

Final recommendations on the
future electoral arrangements
for Torbay

Report to the Secretary of State for
Transport, Local Government and the Regions

December 2001

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A large map illustrating the proposed ward boundaries for Torquay and Paignton is inserted inside the back cover of this report.

WHAT IS THE LOCAL GOVERNMENT COMMISSION FOR ENGLAND?

The Local Government Commission for England is an independent body set up by Parliament. Our task is to review and make recommendations on whether there should be changes to local authorities' electoral arrangements.

Members of the Commission are:

Professor Malcolm Grant (Chairman)
Professor Michael Clarke CBE (Deputy Chairman)
Peter Brokenshire
Kru Desai
Pamela Gordon
Robin Gray
Robert Hughes CBE

Barbara Stephens (Chief Executive)

We are required by law to review the electoral arrangements of every principal local authority in England. Our aim is to ensure that the number of electors represented by each councillor in an area is as nearly as possible the same, taking into account local circumstances. We can recommend changes to ward boundaries, the number of councillors, ward names and the frequency of elections.

This report sets out the Commission's final recommendations on the electoral arrangements for the unitary authority of Torbay.

SUMMARY

We began a review of Torbay's electoral arrangements on 28 November 2000. We published our draft recommendations for electoral arrangements on 19 June 2001, after which we undertook an eight-week period of consultation.

- **This report summarises the representations we received during consultation on our draft recommendations, and contains our final recommendations to the Secretary of State.**

We found that the existing arrangements provide unequal representation of electors in Torbay:

- **in one of the 12 wards the number of electors represented by each councillor varies by more than 10 per cent from the average for the district, both initially and by 2005;**
- **the existing electoral arrangements provide for unequal distribution of councillors within Torbay, with the Torquay area being slightly over-represented and the Paignton area being slightly under-represented.**

Our main final recommendations for future electoral arrangements (see Tables 1 and 2 and paragraphs 112-113) are that:

- **Torbay Council should continue to have 36 councillors;**
- **there should be 15 wards, instead of 12 as at present;**
- **the boundaries of all of the existing wards should be modified;**
- **whole-council elections should continue to take place every four years.**

These recommendations seek to ensure that the number of electors represented by each district councillor is as nearly as possible the same, bearing in mind local circumstances.

- **In 13 of the proposed 15 wards the number of electors per councillor would vary by no more than 10 per cent from the district average.**
- **This level of electoral equality is forecast to improve, with the number of electors per councillor in all the proposed 15 wards expected to vary by no more than 10 per cent from the average for the district in 2005.**

All further correspondence on these final recommendations and the matters discussed in this report should be addressed to the Secretary of State for Transport, Local Government and the Regions, who will not make an Order implementing them before 15 January 2002:

**The Secretary of State
Department of Transport, Local Government and the Regions
Democracy and Local Leadership Division
Eland House
Bressenden Place
London SW1E 5DU**

Table 1: Final Recommendations: Summary

	Ward name	Number of councillors	Constituent areas	Map reference
1	Berry Head-with-Furzeham	3	Furzeham-with-Churston ward (part); St Peter's-with-St Mary's ward (part)	Maps 2, A2 and A3
2	Blatchcombe	3	Blatchcombe ward (part); Coverdale ward (part); St Michael's-with-Goodrington ward (part)	Map 2 and large map
3	Churston-with-Galmpton	2	Furzeham-with-Churston ward (part); St Michael's-with-Goodrington ward (part); St Peter's-with-St Mary's ward (part)	large map, Maps 2, A2 and A3
4	Clifton-with-Maidenway	2	Blatchcombe ward (part); Coverdale ward (part); Preston ward (part)	Map 2 and large map
5	Cockington-with-Chelston	3	Cockington-with-Chelston ward; Tormohun ward (part)	Map 2 and large map
6	Ellacombe	2	Ellacombe ward (part); Torwood ward (part)	Map 2 and large map
7	Goodrington-with-Roselands	2	Coverdale ward (part); St Michael's-with-Goodrington ward (part)	Map 2 and large map
8	Preston	3	Preston ward (part)	Map 2 and large map
9	Roundham-with-Hyde	2	Coverdale ward (part); Preston ward (part); St Michael's-with-Goodrington ward (part)	Map 2 and large map
10	St Marychurch	3	Ellacombe ward (part); St Marychurch ward (part); Shiphay ward (part); Tormohun ward (part)	Map 2 and large map
11	St Mary's-with-Summercombe	2	Furzeham-with-Churston ward (part); St Peter's-with-St Mary's ward (part)	Maps 2, A2 and A3
12	Shiphay-with-the-Willows	2	St Marychurch ward (part); Shiphay ward (part)	Map 2 and large map
13	Tormohun	3	Ellacombe ward (part); Shiphay ward (part); Tormohun ward (part); Torwood ward (part)	Map 2 and large map
14	Watcombe	2	St Marychurch ward (part); Shiphay ward (part)	Map 2 and large map
15	Wellswood	2	Ellacombe ward (part); Torwood ward (part)	Map 2 and large map

Notes: 1 The whole district is unparished.

2 Map 2 and Appendix A, including the large map in the back of the report, illustrate the proposed wards outlined above.

3 We have made a number of minor boundary amendments to ensure that existing ward boundaries adhere to ground detail. These changes do not affect any electors.

Table 2: Final Recommendations for Torbay

	Ward name	Number of councillors	Electorate (2000)	Number of electors per councillor	Variance from average %	Electorate (2005)	Number of electors per councillor	Variance from average %
1	Berry Head-with-Furzeham	3	7,733	2,578	-2	7,898	2,633	-3
2	Blatchcombe	3	6,568	2,189	-17	7,436	2,479	-8
3	Churston-with-Galmpton	2	5,732	2,866	8	5,552	2,776	3
4	Clifton-with-Maidenway	2	5,492	2,746	4	5,694	2,847	5
5	Cockington-with-Chelston	3	8,019	2,673	1	8,104	2,701	0
6	Ellacombe	2	5,174	2,587	-2	5,436	2,718	1
7	Goodrington-with-Roselands	2	5,281	2,641	0	5,445	2,723	1
8	Preston	3	8,020	2,673	1	8,187	2,729	1
9	Roundham-with-Hyde	2	5,173	2,587	-2	5,359	2,680	-1
10	St Marychurch	3	8,137	2,712	3	8,220	2,740	1
11	St Mary's-with-Summercombe	2	5,329	2,665	1	5,512	2,756	2
12	Shiphay-with-the-Willows	2	5,470	2,735	3	5,736	2,868	6
13	Tormohun	3	7,537	2,512	-5	7,701	2,567	-5
14	Watcombe	2	5,434	2,717	3	5,236	2,618	-3
15	Wellswood	2	6,075	3,038	15	5,823	2,912	8
	Totals	36	95,174	-	-	97,339	-	-
	Averages	-	-	2,644	-	-	2,704	-

Source: Electorate figures are based on information provided by Torbay Council.

Note: The 'variance from average' column shows by how far, in percentage terms, the number of electors per councillor varies from the average for the district. The minus symbol (-) denotes a lower than average number of electors. Figures have been rounded to the nearest whole number.

1 INTRODUCTION

1 This report contains our final recommendations on the electoral arrangements for Torbay unitary authority. We reviewed the district of South Hams in 1997 and the other seven two-tier districts in Devon in 1999. We are currently reviewing the unitary authorities of Torbay and Plymouth as part of our programme of periodic electoral reviews (PERs) of all 386 principal local authority areas in England. Our programme started in 1996 and is currently expected to finish in 2004.

2 This was our first review of the electoral arrangements of Torbay. Torbay's last review was undertaken by our predecessor, the Local Government Boundary Commission (LGBC), which reported to the Secretary of State in June 1979 (Report no. 343). We undertook a structural review in December 1994 which resulted in Torbay becoming a unitary authority in 1998. No changes were made to the electoral arrangements of Torbay Council as part of that review.

3 In carrying out these reviews, we must have regard to:

- the statutory criteria contained in section 13(5) of the Local Government Act 1992, i.e. the need to:
 - (a) reflect the identities and interests of local communities; and
 - (b) secure effective and convenient local government;
- the *Rules to be Observed in Considering Electoral Arrangements* contained in Schedule 11 to the Local Government Act 1972.

4 Full details of the legislation under which we work are set out in a document entitled *Guidance and Procedural Advice for Local Authorities and Other Interested Parties* (fourth edition published in December 2000). This *Guidance* sets out our approach to the reviews.

5 Our task is to make recommendations to the Secretary of State on the number of councillors who should serve on a council, and the number, boundaries and names of wards.

6 In our *Guidance*, we state that we wish wherever possible to build on schemes which have been prepared locally on the basis of careful and effective consultation. Local interests are normally in a better position to judge what council size and ward configuration are most likely to secure effective and convenient local government in their areas, while also reflecting the identities and interests of local communities.

7 The broad objective of PERs is to achieve, so far as possible, equal representation across the district as a whole. Schemes which would result in, or retain, an electoral imbalance of over 10 per cent in any ward will have to be fully justified. Any imbalances of 20 per cent or more should only arise in the most exceptional circumstances, and will require the strongest justification.

8 We are not prescriptive on council size. We start from the assumption that the size of the existing council already secures effective and convenient local government, but we are willing to look carefully at arguments why this might not be so. However, we have found it necessary to safeguard against upward drift in the number of councillors, and we believe that any proposal for an increase in council size will need to be fully justified. In particular, we do not accept that an increase in electorate should automatically result in an increase in the number of councillors,

nor that changes should be made to the size of a council simply to make it more consistent with the size of other similar councils.

9 In July 1998, the Government published a White Paper called *Modern Local Government – In Touch with the People*, which set out legislative proposals for local authority electoral arrangements. In two-tier areas, it proposed introducing a pattern in which both the district and county councils would hold elections every two years, i.e. in year one, half of the district council would be elected, in year two, half the county council would be elected, and so on. In unitary authorities the White Paper proposed elections by thirds. The Government stated that local accountability would be maximised where every elector has an opportunity to vote every year, thereby pointing to a pattern of two-member wards (and divisions) in two-tier areas and three-member wards in unitary authority areas. However, it stated that there was no intention to move towards very large electoral wards in sparsely populated rural areas, and that single-member wards (and electoral divisions) would continue in many authorities. The proposals were taken forward in the Local Government Act 2000 which, among other matters, provides that the Secretary of State may make Orders to change authorities' electoral cycles. However, until such time as the Secretary of State makes any Orders under the 2000 Act, we will continue to operate on the basis of existing legislation, which provides for elections by thirds or whole-council elections in two-tier areas, and our current *Guidance*.

10 This review was in four stages. Stage One began on 28 November 2000, when we wrote to Torbay Council inviting proposals for future electoral arrangements. We also notified Devon & Cornwall Constabulary, the local authority associations, the Members of Parliament with constituencies in the district, the Members of the European Parliament for the South West region, and the headquarters of the main political parties. We placed a notice in the local press, issued a press release and invited Torbay Council to publicise the review further. The closing date for receipt of representations, the end of Stage One, was 19 February 2001. At Stage Two we considered all the representations received during Stage One and prepared our draft recommendations.

11 Stage Three began on 19 June 2001 with the publication of our report, *Draft recommendations on the future electoral arrangements for Torbay*, and ended on 13 August 2001. During this period we sought comments from the public and other interested parties on our preliminary conclusions. Finally, during Stage Four we reconsidered our draft recommendations in the light of the Stage Three consultation and now publish our final recommendations.

2 CURRENT ELECTORAL ARRANGEMENTS

12 Torbay Council covers an area of approximately 6,200 hectares. The authority comprises the three major towns of Torquay, Paignton and Brixham. These towns differ greatly from one another in terms of their character and their history. They have a combined population of over 120,000, making Torbay the third largest urban area in the South West. Torbay also embraces a number of rural settlements such as Cockington, Churston, Galmpton and Maidencombe, all of which possess distinctive characteristics. In 1998 Torbay attained unitary status for the first time since 1968, when the three towns were amalgamated and Torbay had County Borough status. Torbay is entirely unparished.

13 To compare levels of electoral inequality between wards, we calculated, in percentage terms, the extent to which the number of electors per councillor in each ward (the councillor:elector ratio) varies from the district average in percentage terms. In the text which follows, this calculation may also be described using the shorthand term 'electoral variance'.

14 The electorate of the district is 95,174 (February 2000). The Council presently has 36 members who are elected from 12 three-member wards. The whole Council is elected every four years. Since the last electoral review there has been an increase in the electorate in Torbay, with around 10 per cent more electors than two decades ago as a result of new housing developments.

15 At present, each councillor represents an average of 2,644 electors, which the Council forecasts will increase to 2,704 by the year 2005 if the present number of councillors is maintained. Due to demographic and other changes over the past two decades, the number of electors per councillor in one of the 12 wards varies by more than 10 per cent from the district average. However, while there is a generally high level of electoral equality in Torbay at present, the existing arrangements provide for the incorrect allocation of councillors across the district. At present, the Paignton area is represented by 12 councillors, but is entitled to 13, while the Torquay area is represented by 18 councillors, but is only entitled to 17.

Map 1: Existing Wards in Torbay

Table 3: Existing Electoral Arrangements

	Ward name	Number of councillors	Electorate (2000)	Number of electors per councillor	Variance from average %	Electorate (2005)	Number of electors per councillor	Variance from average %
1	Blatchcombe	3	8,125	2,708	2	8,535	2,845	5
2	Cockington-with-Chelston	3	7,495	2,498	-5	7,679	2,560	-5
3	Coverdale	3	8,370	2,790	6	8,453	2,818	4
4	Ellacombe	3	7,422	2,474	-6	7,481	2,494	-8
5	Furzeham-with-Churston	3	7,560	2,520	-5	7,646	2,549	-6
6	Preston	3	8,476	2,825	7	8,555	2,852	5
7	St Marychurch	3	7,959	2,653	0	8,155	2,718	1
8	St Michael's-with-Goodrington	3	9,067	3,022	14	9,176	3,059	13
9	St Peter's-with-St Mary's	3	7,730	2,577	-3	7,914	2,638	-2
10	Shiphay	3	8,256	2,752	4	8,804	2,935	9
11	Tormohun	3	7,301	2,434	-8	7,464	2,488	-8
12	Torwood	3	7,413	2,471	-7	7,477	2,492	-8
	Totals	36	95,174	-	-	97,339	-	-
	Averages	-	-	2,644	-	-	2,704	-

Source: Electorate figures are based on information provided by Torbay Council.

Note: The 'variance from average' column shows by how far, in percentage terms, the number of electors per councillor varies from the average for the district. The minus symbol (-) denotes a lower than average number of electors. For example, in 2000, electors in Tormohun ward were relatively over-represented by 8 per cent, while electors in St Michael's-with-Goodrington ward were significantly under-represented by 14 per cent. Figures have been rounded to the nearest whole number.

3 DRAFT RECOMMENDATIONS

16 During Stage One we received five representations, including district-wide schemes from Torbay Council, Torbay Council Liberal Democrat Group and Torbay District Labour Party and representations from Torbay Conservative Association and one local resident. In the light of these representations and evidence available to us, we reached preliminary conclusions which were set out in our report, *Draft recommendations on the future electoral arrangements for Torbay*.

17 Our draft recommendations were broadly based on Torbay Council's proposals, which achieved some improvement in electoral equality, and provided a pattern of two and three-member wards across the district. However, we moved away from the Council's scheme in a number of areas, affecting the proposed Berry Head-with-Furzeham and St Mary's-with-Summercombe wards in Brixham, the proposed Blatchcombe and Clifton-with-Maidenway wards in Paignton, and the proposed Coombe, St Marychurch, Tormohun and Wellswood wards in Torquay. We also proposed minor modifications to the Council's proposed boundaries in several areas in order to follow ground features. We proposed that:

- Torbay Council should continue to be served by 36 councillors, representing 15 wards, three more than at present;
- the boundaries of all of the existing wards should be modified.

Draft Recommendation

Torbay Council should comprise 36 councillors, serving 15 wards. The whole council should continue to be elected every four years.

18 Our proposals would have resulted in a reduction in the number of wards varying by more than 10 per cent from the district average from one to none by 2005. We recognised that initially the level of electoral equality achieved under our draft recommendations would be marginally worse than that under the existing arrangements. However, we noted that our draft recommendations would provide for the correct allocation of councillors between the three towns, and would provide a better balance between electoral equality and the statutory criteria than the existing arrangements or other schemes submitted at Stage One.

4 RESPONSES TO CONSULTATION

19 During the consultation on our draft recommendations report, we received 34 representations. A list of all respondents is available from us on request. All representations may be inspected at our offices and those of Torbay Council.

Torbay Council

20 Torbay Council broadly supported the draft recommendations. However, it argued that the amendments we proposed to its Stage One scheme in the Torquay area did not adequately reflect community identity and would lead to greater electoral variance. The Council therefore argued that the wards of Coombe, St Marychurch, Tormohun and Wellswood in Torquay be amended to correspond with its Stage One proposals. After further consideration it also put forward revised ward names for six proposed wards. Finally, it proposed a number of additional boundary amendments across the district, affecting few or no electors.

Torbay Council Liberal Democrat Group

21 Torbay Council Liberal Democrat Group (the ‘Liberal Democrats’) also generally supported the draft recommendations, accepting the retention of the existing council size and of whole-council elections. However, in Torquay they proposed a significant boundary amendment between the proposed Willows-with-Edginswell and Coombe wards to better reflect community identity in the Barton area. The Liberal Democrats also proposed boundary amendments between the proposed Paignton wards of Clifton-with-Maidenway, Goodrington-with-Roselands, and Roundham-with-Hyde to prevent the division of the St Michael’s community. In addition, they suggested alternative ward names for six proposed wards, and put forward minor boundary amendments in Torquay, affecting no electors.

Torbay District Labour Party

22 Torbay District Labour Party (‘the Labour Party’) broadly supported the draft recommendations and accepted the retention of the existing council size. However, it proposed a two-member Plainmoor-with-Hele ward in Torquay, composed of parts of the proposed wards of Coombe, St Marychurch, Tormohun and Willows-with-Edginswell. The Labour Party argued that this ward would better reflect community identity and interests in central Torquay. It also proposed boundary amendments between the proposed Torquay wards of Wellswood and St Marychurch (closely resembling Torbay Council’s proposal) and between the proposed Paignton wards of Clifton-with-Maidenway, Preston and Roundham-with-Hyde. The Labour Party continued to propose a change in the electoral cycle to elections by thirds, and also suggested alternative ward names for five proposed wards.

Torbay Conservative Association

23 Torbay Conservative Association (‘the Conservatives’) expressed support for the draft recommendations, but argued that Torbay Council’s Stage One proposals for Torquay should be adopted in full. It also suggested revising the names of seven proposed wards, arguing that they were too cumbersome and had “no relation to local people’s way of life and traditions”.

Members of Parliament

24 Adrian Sanders MP (Torbay) opposed the proposed changes to ward boundaries in the Paignton and Brixham areas. He argued that several of the proposed wards would traverse existing parliamentary boundaries, thus creating an “unacceptable” level of confusion for the electorate.

Other Representations

25 A further 29 representations were received in response to our draft recommendations from local political groups, local organisations, councillors and residents. Seventeen residents of Brixham, as well as Galmpton Residents Association, opposed the proposed warding arrangements for the Brixham area. Concern was expressed regarding the perceived loss of representation for this part of the district, while it was also argued that the proposed Churston-with-Galmpton ward would not reflect community identities and interests in the area. Where alternative arrangements were proposed, it was considered that the current pattern of wards in this area should be retained, as they would provide good electoral equality both now and in five years time.

26 Maidencombe Residents Association opposed the proposed inclusion of the village of Maidencombe in Coombe ward. It supported its inclusion in St Marychurch ward, as proposed by Torbay Council. The Association argued that this arrangement would more closely reflect established local identities, which it considered it did not share with the remainder of the proposed Coombe ward. In addition, the Association supported a change in the electoral cycle to elections by thirds.

27 One resident of Shiphay in Torquay opposed the proposed Willows-with-Edginswell ward, arguing that the new development of the Willows should be warded with the Barton area of Torquay, rather than those of Edginswell or Shiphay. Two residents suggested revising the names of a number of proposed wards to better reflect historical ties and community identities. Another local resident argued that Blatchcombe ward should be included in the parliamentary constituency of Torbay, such changes however lie outside the remit of this review.

28 Councillor Blake (Ellacombe ward) supported the minor boundary amendments put forward by the Liberal Democrats in Torquay. One of these, the transfer of the Warberry Copse open space from the proposed Wellswood ward to the proposed Ellacombe ward, was supported by a further five local residents, Sunnydale Residents Association, the St Marychurch & District Action Group (Bay Blooms Group) and the Quinta/Windsor Road Allotment Association. One of the above residents also proposed a separate amendment between these wards and supported the increase in council size to 39, proposed at Stage One by the Liberal Democrats.

5 ANALYSIS AND FINAL RECOMMENDATIONS

29 As described earlier, our prime objective in considering the most appropriate electoral arrangements for Torbay is, so far as reasonably practicable and consistent with the statutory criteria, to achieve electoral equality. In doing so we have regard to section 13(5) of the Local Government Act 1992 – the need to secure effective and convenient local government, and reflect the identities and interests of local communities – and Schedule 11 to the Local Government Act 1972, which refers to the number of electors per councillor being “as nearly as may be, the same in every ward of the district or borough”.

30 In relation to Schedule 11, our recommendations are not intended to be based solely on existing electorate figures, but also on estimated changes in the number and distribution of local government electors likely to take place within the ensuing five years. We also must have regard to the desirability of fixing identifiable boundaries and to maintaining local ties.

31 It is therefore impractical to design an electoral scheme which results in exactly the same number of electors per councillor in every ward of an authority. There must be a degree of flexibility. However, our approach, in the context of the statutory criteria, is that such flexibility must be kept to a minimum.

32 Our Guidance states that we accept that the achievement of absolute electoral equality for the authority as a whole is likely to be unattainable. However, we consider that, if electoral imbalances are to be minimised, the aim of electoral equality should be the starting point in any review. We therefore strongly recommend that, in formulating electoral schemes, local authorities and other interested parties should make electoral equality their starting point, and then make adjustments to reflect relevant factors such as community identity and interests. Five-year forecasts of changes in electorates must also be considered and we would aim to recommend a scheme which provides improved electoral equality over this five-year period.

Electorate Forecasts

33 Since 1975 there has been a 9.75 per cent increase in the electorate of Torbay district. At Stage One Torbay Council submitted electorate forecasts for the year 2005, projecting an increase in the electorate of approximately 2 per cent from 95,174 to 97,339 over the five-year period from 2000 to 2005. It expects most of the growth to be in Shiphay ward, although a significant amount is also expected in Blatchcombe ward. In order to prepare these forecasts, the Council estimated rates and locations of housing development with regard to structure and local plans, the expected rate of building over the five-year period and assumed occupancy rates. We accept that this is an inexact science and, having considered the forecast electorates, we stated in our draft recommendations report that we were satisfied that they represented the best estimates that could reasonably be made at the time.

34 We received no comments on the Council’s electorate forecasts during Stage Three, and remain satisfied that they represent the best estimates currently available.

Council Size

35 As already explained, we start by assuming that the current council size facilitates effective and convenient local government, although we are willing to carefully look at arguments why this might not be the case. In our draft recommendations report we noted that there was a lack

of consensus on the issue of the most appropriate council size for Torbay and we carefully considered the argumentation provided within the district-wide submissions by Torbay Council, the Liberal Democrats and the Labour Party.

36 In our draft recommendations report we adopted the Council's proposal to retain a council of 36 members. The Council stated that, "since gaining unitary status in May 1998 Torbay Councillors have fulfilled their duties effectively with a council size of 36", and that this council size would continue to provide effective local government in Torbay. It also argued that, while changes such as the Government's modernising agenda for local government may form the basis for a compelling argument for a reduction in the number of councillors, "the view of this Council is that it would be preferable if the time saved on meetings could be used by members to spend more time working within the community".

37 Further, we noted that the Labour Party's proposal for an increase of seven, to 43, had not been consulted on or achieved cross-party support. We were not persuaded by its argument that that Torbay Council does not currently provide effective and convenient local government under a council size of 36, and that the Council would be more effective and convenient under a council size of 43. While the Liberal Democrats' proposed increase in council size from 36 to 39 was less substantial, we noted that their proposal was based on a perceived increase in workload, and was not supported by any objective evidence on how this change might improve effective and convenient local government in Torbay. Moreover, while the Liberal Democrats' scheme would provide for an improved level of electoral equality by 2005, we considered that their proposals would not reflect the identities and interests of local communities in a number of areas.

38 Having considered the size and distribution of the electorate, the geography and other characteristics of the area, together with the representations received, we therefore concluded that the achievement of electoral equality and the statutory criteria would best be met by retaining a council of 36 members.

39 During Stage Three Torbay Council, the Liberal Democrats and the Labour Party all agreed upon the retention of the existing council size. However, a local resident supported a council size of 39 members, as proposed at Stage One by the Liberal Democrats. She argued that all the work formerly carried out by Devon County Council in the areas of education, social services and transport had been transferred to Torbay Council without any corresponding increase in council size. We note that this position to some extent reiterates the Liberal Democrats' argumentation at Stage One and remain of the view that we have not received sufficient evidence on how this change might further effective and convenient local government in Torbay. We have also not received any indication that such an increase would command local support. We are therefore content to confirm our draft recommendations for a council size of 36 as final.

Electoral Arrangements

40 We carefully considered the representations received at Stage One, including the district-wide schemes from Torbay Council, the Liberal Democrats and the Labour Party. We proposed broadly basing our draft recommendations on Torbay Council's proposals, which we considered would provide for a better balance between electoral equality and the statutory criteria than either of the other district-wide schemes submitted or the existing arrangements. We also noted that the Council's proposals would provide for the correct allocation of councillors for the three town areas of Brixham, Paignton and Torquay.

41 However, to better reflect the identities and interests of local communities, we proposed some amendments to the Council's proposals in a number of areas. In addition, we proposed minor modifications to the Council's proposed boundaries to follow ground features. We recognised that, in some cases, our proposed amendments to the Council's scheme would result in a marginal deterioration in the level of electoral equality. However, we considered that our draft recommendations would better reflect local community identities and interests and would provide a better balance between electoral equality and the statutory criteria than the existing arrangements or elements of the Council's scheme. We recognised that, under our draft recommendations, electoral equality in Torbay would initially deteriorate. However, we believed that the opportunity afforded by a periodic electoral review to address the imbalances in representation between Torquay and Paignton should be taken.

42 In response to our draft recommendations, we received considerable, if qualified, support for our proposals. Torbay Council (supported by the Conservatives), the Liberal Democrats and the Labour Party all broadly supported our draft recommendations, subject to a number of proposed boundary amendments. Both the Liberal Democrats and the Labour Party expressed a preference for an increase in the number of two-member wards, as opposed to those with three members. The Labour Party proposed achieving this by creating a new ward in northern Torquay. Of the other respondents, we noted that a considerable number opposed the proposed warding pattern in the Brixham area, while others supported some of the above boundary amendments, or else put forward their own. Finally, we were also presented with alternative ward names for ten of the fifteen proposed wards, put forward by the Council, political groups and parties, and local residents.

43 After due consideration of the representations received, we propose that our draft recommendations be substantially endorsed. However, we are also proposing adopting a boundary amendment in the Maidencombe area to the north-east of Torquay, which we considered in the light of further evidence would provide a better balance between electoral equality and the statutory criteria. Further, we propose adopting a number of minor amendments, affecting few or no electors. Finally, we have proposed alternative ward names for the Torquay wards of Cockington, Coombe and Willows-with-Edginswell, where a majority of those commenting favoured either a single proposal or very similar proposals.

44 For district warding purposes, the following areas, based on existing wards, are considered in turn:

- a) Furzeham-with-Churston, St Michael's-with-Goodrington and St Peter's-with-St Mary's wards;
- b) Blatchcombe, Coverdale and Preston wards;
- c) Cockington-with-Chelston, Tormohun and Torwood wards;
- d) Ellacombe, St Marychurch and Shiphay wards.

45 Details of our final recommendations are set out in Tables 1 and 2, and illustrated on Map 2, in Appendix A and on the large map inserted at the back of this report.

Furzeham-with-Churston, St Michael's-with-Goodrington and St Peter's-with-St Mary's wards

46 The existing wards of Furzeham-with-Churston, St Michael's-with-Goodrington and St Peter's-with-St Mary's are situated in the south of the district. Furzeham-with-Churston and St Peter's-with-St Mary's wards are each currently represented by three councillors and at present

form the Brixham town area of the district. St Michael's-with-Goodrington ward is currently represented by three councillors and at present forms part of the Paignton town area of the district. Under existing arrangements, Furzeham-with-Churston and St Peter's-with-St Mary's wards have 5 per cent and 3 per cent fewer electors per councillor than the district average respectively (6 per cent and 2 per cent fewer than the average by 2005). St Michael's-with-Goodrington ward has 14 per cent more electors per councillor than the district average (13 per cent more than the average by 2005).

47 At Stage One, Torbay Council proposed revising the boundary between the towns of Brixham and Paignton, stating that, "The Council's view is that the Brixham boundary should more closely reflect the built-up area of Brixham". This change would also result in a decrease in the number of councillors representing Brixham from six to five. Based on this modification, the Council proposed two new wards for the revised Brixham area. It proposed a new three-member Berry Head-with-Furzeham ward, incorporating part of the existing St Peter's-with-St Mary's ward broadly to the north of Rea Barn Road and Cudhill Road, together with part of the existing Furzeham-with-Churston ward to the south-east of North Boundary Road. The proposed western boundary, which would also form part of the revised boundary between Brixham and Paignton, would follow the rear of properties on the north-west side of North Boundary Road. The remaining part of the existing St Peter's-with-St Mary's ward, together with part of the existing Furzeham-with-Churston ward broadly to the south-east of Summer Court Way and south-west of Summer Lane, would be combined to form a new two-member St Mary's-with-Summercombe ward. The western boundary of this new ward would form the remaining part of the revised boundary between Brixham and Paignton. The remaining part of the existing Furzeham-with-Churston ward, broadly to the north-west of Churston Golf Course, would be combined with part of the existing St Michael's-with-Goodrington ward, broadly to the south of Goodrington Road, to form a new two-member Churston-with-Galmpton ward.

48 Having considered the representations received at Stage One, we based our draft recommendations for this area on Torbay Council's proposals, which we considered would provide the best balance between electoral equality and the statutory criteria. We also concurred with the Council's view that the boundary between the towns of Brixham and Paignton should be amended to more closely reflect the built-up area of Brixham. In particular, we noted that the northern boundary of Furzeham-with-Churston ward currently divides the Goodrington community between two wards. We noted that Galmpton is physically separated from the Furzeham area, and considered that it shares greater community links with the Paignton area to the north. However, we proposed one minor amendment to the Council's scheme. We proposed that the boundary between the proposed Berry Head-with-Furzeham and St Mary's-with-Summercombe wards should be modified to follow the centre of Cudhill Road and New Road. We considered that this would provide for a more clearly identifiable boundary, while better reflecting the identities and interests of residents living in the area. While we were unable to adopt either of the two alternative district-wide schemes, we noted that there were some similarities between elements of the Council's scheme and the Liberal Democrats' scheme in this area.

49 Under our draft recommendations, the wards of Berry Head-with-Furzeham, St Mary's-with-Summercombe and Churston-with-Galmpton would have 2 per cent fewer, 1 per cent more and 8 per cent more electors per councillor than the district average respectively (3 per cent fewer, 2 per cent more and 3 per cent more than average by 2005).

50 At Stage Three Torbay Council broadly supported the draft recommendations in this area, including the proposed ward names. However, it reiterated its Stage One proposal that the

boundary between the proposed Berry Head-with-Furzeham and St Mary's-with-Summercombe wards should run to the north of Cudhill Road rather than along the middle of the street. This would place all of Cudhill Road in the proposed St Mary's-with-Summercombe ward. Torbay Council included photographic evidence to demonstrate that both sides of the street had a common, residential character. It also opposed a minor modification to the boundary between these proposed wards made in the draft recommendations to better reflect ground detail in Wren Hill and Parkham Lane. Instead, it proposed its own amended boundary, to ensure that properties on Wren Hill fronting Parkham Lane and properties in Wren Court would not be split between different wards.

51 The Conservatives supported the draft recommendations in this area, but argued that the proposed Berry Head-with-Furzeham and St Mary's-with-Summercombe wards should be renamed Furzeham and St Mary's wards respectively. The Liberal Democrats also supported the proposed wards of Berry Head-with-Furzeham and St Mary's-with-Summercombe. They stated that the former ward, "produces a more coherent Brixham community without incorporating areas we believe do not identify closely, or at all, with the town of Brixham and its facilities ... the new ward should be enable councillors to concentrate more effectively on representing Brixham." They also considered that the latter ward reflected community identity more closely than the existing arrangements.

52 The Labour Party stated that, while it was "not altogether happy" with the proposals in Brixham, "it could see no other practicable way of achieving one ward of three councillors and one ward of two [councillors]. Within the parameters of the Paignton/Brixham boundary, the numbers of voters, the geography and the road system", it "reluctantly" accepted the proposed warding arrangements. However, it argued that the proposed Churston-with-Galmpton ward be renamed White Rock-with-Churston to better reflect community identity and interests in this area.

53 Adrian Sanders MP (Torbay) opposed the proposed changes to ward boundaries in the Brixham and Paignton areas. He argued that several of the proposed wards, including Churston-with-Galmpton, would traverse existing Parliamentary constituency boundaries and thereby lead to an "unacceptable" level of confusion for the electorate.

54 Seventeen residents of Brixham, as well as Galmpton Residents Association, also opposed the proposed warding arrangements for the Brixham area. It was stated that the proposals would result in a loss of representation from six to five councillors, which would in turn affect the area's ability to represent itself effectively on Torbay Council. It was also argued that the proposed Churston-with-Galmpton ward would reflect neither historical ties nor community identities and interests for the "semi-rural" communities of Churston and Galmpton, which respondents considered looked towards Brixham rather than southern Paignton. Where alternative arrangements were proposed, it was considered that the current pattern of wards in this area should be retained, as they provide good electoral equality both now and in five years time, and the current boundary was easily identifiable. Three Brixham residents expressed concern over the crossing of existing parliamentary boundaries, in the same way as Adrian Sanders MP.

55 We have carefully considered the representations received at Stage Three and note that there has been some local opposition to our proposals. We were unable to have regard for argumentation that addressed the perceived disadvantaging of Brixham in Council governance, as this does not fall within the criteria by which we make our recommendations. Moreover, the correct allocation of councillors for the electorate in the two wards is five, not six councillors.

Similarly, our Guidance specifically states that we take no account of parliamentary boundaries in recommending new warding arrangements during periodic electoral reviews.

56 It has been put to us that there are stronger community ties in Churston and Galmpton with Brixham than with southern Paignton. However, we do not consider that the evidence presented to demonstrate this, such as the sharing of postal or policing districts, or the assertion of connections with historic Brixham, are in themselves sufficient indicators of community identity. We remain of the view that, by more closely reflecting residential areas in the south of the district, the draft recommendations provide a better balance between electoral equality and the statutory criteria than the existing arrangements. We further consider that in putting forward recommendations it is necessary for us to consider the best arrangement for the district as a whole, and that our proposals would also help reduce the high level of electoral variance in the existing St Michael's-with-Goodrington ward to the north. Finally, we note that our draft recommendations in this area received the support of Torbay Council and the three main political parties.

57 Having carefully considered all representations received, we have therefore decided to endorse our draft recommendation for the proposed wards of Berry Head-with-Furzeham, St Mary's-with-Summercombe and Churston-with-Galmpton. Given the lack of strong support for an alternative suggestion we do not propose that these ward names be changed. However, we do propose adopting the two minor amendments put forward by Torbay Council to the boundary between Berry Head-with-Furzeham and St Mary's-with-Summercombe wards, judging that they would better reflect community identities in that area without affecting electoral variance. Consequently our final recommendations will provide the same levels of electoral equality as our draft recommendations. Our proposals for this area are illustrated on Maps A2 and A3 in Appendix A.

Blatchcombe, Coverdale and Preston wards

58 The existing wards of Blatchcombe, Coverdale and Preston are situated in the central and western part of the district. All three wards are currently represented by three councillors each and at present form part of the town of Paignton. Under existing arrangements Blatchcombe, Coverdale and Preston wards contain 2 per cent, 6 per cent and 7 per cent more electors per councillor than the district average respectively (5 per cent, 4 per cent and 5 per cent more than the average by 2005).

59 At Stage One, Torbay Council proposed significant changes to warding arrangements in the Paignton area. However, it proposed maintaining the existing boundary between the towns of Paignton and Torquay, which it argued is "long established". The Council proposed that part of the existing St Michael's-with-Goodrington ward, broadly to the north of Goodrington Road, less the area surrounding St Michael's Recreation Ground and the properties on the east side of Brixham Road, be combined with parts of the existing Coverdale ward, the Goodrington Park area south of Young's Park Road, and the areas surrounding Hayes Primary School and properties on the north side of Elmsleigh Road. This would result in the creation of a new two-member Goodrington-with-Roselands ward. The remaining part of St Michael's-with-Goodrington ward, the area surrounding St Michael's Recreation Ground, would be combined with part of the existing Coverdale ward broadly to the east of Winner Street and Torquay Road, together with the Mead Lane area from the existing Preston ward, to form a new two-member Roundham-with-Hyde ward.

60 The remaining parts of the existing Coverdale ward, the area broadly to the west of Winner Street, east of the Primley Wood Recreation Ground and the Woodland Park area, would be combined with part of the existing Blatchcombe ward, broadly to the east of Marlton Road together with the areas surrounding Winsu Avenue and Oldway Primary School from the existing Preston ward, to form a new two-member Clifton-with-Maidenway ward. The remaining part of Preston ward, with its retained northern boundary, would form a revised three-member Preston ward. The remaining part of Blatchcombe ward, together with the properties on the east side of Brixham Road from the existing St Michael's-with-Goodrington ward, as detailed above, and the remainder of the existing Coverdale ward, broadly to the west of Primley Wood Recreation Ground, would form a revised three-member Blatchcombe ward.

61 Having considered the representations received at Stage One, we based our draft recommendations on Torbay Council's proposals, subject to one minor amendment. Our preliminary conclusion on the most appropriate council size for Torbay had limited the extent to which we were able to consider the Liberal Democrats' and the Labour Party's proposals. We were content that the Council's proposals would provide the most appropriate balance between electoral equality and the statutory criteria in this area, but proposed a minor amendment to the proposed Clifton-with-Maidenway ward. We were not persuaded that this proposed ward would adequately reflect the identities and interests of the community in the area and therefore proposed an amendment which would provide for more clearly identifiable boundaries. We proposed amending the boundary between Clifton-with-Maidenway and Blatchcombe wards, resulting in the transfer of the area to the north of Colley End Road and east of Barton Avenue from Blatchcombe ward to Clifton-with-Maidenway ward. This area is accessed from Marlton Road and has more significant community links with the area to its east. We noted that the Liberal Democrats' proposals were broadly similar to the Council's proposals in relation to the proposed Preston ward, and consequently the boundary between the Torquay and Paignton town areas.

62 Under our draft recommendations, Blatchcombe, Clifton-with-Maidenway, Roundham-with-Hyde, Goodrington-with-Roselands and Preston wards would have 17 per cent fewer, 4 per cent more, 2 per cent fewer, equal to the average and 1 per cent more than the average number of electors per councillor respectively (8 per cent fewer, 5 per cent more, 1 per cent fewer, 1 per cent more and 1 per cent more than the average by 2005).

63 At Stage Three, Torbay Council broadly supported our proposals in this area. However, it put forward four minor amendments, reversing or modifying those made in the draft recommendations to better follow ground detail, between the proposed wards of Blatchcombe and Clifton-with-Maidenway, Goodrington-with-Roselands and Roundham-with-Hyde, and Clifton-with-Maidenway and Preston. These proposals would ensure that all of Marlton Road fell within Blatchcombe ward, all of Fisher St within Goodrington-with-Roselands ward, all of Sands Road within Roundham-with-Hyde ward and all of Dolphin Crescent within Preston ward. Under Torbay Council's proposals the proposed Clifton-with-Maidenway ward would be renamed Clifton-with-Oldway ward, while the proposed Goodrington-with-Roselands ward would become Roselands-with-Clennon ward.

64 The Conservatives supported the draft recommendations in this area, but proposed that the proposed Clifton-with-Maidenway, Goodrington-with-Roselands and Roundham-with-Hyde wards be renamed Coverdale, Roundham and Goodrington wards respectively.

65 At Stage Three the Liberal Democrats supported the proposed Blatchcombe and Preston wards. They proposed an amendment to the boundaries of the proposed Clifton-with-

Maidenway, Goodrington-with-Roselands and Roundham-with-Hyde wards in the St Michael's area of Paignton. This involved a reversion to the existing Coverdale and St Michael's-with-Goodrington ward boundary along the centre of Hayes Road and St Michael's Road, in order to prevent the division of the St Michael's community. The Liberal Democrats also put forward several alternative ward names. They stated that the proposed Clifton-with-Maidenway ward should be renamed Oldway with Clifton ward, as "there is no identified area known as Maidenway". They also put forward the alternative name of "Tower and Pier" for the proposed Roundham-with-Hyde ward, as it includes the landmarks of the Coverdale Tower and Paignton Pier.

66 The Labour Party gave qualified support to the draft recommendations in this area. As stated above, it "reluctantly" accepted the proposed warding arrangements for the Paignton/Brixham boundary, and supported the proposed Goodrington-with-Roselands and Blatchcombe wards. However, the Labour Party proposed amending the boundaries of the proposed wards of Clifton-with-Maidenway, Roundham-with-Hyde and Preston. Its proposed Preston ward would revert to the existing boundary along the centre of Southfield Avenue from its junction with Marldon Road, and then progress south along the centre of Shorton Road. This would result in a transfer of electors from the proposed Clifton-with-Maidenway ward. The suggested boundary ward would then continue beyond the existing southern boundary of Preston ward to include part of the proposed Roundham-with-Hyde ward, bounded by Southfield Road, part of Colley End Road, Cecil Road, Courtland Road and Polsham Park. Finally, the proposed ward would retain the existing boundary from the intersection of the railway line and Lower Polsham Road to the sea, as in the draft recommendations. The Labour Party also proposed that the proposed ward name of "Roundham-with-Hyde" be rejected in favour of "Coverdale-with-Roundham", arguing that this "accurately reflects the two distinct areas within the ward". This proposal was also put forward by a Torbay resident, who considered that it would better reflect local usage and local historical ties.

67 Under the Labour Party's proposals, Clifton-with-Maidenway ward would have 11 per cent fewer electors per councillor than the district average (9 per cent fewer by 2005). Coverdale-with-Roundham and Preston wards would have 8 per cent fewer and 15 per cent more electors per councillor than the average respectively (7 per cent fewer and 14 per cent more by 2005).

68 As stated in the previous section, Adrian Sanders MP (Torbay) opposed the proposed changes to ward boundaries in the Brixham and Paignton areas. He argued the proposed wards of Blatchcombe and Clifton-with-Maidenway would traverse existing Parliamentary constituency boundaries, creating an unacceptable level of confusion for the electorate. A local resident also argued that Blatchcombe ward should be included in the parliamentary constituency of Torbay rather than of Totnes.

69 We have given careful consideration to the evidence and representations received. As stated previously, our Guidance states that we take no account of Parliamentary constituency boundaries in recommending new patterns of ward boundaries.

70 We consider that we have not received sufficient, substantive evidence from the Liberal Democrats as to how their proposed amendment would provide a better balance between electoral equality and the statutory criteria than the draft recommendations. We therefore do not propose departing from our draft recommendations in this area. Similarly, we have not been persuaded on the basis of the evidence provided by the Labour Party that its proposals would better reflect community identities and interests, or secure effective and convenient local government. We considered that, contrary to their estimates, their amendments would lead to a

considerable decline in electoral equality in all three affected wards. We note that Torbay Council and the Conservatives generally supported the draft recommendations in the Paignton area, as did the Liberal Democrats and the Labour Party in those areas not affected by their proposals. We remain of the view that our proposed warding arrangements for Paignton would better meet the required level of electoral equality and the statutory criteria than these alternatives.

71 Having carefully considered all representations received, we have therefore decided to endorse our draft recommendation for the proposed wards of Blatchcombe, Clifton-with-Maidenway, Goodrington-with-Roselands, Preston and Roundham-with-Hyde. Given the absence of a clear consensus in favour of an alternative we do not propose changing these ward names. However, we do propose adopting the minor amendments put forward by Torbay Council as detailed above, with the exception of the proposed adjustment to Preston and Clifton-with-Maidenway wards, judging that they would better reflect community identities in that area without affecting electoral variance. Consequently our final recommendations will provide the same levels of electoral equality as our draft recommendations. Our proposals for this area are illustrated on the large map inserted inside the back cover of this report.

Cockington-with-Chelston, Tormohun and Torwood wards

72 The existing wards of Cockington-with-Chelston, Tormohun and Torwood are situated in the northern and eastern part of the district and at present form part of the Torquay town area. Torwood ward also includes the Tor Bay sea area. Each of these three wards is currently represented by three councillors. Under existing arrangements Cockington-with-Chelston, Tormohun and Torwood wards contain 5 per cent, 8 per cent and 7 per cent fewer electors per councillor than the district average respectively (5 per cent, 8 per cent and 8 per cent fewer than the average by 2005).

73 At Stage One, Torbay Council proposed retaining the existing northern and southern boundaries of the three-member Cockington-with-Chelston ward. It proposed one amendment to incorporate part of the neighbouring Tormohun ward, to the west of Newton Road and Avenue Road. It also proposed that the ward be renamed Cockington ward. The remaining part of Tormohun ward, less the properties on the west side of Lower Shirburn Road, would be combined with the area bounded by Hele Road and Newton Road from the existing Shiphay ward, together with the properties on the north side of Hele Road to the junction with Teignmouth Road and the Empire Road and St Marychurch Road areas from the existing Ellacombe ward, and the area broadly to the south of Union Street and east of Shedden Hill Road (including the Harbour area) from the existing Torwood ward, to form a revised three-member Tormohun ward. The remaining part of Torwood ward, less the area bounded by Babbacombe Road, Barrington Road, Warberry Road and Windsor Road (south of and including Lydwell Road) and the area bounded by Market Street and Braddons Street, would be combined with the properties on the north side of Rosehill Road and Warberry Road West, from the existing Ellacombe ward, to form a new two-member Wellswood ward.

74 Having considered the representations received at Stage One, we based our draft recommendations on the Council's proposals, subject to two amendments. We proposed modifying the boundary between the proposed Tormohun and St Marychurch wards to incorporate the Main Avenue area in the proposed St Marychurch ward, principally Chatto Road from which the area is accessed. We also proposed retaining the existing boundary between the proposed St Marychurch and Wellswood wards, resulting in the inclusion of the Lydwell Road area in Wellswood ward, rather than St Marychurch as proposed by Torbay

Council. We considered that this area has more community links with the area to its south. We recognised that these modifications would result in a marginal deterioration in the levels of electoral equality achieved for this area under the Council's proposals. However, we considered that our proposals would provide for a more appropriate balance between electoral equality and the statutory criteria in Torbay. Our earlier conclusions on council size meant that we were unable to consider the alternative schemes submitted by the Liberal Democrats and the Labour Party. However, we noted that there were broad similarities between the Council's and the Liberal Democrats' proposals in this area.

75 Under our draft recommendations, Cockington, Tormohun and Wellswood wards would have 1 per cent more, 5 per cent fewer and 15 per cent more electors per councillor than the district average respectively (equal to the average, 5 per cent fewer and 8 per cent more than the average by 2005).

76 At Stage Three, Torbay Council broadly supported the draft recommendations, but opposed the incorporation of the Main Avenue area in the proposed St Marychurch ward. It argued that, "this tightly packed residential area is self-contained and has always associated itself with the Tormohun ward." It proposed that this area be retained in the proposed Tormohun ward, as it had suggested at Stage One. The Council also opposed the inclusion of the Lydwell Road area in the proposed Wellswood ward. As at Stage One, it proposed that this area should form part of the proposed St Marychurch ward, stating that "the Council's view is that this community has greater affinity to the residential area to the north". The Conservatives broadly supported the draft recommendations in this area, but supported the above proposals by Torbay Council.

77 Torbay Council also proposed three changes, affecting no electors, to the boundaries between the proposed Tormohun ward and the proposed wards of Cockington (on Newton Road), Ellacombe (on St Marychurch Road and Castle Circus) and St Marychurch (on Hele Road). It argued that these boundary changes would better reflect ground detail and access to commercial properties than the draft recommendations. The Council also proposed that the boundary between the proposed wards of Tormohun and Wellswood divide a property between Fleet Street and The Terrace. It stated that, due to the topography of this part of Torquay, the ground floor apartment is accessed from Fleet Street and the first floor apartment from The Terrace.

78 In addition, Torbay Council proposed retaining the existing name of Cockington-with-Chelston ward, rather than the proposed name of Cockington ward. This proposal was supported by the Conservatives, the Liberal Democrats, the Labour Party and two local residents, who argued that it would better reflect community identities and local history. One of the residents commented that the proposed ward could also be called "Chelston with Cockington", given that Chelston has a considerably larger electorate.

79 Under Torbay Council's proposals, Tormohun and Wellswood wards would have equal to the average number of electors per councillor and 10 per cent more electors per councillor than the district average respectively (equal to the average and 2 per cent more by 2005).

80 The Liberal Democrats broadly supported the proposed Cockington, Tormohun and Wellswood wards although, as stated above, they supported the retention of the name "Cockington-with-Chelston". They supported the transfer of the Main Avenue area from Tormohun to St Marychurch ward, as proposed in the draft recommendations, arguing that the nearest local shops are on St Marychurch Road, and that the school and road links are stronger in this direction. The Liberal Democrats also expressed support for the inclusion of the Lydwell

Road area in Wellswood ward, again as proposed in the draft recommendations. They argued that its closest shopping facilities are in Wellswood ward, and that the existing “historic” boundary with St Marychurch ward takes advantage of a “natural break” in residential properties.

81 The Liberal Democrats also proposed that the Warberry Copse open space be transferred from the proposed Wellswood ward to Ellacombe ward, due to its location in the Ellacombe area of Torquay and the involvement of Ellacombe residents in its conservation. This amendment, which would affect no electors, was supported by Councillor Blake (Ellacombe ward), Sunnydale Residents Association, the St Marychurch & District Action Group (Bay Blooms Group) the Quinta/Windsor Road Allotment Association and five local residents. One of the residents considered that the adjacent Warberry Primary School could also be included in the proposed Ellacombe ward.

82 The Labour Party supported the proposed Cockington ward but, as stated above, supported the retention of the existing ward name “Cockington-with-Chelston”. It also supported the proposed Wellswood ward, subject to the transfer of an area to the proposed St Marychurch ward similar to that proposed by Torbay Council. Under the Labour Party’s proposals, the boundary between the two wards would run along the centre of Barrington Road, Warberry Road and Windsor Road rather than to the rear of properties on the north side, and then run behind properties on Asheldon Road and Thorncliff Close to the sea. However, it also proposed that the part of the proposed Tormohun ward to the north of Shiphay Bridge, Old Woods Hill, Cricketfield Road and Penny’s Hill, to the east of Lymington Road and to the north of Upton Hill, be transferred to a new two-member Plainmoor-with-Hele ward. This proposed ward would also incorporate parts of Coombe, St Marychurch and Willows-with-Edginswell wards as detailed in the following section. The remainder of Tormohun ward would be represented by two rather than three councillors. The Labour Party argued that these proposals would reflect two distinct communities linked by common interests and concerns, and reflect its general aim of increasing the number of two-member wards to better recognise “Torbay’s many diverse and well-knit communities”.

83 Under the Labour Party’s proposals, Wellswood ward would have 8 per cent more electors per councillor than the district average, improving to 1 per cent more than the average by 2005. The two-member Plainmoor-with-Hele and Tormohun wards would have 5 per cent and 2 per cent more electors per councillor than the average (4 per cent and 2 per cent more than the average by 2005).

84 We have carefully considered the representations received during the consultation period. We note first of all that, with the exception of its name, the proposed Cockington ward received the support of all those who commented on this area of the district at Stage Three. We further note that both Torbay Council (supported by the Conservatives) and the Labour Party put forward significant amendments to the proposed wards of Tormohun and Wellswood. However, we consider that we had not received substantive evidence as to why the retention of the Main Avenue area in the proposed Tormohun ward would better reflect community identities and interests than its transfer to St Marychurch ward. Moreover, though we do not take a prescriptive view on the respective value of two- or three-member wards, we are not persuaded in this instance that the evidence presented to us in support of the Labour Party’s proposed new two-member Plainmoor-with-Hele ward justifies the resulting re-warding of Tormohun ward. Noting that we received no comments from affected residents and that our proposals received the support of the Liberal Democrats, we therefore remain of the view that the draft

recommendations provide the best balance between electoral equality and the statutory criteria in this area.

85 In Wellswood ward we also consider that we have not received substantive evidence from the Council and the Labour Party that the Lydwell Road area looks to communities to the north in St Marychurch ward. Again, we note that we received no comments from affected residents, and that our proposals received the support of the Liberal Democrats. We remain of the view, expressed at Stage One, that this area has more links with the area to its south. We therefore consider that our proposals would provide for a more appropriate balance between electoral equality and the statutory criteria in this area.

86 Having carefully considered all representations received, we have therefore decided to endorse our draft recommendation for the wards of Cockington, Tormohun and Wellswood. However, in view of the consensus in favour of retaining the existing ward name of Cockington-with-Chelston, we propose that the proposed Cockington ward be renamed accordingly. We also propose adopting two out of the four minor amendments put forward by Torbay Council, judging that they would better reflect community identities without affecting electoral variance. However, its proposals to amend the boundary of the proposed Tormohun ward on Castle Circus and St Marychurch Road, as well as on The Terrace and Fleet Street, could not be tied to ground detail, and therefore could not be implemented. Finally, we propose on the basis of the evidence received from the Liberal Democrats and other respondents to transfer the Warberry Copse open space from the proposed Wellswood to the proposed Ellacombe ward. However, we propose retaining Warberry Primary School in Wellswood ward, having not received sufficient evidence to justify its transfer to Ellacombe.

87 As these proposals affect no electors, our final recommendations will in consequence provide the same levels of electoral equality as our draft recommendations. Our proposals for this area are illustrated on the large map inserted inside the back cover of this report.

Ellacombe, St Marychurch and Shiphay wards

88 The existing wards of Ellacombe, St Marychurch and Shiphay are situated in the north of the district and at present form part of the Torquay town area. Each of these wards is currently represented by three councillors. Under existing arrangements Ellacombe and St Marychurch wards contain 6 per cent fewer and equal to the average number of electors per councillor than the district average respectively (8 per cent fewer and 1 per cent more than the average by 2005). Shiphay ward contains 4 per cent more electors per councillor than the district average (9 per cent more than the average by 2005) as a result of proposed development in the area.

89 At Stage One, Torbay Council proposed that part of the existing Shiphay ward, less the area bounded by Hele Road and Newton Road, as detailed above, and the area broadly to the east of Barton Hill Road, should be combined with properties on the east side of Barton Hill Road, currently situated in the neighbouring St Marychurch ward, to form a new two-member Willows-with-Edginswell ward. The remaining part of Shiphay ward, less the Winstone Avenue and Lummaton Place areas and the properties on the north side of Hele Road, would be combined with part of the existing St Marychurch ward, broadly to the west of Teignmouth Road, less the properties on the east side of Barton Hill Road, to form a new two-member Coombe ward. The remainder of the existing St Marychurch ward would be combined with the Winstone Avenue and Lummaton Place areas, from the existing Shiphay ward, the area bounded by Westhill Road and Cedar Court Road (less the Empire Road area) and the area to the south-west of Perinville Road, from the existing Ellacombe ward, the area bounded by

Babbacombe Road, Barrington Road, Warberry Road and Windsor Road (south of and including Lydwell Road) from the existing Torwood ward and, finally, the properties on the east side of Lower Shirburn Road, to form a revised three-member St Marychurch ward. The remaining part of Ellacombe ward, less the St Marychurch Road, Union Street, Rosehill Road and Warberry Road West areas, together with the area bounded by Market Street and Braddons Street from the existing Torwood ward, would be combined to form a revised two-member Ellacombe ward.

90 Having considered the representations received at Stage One, we based our draft recommendations on the Council's proposals, subject to one amendment. In the north of the town, we considered that the area to the north of Torquay Golf Course, including the village of Maidencombe, would be better served in the neighbouring Coombe ward, rather than St Marychurch ward as proposed by Torbay Council. In addition, we considered that the golf course would form a clear boundary between the two proposed wards. We recognised that the proposed Willows-with-Edginswell ward would be bisected by the railway line and the A3022 Riviera Way under the Council's proposals. While we examined alternative warding arrangements, we were unable to identify an alternative which would meet the statutory criteria while not adversely affecting the surrounding wards. However, we noted that the two areas share a number of communication links and, on balance, we were content to put forward the Council's proposed Willows-with-Edginswell ward for the purpose of consultation. As previously stated, our earlier conclusions on council size meant that we were unable to consider the alternative schemes submitted by the Liberal Democrats and the Labour Party. However, we noted that there are broad similarities between the Council's and the Liberal Democrats' proposals in this area.

91 Under our draft recommendations, Coombe, St Marychurch and Willows-with-Edginswell wards would have 11 per cent more, 3 per cent fewer and 3 per cent more electors per councillor than the district average respectively (5 per cent more, 4 per cent fewer and 6 per cent more than the average by 2005). Ellacombe ward would have 2 per cent fewer electors per councillor than the average (1 per cent more than the average by 2005).

92 At Stage Three Torbay Council supported the proposed Ellacombe and Willows-with-Edginswell wards, but opposed the inclusion of the area north of Torquay Golf Course, including the village of Maidencombe, in the proposed Coombe ward. It argued that this area forms "part of a coastal strip", which "has more in common with the area to the south in terms of topography and landscape" as well as in terms of "community focus including shopping and education" than the area to its west. As at Stage One, Torbay Council therefore considered that this area should form part of the proposed St Marychurch ward. As detailed in the previous section, it also proposed two other significant amendments to the proposed St Marychurch ward, entailing the retention of the Main Avenue area in the proposed Tormohun ward and transfer of the Lydwell Road area from the proposed Wellswood ward.

93 Further, Torbay Council opposed two minor amendments to the proposed ward boundaries, arguing its proposals better reflected ground detail. It therefore proposed that one property on Bronshill Road be transferred back from the proposed St Marychurch to the proposed Ellacombe ward. As detailed in the previous section, the Council also put forward a minor amendment, affecting no electors, to the boundary of the proposed St Marychurch and Tormohun wards on Hele Road. Finally, it proposed amending the names of three of the proposed wards in this area of Torquay. It considered that Coombe ward should be renamed Watcombe, also supported by a Torquay resident; that St Marychurch ward be renamed St Marychurch-with-Babbacombe, also supported by the Liberal Democrats; and that Willows-

with-Edginswell be renamed Shiphay-with-the-Willows, also supported by the Liberal Democrats.

94 Under the Council's proposals, St Marychurch-with-Babbacombe and Watcombe wards would have 1 per cent and 3 per cent more electors per councillor than the district average respectively (equal to the average and 3 per cent fewer by 2005).

95 The Conservatives supported the draft recommendations in this area, with the exception of the three major amendments to St Marychurch ward proposed by Torbay Council, as detailed above. It also proposed that the proposed Willows-with-Edginswell ward retain the existing name of Shiphay ward, also supported by a Torquay resident.

96 The Liberal Democrats supported the proposed Ellacombe and St Marychurch wards subject to two boundary amendments affecting no electors. As detailed in the previous section, they proposed that Ellacombe ward include the Warberry Copse open space, currently in the proposed Wellswood ward. Councillor Blake (Ellacombe ward), three associations and five local residents supported this proposal. The Liberal Democrats also proposed that Babbacombe Primary School and grounds be transferred to the proposed St Marychurch ward from Ellacombe ward, to reflect school catchment areas, again supported by Councillor Blake. However, they supported the inclusion of the coastal area north of Torquay Golf Course (including the village of Maidencombe) in the proposed Coombe ward, as proposed in the draft recommendations. It was stated that the area has both road and school links with the rest of the ward, but was relatively "interchangeable", and could therefore also be allocated to the proposed St Marychurch ward in order to improve electoral equality.

97 However, the Liberal Democrats proposed amending the boundary between the proposed Coombe and Willows-with-Edginswell wards. They considered that Barton Hill Road and all roads branching off it to the west (with the exception of Barton Hill Way) should be transferred from Willows-with-Edginswell to Coombe. The Liberal Democrats argued that this area has strong social and road links to the older development of Barton, rather than the "New Town" area of the Willows. They also considered that the local primary school, St Martins Church and local shops on Barton Hill Road constitute the "hub of the Barton community". Finally, it was stated that that the reduced Willows-with-Edginswell ward would have a reasonable degree of community identity and "will give councillors the opportunity to work toward improving amenities in the area." The Liberal Democrats proposed amending the names of these proposed wards from Coombe and Willows-with-Edginswell to Shiphay with the Willows and Watcombe with Barton respectively.

98 Under the Liberal Democrats' proposals, Shiphay with the Willows and Watcombe with Barton wards would have 7 per cent fewer and 21 per cent more electors per councillor than the district average respectively (4 per cent fewer and 15 per cent more by 2005).

99 The Labour Party supported the proposed Ellacombe ward but proposed amendments to the remainder of the warding pattern in this part of the district. As detailed in the previous section, it proposed a boundary amendment between the proposed St Marychurch and Wellswood wards in the Lydwell Road area, and a new two-member Plainmoor-with-Hele ward consisting of parts of the proposed Tormohun, Coombe, St Marychurch and Willows-with-Edginswell wards. This would create five two-member wards overall. The proposed Plainmoor-with-Hele ward would comprise: the northern part of the Tormohun ward (see previous section); part of St Marychurch ward to the south-west of Westhill and Warbro Road; part of Coombe ward to the south of Horace Road and Lichfield Avenue; and properties on the east side of Barton Hill

Road between Barton Hill Way and Salisbury Avenue from Willows-with-Edginswell ward. The Labour Party argued that the Torquay communities of Plainmoor and Hele are linked by common interests and concerns, and that increasing the number of wards would better serve “Torbay’s many diverse and well-knit communities”. The Labour Party also suggested that the proposed Coombe ward be re-named Barton-with-Watcombe ward, and the proposed Willows-with-Edginswell ward be re-named Shiphay-with-Willows ward, to better reflect the community identities of the settlements concerned.

100 Under the Labour Party’s proposals, the proposed Barton-with-Watcombe ward would be represented by two councillors and have 6 per cent fewer electors per councillor than the district average (12 per cent fewer by 2005), while the proposed two-member St Marychurch and Shiphay-with-Willows wards would have 7 per cent and 1 per cent more electors per councillor than the average (6 per cent and 4 per cent more than the average by 2005).

101 At Stage Three we received a further five submissions regarding our recommendations for this part of the district. Maidencombe Residents Association opposed the proposed inclusion of the coastal area to the north of Torquay Golf Course, of which the village of Maidencombe is a part, in the proposed Coombe ward. It supported its inclusion in St Marychurch ward, as proposed by Torbay Council. The Association argued that this arrangement would more closely reflect established local identity, as the areas concerned were linked by the coastline and involved in the tourism industry, as well as possessing a relatively light population density. It considered that the remainder of the proposed Coombe ward did not share these characteristics.

102 A Shiphay resident also opposed the proposed Willows-with-Edginswell ward, arguing that it would combine the established area of Shiphay with the new “Willows” development. They therefore proposed that the “Willows” be warded with the Barton area, rather than with Edginswell or Shiphay. An Ellacombe resident argued that Warberry Primary School be transferred from the proposed Wellwood ward to the proposed Ellacombe ward, as detailed in the previous section. Two other respondents proposed alternative ward names which they considered better reflected local usage and history. As stated above, one supported the Conservatives’ proposal to retain the existing name of Shiphay instead of Willows-with-Edginswell, while the other supported Torbay Council’s proposal to rename Coombe ward Watcombe. The latter also proposed that the ward name Willows-with-Edginswell be replaced by either Edginswell & Barton or Barton-with-Edginswell.

103 We have carefully considered the representations received during the consultation period, and note that there remains a lack of consensus regarding alternative warding arrangements for the north of Torquay. As detailed in the previous section, we were not convinced that the amendments proposed by Torbay Council between the proposed wards of St Marychurch and Tormohun, and by the Council and the Labour Party between St Marychurch and Wellwood wards, would provide a better balance between electoral equality and the statutory criteria than the draft recommendations.

104 However, we also note the representations of Torbay Council and Maidencombe Residents Association, in which they contended that the village of Maidencombe and other coastal development to the north of Torquay Golf Course has little in common with the rest of the proposed Coombe ward. Having visited the area, we would agree that the village falls within a coastal area running south to St Marychurch ward, characterised by large private housing, hotels and other leisure facilities, and a protected natural coastline. In comparison, the remainder of the proposed Coombe ward is situated further inland, does not appear to be oriented to the tourist economy, and is of a markedly different residential character.

Furthermore, while Maidencombe lies directly to the north-east of the rest of Coombe, it could be argued that they are divided by the topography of the Torquay coast. Access between them is achieved at only three points on the A396 Teignmouth Road, two in the far south of the ward. The size of the St Marychurch retail area, easily accessed from the A396, also lends credence to the argument that its services are used by Maidencombe residents in preference to those in Coombe ward. Finally, we note that electoral equality in the wards of Coombe and St Marychurch would markedly improve as a result of these amendments. Accordingly we concur with the view expressed by Torbay Council and Maidencombe Residents Association, that community identity and interests would best be reflected in this area of Torquay by transferring it to the proposed St Marychurch ward.

105 In spite of the evidence presented by the Liberal Democrats regarding community identity in the Barton area of Torquay, we note that the proposed transfer of electors from the proposed Willows-with-Edginswell ward would lead to an unacceptable level of under-representation in the proposed Barton-with-Watcombe ward. We therefore do not propose putting forward this proposal as part of our final recommendations. While we further note the Liberal Democrats' proposal to transfer Babbacombe Primary School from Ellacombe to St Marychurch ward, we do not seek to amend wards to reflect school catchment areas. As previously stated, we also consider that the Labour Party's proposed two-member Plainmoor-with-Hele ward was not supported by sufficient evidence to justify the resulting re-warding of north-central Torquay. Similarly, we consider that a Shiphay resident's proposal to ward the new Willows development with the Barton area rather than Shiphay and Edginswell did not include details of how this might be achieved while also meeting the statutory criteria.

106 Having carefully considered all representations received, we therefore propose confirming our draft recommendations for the proposed wards of Coombe, Ellacombe, St Marychurch and Willows-with-Edginswell as final, subject to the following amendments. Firstly, we propose transferring the Maidencombe area from Coombe to St Marychurch ward, as outlined above. We propose secondly to adopt the minor amendments put forward by Torbay Council and to transfer the Warberry Copse open space to Ellacombe ward, as proposed by the Liberal Democrats and others, and as previously stated, which would not affect electoral equality in the wards concerned.

107 Thirdly, we propose amending the names of Coombe and Willows-with-Edginswell wards to Watcombe and Shiphay-with-the-Willows respectively, in view of the fact that a majority of respondents favoured these alternatives or variants thereof. Noting that references to the Barton area of Torquay appeared in alternative names put forward for both Coombe and Willows-with-Edginswell wards, we consider that adopting the name "Watcombe" would best reflect the consensus preference for Coombe ward while avoiding unnecessary confusion.

108 In consequence, our final recommendations for the wards of Ellacombe and Shiphay-with-the-Willows will provide the same levels of electoral equality as our draft recommendations. However, under our final recommendations, St Marychurch and Watcombe wards would both have 3 per cent more electors per councillor than the district average (1 per cent more and 3 per cent fewer respectively by 2005). Our proposals for this area are illustrated on the large map inserted inside the back cover of this report.

Electoral Cycle

109 At Stage One we received three representations regarding Torbay Council's electoral cycle. The Council stated that the present system of whole-council elections should be retained "on

the grounds of continuity and cost”. The Liberal Democrats proposed a change to elections by thirds, arguing that “annual elections are an excellent way of maintaining contacts between electors and elected. We feel that there is considerable advantage in the fact that experienced councillors are always available at times of electoral change.” The Labour Party also proposed a move to elections by thirds. In our draft recommendations, we noted that there was no clear agreement as to the most appropriate electoral cycle for Torbay Council. We considered however that the proposals put forward for a move to elections by thirds had neither achieved cross-party support, nor had they been supported by any substantive evidence. Therefore, we proposed retaining the existing electoral cycle of whole-council elections for Torbay Council.

110 At Stage Three Torbay Council reiterated its support for whole-council elections, while the Labour Party continued to propose a change to elections by thirds, as did Maidencombe Residents Association. Both argued that this would ensure continuity both of experience and of council business and enable an “evolutionary” approach in local government, “in which policies can be built up and adapted steadily over time”. The Labour Party also suggested that yearly elections would encourage voter participation. Finally, a local resident expressed concern that a mixed pattern of two- and three-member wards would preclude a change to elections by thirds at a later date.

111 Having carefully considered the submissions received at Stage Three, we note firstly that we have received more evidence than at Stage One in support of a change to elections by thirds. However, we also consider that there remains no consensus on the most suitable electoral cycle for Torbay Council. In the absence of cross-party agreement or evidence of strong local support for change, we are therefore confirming as final our draft recommendation to retain the electoral cycle of whole-council elections.

Conclusions

112 Having considered carefully all the representations and evidence received in response to our consultation report, we have decided substantially to endorse our draft recommendations, subject to the following amendments:

- In Torquay, we propose amending the boundary between the proposed Watcombe and St Marychurch wards, resulting in the transfer of the area to the north of Torquay Golf Course (including the village of Maidencombe) from Watcombe ward to St Marychurch ward.
- In Torquay, we propose changing the proposed ward names of Cockington, Coombe and Willows-with-Edginswell to Cockington-with-Chelston, Watcombe and Shiphay-with-the-Willows respectively.
- Across the district, we propose a number of minor boundary amendments to better reflect community identity, which would have no effect on the electoral variances of the wards concerned.

113 We conclude that, in Torbay:

- a council of 36 members should be retained;
- there should be 15 wards, three more than at present;

- the boundaries of all the existing wards should be modified;
- the Council should continue to hold whole-council elections every four years.

114 Table 4 shows the impact of our final recommendations on electoral equality, comparing them with the current arrangements, based on 2000 and 2005 electorate figures.

Table 4: Comparison of Current and Recommended Electoral Arrangements

	2000 electorate		2005 forecast electorate	
	Current arrangements	Final recommendations	Current arrangements	Final recommendations
Number of councillors	36	36	36	36
Number of wards	12	15	12	15
Average number of electors per councillor	2,644	2,644	2,704	2,704
Number of wards with a variance more than 10 per cent from the average	1	2	1	0
Number of wards with a variance more than 20 per cent from the average	0	0	0	0

115 As Table 4 shows, our recommendations would result in a reduction in the number of wards with an electoral variance of more than 10 per cent from one to zero by 2005. We recognise that initially the level of electoral equality is marginally worse than under the existing arrangements. However, as already indicated, we note that our final recommendations would provide for the correct allocation of councillors between the three towns, and would provide a better balance between electoral equality and the statutory criteria than the existing arrangements or other schemes submitted at Stages One and Three.

Final Recommendation

Torbay Council should comprise 36 councillors serving 15 wards, as detailed and named in Tables 1 and 2, and illustrated on Map 2 and in Appendix A including the large map inside the back cover. The Council should continue to hold whole-council elections every four years.

Map 2: Final Recommendations for Torbay

6 WHAT HAPPENS NEXT?

116 Having completed our review of electoral arrangements in Torbay and submitted our final recommendations to the Secretary of State, we have fulfilled our statutory obligation under the Local Government Act 1992.

117 It now falls to the Secretary of State to decide whether to endorse our recommendations, with or without modification, and to implement them by means of an Order. Such an Order will not be made before 15 January 2002.

118 All further correspondence concerning our recommendations and the matters discussed in this report should be addressed to:

The Secretary of State
Department of Transport, Local Government and the Regions
Democracy and Local Leadership Division
Eland House
Bressenden Place
London SW1E 5DU

APPENDIX A

Final Recommendations for Torbay: Detailed Mapping

The following maps illustrate our proposed ward boundaries for the Torbay area.

Map A1 illustrates, in outline form, the proposed ward boundaries within the district and indicates the areas which are shown in more detail on Maps A2, A3 and the large map at the back of the report.

Map A2 illustrates the proposed boundaries between Berry Head-with-Furzeham, St Mary's-with-Summercombe and Churston-with-Galmpton wards.

Map A3 illustrates the proposed boundaries between Berry Head-with-Furzeham, St Mary's-with-Summercombe and Churston-with-Galmpton wards.

The **large map** inserted at the back of this report illustrates the proposed warding arrangements for Paignton and Torquay.

Map A1: Final Recommendations for Torbay: Key Map

Map A2: Proposed Boundaries Between Berry Head-with-Furzeham, St Mary's-with-Summercombe and Churston-with-Galmpton wards.

Map A3: Proposed Boundaries Between Berry Head-with-Furzeham, St Mary's-with-Summercombe and Churston-with-Galmpton wards.