

Draft recommendations on the
future electoral arrangements
for Torbay

May 2001

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 to the Government 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 statutorily required to review periodically the electoral arrangements – such as the number of councillors representing electors in each area and the number and boundaries of wards and electoral divisions – of every principal local authority in England. In broad terms our objective 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 also recommend changes to ward boundaries, and the number of councillors and ward names.

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

SUMMARY

The Commission began a review of the electoral arrangements for Torbay on 28 November 2000.

- **This report summarises the representations we received during the first stage of the review, and makes draft recommendations for change.**

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

- **The number of electors represented by each councillor varies by more than 10 per cent from the average for the district in one of the 12 wards.**
- **This level of representation is expected to remain constant over the next five years, with the number of electors per councillor forecast to vary by more than 10 per cent from the average in one ward by 2005.**
- **The existing 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 draft recommendations for future electoral arrangements (Figures 1 and 2 and paragraphs 84–85 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 draft recommendations seek to ensure that the number of electors represented by each district councillor is as nearly as possible the same, having regard to local circumstances.

- **In 12 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 further, 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 by 2005.**

This report sets out our draft recommendations on which comments are invited.

- **We will consult on our draft recommendations for eight weeks from 15 May 2001. Because we take this consultation very seriously, we may move away from our draft recommendations in the light of Stage Three responses. It is therefore important that all interested parties let us have their views and evidence, *whether or not* they agree with our draft recommendations.**
- **After considering local views, we will decide whether to modify our draft recommendations and then make our final recommendations to the Secretary of State for the Environment, Transport and the Regions.**
- **It will then be for the Secretary of State to accept, modify or reject our final recommendations. He will also determine when any changes come into effect.**

You should express your views by writing directly to the Commission at the address below by 9 July 2001:

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Figure 1: The Commission's Draft 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	3	Cockington-with-Chelston ward; Tormohun ward (part)	Map 2 and large map
6	Coombe	2	St Marychurch ward (part); Shiphay ward (part)	Map 2 and large map
7	Ellacombe	2	Ellacombe ward (part); Torwood ward (part)	Map 2 and large map
8	Goodrington-with-Roselands	2	Coverdale ward (part); St Michael's-with-Goodrington ward (part)	Map 2 and large map
9	Preston	3	Preston ward (part)	Map 2 and large map
10	Roundham-with-Hyde	2	Coverdale ward (part); Preston ward (part); St Michael's-with-Goodrington ward (part)	Map 2 and large map
11	St Marychurch	3	Ellacombe ward (part); St Marychurch ward (part); Shiphay ward (part); Tormohun ward (part)	Map 2 and large map
12	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
13	Tormohun	3	Ellacombe ward (part); Shiphay ward (part); Tormohun ward (part); Torwood ward (part)	Map 2 and large map
14	Wellswood	2	Ellacombe ward (part); Torwood ward (part)	Map 2 and large map
15	Willows-with-Edginswell	2	St Marychurch ward (part); Shiphay ward (part)	Map 2 and large map

Notes: 1 The whole district is unparished.

2 Map 2, Appendix A and 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.

Figure 2: The Commission's Draft 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-Furzham	3	7,743	2,581	-2	7,908	2,636	-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	3	8,019	2,673	1	8,104	2,701	0
6 Coombe	2	5,882	2,941	11	5,695	2,848	5
7 Ellacombe	2	5,174	2,587	-2	5,436	2,718	1
8 Goodrington-with-Roselands	2	5,288	2,644	0	5,452	2,726	1
9 Preston	3	8,020	2,673	1	8,187	2,729	1
10 Roundham-with-Hyde	2	5,166	2,583	-2	5,352	2,676	-1
11 St Marychurch	3	7,689	2,563	-3	7,761	2,587	-4
12 St Mary's-with-Summercombe	2	5,319	2,660	1	5,502	2,751	2
13 Tormohun	3	7,537	2,512	-5	7,701	2,567	-5
14 Wellswood	2	6,075	3,038	15	5,823	2,912	8
15 Willows-with-Edginswell	2	5,470	2,735	3	5,736	2,868	6
Totals	36	95,174	-	-	97,339	-	-
Averages	-	-	2,644	-	-	2,704	-

Source: Electorate figures are based on Torbay Council's submission.

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 draft recommendations on the electoral arrangements for Torbay unitary authority on which we are now consulting. 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 be completed by 2004.

2 This is our first review of the electoral arrangements of Torbay. The last such 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 undertaking 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 (see Appendix C).

4 We are required to make recommendations to the Secretary of State on the number of councillors who should serve on the District Council, and the number, boundaries and names of wards.

5 We also have regard to our *Guidance and Procedural Advice for Local Authorities and Other Interested Parties* (fourth edition published in December 2000). This sets out our approach to the reviews.

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 allowing proper reflection of the identities and interests of local communities.

7 The broad objective of PERs is to achieve, as far as possible, equality of representation across the district as a whole. Having regard to the statutory criteria, our aim is to achieve as low a level of electoral imbalance as is practicable. We will require particular justification for schemes which would result in, or retain, an electoral imbalance of over 10 per cent in any ward. 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 general assumption that the existing council size already secures effective and convenient local government in that district 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 a district’s electorate should automatically result in an increase in the number of councillors, nor that changes should be made to the size of a district council simply to make it more consistent with the size of other districts.

9 The review is in four stages (Figure 3).

Figure 3: Stages of the Review

Stage	Description
One	Submission of proposals to the Commission
Two	The Commission’s analysis and deliberation
Three	Publication of draft recommendations and consultation on them
Four	Final deliberation and report to the Secretary of State

10 In July 1998 the Government published a White Paper, *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 authority areas 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 have been 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 Order under the 2000 Act, we will continue to operate on the basis of existing legislation and our present *Guidance*.

11 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 constituency interests 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 the Council to publicise the review further. The closing date for receipt of representations, the end of Stage One, was 19 February 2001.

12 At Stage Two we considered all the representations received during Stage One and prepared our draft recommendations.

13 Stage Three began on 15 May 2001 and will end on 9 July 2001. This stage involves publishing the draft recommendations in this report and public consultation on them. **We take this consultation very seriously and it is therefore important that all those interested in the review should let us have their views and evidence, whether or not they agree with our draft recommendations.**

14 During Stage Four we will reconsider the draft recommendations in the light of the Stage Three consultation, decide whether to move away from them in any areas, and submit final recommendations to the Secretary of State. Interested parties will have a further six weeks to make representations to the Secretary of State. It will then be for him to accept, modify or reject our final recommendations. If the Secretary of State accepts the recommendations, with or without modification, he will make an Order. The Secretary of State will determine when any changes come into effect.

2 CURRENT ELECTORAL ARRANGEMENTS

15 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.

16 To compare levels of electoral inequality between wards, we calculated 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'.

17 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.

18 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. The Torquay area is represented by 18 councillors but is only entitled to 17.

Map 1: Existing Wards in Torbay

Figure 4: 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 relatively under-represented by 14 per cent. Figures have been rounded to the nearest whole number.

3 REPRESENTATIONS RECEIVED

19 At the start of the review we invited members of the public and other interested parties to write to us giving their views on the future electoral arrangements for Torbay Council.

20 During this initial stage of the review, officers from the Commission visited the area and met officers and members from the Council. We are grateful to all concerned for their co-operation and assistance. We received five representations during Stage One, including three district-wide schemes from Torbay Council, Torbay Council Liberal Democrat Group and Torbay District Labour Party, all of which may be inspected at the offices of Torbay Council and the Commission.

Torbay Council

21 Torbay Council proposed retaining the existing council size of 36, and increasing the number of wards from 12 to 15. The Council stated that its submission recognised the three distinct communities of Brixham, Torquay and Paignton and would maintain the boundary between Torquay and Paignton. It also proposed amending the boundary between Paignton and Brixham to better reflect the pattern of development since the last review. The Council stated that its proposals were based on the identification of 36 distinct community areas, in order to form the building blocks for district wards. It also proposed retaining the current electoral cycle of whole-council elections every four years.

22 Under Torbay Council's proposals the number of electors per councillor in 14 of the proposed 15 wards would vary by no more than 10 per cent from the district average. By 2005 this level of electoral equality is projected to improve, with all 15 wards expected to vary by no more than 10 per cent from the district average. The Council's proposal is summarised in Appendix B.

Torbay Council Liberal Democrat Group

23 Torbay Council Liberal Democrat Group ('the Liberal Democrats') proposed an increase in council size from 36 to 39, and an increase in the number of wards from 12 to 17. The Liberal Democrats argued that in the light of increasing councillor workload, a total of 39 councillors would be better able to provide effective local government in Torbay. They also argued that the Council's proposed ward boundaries would not reflect local community identities and put forward alternative proposals. Under the Liberal Democrats' proposals the existing boundaries between Torquay, Paignton and Brixham would be retained. In addition, they proposed a move to elections by thirds.

24 Under the Liberal Democrats' proposals the number of electors per councillor in 15 of the proposed 17 wards would vary by no more than 10 per cent from the district average. By 2005 this level of electoral equality is projected to improve, with all 17 wards expected to vary by no more than 10 per cent from the district average. The Liberal Democrats' proposal is summarised in Appendix B.

Torbay District Labour Party

25 Torbay District Labour Party ('the Labour Party') proposed a more significant increase in council size from 36 to 43, representing 18 wards. It argued that in reaching its conclusions on ward boundaries, consideration had been given to the identification of individual communities in relation to physical boundaries and common concerns of residents. The Labour Party also proposed a move to elections by thirds.

26 Under the Labour Party's proposals the number of electors per councillor in 14 of the proposed 18 wards would have variances of no more than 10 per cent from the district average. This level of electoral equality is projected to continue over the next five years. The Labour Party's proposal is summarised in Appendix B.

Torbay Conservative Association

27 Torbay Conservative Association expressed support for Torbay Council's proposals.

Other Representations

28 We received one further representation from a local resident. A resident of Paignton opposed being part of Blatchcombe ward, arguing that Paignton is an urban area and central to Torbay, while Blatchcombe is a rural settlement six miles from the town.

4 ANALYSIS AND DRAFT RECOMMENDATIONS

29 As described earlier, our prime objective in considering the most appropriate electoral arrangements for Torbay is, as 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 assumptions as to changes in the number and distribution of local government electors likely to take place within the next five years. We must also 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 provides for 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 kept to the minimum, the objective 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 start from the standpoint of electoral equality, and then make adjustments to reflect relevant factors, such as community identity and interests. Regard must be had to five-year forecasts of changes in electorates, and we would aim to recommend a scheme which provides improved electoral equality over this five-year period.

Electorate Forecasts

33 Torbay Council submitted electorate forecasts for the year 2005, projecting an increase in the electorate of some 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. The Council has 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.

34 We accept that forecasting electorates is an inexact science and, having given consideration to the Council’s figures, are content that they represent the best estimates that can reasonably be made at this time.

Council Size

35 As already explained, the Commission's starting point is to assume that the current council size facilitates effective and convenient local government, although we are willing to look carefully at arguments why this might not be the case.

36 Torbay Council presently has 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". It 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". The council argued that 36 councillors would continue to provide effective local government in Torbay, and proposed retaining the existing council size of 36.

37 Torbay Council Liberal Democrat Group proposed an increase in council size from 36 to 39. The Liberal Democrats acknowledged that since gaining unitary status, the Council has fulfilled its duties effectively with a council size of 36. However, they stated that "Liberal Democrat councillors past and present have found that the level of casework is high and time consuming". The Liberal Democrats argued that a total of 39 councillors would be better able to provide effective local government in Torbay, and that the Council's proposals did not take account of the increased workload which unitary status has placed upon councillors.

38 Torbay District Labour Party proposed a more significant increase in council size, from 36 to 43 councillors. The Labour Party argued that, due to the unique composition of Torbay's many "different and identifiable communities", together with the increased emphasis on seasonal tourism and rapid population growth, an increase in council size was necessary.

39 Having carefully considered the representations received, we note 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 each of the three district-wide submissions. We note that the Labour Party's proposal for an increase of seven, to 43, has not been consulted on or achieved cross-party support. We have not been persuaded by the argumentation submitted by the Labour Party that Torbay Council does not currently provide effective and convenient local government under a council size of 36, and that the position 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 note 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 consider that their proposals would not reflect the identities and interests of local communities in a number of areas.

40 Having considered the size and distribution of the electorate, the geography and other characteristics of the area, together with the representations received, we have concluded that the

achievement of electoral equality and the statutory criteria would best be met by retaining a council of 36 members.

Electoral Arrangements

41 We have carefully considered the representations received at Stage One, including district-wide schemes from Torbay Council, the Liberal Democrats and the Labour Party. We propose broadly basing our draft recommendations on Torbay Council's proposals, which we consider 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 note that the Council's proposals would provide for the correct allocation of councillors for the three town areas of Brixham, Paignton and Torquay. However, in order to better reflect the identities and interests of local communities, we propose some amendments to the Council's proposals in a number of areas. In addition, we propose minor modifications to the Council's proposed boundaries in several areas in order to follow ground features. We recognise 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 consider 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 recognise that, under our draft recommendations, electoral equality in Torbay would initially deteriorate. However, we believe that the opportunity afforded by a periodic electoral review to address the imbalances in representation between Torquay and Paignton should be taken. For district warding purposes, the following areas, based on existing wards, are considered in turn:

- (a) Furzesham-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.

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

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

43 The existing wards of Furzesham-with-Churston, St Michael's-with-Goodrington and St Peter's-with-St Mary's are situated in the south of the district. Furzesham-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, Furzesham-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 would

have 14 per cent more electors per councillor than the district average (13 per cent more than the average by 2005).

44 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.

45 Under the Council’s proposals, Berry Head-with-Furzeham and St Mary’s-with-Summercombe wards would each have 1 per cent fewer electors per councillor than the district average (1 per cent fewer and equal to the average respectively by 2005). Churston-with-Galmpton ward would have 8 per cent more electors per councillor than the district average (3 per cent more than the average by 2005). Torbay Conservative Association supported the Council’s proposals.

46 The Liberal Democrats proposed retaining the existing boundary between St Michael’s-with-Goodrington and Furzeham-with-Churston wards. They proposed a new two-member Central-with-Berry Head ward, comprising the part of the existing St Peter’s-with-St Mary’s ward broadly to the north of Rea Barn Road and Cudhill Road, and the part of the existing Furzeham-with-Churston ward broadly to the east of Lindthorpe Way and Furzeham Road. The remaining part St Peter’s-with-St Mary’s ward would be combined with part of the existing Furzeham-with-Churston ward, the area bounded by Milton Street and Chestnut Drive, to form a new two-member St Mary’s ward. The remaining part of Furzeham-with-Churston ward would form a new two-member Galmpton-with-Summercombe ward. They proposed a new two-member Hookhills-with-Broadsands ward, comprising part of the existing St Michael’s-with-Goodrington ward to the south of Clennon Valley and Torbay Leisure Centre. The remaining part of St Michael’s-with-Goodrington ward, less two small areas, would be combined with parts of the existing Coverdale ward, as detailed below.

47 Under the Liberal Democrats’ proposals for a 39-member council, Central-with-Berry Head, St Mary’s, Galmpton-with-Summercombe and Hookhills-with-Broadsands wards would have equal to the average, 2 per cent, 12 per cent and 3 per cent more electors per councillor than the

district average respectively (4 per cent, 4 per cent and 4 per cent more and 1 per cent fewer than the average by 2005).

48 The Labour Party also proposed retaining the existing boundary between the towns of Brixham and Paignton. It proposed broadly retaining the existing St Peter's-with-St Mary's ward, less the area broadly to the south of Mathill Road, Horsepool Street and Upton Manor Road, to form a new three-member Berry Head ward. It argued that the proposed ward would cover an area which contains communities who share concerns over the town centre, while the proposed name reflects the identity with the old County name. The remaining part of St Peter's-with-St Mary's ward, the area detailed above, would be combined with part of the existing Furzeham-with-Churston ward, less the area broadly to the east of North Boundary Road, to form a new two-member Churston & Galmpton ward. It argued that the two clearly defined areas to be combined are bounded by "common interests and community facilities". The remaining part of the existing Furzeham-with-Churston ward, the area to the east of North Boundary Road, would form a new two-member Furzeham ward. It proposed that the existing St Michael's-with-Goodrington ward be divided between three new wards. The area broadly to the east of Goodrington Road and Hookhills Road, together with part of the existing Coverdale ward, the area containing Hyde Road and adjoining roads, would form a new two-member Paignton Coastal ward, which it argued united areas of common interest in one ward. The area to the west, including the Paignton Zoological and Botanical Gardens, would form a new two-member Roselands & Hookhills ward. The remaining part of St Michael's-with-Goodrington ward would be combined with the area bounded by Hayes Road and Totnes Road, from the existing Coverdale ward, to form a new two-member St Michael's ward.

49 Under the Labour Party's proposals for a 43-member scheme, Churston & Galmpton and Roselands & Hookhills wards would have 15 per cent and 1 per cent more electors per councillor than the district average respectively (14 per cent more and 1 per cent fewer than the average by 2005). Berry Head, Furzeham, Paignton Coastal and St Michael's wards would have 6 per cent, 10 per cent, 7 per cent and 11 per cent fewer electors per councillor than the district average respectively (6 per cent, 11 per cent, 7 per cent and 12 per cent fewer than the average by 2005).

50 Having considered the representations received at Stage One, we propose basing our draft recommendations for this area on Torbay Council's proposals, which we consider would provide the best balance between electoral equality and the statutory criteria. We also concur 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 note that the northern boundary of Furzeham-with-Churston ward currently divides the Goodrington community between two wards. We note that Galmpton is physically separated from the Furzeham area, and consider that it shares greater community links with the Paignton area to the north. However, we propose one minor amendment to the Council's scheme. We propose 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 consider 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 have been unable to adopt either of the two alternative district-wide schemes, as discussed previously, we note that there are some similarities between elements of the Council's scheme and the Liberal Democrats' scheme in this area.

51 Under our draft recommendations, Berry Head-with-Furzeham, St Mary's-with-Summercombe and Churston-with-Galmpton wards 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). The proposed boundaries for this area are illustrated on Maps A2 and A3 in Appendix A.

Blatchcombe, Coverdale and Preston wards

52 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).

53 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. 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.

54 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.

55 Under the Council's proposals Blatchcombe, Clifton-with-Maidenway and Roundham-with-Hyde wards would have 13 per cent, 3 per cent and 2 per cent fewer electors per councillor than the district average respectively (4 per cent, 1 per cent and 1 per cent fewer than the average by 2005). Goodrington-with-Roselands and Preston wards would have equal to the average and 1 per cent more electors per councillor than the district average respectively (both 1 per cent more than the average by 2005). Torbay Conservative Association supported the Council's proposals.

56 The Liberal Democrats proposed a new two-member Roselands-with-Goodrington ward, combining part of the existing St Michael's-with-Goodrington ward to the north of Clennon Valley and Torbay Leisure Centre, less the area bounded by Fisher Road and Dartmouth Road and properties on the north side of Totnes Road and east side of Brixham Road, with parts of the existing Coverdale ward to the north of St Michael's Road and Hayes Road, properties on the north side of Totnes Road and the Goodrington Park area to the south of Young's Park Road. Part of the remainder of the existing Coverdale ward, broadly to the east of Winner Street, would be combined with part of the existing Blatchcombe ward, broadly to the west of Southfield Road together with part of the existing Preston ward, the area bounded by Lower and Higher Polsham Roads, Oldway Road and Upper Manor Road, and the properties on the north side of Southfield Avenue and Maldon Road, plus the area bounded by Fisher Street and Dartmouth Road from the existing St Michael's-with-Goodrington ward to form a new three-member Coverdale-with-Roundham ward. The remaining part of the existing Coverdale ward, broadly to the west of Winner Street less the properties on the east side of King's Ash Road, would be combined with part of the existing Blatchcombe ward, broadly to the north of Colley End Road and South of Fernicombe Road, less the properties on the east side of King's Ash Road, to form a new two-member Berry-with-Waterleat ward. The Liberal Democrats proposed broadly retaining the existing three-member Preston ward with a change to its southern boundary to exclude the area bounded by Lower and Higher Polsham Roads, Oldway Road and Manor Road, together with the properties on the north side of Southfield Avenue and Maldon Road, as detailed above. The remaining part of Blatchcombe ward, together with properties on the east side of Brixham Road and King's Ash Road, would form a new two-member Great Parks-with-Collaton ward.

57 Under the Liberal Democrats' proposals for a 39-member Council, Berry-with-Waterleat and Preston wards would have 3 per cent and 2 per cent more electors per councillor than the district average respectively (both 1 per cent fewer than the average by 2005). Coverdale-with-Roundham, Great Parks-with-Collaton and Roselands-with-Goodrington wards would have 1 per cent, 10 per cent and equal to the average number of electors per councillor than the district average respectively (all 1 per cent fewer than the average by 2005).

58 The Labour Party proposed creating a new three-member King's Ash-with-Clifton ward, comprising part of the existing Blatchcombe ward broadly to the west of King's Ash Road, together with part of the existing Coverdale ward, the area containing and to the east of Primley Wood. Part of the remainder of Blatchcombe ward, the area broadly to the west of Marldon Road and Maidenway Road and east of Fernicombe Road and Spencer Road, would form a new two-member Foxhole ward. The remaining part of Blatchcombe ward, the area broadly to the east of Marldon Road and Maidenway Road, together with the remainder of the existing Coverdale ward, the area centred around Victoria Park, would be combined with part of the existing Preston ward to the south of Green Park Road and Occombe Valley Road to form a new three-member Oldway-with-Windmill ward. The remaining part of Preston ward would be combined with part of the existing Cockington-with-Chelston ward, as detailed below.

59 Under the Labour Party's proposals for a 43-member council, King's Ash-with-Clifton ward would contain 6 per cent fewer electors per councillor than the district average (4 per cent fewer by 2005). Foxhole and Oldway-with-Windmill wards would have 5 per cent and 15 per cent more

electors per councillor than the district average respectively (5 per cent and 13 per cent more than the average by 2005).

60 We received one further representation in relation to this area. A resident of Paignton opposed being part of Blatchcombe ward. She argued that Paignton is an urban area and central to Torbay, while Blatchcombe is a rural settlement six miles from where she lives.

61 Having considered the representations received at Stage One, we propose basing our draft recommendations on Torbay Council's proposals, subject to one minor amendment. As detailed above, our preliminary conclusion on the most appropriate council size for Torbay has limited the extent to which we have been able to consider the Liberal Democrats' and the Labour Party's proposals. We are content that the Council's proposals would provide the most appropriate balance between electoral equality and the statutory criteria in this area, but propose a minor amendment to the proposed Clifton-with-Maidenway ward. We have not been persuaded that this proposed ward would adequately reflect the identities and interests of the community in the area and therefore propose an amendment which would provide for more clearly identifiable boundaries. We propose 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 Marldon Road and has more significant community links with the area to its east. We note 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. We note the concerns expressed by a resident of Paignton. While we recognise that Blatchcombe is a rural area which shares few characteristics with Paignton, we consider that the area shares a community of interest with the western part of Paignton. In particular, we note that the rural area is isolated from the northern and southern parts of the district, and is linked with Paignton by the A385 Totnes Road.

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).

Cockington-with-Chelston, Tormohun and Torwood wards

63 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. 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).

64 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 areas bounded by Babbacombe Road and Windsor Road (south of 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.

65 Under the Council's proposals, Cockington, Tormohun and Wellswood wards would have 1 per cent more, equal to the average and 10 per cent more electors per councillor than the district average respectively (equal to the average, equal to the average and 2 per cent more than the average by 2005). Torbay Conservative Association supported the Council's proposals.

66 The Liberal Democrats proposed broadly retaining the existing three-member Cockington-with-Chelston ward, with some minor amendments to its eastern and northern boundaries. In the east, they proposed that the boundary should broadly follow the railway line, incorporating part of the existing Tormohun ward. In the north, the proposed boundary would follow the rear of properties on the south side of Shiphay Lane and Shiphay Avenue, excluding the area bounded by Nut Bush Lane and Upper Cockington Lane. Part of the remainder of the existing Tormohun ward, the area broadly to the south of Newton Road and St Vincent's Road, would combine with part of the existing Torwood ward, the area broadly to the south of Union Street and east of Shedden Hill, together with the Harbour area, and the properties on the east side of St Marychurch Road from the existing Ellacombe ward to form a new two-member Torre Central ward. The remaining part of Tormohun ward would be combined with part of the existing Shiphay ward, the area to the north-west of Barton Road and between Hele Road and Combe Pafford Playing Field, together with parts of Warbro Road from the existing St Marychurch and Ellacombe wards, to form a two-member Hele-with-Upton ward. The remaining part of Torwood ward would be combined with part of the existing Ellacombe ward, the area bounded by Perinville Road and Reddenhill Road, together with part of the existing St Marychurch ward, broadly to the east of Perinville Road, to form a new three-member Warberry-with-Downs ward.

67 Under the Liberal Democrats' proposals for a 39-member scheme, Cockington-with-Chelston, Torre Central and Warberry-with-Downs wards would have 1 per cent, 2 per cent and 1 per cent more electors per councillor than the district average respectively (all 1 per cent fewer than the average by 2005). Hele-with-Upton ward would have 6 per cent fewer electors per councillor than the district average (1 per cent fewer by 2005).

68 The Labour Party proposed combining part of the existing Preston ward, to the north of Green Park Road and Occombe Valley Road, with part of the existing Cockington-with-Chelston ward to the south of Broadley Drive to form a new two-member Livermead-with-Preston Down ward, arguing that the Occombe and Cockington valleys provide natural boundaries. The remaining part of the existing Cockington-with-Chelston ward would be combined with part of

the existing Tormohun ward, broadly to the west of the railway line, to form a new three-member Chelston ward. The remainder of the existing Tormohun ward would form a revised three-member Tormohun ward. The Labour Party proposed dividing the existing Torwood ward between two new wards. The area broadly to the west of Middle Warberry Road and Middle Lincombe Road would form a new two-member Torquay Harbour ward, which the Labour Party argued was a natural centre of population, while the area to the east, together with part of the existing St Marychurch ward to the south of York Road and St Albans Road, would form a new two-member Babbacombe-with-Wellswood ward, which it stated contained two areas which are linked by the main road from Torquay Harbour to St Marychurch.

69 Under the Labour Party's proposals for a 43-member council, Babbacombe-with-Wellswood, Livermead-with-Preston Down and Tormohun wards would have 10 per cent, 4 per cent and 3 per cent more electors per councillor than the district average respectively (9 per cent, 3 per cent and 3 per cent more than the average by 2005). Chelston and Torquay Harbour wards would have 4 per cent and 7 per cent fewer electors per councillor than the district average respectively (4 per cent and 8 per cent fewer than the average by 2005).

70 Having considered the representations received at Stage One, we propose basing our draft recommendations on the Council's proposals, subject to two minor amendments. We propose modifying the boundary between the proposed Tormohun and St Marychurch wards in order to incorporate the Main Avenue area in the proposed St Marychurch ward, principally Chatto Road from which the area is accessed. We also propose retaining the existing boundary between the proposed St Marychurch and Wellswood wards, resulting in the transfer of the area bounded by Babbacombe Road and Windsor Road (south of Lydwell Road) from St Marychurch ward to Wellswood ward. We consider that this area has more community links with the area to its south, although we would welcome further views on this issue from local residents and other interested parties at Stage Three. We recognise 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 consider that our proposals would provide for a more appropriate balance between electoral equality and the statutory criteria in Torbay. As previously stated, our earlier conclusions on council size have meant that we have been unable to consider the alternative schemes submitted by the Liberal Democrats and the Labour Party. However, we note that there are broad similarities between the Council's and the Liberal Democrats' proposals in this area.

71 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).

Ellacombe, St Marychurch and Shiphay wards

72 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 each. 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.

73 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, as detailed above, 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, also detailed above, 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 and Windsor Road (south of 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 from the existing Torwood ward, 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.

74 Under the Council's proposals Coombe, St Marychurch and Willow-with-Edginswell wards would have 3 per cent, 1 per cent and 3 per cent more electors per councillor than the district average respectively (3 per cent fewer, equal to the average and 6 per cent more than the average by 2005). Ellacombe ward would have 2 per cent fewer electors per councillor than the district average (1 per cent more than the average by 2005). Torbay Conservative Association supported the Council's proposals.

75 The Liberal Democrats proposed a new two-member Shiphay-with-Edginswell ward comprising part of the existing Shiphay ward, to the south of the railway line and A3022 Riviera Way, together with part of the existing Cockington-with-Chelston ward, the south side of Shiphay Lane and Shiphay Avenue, and the area bounded by Nut Bush Lane and Upper Cockington Lane, as detailed above. The remaining part of Shiphay ward, less the area between Hele Road and Combe Pafford Playing Field, as detailed above, would combine with part of the existing St Marychurch ward, broadly to the south-east of Teignmouth Road, together with the properties on the east side of Barton Hill Road, to form a new two-member Willows-with-Barton ward. The remainder of St Marychurch ward, less the area to be transferred to the new Warberry-with-Downs ward, as detailed above, would combine with part of the existing Ellacombe ward, broadly to the south-west of Westhill Road, to form a new three-member St Marychurch-with-Watcombe ward. The remaining part of Ellacombe ward, would form a revised two-member Ellacombe ward.

76 Under the Liberal Democrats' proposals for a 39-member council, Ellacombe and St Marychurch-with-Watcombe wards would have 2 per cent and 3 per cent more electors per councillor than the district average respectively (both 1 per cent fewer than the average by 2005).

Shiphay-with-Edginswell and Willows-with-Barton wards would have 11 per cent and 6 per cent fewer electors per councillor than the district average respectively (both 1 per cent fewer than the average by 2005).

77 The Labour Party proposed a revised three-member St Marychurch ward centred on the “community-based small town of St Marychurch”. The new ward would contain the existing St Marychurch ward, less the area broadly to the south of York Road and St Albans Road, as detailed above. It proposed dividing the existing Shiphay ward into two new wards, with the area to the north of the railway line and A3022 Riviera Way forming a new two-member Willows-with-Barton ward, with the area to the south forming a revised two-member Shiphay ward, which it argued would be bounded by major local roads. The Labour Party proposed that the existing Ellacombe ward be retained.

78 Under the Labour Party’s proposals for a 43-member council, Shiphay, St Marychurch and Willows-with-Barton wards would have 4 per cent, 4 per cent and 9 per cent fewer electors per councillor than the district average respectively (5 per cent, 4 per cent and 1 per cent fewer than the average by 2005). Ellacombe ward would have 12 per cent more electors per councillor than the district average (10 per cent more by 2005).

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

80 Under our draft recommendations, Coombe, St Marychurch and Willow-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).

Electoral Cycle

81 We received three representations regarding Torbay Council’s electoral cycle. The Council itself stated that it had taken this opportunity to consider change from whole-council elections to

elections by thirds, but had concluded that the present system should be retained “on the grounds of continuity and cost”.

82 Torbay Council Liberal Democrat Group 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.” Torbay District Labour Party also proposed a move to elections by thirds.

83 We note that there is no clear agreement as to the most appropriate electoral cycle for Torbay Council. We have carefully considered the representations received, and have not been persuaded by the proposals put forward by the Labour Party and the Liberal Democrats for a move from whole-council elections to elections by thirds. These proposals have not achieved cross-party support, nor have they been supported by any substantive evidence. We therefore propose retaining the existing electoral cycle of whole-council elections for Torbay Council. However, we would welcome further views at Stage Three.

Conclusions

84 Having considered all the evidence and representations received during the initial stage of the review, we propose that:

- a council of 36 members should be retained;
- there should be 15 wards, rather than 12 as at present;
- the boundaries of all the existing wards should be modified;
- whole-council elections should continue to be held every four years.

85 As already indicated, we have based our draft recommendations on Torbay Council’s proposals, but propose departing from them in the following areas:

- In Brixham, we propose modifying the boundary between the proposed Berry Head-with-Furzeham and St Mary’s-with-Summercombe wards in order to provide a more clearly identifiable boundary.
- In the north of Torquay town, we consider that the area to the north of Torquay Golf Course would be better served in the proposed Coombe ward, rather than St Marychurch ward as proposed by Torbay Council.
- We also propose modifying the boundary between the proposed Tormohun and St Marychurch wards in order to incorporate the Main Avenue area in St Marychurch ward, including Chatto Road from which the area is accessed.

- We propose retaining the existing boundary between the proposed St Marychurch and Wellswood wards, resulting in the transfer of the area bounded by Babbacombe Road and Windsor Road from St Marychurch ward to Wellswood ward.
- In Paignton, we propose amending the boundary between Clifton-with-Maidenway ward and Blatchcombe ward, resulting in the transfer of the area to the east of Barton Avenue to Clifton-with-Maidenway ward.

86 Figure 5 shows the impact of our draft recommendations on electoral equality, comparing them with the current arrangements, based on 2000 electorate figures and with forecast electorates for the year 2005.

Figure 5: Comparison of Current and Recommended Electoral Arrangements

	2000 electorate		2005 forecast electorate	
	Current arrangements	Draft recommendations	Current arrangements	Draft 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	3	1	0
Number of wards with a variance more than 20 per cent from the average	0	0	0	0

87 As shown in Figure 5, our draft recommendations for Torbay Council would result 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 recognise that initially the level of electoral equality achieved under our draft recommendations is marginally worse than that under the existing arrangements. However, as already indicated, we note 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.

Draft Recommendation

Torbay Council should comprise 36 councillors serving 15 wards, as detailed and named in Figures 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.

88 We have not finalised our conclusions on the electoral arrangements for Torbay and welcome comments from the Council and others relating to the proposed ward boundaries, number of councillors, electoral cycle and ward names. We will consider all the evidence submitted to us during the consultation period before preparing our final recommendations.

Map 2: The Commission's Draft Recommendations for Torbay

5 NEXT STEPS

89 We are putting forward draft recommendations on future electoral arrangements for consultation. We will take fully into account all representations received by 9 July 2001. Representations received after this date may not be taken into account. All representations will be available for public inspection by appointment at the offices of the Commission and Torbay Council, and a list of respondents will be available on request from the Commission after the end of the consultation period.

90 Views may be expressed by writing directly to us:

Review Manager
Torbay Review
Local Government Commission for England
Dolphyn Court
10/11 Great Turnstile
London WC1V 7JU

Fax: 020 7404 6142

E-mail: reviews@lgce.gov.uk

Website: www.lgce.gov.uk

91 In the light of representations received, we will review our draft recommendations to consider whether they should be altered. As indicated earlier, it is therefore important that all interested parties let us have their views and evidence, *whether or not* they agree with our draft recommendations. We will then submit our final recommendations to the Secretary of State for the Environment, Transport and the Regions. After the publication of our final recommendations, all further correspondence should be sent to the Secretary of State, who cannot make an Order giving effect to our recommendations until six weeks after he receives them.

APPENDIX A

Draft Recommendations for Torbay: Detailed Mapping

The following maps illustrate the Commission's 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 boundary between Berry Head-with-Furzeham and St Mary's-with-Summercombe wards.

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

Map A1: Draft 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 boundary between Berry Head-with-Furzeham and St Mary's-with-Summercombe wards.

APPENDIX B

Torbay Council's Proposed Electoral Arrangements

Our draft recommendations detailed in Figures 1 and 2 are based on Torbay Council's submission. Details of this submission, together with the district-wide schemes submitted by Torbay Council Liberal Democrat Group and Torbay District Labour Party, are as follows:

Figure B1: Torbay Council's Proposals: Number of Councillors and Electors by Ward

	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	7,841	2,614	-1	8,006	2,669	-1
2	Blatchcombe	3	6,910	2,303	-13	7,778	2,593	-4
3	Churston-with-Galmpton	2	5,732	2,866	8	5,552	2,776	3
4	Clifton-with-Maidenway	2	5,150	2,575	-3	5,352	2,676	-1
5	Cockington	3	8,019	2,673	1	8,104	2,701	0
6	Coombe	2	5,434	2,717	3	5,236	2,618	-3
7	Ellacombe	2	5,174	2,587	-2	5,436	2,718	1
8	Goodrington-with-Roselands	2	5,288	2,644	0	5,452	2,726	1
9	Preston	3	8,020	2,673	1	8,187	2,729	1
10	Roundham-with-Hyde	2	5,166	2,583	-2	5,352	2,676	-1
11	St Marychurch	3	8,028	2,676	1	8,104	2,701	0
12	St Mary's-with-Summercombe	2	5,221	2,611	-1	5,404	2,702	0
13	Tormohun	3	7,931	2,644	0	8,104	2,701	0

	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 %
14	Wellswood	2	5,790	2,895	10	5,536	2,768	2
15	Willows-with-Edginswell	2	5,470	2,735	3	5,736	2,868	6
	Totals	36	95,174	–	–	97,339	–	–
	Averages	–	–	2,644	–	–	2,704	–

Source: Electorate figures are based on Torbay Council's submission.

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.

Torbay Council Liberal Democrat Group's Proposed Electoral Arrangements

Figure B2: Torbay Council Liberal Democrat Group's Proposals: Number of Councillors and Electors by Ward

	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-with-Waterleat	2	4,998	2,499	3	4,960	2,480	-1
2	Central-with-Berry Head	2	4,867	2,434	0	5,190	2,595	4
3	Cockington-with-Chelston	3	7,354	2,451	1	7,430	2,477	-1
4	Coverdale-with-Roundham	3	7,237	2,412	-1	7,440	2,480	-1
5	Ellacombe	2	4,950	2,475	2	4,950	2,475	-1
6	Galmpton-with-Summercombe	2	5,458	2,729	12	5,190	2,595	4
7	Great Parks-with-Collaton	2	4,401	2,201	-10	4,960	2,480	-1
8	Hele-with-Upton	2	4,575	2,288	-6	4,950	2,475	-1
9	Hookhills-with-Broadsands	2	5,032	2,516	3	4,960	2,480	-1
10	Preston	3	7,447	2,482	2	7,440	2,480	-1
11	Roselands-with-Goodrington	2	4,847	2,424	0	4,960	2,480	-1
12	St Marychurch-with-Watcombe	3	7,509	2,503	3	7,430	2,477	-1
13	St Mary's	2	4,957	2,479	2	5,190	2,595	4
14	Shiphay-with-Edginswell	2	4,354	2,177	-11	4,950	2,475	-1

	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 %
15	Torre Central	2	4,975	2,488	2	4,950	2,475	-1
16	Warberry-with-Downs	3	7,367	2,456	1	7,430	2,477	-1%
17	Willows-with-Barton	2	4,570	2,285	-6	4,950	2,475	-1
	Totals	39	94,898	-	-	97,330	-	-
	Averages	-	-	2,433	-	-	2,496	-

Source: Electorate figures are based on Torbay Council Liberal Democrat Group's submission.

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.

Torbay District Labour Party's Proposed Electoral Arrangements

Figure B3: Torbay District Labour Party's Proposals: Number of Councillors and Electors by Ward

	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	Babbacombe-with-Wellswood	2	4,879	2,440	10	4,935	2,468	9
2	Berry Head	3	6,236	2,079	-6	6,406	2,135	-6
3	Chelston	3	6,367	2,122	-4	6,526	2,175	-4
4	Churston & Galmpton	2	5,084	2,542	15	5,142	2,571	14
5	Ellacombe	3	7,422	2,474	12	7,481	2,494	10
6	Foxhole	2	4,649	2,325	5	4,745	2,373	5
7	Furzeham	2	3,970	1,985	-10	4,012	2,006	-11
8	King's Ash-with-Clifton	3	6,236	2,079	-6	6,530	2,177	-4
9	Livermead-with-Preston Down	2	4,603	2,302	4	4,679	2,340	3
10	Oldway-with-Windmill	3	7,616	2,539	15	7,701	2,567	13
11	Paignton Coastal	2	4,103	2,052	-7	4,199	2,100	-7
12	Roselands & Hookhills	2	4,461	2,231	1	4,504	2,252	-1
13	St Marychurch	3	6,365	2,122	-4	6,530	2,177	-4
14	St Michael's	2	3,957	1,979	-11	3,994	1,997	-12
15	Shiphay	2	4,237	2,119	-4	4,305	2,153	-5

	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 %
16	Tormohun	3	6,842	2,281	3	6,984	2,328	3
17	Torquay Harbour	2	4,128	2,064	-7	4,167	2,084	-8
18	Willows-with-Barton	2	4,019	2,010	-9	4,499	2,250	-1
	Totals	43	95,174	-	-	97,339	-	-
	Averages	-	-	2,213	-	-	2,264	-

Source: Electorate figures are based on Torbay District Labour Party's submission.

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.

APPENDIX C

The Statutory Provisions

Local Government Act 1992: the Commission's Role

1 Section 13(2) of the Local Government Act 1992 places a duty on the Commission to undertake periodic electoral reviews of each principal local authority area in England, and to make recommendations to the Secretary of State.

2 Under section 13(5) of the 1992 Act, the Commission is required to make recommendations to the Secretary of State for any changes to the electoral arrangements within the areas of English principal authorities as appear desirable to it, having regard to the need to:

- (a) reflect the identities and interests of local communities; and
- (b) secure effective and convenient local government.

3 In reporting to the Secretary of State, the Commission may make recommendations for such changes to electoral arrangements as are specified in section 14(4) of the 1992 Act. In relation to principal authorities, these are:

- the total number of councillors to be elected to the council;
- the number and boundaries of electoral areas (wards or divisions);
- the number of councillors to be elected for each electoral area, and the years in which they are to be elected; and
- the name of any electoral area.

4 Unlike the LGBC, the Commission may also make recommendations for changes in respect of electoral arrangements within parish and town council areas. Accordingly, in relation to parish or town councils within a principal authority's area, the Commission may make recommendations relating to:

- the number of councillors;
- the need for parish wards;
- the number and boundaries of any such wards;
- the number of councillors to be elected for any such ward or, in the case of a common parish, for each parish; and
- the name of any such ward.

5 In conducting the review, section 27 of the 1992 Act requires the Commission to comply, so far as is practicable, with the rules given in Schedule 11 to the Local Government Act 1972 for the conduct of electoral reviews.

Local Government Act 1972: Rules to be Observed in Considering Electoral Arrangements

6 By virtue of section 27 of the Local Government Act 1992, in undertaking a review of electoral arrangements the Commission is required to comply so far as is reasonably practicable with the rules set out in Schedule 11 to the 1972 Act. For ease of reference, those provisions of Schedule 11 which are relevant to this review are set out below.

7 In relation to shire districts:

Having regard to any changes in the number or distribution of the local government electors of the district likely to take place within the period of five years immediately following the consideration (by the Secretary of State or the Commission):

- (a) the ratio of the number of local government electors to the number of councillors to be elected shall be, as nearly as may be, the same in every ward in the district;
- (b) in a district every ward of a parish council shall lie wholly within a single ward of the district;
- (c) in a district every parish which is not divided into parish wards shall lie wholly within a single ward of the district.

8 The Schedule also provides that, subject to (a)–(c) above, regard should be had to:

- (d) the desirability of fixing ward boundaries which are and will remain easily identifiable; and
- (e) any local ties which would be broken by the fixing of any particular ward boundary.

9 The Schedule provides that, in considering whether a parish should be divided into wards, regard shall be had to whether:

- (f) the number or distribution of electors in the parish is such as to make a single election of parish councillors impracticable or inconvenient; and
- (g) it is desirable that any area or areas of the parish should be separately represented on the parish council.

10 Where it is decided to divide any such parish into parish wards, in considering the size and boundaries of the wards and fixing the number of parish councillors to be elected for each ward, regard shall be had to:

- (h) any change in the number or distribution of electors of the parish which is likely to take place within the period of five years immediately following the consideration;

- (i) the desirability of fixing boundaries which are and will remain easily identifiable; and
- (j) any local ties which will be broken by the fixing of any particular boundaries.

11 Where it is decided not to divide the parish into parish wards, in fixing the number of councillors to be elected for each parish regard shall be had to the number and distribution of electors of the parish and any change which is likely to take place within the period of five years immediately following the fixing of the number of parish councillors.

APPENDIX D

Code of Practice on Written Consultation

The Cabinet Office's November 2000 *Code of Practice on Written Consultation*, www.cabinet-office.gov.uk/servicefirst/index/consultation.htm, requires all Government Departments and Agencies to adhere to certain criteria, set out below, on the conduct of public consultations. Non-Departmental Public Bodies, such as the Local Government Commission, are encouraged to follow the Code.

The Code of Practice applies to consultation documents published after 1 January 2001, which should reproduce the criteria, give explanations of any departures, and confirm that the criteria have otherwise been followed.

Table D1: Commission compliance with Code criteria

Criteria	Compliance/departure
Timing of consultation should be built into the planning process for a policy (including legislation) or service from the start, so that it has the best prospect of improving the proposals concerned, and so that sufficient time is left for it at each stage	The Commission complies with this requirement
It should be clear who is being consulted, about what questions, in what timescale and for what purpose	The Commission complies with this requirement
A consultation document should be as simple and concise as possible. It should include a summary, in two pages at most, of the main questions it seeks views on. It should make it as easy as possible for readers to respond, make contact or complain	The Commission complies with this requirement
Documents should be made widely available, with the fullest use of electronic means (though not to the exclusion of others), and effectively drawn to the attention of all interested groups and individuals	The Commission complies with this requirement
Sufficient time should be allowed for considered responses from all groups with an interest. Twelve weeks should be the standard minimum period for a consultation	The Commission consults on draft recommendations for a minimum of eight weeks, but may extend the period if consultations take place over holiday periods
Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and reasons for decisions finally taken	The Commission complies with this requirement
Departments should monitor and evaluate consultations, designating a consultation coordinator who will ensure the lessons are disseminated	The Commission complies with this requirement