicable in larger urban and suburban settlements. In this case the compass point reference used will generally form a suffix where the rest of the name refers to a population centre, for example *Buckingham East*. Compass points will normally be used only where they are relative to another compass point (i.e. *Buckingham West* should only be used where a *Buckingham East* has also been proposed).
- 4.70 Our preference is for names that are short rather than those which attempt to describe an area exhaustively, e.g. by reference to all or a number of parishes it encompasses. Excessively long electoral area names have the potential to cause

confusion both to local residents and elected members, and not accurately reflect community identities.

Internal communication links

- 4.71 Our recommendations for ward boundaries will normally provide for people to move between all parts of the ward without having to venture outside of the ward. This normally means vehicular access by roads (but not including restricted-access roads such as Motorways. Road access may include the use of roads which themselves form a ward or division boundary.
- 4.72 There may be occasions however when parts of a community are linked not by vehicular routes but by footpaths, footways, pedestrianised streets, pedestrian and vehicular ferries etc. These will be more likely to be acceptable in densely populated residential areas of towns or cities. Where community identity may be centred on local schools, health facilities, religious facilities, recreational or shopping facilities. In some cases, and especially in rural areas where topography has determined settlement pattern, the formation of wards which reflect both active ties between communities and parish boundaries may lead us to recommend wards where there are no direct communication links between all parts. In these instances, we will look for evidence of community ties, local travel patterns and, if appropriate, local public transport provision and usage.

Current and forecast electorate

- 4.73 We require electorate statistics from the local authority. Electorate data will be most useful when they are presented by ward or division, parish and parish ward and polling district. However, we are not constrained to using existing polling districts as building blocks for wards.
- 4.74 The first set of data we require will normally be the electorate from the 1st of the month during which the review formally starts. This will result in statistics which reflect the changing nature of electoral registers kept up-to-date by rolling registration. Statistics are readily presented by the electoral registration software systems most commonly in use. However, we are willing to consider the use of the register published following the annual canvass if reasons for not using up-to-date information are given. We require this information in a standard spreadsheet format, which is available on our website. Appendix A to this document – Resources – also contains links to the relevant pages. Not all of these spreadsheets are appropriate for every review, and our staff can give advice and guidance on those relevant to the specific review being undertaken.
- 4.75 Schedule 2 to the 2009 Act states that we must also have regard to the likely increase, decrease or movement in electorate over a five-year period from the making of our final recommendations²⁰. As we ask for forecasts to be prepared at the start of a review, the statutory requirement is normally satisfactorily addressed by *six-year* forecasts of electorate changes.
- 4.76 We appreciate that forecasting electorates can be difficult, and an inexact science. We ask the local authorities to provide these forecasts because they are best placed to know about planning permissions granted, the likely pattern and timing of future development in the area and, as a consequence, how that is likely to impact on the number of electors in the area. This does not mean that others cannot submit forecasts to us or comment on those prepared by local authorities.

²⁰ Paragraphs 1(4), 2(4), 3(4) and 4(4) of Schedule 2 to the 2009 Act.

We will not apply any lower tests to forecasts prepared by others in order to satisfy ourselves that we can accept them with confidence.

- 4.77 This means that forecasts and comments upon them should be underpinned by sound evidence. We will consider carefully both the methodology used and the resultant figures. We expect officers preparing forecasts to reflect ONS sub-national forecasts and to consider the impact of likely housing and economic developments, local development frameworks, expected migration into, out of and within the authority and expected occupancy rate in individual areas rather than generally across the authority. We stress that our experience has found that an increase in development in one part of a council's area does not necessarily result in an increase in electorate across the whole authority.
- 4.78 As an aid to forecasting, we have produced a practitioners' guide which is available on our website²¹ at www.lgbce.org.uk.
- 4.79 Once we are content that forecasts are a soundly-based reflection of the electorate expected in six years' time, we will publish the figures on our website so that everyone can use the same data when making proposals to us.
- 4.80 We have in past reviews, placed greater focus on longer term equality as indicated by the forecasts than we have on an immediate improvement in electoral equality. The effect of this has been, in some reviews, an immediate worsening of electoral inequality in order to accommodate future expected changes in electorates arising from, for example, planned housing developments. Whilst, generally, electorate forecasts have proved to be reasonably good, there have been cases where expected developments have not materialised and our attempts to accommodate them in electoral terms have resulted in major long-term imbalances. There are likely to be circumstances in which there will be a very high degree of certainty that developments will take place and will be occupied by new electors by the end of the forecast period. Where the effect of these developments would be to create significant and lasting imbalances in an electoral scheme based on the present-day electorate, we will of course, be more confident of reflecting them in our recommendations.
- 4.81 In our consultation on policies and procedures for electoral review, we aired the view that our recommendations should be seen always to bring the greatest improvement to electoral equality at the first election at which they come into effect. This approach attracted broad support although some respondents asked us to continue to base our recommendations on the forecast pattern of electors. Our approach will lie between the two positions; we will endeavour to improve electoral equality at the next election, however we cannot dispense with the need for forecasts since we are required to have regard to them.

²¹ <http://www.lgbce.org.uk/guidance-policy-and-publications/guidance>.

5 Making your views known to us

- 5.1 Throughout the conduct of a review, we are keen to encourage councils, their partners and other stakeholders and the public at large to tell us what they would like to see in the electoral arrangements for their local authorities. We do this when we invite proposals and when we arrange consultations on council size, draft recommendations and occasionally, on alterations to draft recommendations.
- 5.2 Commensurate with our wish to gather the views of local people is our undertaking to consider all of the suggestions or comments which we receive before we make our final recommendations to parliament.
- 5.3 We will provide councils and, on request, other public sector bodies with mapping data files which may facilitate their preparation of proposals for ward/division patterns under the terms of the Public Sector Mapping Agreement. Whilst people may make their views known to us by surface mail, electronic means or in face-to-face meetings, in June 2013, we made major improvements to the way in which people may propose to us, ward or electoral division boundaries. This can now be done electronically by visiting our consultation website at:

<https://consultation.lgbce.org.uk/node>

Members of the public can now produce their own mapped proposals, using the mapping features built in to our consultation website.

The nature of evidence

- 5.4 In chapter 4, we emphasize the value providing evidence when making representations to us. A question often asked, however, particularly when we brief councillors and chief officers, is ‘what sort of evidence is required?’ Examples are often requested. This is far from straightforward since:
- each review area has its own particular characteristics and is reviewed on its own merits. Accordingly, evidence submitted in support of, or in opposition to, a particular proposal needs to be considered in the context of the review area concerned; and
 - the greater the level of electoral imbalance which would result from the proposals, the more persuasive the evidence will need to be.
- 5.5 Evidence supplied to us during an electoral review can take a number of forms. Perhaps the most straightforward is that which is based on geographic considerations or communication/transportation links. Generally speaking, we will not seek to include areas on either side of a river or canal within the same ward – in particular if there are no bridges – or a railway line which has no crossing points, or areas which have no vehicular transport links. It may be argued that motorways and major roads provide a natural divide between communities, but in some instances they may also link them.
- 5.6 Parks and recreation grounds may, on the face of it, provide natural breaks between communities but they can also act as focal points. Similar considerations apply to main roads that are also the location of local shopping centres.
- 5.7 Rather more complex is evidence that seeks to persuade us of a particular view on community identity when proposals for ward boundaries are put forward. It is

occasionally said that the local community is totally opposed to a particular proposal. But what is the community, how representative of the community is the respondent and what consultation has he or she undertaken before writing to us?

- 5.8 The best evidence of community identity is that which comes from community interactions taken outside of the context of electoral review. For example, long-standing residents' associations will have records of their activity and the extent of community involvement in those activities. Similarly, local voluntary and charitable organisations will be able to point to the extent to which people have supported them.
- 5.9 In determining the strength of local opinion on an issue, sheer numbers of signatures on petitions, or the number of proforma letters received are not necessarily an accurate guide. They may say more for the enthusiasm and competence of the organisers than for the real views of the signatories. In practice, a well-argued representation containing detailed factual information is likely to carry more weight with the Commission.
- 5.10 Occasionally, local people or groups may arrange public meetings in order to gauge the level of support or opposition to a proposal. The outcome of such meetings may be a better guide to public opinion. But even here, large attendances are unlikely to be conclusive; the proportion of the electorate attending and the breadth of their interests may be more significant than the total number. Moreover, meetings that draw their attendance from a particular political interest group may not express views that are representative of the community as a whole.
- 5.11 Particularly when describing a case for a certain size of council, local authorities describe the way in which councillors serve their communities through mechanisms such as area forums and attendance at parish council meetings. Parish councils will, in particular, be able to indicate their opinion of the adequacy and success of those mechanisms.
- 5.12 In summary, we will wish to know *why* a certain view is being put forward. If a particular road is seen as a barrier between communities, why is this the case? If another road is seen as the focus of the community, why is that the case? We would look for explanations of why a particular boundary line might disrupt or help to cement community relations and interactions.
- 5.13 It is quite common for conflicting evidence to be received on community identity. Where this occurs, our task is to make a judgement on which strand of evidence to follow. We will be aided in this if factual information is accompanied by an explanation of why it is significant to the determination of appropriate representation and why in that respect, a particular area or community should be treated in a particular way.
- 5.14 We feel it important in all the reviews that we spend some time in the area concerned. This enables us to gain a better understanding of the issues being raised with us, particularly in relation to perceptions of community identity. These visits contribute to our evidence base, and are generally made before we reach conclusions on our draft recommendations, then again before we take decisions on our final recommendations. We do not normally ask interested parties to a review to accompany us on a tour of the area under review. This is both to maintain and to demonstrate our independence. Depending on the circumstances and the issues to be addressed, we may hold meetings in the area which can provide opportunities for people to draw to our attention particular features or issues which we may further investigate.

6 Our information requirements

- 6.1 When conducting an electoral review, we aim to build a strong partnership with the local authority under review, as a good relationship helps to facilitate a robust, timely and efficient review which is economical in its use of resources. To this end, we will hold meetings with the local authority chief officers, political group leaders and full council before the review starts. We will ask the local authority for a main contact – normally its election services manager – to be our main liaison throughout the review.
- 6.2 In order to conduct the review effectively and thoroughly, we will require some information before the review is commenced. This information will be used by us and anyone wishing to get involved in the review itself, and we will publish it on our website (if it is not otherwise publicly available). All local authorities under review are required, under the 2009 Act, to provide us with information which is relevant to the review. Establishing the information base at the start ensures that the review process tests the quality of possible outcomes rather than the merits of conflicting data. Figure 2 provides a list of the minimum information we require at the start of the review.

Figure 2: Information required from the local authority under review prior to the start of the review

Information required	Format	Reason
In the case of any review requested by a local authority, a copy of any Council report and the minutes of meetings relating to that request.	Electronic file	In order that we – and anyone else wishing to contribute to the review – can see the reasoning by which the council has formulated its request.
Current electorate for the start of the review. This should be listed by division, ward, parish, parish ward and polling district, where appropriate. NOTE: This data should give the number of electors entitled to vote at local government elections. The number of people entitled to vote at UK or European parliamentary elections may be different.	Excel spreadsheets available from the Commission	In order that we – and anyone else wishing to contribute to the review – are working to the same set of electoral data
A forecast of the local government electorate in six years' time. This should be listed by division, ward, parish, parish ward and polling district, where appropriate. NOTE: Forecasts should be accompanied by a description of the forecasting method used,	Excel spreadsheets available from the Commission	In order that we – and anyone else wishing to contribute to the review – are working to the same set of electoral data

any assumptions made. Where future housing development is expected to have an impact on the size of the electorate, we should have a list of the sites of that development and each site's capacity.		
Electoral register	The local authority's chosen secured electronic format	In order that we can verify electoral figures and consider the impact of warding proposals which cross polling district boundaries. NOTE: we will not make the electoral register publicly available
A complete list of all parishes in the district/county, indicating the electoral year(s) of each parish or town council, which parishes do not have a council and those parishes that are grouped under a common parish council	Electronic file	For the order-making process
Maps of the local authority, including maps of each division, ward, parish, parish ward, polling district, topographical maps, and any other mapping the local authority considers relevant (such as community maps, catchments, or travel-to-work patterns)	In GIS format, if available	As a resource for us and local people to use
Comprehensive mailing list of community groups, partners and usual stakeholders	Electronic mergable list	In order that we can inform all relevant bodies about the review, and encourage them to participate or publicise further
Neighbourhood/community governance arrangements	Electronic file	For us to confirm or otherwise any evidence put to us on the basis of community identity
Political management arrangements of the council (or proposed arrangements for any new local authority)	Electronic file	As a resource for us when considering arguments regarding council size
Latest Annual Management Letter produced by the council's external auditor	Electronic file	As a resource for us when considering arguments regarding council size
Copy of any peer review report produced in the last three years	Electronic file	As a resource for us when considering arguments regarding council size
Copy of any corporate governance review produced in	Electronic file	As a resource for us when considering

the last three years		arguments regarding council size
Performance statistics relating to planning and licensing functions	Electronic file	As a resource for us when considering arguments regarding council size
One copy of every local order made under the Local Government and Public Involvement in Health Act 2007 concerning changes to ward or division names	Electronic file	As a resource for us to refer to
One copy of every local order made by the council under the Local Government Act 1972, the Local Government and Rating Act 1997 or the 2007 Act concerning parishes, parish names, parish wards, parish councillors, parish councils, and parish elections and every resolution passed by the council under section 75 of the 1972 Act and section 32 of the 2007 Act	Electronic file	As a resource for us to refer to and for the order-making process
Evidence to support the name of the authority if it does not follow the formula specified in section 2(3) of the 1972 Act	Electronic file	For the order-making process

7 Implications for parishes

- 7.1 We are able to make recommendations for changes to parish electoral arrangements (i.e. the number of councillors for the parish and for each parish ward, and the number, names and boundaries of parish wards) as part of an electoral review. However, this is restricted to parish councils that are affected by our recommendations for changes to district wards and/or county divisions. We cannot make recommendations to create, abolish or amend the external boundaries of parishes, even if those boundaries are between parishes grouped under a common parish council.
- 7.2 In those circumstances where we do make recommendations affecting parish electoral arrangements, we will not normally propose changes to the total number of councillors to be elected to a parish, town, village neighbourhood or community council or any grouping of such councils. We believe that this is a matter which is best determined locally by a Community Governance Review.
- 7.3 Under the provisions of the Local Government and Public Involvement in Health Act 2007, local authorities have the power to conduct and implement community governance reviews for the creation, abolition and alteration of parish areas. They may also make changes to parish electoral arrangements. Subject to certain conditions, local people, by raising a petition, can require that their local authority carries out a community governance review^s.
- 7.4 We must align parish ward boundaries with ward and division boundaries, we will not normally recommend the creation of parish wards that contain no or very few electors (less than a hundred) unless it can be demonstrated to us that, within a short period of time, there will be sufficient electors as to warrant the election of at least one parish councillor. This is because each parish ward must by statute return at least one parish councillor. To do so, there must be a reasonable number of local government electors in the parish ward to make the election of a councillor viable.
- 7.5 Unlike district, borough and county councils, when recommending parish warding arrangements there is no requirement in legislation for us to provide for electoral equality.
- 7.6 Where a council elects by thirds or by halves it may be necessary to alter parish electoral cycles to ensure that parish elections occur in the same years as district elections in the associated district wards.
- 7.7 The importance of parishes should not be underestimated given that, where they exist, we will seek to use them as the building blocks for wards or divisions. In light of this, it is important that where any council's review parish arrangements is to be undertaken, the order implementing any external boundary changes is made before we commence an electoral review of the area.
- 7.8 Very exceptionally, it may be appropriate for a local authority to undertake community governance review at the same time as an electoral review of the area is being conducted. However, this can cause administrative difficulties for us and confusion for the local people affected, and any authority contemplating this approach is strongly advised to discuss with us in advance.
- 7.9 Depending on the outcome of a community governance review, the authority may also recommend consequential changes to the boundaries of district wards and county electoral divisions. We are responsible for considering and implementing

any such consequential changes, even if the area in question is not part of our established review programme. We have published joint guidance with the Department for Communities and Local Government on the conduct of community governance reviews.

- 7.10 Parish and town councils are invited to comment on proposals for changes to district or county council electoral arrangements. Their involvement in the electoral review process is valuable, and district and county councils are reminded of the importance of consulting the parish and town councils and parish meetings in their area, and to encourage their active participation. Whenever we have to split a parish into parish wards we particularly welcome the views of the parish on the appropriate number of parish councillors for each of those parish wards. Dealing with this as part of the electoral review may help save the expense of a community governance review of the parish. We write to every parish, town or community council as part of our normal process in each electoral review. We encourage common parish councils to ensure that every parish in their group can contribute to the parish council's reply.
- 7.11 Particularly in rural areas, parishes often represent separate local identities and because of this, grouping parishes with similar interests to form a district ward will meet opposition in certain circumstances. For example, two parishes within a National Park area might share a common interest, but not necessarily an identity. In practice, however, it is inevitable that sometimes parishes will have to be brought together, sometimes against their wishes, to form a district ward. In some cases it might also be necessary to establish new parish or town wards, not necessarily with the blessing of the councils concerned, in order to facilitate new district ward boundaries.

8 What happens when we complete a review?

- 8.1 The publication of our final recommendations marks the end of the electoral review process. Our recommendations will be published locally and on our website for anyone to read. There is no provision in legislation for representations to be made on our final recommendations.
- 8.2 Once our final recommendations have been published, we need to make preparations for the legal order to put them into effect. We will prepare 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 we do not propose to change. Our reference to those unchanged name and boundaries should be supported by evidence such as previous orders. Council staff are therefore strongly advised to provide copies of all orders and order maps that they have relating to current parish and parish ward names and boundaries (see chapter 7, Figure 2).
- 8.3 We 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 called the draft negative resolution procedure. This means that we can only confirm the order 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.
- 8.4 All orders will come into force at whole-council elections. In January 2013 the Parliamentary Under Secretary of State for Communities and Local Government advised local authorities that elections may be brought forward from the the next normal year of election in order to shorten timescales for the implementation of final recommendations of an electoral review. This means that elections could take place on the first normal local polling day after the making of an Order to implement the final recommendations of an electoral review. This will normally be the first Thursday in May but when local elections are combined with others, may be on a later date.
- 8.5 District councils that elect by halves or by thirds will return to their normal electoral cycles 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 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.

9 Frequently Asked Questions

Is the Local Government Boundary Commission for England affiliated to any political party or Government department?

No. We are a completely independent body, and are not part of a Government department. Commission members are not permitted to conduct any political activity or have any party affiliation.

Will an electoral review affect my house value, council tax, insurance premium, stamp duty, postcode, school catchment area or hospital?

No. The review is concerned with electoral matters only; all the above factors are decided by other organisations or factors.

Will an electoral review affect who I can vote for?

Yes. The review will determine your ward or division and, in some cases, your parish ward and you can only vote for candidates who stand for election in those electoral areas. It is for the local political organisations, however, to decide who they want to stand as their candidate in any particular ward or for individuals to stand as independent candidates.

Will an electoral review affect the polling station I can vote at?

It may do. Following the making of our Order, your council will need to redefine its polling districts, then identify the most appropriate polling station for each polling district. Councils are already under a statutory obligation to review polling districts and places at regular intervals.

Will an electoral review affect the dates or years of elections?

We can only implement new electoral arrangements in the authority's normal year of election. However, we can make necessary changes to the years in which parish and town council elections take place to ensure that they do so in the same years as district elections in associated district wards. The Secretary of State has separate powers to alter when local elections take place.

My ward is not changing so why do we need an election? Can we not just make the change at a by-election?

We believe that a fresh mandate is necessary for a council that has had an electoral review. Also, even if a new ward has the same boundaries as an old ward, the new ward may return a different share of the total number of councillors on the council. Therefore, we will abolish all of the existing wards and establish new ones that will come into force at a whole-council election.

When the wards are changed what happens to the county division and parliamentary constituency boundaries?

Each review will be of one local authority and we will only look at the electoral arrangements of that authority. Consequently, if we are reviewing a district we will not be altering any county division boundaries, and vice versa. We have no involvement with parliamentary constituency boundaries, which are reviewed by the Boundary Commission for England – a separate body. They may conduct interim reviews following any electoral review we carry out; but this is entirely at their discretion.

When will the changes to district or county electoral arrangements, i.e. wards or divisions and numbers of councillors, come into force?

As soon as practicable at an election of the whole district or county council. If the district normally elects by halves or by thirds there will be a whole-council election to bring the new wards into force, but they will return the district council to elections by halves or by thirds, as soon as practicable afterwards.

When will the changes to parish electoral arrangements, i.e. parish wards and numbers of parish councillors, come into force?

At the next scheduled whole-council elections in the relevant parishes, unless we decide that there can be whole-council elections in those parishes before those scheduled elections. Parish electoral arrangements come into force at the same time as county or district electoral arrangements only if the parish elections take place at the same time as the county or district elections.

Can the external boundaries of the parish, district or county change?

Not as part of an electoral review. For parish boundary changes, the local district council can conduct a review and implement the recommendations, under the provisions of the Local Government and Public Involvement in Health Act 2007. We can conduct boundary reviews of district or county councils, either at the request of the Secretary of State, at the request of the relevant authority or if we identify boundary anomalies which in our view warrant a review.

Can I see the boundaries proposed in your mapping more clearly?

We suggest that you view them on the webpage for your review at;

<https://consultation.lgbce.org.uk/node>

because you can zoom in on the maps to see more detail than you can see on the printed versions. You may find it helpful to compare our draft and final recommendations maps with the current electoral boundaries. We will provide councils with mapping data files for use with Geographic Information Systems (GIS). We will also provide these files on request to other organisations which are party to the Public Sector mapping Agreement (PSMA).

Appendix A: Glossary

Community governance review: The process by which a principal local authority reviews and makes changes to the boundaries and electoral arrangements of parishes.

Coterminosity: geographical areas identified for different purposes but having the same boundaries. This also applies where a group of areas defined for one purpose, when taken together, have the same external boundary as a larger area defined for another purpose, (sometimes known as “nesting”).

Council size: the total number of elected representatives. Where a principal local authority has an elected mayor, the mayor is counted in total council size but is not counted in the total number of members for the determination of average electoral ratio.

Divisions: the electoral areas of a county council.

Elections by halves: elections in alternate years for half of a council’s members at a time.

Elections by thirds: elections in three years out of four for a third (or as near as possible) of a council’s members at a time.

Electoral arrangements:

- the total number of councillors to be elected to the council;
- the number and 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.

Electoral equality: Every vote has the same weight: each councillor represents a similar number of electors or in a council in which not all wards have the same number of councillors, an appropriate multiple. For example, in a council which has a single-member ward and a three-member ward, there is electoral equality if there are three times as many electors in the three member ward as there are in the single-member ward.

Electoral imbalance: when the electoral ratio for an electoral area differs from the average ratio for the council as a whole.

Electoral ratio: the number of electors for an area divided by the number of elected representatives of that area.

Electoral Review: a review of the electoral arrangements of a principal local authority. A review may result in changes to none, some or all of the electoral arrangements of that authority.

Further electoral reviews: an electoral review of a principal local authority

GIS – Geographic Information System: Computer-based systems for storing, viewing, reproducing and altering maps.

Multi-member wards (or divisions): An electoral area in which people may vote for, and be represented by, more than one councillor. (Those people will also be entitled to vote for an elected mayor of an authority that has chosen that form of administration).

Order: See Statutory Instrument or order

Parish: In England a civil parish (usually just parish) is the smallest area used for local government. It has a boundary which the Commission cannot change. It may or may not have a parish council. Some parishes have a Town Council. Civil parishes are not necessarily connected to areas defined for ecclesiastical purposes.

Periodic electoral reviews: a programme of reviews of the electoral arrangements of all of the principal local authorities in England.

Polling district: An area defined for the convenient localisation of polling places.

Principal Area Boundary Reviews (PABRs): A review of the boundary between two or more principal local authorities. A review may or may not lead to the change of a boundary. The Commission can make recommendations about boundary changes to the Secretary of State who has the power to implement them by order.

Principal local authorities: County, district or London borough councils or the Council of the Isles of Scilly. Some district councils are officially called Borough councils.

Single-member (wards or divisions): An electoral area in which people may vote for, and be represented by, more than one councillor. (Those people will also be entitled to vote for an elected mayor of an authority that has chosen that form of administration).

Statutory Instrument or order: A form of legislation. The responsibility for making statutory instruments has been assigned by Parliament in an Act.

Two-tier local government: The responsibilities of principal local authorities are carried out by a county council and by a borough council. There may also be parish councils in two-tier areas.

Unitary local government: The responsibilities of principal local authorities are carried out by a single council. There may also be parish councils in unitary areas.

Wards: the electoral areas of a district council or, where a parish is subdivided, the electoral areas of a parish council.

Whole-council elections: the election once every four years of all of a council's members at the same time.

Appendix B: Resources

This page contains links to a number of resources which those participating in an electoral review may need. The text contains hyperlinks for those accessing the document through our website.

Our website:

www.lgbce.org.uk

Our consultation portal

<https://consultation.lgbce.org.uk/node>

Representations and submissions to the Commission on electoral reviews.

By visiting our website, you can find and view submissions and representations already made to the Commission about the review of your area or any other.

About electoral reviews:

<http://www.lgbce.org.uk/about-us/about-electoral-reviews>

On this page, you can find links to this guidance, and the spreadsheets that we ask local authorities to complete at the start of the review.

Practitioners' guide to electorate forecasting

http://www.lgbce.org.uk/_documents/lgbce/guidance-policy-and-publications/guidance/electorate-forecasts-guidance-2012.pdf

Community identity literature review and analysis:

http://www.lgbce.org.uk/_documents/lgbce/guidance-policy-and-publications/guidance/communityidentityfinalreport12april2005_18260-13469_e_.pdf

We constantly strive to improve the guidance we offer to local authorities, interested parties and members of the public about all aspects of the electoral review process. Our website has all the latest material you will need at www.lgbce.org.uk

You can find the legislation referred to throughout this document at the following links.

The Local Government Act 1972:

http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1972/cukpga_19720070_en_1

The Local Government Act 2000:

<http://www.legislation.gov.uk/ukpga/2000/22/contents>

The Local Government and Public Involvement in Health Act 2007:

<http://www.legislation.gov.uk/ukpga/2007/28/contents>

Local Democracy, Economic Development and Construction Act 2009:

<http://www.legislation.gov.uk/ukpga/2009/20/contents>

Localism Act 2011

<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

Appendix C

The following paper is the briefing we circulate to local authorities to assist them in their consideration of council size. It gives details of the kind of evidence the Commission is seeking in its deliberation on the most appropriate number of councillors to serve the authority in the future.

Council size

Helping you make the strongest possible case to the Commission

- A guide for local authority elected members and staff

About this briefing

The first part of every electoral review is a consideration of council size. The Commission's preference is to base its council size decisions on the consideration of locally-generated proposals which are underpinned by sound evidence and reasoning. This is as true of proposals for retaining existing council size as it is for proposals to change council size.

This briefing is designed to assist members and staff of local authorities who are preparing submissions to the Local Government Boundary Commission for England on council size (the total number of councillors who represent the local authority) as part of an electoral review.

The note indicates the kinds of issues the Commission will consider in its deliberations on council size and should assist you in making the strongest possible representation to us.

Background

Before the Commission considers possible changes to ward boundaries, we will initiate discussions with the local authority about its views on council size and invite written evidence during a preliminary phase of the review.

Once we have considered the evidence provided to us during the preliminary stage, the Commission will hold a public consultation on council size to assess local opinion.

Following the Commission's consideration of the evidence received during the preliminary phase, and any views expressed to it during public consultation, we will publish a decision on the future size of the council before starting our work on ward or electoral division boundaries.

Preparing your council size submission

The Commission has no preconceptions about the right number of councillors to represent an authority. We do not compare authorities directly with each other, we have no targets or thresholds for council size, and we recognise that every local authority will represent local people and deliver services in different ways. We therefore make recommendations on the basis of the evidence we receive during the electoral review.

The Commission aims to recommend a council size that allows the council to take decisions effectively, manage the business and responsibilities of the council successfully, and provide effective community leadership and representation.

Whilst it might appear simplest to retain the current council size, the Commission does not consider this is, in itself, a compelling reason to maintain the existing arrangements. Similarly, an increase in council size due, for example, solely to reflect population growth or a reduction in numbers solely to achieve financial savings are both arguments that have previously failed to satisfy the Commission that such changes would promote effective and convenient local government.

Instead, the Commission will form its view about the right council size for an authority by considering three areas:

- We will look at the **governance arrangements** of the council and how it takes decisions across the broad range of its responsibilities.
- The Commission will look at the council's **scrutiny functions** relating to its own decision making and the council's responsibilities to outside bodies.
- We will also consider the **representational role of councillors in the local community** and how they engage with people, conduct casework and represent the council on local partner organisations.

The questions outlined below are the kinds of matters the Commission considers before reaching a decision on council size. In doing so, we recognise that each area has its own geographical, community and organisational characteristics.

Accordingly, some of the questions, and prompts, may not be appropriate to the circumstances of your council or the area you serve. You should think of them as a range of considerations that will help lead you to identify the appropriate number of councillors for your area. They are also intended to help you and present to us a clear reasoning for the number you suggest.

This is not an exhaustive list and the Commission will consider any further issues you wish to raise. We do not expect local authorities to provide lengthy responses to every question (or necessarily even respond directly to all of the questions) and you can set out your submission in any way you wish.

Finally, you should consider the questions not simply in the context of the council's current arrangements, but also likely future trends or plans. In every review it carries out, the Commission aims to ensure its recommendations remain relevant for the long term. As such, councils are advised to give consideration to Part Four of this guide (The Future) in its responses to all the other sections.

We hope these questions and prompts will help guide your thinking on this important issue.

Part One: governance and decision making

The Commission aims to ensure that councils have the right number of councillors to take decisions and manage their business in an effective way. We therefore look at how decisions are taken across the authority to assess the volume and distribution of responsibility amongst elected members and staff.

Leadership:

- What kind of governance arrangements are in place for your authority? Does the council operate an executive mayoral, Cabinet/Executive or committee system?
- How many portfolios are there?

- To what extent are decisions delegated to portfolio holders or are most decisions taken by the full Executive and/or Mayor?
- Do Executive (or other) members serve on other decision making partnerships, sub-regional, regional or national bodies?
- In general, are leadership and/or portfolio roles considered to be full time roles?

In looking at these matters, the Commission is trying to determine how work and responsibilities are distributed across the council. For example, how many councillors are involved in taking major decisions on behalf of the authority and what is the volume of those responsibilities? What does being a portfolio holder actually involve and what responsibilities are delegated to officers, other members of the council or other committees? Overall, want to assess the role councillors play at every level of decision making at the council.

Evidence could be provided, for example, about the official/constitutional responsibilities of portfolio holders and/or a description of the day-to-day management of the council.

Regulatory:

- In relation to licensing, planning and other regulatory responsibilities, to what extent are decisions delegated to officers?
- How many members are involved in committees?
- Is committee membership standing or rotating?
- Are meetings *ad hoc*, frequent and/or area based?
- What level of attendance is achieved? Are meetings always quorate?
- Does the council believe that changes to legislation, national or local policy will have influence the workload of committees and their members which would have an impact on council size?

Evidence of the level of delegation to officers of quasi-judicial and other decisions helps the Commission understand how many councillors might be required overall to deliver effective and convenient local government. You may wish to refer to the authority's policy on delegation and statistical evidence relating to the number of decisions taken by committees and/or individuals. This is an important issue for the Commission as filling committee places and being able to discharge regulatory responsibilities are relevant factors in determining council size.

The Commission is also interested in evidence that demonstrates trends in the workload and what your expectations are for the future. Reference to changing national policies and frameworks may influence the level of work you will expect of elected members in the future.

Demands on time:

- Is there a formal role description for councillors in your authority?
- Do councillors receive formal training for all or any roles at the council?
- Do councillors generally find that the time they spend on council business is what they expected?
- How much time do members generally spend on the business of your council?
- Does the council appoint members to outside bodies? If so, how many councillors are involved in this activity and what is their expected workload?
- Does the council attract and retain members?
- Have there been any instances where the council has been unable to discharge its duties due to a lack of councillors?
- Do councillors have an individual or ward budget for allocation in their area? If so, how is such a system administered?

The Commission is interested in the time and commitment pressures on elected members and how they might relate to the number of councillors required in the future to deliver effective and convenient local government. We are also interested to know whether these commitments are increasing or decreasing.

Evidence to support views here might include any peer review activity undertaken recently or feedback provided directly by members. Similarly, member development programmes might be useful in illustrating your point of view.

The issues raised in Part One of this guide will help you to make a judgement on the number of councillors required to discharge decision making responsibilities in an effective way. This forms a useful starting point in your overall assessment on council size.

Part Two: scrutiny functions

Every council has mechanisms to scrutinise the executive functions of the council and other local bodies. They also have significant discretion over the kind (and extent) of activities involved in that process. In considering council size, the Commission will want to satisfy itself that these responsibilities can be administered in a convenient and effective way through the number of councillors it recommends.

- How do scrutiny arrangements operate in the authority? How many committees are there and what is their membership?

- What is the general workload of scrutiny committees? Has the council ever found that it has had too many active projects for the scrutiny process to function effectively?
- How is the work of scrutiny committee programmed? Is the work strictly timetabled?
- What activities are scrutiny committee members expected to carry out between formal meetings?

Evidence might include the practical role members play in scrutiny work and the activities and time commitment given to projects or commitments on outside bodies. A description of the kind of support members generally receive from staff as part of committee work (e.g. preparation of reports) will be helpful to the Commission in understanding the impact of scrutiny on the overall number of councillors needed to deliver effective and convenient local government.

The issues discussed in Part Two, combined with the conclusions you drew in Part One of your considerations should help identify number of councillors required not only to take decisions effectively but to ensure that the council is able to support its scrutiny functions and the other responsibilities councillors will have on bodies outside the council.

Part Three: representational role of councillors

The Commission understands that there is no single approach to representation and members will represent and provide leadership to their communities in different ways. However, we are interested in hearing about the extent to which members are routinely expected to engage with communities and how this affects workload and responsibilities. In particular, if the council has defined a role for elected members, the Commission would find that evidence interesting.

- In general terms, how do councillors carry out their representational roles with electors? Do members mainly respond casework from constituents or do they have a more active role in the community?
- How do councillors generally deal with casework? Do they pass on issues directly to staff or do they take a more in depth approach to resolving issues?
- What support do councillors receive in discharging their duties in relation to casework and representational role in their ward?
- How do councillors engage with constituents? Do they hold surgeries, distribute newsletters, hold public meetings, write blogs etc?
- How has the role of councillors changed since the council last considered how many elected members it should have?

- Has the council put in place any mechanisms for councillors to interact with young people, those not on the electoral register or minority groups or their representative bodies?
- Are councillors expected to attend meetings of community bodies such as parish councils or residents associations? If so, what is the level of their involvement and what role are they expected to play?

The Commission is interested in assessing what impact the number of councillors might have on the way local communities are represented. How much time do councillors spend on casework and ward activities in general and what support networks exist in the council to help them discharge their duties?

You should now consider what impact the representational role of members of the authority has on the conclusions you drew in the first two parts of this guide. Your judgement should be a realistic reflection of councillors' roles in their communities and may, or may not, increase the number you came to after Part One and Part Two of this guide.

Part Four: the future

The Commission understands that the role of local authorities is constantly changing. In particular, changes such as the introduction of elected mayors in some parts of England have significantly altered the nature of decision making and role of elected members. Equally, many local authorities have not seriously considered the size of their council since the introduction of Executive/Scrutiny functions over a decade ago. We are aware that a number of local authorities have changed or intend to change their governance arrangements by reverting from executive and scrutiny models to committee administrations. The pace of change for authorities is likely to continue into the foreseeable future. That is why you should consider future trends and developments when coming to conclusions on council size.

In Parts One - Three, we set out a number of questions about how the council and councillors currently operate. If proposing a change in council size, we would also be interested in knowing what changes might be made to current arrangements, which might affect the number of councillors needed.

In particular:

Localism and policy development

- What impact do you think the localism agenda might have on the scope and conduct of council business and how do you think this might affect the role of councillors?
- Does the council have any plans to devolve responsibilities and/or assets to community organisations? Or does the council expect to take on more responsibilities in the medium to long term?

Service delivery

- Have changes to the arrangements for local delivery of services led to significant changes to councillors' workloads? (For example, control of housing stock or sharing services with neighbouring authorities).
- Are there any developments in policy ongoing that might significantly affect the role of elected members in the future?

Finance

- What has been the impact of recent financial constraints on the council's activities? Would a reduction in the scope and/or scale of council business warrant a reduction in the number of councillors?
- If you are proposing a reduction in the number of councillors for your authority, to what extent is this a reflection of reduced activity of the council overall, an anticipation of efficiency plans or a statement to local people? Or none of these things?

The Commission aims to recommend electoral arrangements – including council size – that will deliver convenient and effective local government for the long term. It is therefore important that the overall number of councillors you propose will be right for your authority in the future. It could mean that the number you put to the Commission is different from the analysis you built up in the first three parts of this guide. Provided you have firm evidence and a strong rationale for such a difference, the Commission will give it serious consideration.

The Commission is interested in hearing firm plans for the future and evidence of trends that may affect the number of councillors required. Observations on possible developments are less likely to be persuasive.

Further reading

You may find it helpful to read the Commission's technical guidance on electoral reviews which covers our policy towards council size and the rest of the electoral review process. This can be found on our website at www.lgbce.org.uk/guidance-policy-and-publications/guidance

The Commission also produces guidance aimed at members of the public who wish to engage with the electoral review process. This is also available on our website.

The Commission publishes all submissions it receives throughout an electoral review. Our website therefore includes previous examples of council size submissions made by local authorities across England. Our staff will also be able to advise you on previous submissions that you might find interesting.

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The Local Government Boundary Commission for England (LGBCE) is an independent body set up by Parliament in April 2010. It is independent of Government and political parties, and is directly accountable to Parliament through a committee chaired by the Speaker of the House of Commons. It is responsible for conducting boundary, electoral and structural reviews of local government areas.