

Final recommendations on the future electoral arrangements for Sandwell

Report to The Electoral Commission

May 2003

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What is The Boundary Committee for England?

The Boundary Committee for England is a committee of The Electoral Commission, an independent body set up by Parliament under the Political Parties, Elections and Referendums Act 2000. The functions of the Local Government Commission for England were transferred to The Electoral Commission and its Boundary Committee on 1 April 2002 by the Local Government Commission for England (Transfer of Functions) Order 2001 (SI 2001 No. 3692). The Order also transferred to The Electoral Commission the functions of the Secretary of State in relation to taking decisions on recommendations for changes to local authority electoral arrangements and implementing them.

Members of the Committee are:

Pamela Gordon (Chair)
Professor Michael Clarke CBE
Robin Gray
Joan Jones CBE
Ann M Kelly
Professor Colin Mellors

Archie Gall (Director)

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 and ward names. We can also recommend changes to the electoral arrangements of parish and town councils.

This report sets out our final recommendations on the electoral arrangements for the borough of Sandwell.

Summary

The Local Government Commission for England began a review of Sandwell's electoral arrangements on 4 December 2001. The Boundary Committee then published the draft recommendations for electoral arrangements on 22 October 2002, after which we undertook an eight-week period of consultation. We now submit final recommendations to The Electoral Commission.

- **This report summarises the representations that we received during consultation on our draft recommendations, and contains our final recommendations to The Electoral Commission.**

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

- **in three of the 24 wards the number of electors represented by each councillor varies by more than 10% from the average for the borough and two wards vary by more than 20%;**
- **by 2006 this situation is expected to worsen, with the number of electors per councillor forecast to vary by more than 10% from the average in four wards and by more than 20% in two wards.**

Our main final recommendations for future electoral arrangements (see Tables 1 and 2 and paragraphs 110–111) are that:

- **Sandwell Borough Council should have 72 councillors, the same as at present;**
- **there should be 24 wards, the same as at present;**
- **the boundaries of 23 of the existing wards should be modified, and one ward should retain its existing boundary.**

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

- **In all of the proposed 24 wards the number of electors per councillor would vary by no more than 8% from the borough average.**
- **This improved level of electoral equality is forecast to improve further, with the number of electors per councillor in all of the wards expected to vary by no more than 5% from the average for the borough in 2006.**

All further correspondence on these final recommendations and the matters discussed in this report should be addressed to The Electoral Commission, which will not make an Order implementing them before 24 June 2003. The information in the representations will be available for public access once the Order has been made.

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Table 1: Final recommendations: Summary

	Ward name	Number of councillors	Constituent areas	Large map reference
1	Abbey	3	<i>Unchanged</i> – Abbey ward	4
2	Blackheath	3	part of Blackheath ward; part of Cradley Heath & Old Hill ward; part of Langley ward; part of Rowley ward	3
3	Bristnall	3	part of Bristnall ward; part of Langley ward	4
4	Charlemont with Grove Vale	3	part of Charlemont ward; part of Friar Park ward; part of Great Barr ward; part of Hateley Heath ward	2
5	Cradley Heath & Old Hill	3	part of Blackheath ward; part of Cradley Heath & Old Hill ward; part of Rowley ward	3
6	Friar Park	3	part of Charlemont ward; part of Friar Park ward; part of Great Barr ward; part of Wednesbury North ward	1 & 2
7	Great Barr with Yew Tree	3	part of Great Barr ward	2
8	Great Bridge	3	part of Great Bridge ward; part of Princes End ward; part of Wednesbury South ward	1
9	Greets Green & Lyng	3	part of Great Bridge ward; Greets Green & Lyng ward	1, 2 & 4
10	Hateley Heath	3	part of Hateley Heath ward	1 & 2
11	Langley	3	part of Blackheath ward; part of Langley ward; part of Oldbury ward; part of Old Warley ward	3 & 4
12	Newton	3	part of Charlemont ward; Newton ward	2
13	Old Warley	3	part of Bristnall ward; part of Old Warley ward	4
14	Oldbury	3	part of Oldbury ward; part of St Pauls ward; part of Tipton Green ward	1, 3 & 4
15	Princes End	3	part of Princes End ward; part of Great Bridge ward; part of Tipton Green ward; part of Wednesbury South ward	1
16	Rowley	3	part of Blackheath ward; part of Rowley ward; part of Tividale ward	3
17	St Pauls	3	part of Oldbury ward; part of St Pauls ward	4
18	Smethwick	3	part of Bristnall ward; part of Oldbury ward; part of St Pauls ward; part of Smethwick ward; part of Soho & Victoria ward	4
19	Soho & Victoria	3	part of Smethwick ward; part of Soho & Victoria ward	4
20	Tipton Green	3	part of Princes End ward; part of Tipton Green ward	1
21	Tividale	3	part of Blackheath ward; part of Rowley ward; part of Tividale ward	3

	Ward name	Number of councillors	Constituent areas	Large map reference
22	Wednesbury North	3	part of Princes End ward; part of Wednesbury North ward; part of Wednesbury South ward	1
23	Wednesbury South	3	part of Friar Park ward; part of Great Bridge ward; part of Wednesbury North ward; part of Wednesbury South ward	1
24	West Bromwich Central	3	part of Charlemont ward; part of Hateley Heath ward; West Bromwich Central ward	1, 2 & 4

Notes:

- 1) *The whole district is unparished.*
- 2) *The wards on the above table are illustrated on Map 2 and the large maps.*

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 Sandwell

Ward name	Number of councillors	Electorate (2001)	Number of electors per councillor	Variance from average %	Electorate (2006)	Number of electors per councillor	Variance from average %
1 Abbey	3	8,783	2,928	-2	8,581	2,860	-5
2 Blackheath	3	8,772	2,924	-2	9,035	3,012	0
3 Bristnall	3	9,003	3,001	0	9,036	3,012	0
4 Charlemont with Grove Vale	3	9,249	3,083	3	9,296	3,099	3
5 Cradley Heath & Old Hill	3	9,364	3,121	4	9,285	3,095	3
6 Friar Park	3	9,000	3,000	0	8,858	2,953	-2
7 Great Barr with Yew Tree	3	8,788	2,929	-2	8,878	2,959	-1
8 Great Bridge	3	8,565	2,855	-5	9,185	3,062	2
9 Greet Green & Lyng	3	8,694	2,898	-3	9,234	3,078	3
10 Hateley Heath	3	9,151	3,050	2	8,979	2,993	0
11 Langley	3	8,919	2,973	-1	8,890	2,963	-1
12 Newton	3	9,208	3,069	3	9,002	3,001	0
13 Old Warley	3	9,339	3,113	4	9,069	3,023	1
14 Oldbury	3	8,252	2,751	-8	8,655	2,885	-4
15 Princes End	3	9,236	3,079	3	9,013	3,004	0
16 Rowley	3	9,256	3,085	3	9,052	3,017	1
17 St Pauls	3	9,083	3,028	1	9,077	3,026	1
18 Smethwick	3	9,430	3,143	5	9,199	3,066	2
19 Soho & Victoria	3	8,566	2,855	-5	8,551	2,850	-5
20 Tipton Green	3	8,634	2,878	-4	8,827	2,942	-2
21 Tividale	3	8,834	2,945	-2	9,192	3,064	2
22 Wednesbury North	3	8,767	2,922	-2	8,768	2,923	-3
23 Wednesbury South	3	9,517	3,172	6	9,194	3,065	2
24 West Bromwich Central	3	9,090	3,030	1	9,007	3,002	0
Totals	72	215,500	—	—	215,863	—	—
Averages	—	—	2,993	—	—	2,998	—

Source: Electorate figures are based on information provided by Sandwell Metropolitan Borough 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 borough. 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 for the electoral arrangements for the borough of Sandwell. We are reviewing the seven metropolitan boroughs in the West Midlands as part of our programme of periodic electoral reviews (PERs) of all 386 principal local authority areas in England. The programme started in 1996 and is currently expected to finish in 2004.

2 This is our first review of the electoral arrangements of Sandwell. Sandwell's last review was undertaken by the Local Government Boundary Commission for England, which reported to the Secretary of State in December 1976 (Report no. 181).

3 In making final recommendations to The Electoral Commission, we have had regard to:

- the statutory criteria contained in section 13(5) of the Local Government Act 1992 (as amended by SI 2001 No. 3692), i.e. the need to:
 - reflect the identities and interests of local communities;
 - secure effective and convenient local government; and
 - achieve equality of representation.
- Schedule 11 to the Local Government Act 1972.

4 Details of the legislation under which the review of Sandwell was conducted are set out in a document entitled *Guidance and Procedural Advice for Periodic Electoral Reviews*. This *Guidance* sets out the approach to the review.

5 Our task is to make recommendations on the number of councillors who should serve on a council, and the number, boundaries and names of wards. We can also propose changes to the electoral arrangements for parish and town councils in the borough.

6 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% in any ward will have to be fully justified. Any imbalances of 20% or more should only arise in the most exceptional circumstances, and will require the strongest justification.

7 We are not prescriptive on council size. However, we believe that any proposals relating to council size, whether these are for an increase, a reduction or no change, should be supported by evidence and argumentation. Given the stage now reached in the introduction of new political management structures under the provisions of the Local Government Act 2000, it is important that whatever council size interested parties may propose to us they can demonstrate that their proposals have been fully thought through, and have been developed in the context of a review of internal political management and the role of councillors in the new structure. 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 the council simply to make it more consistent with the size of other similar councils.

8 Under the provisions of the Local Government Act 1972 there is no limit to the number of councillors which can be returned from each metropolitan borough ward. However, the figure must be divisible by three. In practice, all metropolitan borough wards currently return three councillors. Where our recommendation is for multi-member wards, we believe that the number of councillors to be returned from each ward should not exceed three, other than in very exceptional circumstances. Numbers in excess of three could lead to an unacceptable dilution of accountability to the electorate and we have not, to date, prescribed any wards with more than three councillors.

9 This review was in four stages. Stage One began on 4 December 2001, when the LGCE wrote to Sandwell Metropolitan Borough Council inviting proposals for future electoral arrangements. It also notified West Midlands Police Authority, the Local Government Association, the Members of Parliament with constituencies in the borough, the Members of the European Parliament for the West Midlands region and the headquarters of the main political parties. It placed a notice in the local press, issued a press release and invited the Borough Council to publicise the review further. The closing date for receipt of representations, the end of Stage One, was 8 April 2002. At Stage Two we considered all the representations received during Stage One and prepared our draft recommendations.

10 Stage Three began on 22 October 2002 with the publication of the report, *Draft recommendations on the future electoral arrangements for Sandwell*, and ended on 16 December 2002. During this period comments were sought from the public and any other interested parties on the preliminary conclusions. Finally, during Stage Four the draft recommendations were reconsidered in the light of the Stage Three consultation and we now publish the final recommendations.

2 Current electoral arrangements

11 Sandwell Metropolitan Borough Council comprises the central part of the West Midlands conurbation, surrounded by the metropolitan authorities of Dudley to the west and south, Birmingham to the east and south, Walsall to the north and Wolverhampton to the north-west. It comprises the six town areas of Oldbury, Rowley Regis, Smethwick, Tipton, Wednesbury and West Bromwich, but is wholly unparished.

12 The electorate of the borough is 215,500 (December 2001). The Council presently has 72 members who are elected from 24 wards, all of which are urban in character. All wards are three-member wards.

13 At present, each councillor represents an average of 2,993 electors, which the Borough Council forecasts will increase to 2,998 by the year 2006 if the present number of councillors is maintained. However, due to demographic and other changes over the past two decades, the number of electors per councillor in three of the 24 wards varies by more than 10% from the borough average, and in two wards by more than 30%. The worst imbalance is in Soho & Victoria ward where each councillor represents 45% fewer electors than the borough average.

14 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 borough average in percentage terms. In the text which follows, this calculation may also be described using the shorthand term 'electoral variance'.

Map 1: Existing wards in Sandwell

Table 3: Existing electoral arrangements

	Ward name	Number of councillors	Electorate (2001)	Number of electors per councillor	Variance from average %	Electorate (2006)	Number of electors per councillor	Variance from average %
1	Abbey	3	8,783	2,928	-2	8,581	2,860	-5
2	Blackheath	3	9,207	3,069	3	9,426	3,142	5
3	Bristnall	3	9,402	3,134	5	9,347	3,116	4
4	Charlemont	3	8,995	2,998	0	9,039	3,013	0
5	Cradley Heath & Old Hill	3	9,528	3,176	6	9,449	3,150	5
6	Friar Park	3	8,394	2,798	-7	8,235	2,745	-8
7	Great Barr	3	9,897	3,299	10	9,963	3,321	11
8	Great Bridge	3	9,640	3,213	7	10,222	3,407	14
9	Greets Green & Lyng	3	7,743	2,581	-14	8,318	2,773	-8
10	Hateley Heath	3	9,260	3,087	3	9,087	3,029	1
11	Langley	3	9,566	3,189	7	9,581	3,194	7
12	Newton	3	9,202	3,067	2	8,996	2,999	0
13	Old Warley	3	8,665	2,888	-3	8,410	2,803	-6
14	Oldbury	3	8,075	2,692	-10	8,479	2,826	-6
15	Princes End	3	9,384	3,128	5	9,158	3,053	2
16	Rowley	3	9,641	3,214	7	9,451	3,150	5
17	St Pauls	3	8,299	2,766	-8	8,319	2,773	-8
18	Smethwick	3	8,523	2,841	-5	8,455	2,818	-6
19	Soho & Victoria	3	4,970	1,657	-45	4,895	1,632	-46
20	Tipton Green	3	12,093	4,031	35	12,228	4,076	36
21	Tividale	3	9,433	3,144	5	9,779	3,260	9
22	Wednesbury North	3	9,359	3,120	4	9,374	3,125	4
23	Wednesbury South	3	9,309	3,103	4	8,994	2,998	0
24	West Bromwich Central	3	8,132	2,711	-9	8,077	2,692	-10
	Totals	72	215, 500	–	–	215, 863	–	–
	Averages	–	–	2,993	–	–	2,998	–

Source: Electorate figures are based on information provided by Sandwell Metropolitan Borough 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 borough. The minus symbol (-) denotes a lower than average number of electors. For example, in 2001, electors in Soho & Victoria ward were relatively over-represented by 45%, while electors in Tipton Green ward were significantly under-represented by 35%. Figures have been rounded to the nearest whole number.

3 Draft recommendations

15 During Stage One six representations were received, including borough-wide schemes from Sandwell Metropolitan Borough Council and Sandwell Metropolitan Borough Council Conservative Group, and representations from Sylvia Heal MP, West Midlands Police Authority, Tipton Community Association and a local resident. In the light of these representations and the evidence available to us, we reached preliminary conclusions, which were set out in our report, *Draft recommendations on the future electoral arrangements for Sandwell*.

16 Our draft recommendations were based on the Borough Council's proposals, which achieved some improvement in electoral equality. However, we moved away from the Borough Council's scheme in a number of areas, affecting nine wards, and proposed 12 additional minor amendments, which would have a minimal effect on electoral equality. We proposed that:

- Sandwell Metropolitan Borough Council should be served by 72 councillors representing 24 wards, the same as at present;
- the boundaries of 23 of the existing wards should be modified, while one ward should retain its existing boundary.

Draft recommendation

Sandwell Metropolitan Borough Council should comprise 72 councillors, serving 24 wards.

17 Our proposals would have resulted in significant improvements in electoral equality, with the number of electors per councillor in all of the 24 wards varying by no more than 8% from the borough average. This level of electoral equality was forecast to improve further, with no ward varying by more than 5% from the average in 2006.

4 Responses to consultation

18 During the consultation on the draft recommendations report, 10 representations were received. A list of all respondents is available from us on request. All representations may be inspected at our offices and those of Sandwell Metropolitan Borough Council.

Sandwell Metropolitan Borough Council

19 The Borough Council supported our draft recommendations, subject to minor amendments affecting 12 wards to provide for better boundaries and to better reflect community identities and interests.

The Conservative Group

20 The Conservative Group questioned why we did not adopt its proposed council size of 69 members but, having accepted our decision, put forward amendments to the proposed wards of Abbey, Blackheath, Bristnall, Langley, Old Warley and Rowley.

The Liberal Democrat Group

21 The Liberal Democrat Group supported our draft recommendations with one minor amendment to the boundary between the proposed Charlemont with Grove Vale and Hateley Heath wards.

Tividale Branch Labour Party

22 Tividale Branch Labour Party supported the proposed Tividale ward but proposed one amendment in the Brunel Road area.

Councillors

23 Councillor Archer, member for Wednesbury North ward, opposed our draft recommendations, asserting that they ensured Labour control of the borough, and proposed a reduction in the number of councillors to two per ward.

Local organisations

24 Tipton Civic Society and Tipton Community Association opposed our draft recommendations in the Tipton area on community identity grounds. The Civic Society submitted its own proposals for Tipton based on the retention of the area south-east of the A461 in Tipton Green ward. It did, however, support the transfer of the Temple Way estate to the proposed Cradley Heath & Old Hill ward.

Other representations

25 A further three representations were received in response to our draft recommendations. One local resident stated that our draft recommendations would ensure Labour retains control of the borough. We received two submissions from a local resident of Cradley Heath and an interested party supporting the proposed Cradley Heath & Old Hill ward; one of whom proposed an amendment to this ward, that the properties of Halesowen Road be included in the proposed Cradley Heath & Old Hill ward.

5 Analysis and final recommendations

26 As described earlier, our prime objective in considering the most appropriate electoral arrangements for Sandwell is to achieve electoral equality. In doing so we have regard to section 13(5) of the Local Government Act 1992 (as amended): the need to secure effective and convenient local government; reflect the identities and interests of local communities; and secure the matters referred to in paragraph 3(2)(a) of Schedule 11 to the Local Government Act 1972 (equality of representation). Schedule 11 to the Local Government Act 1972 refers to the number of electors per councillor being 'as nearly as may be, the same in every ward of the district or borough'.

27 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 next five years. We also must have regard to the desirability of fixing identifiable boundaries and to maintaining local ties.

28 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.

29 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 electorate must also be considered and we would aim to recommend a scheme which provides improved electoral equality over this five-year period.

Electorate forecasts

30 Since 1975 there has been a 9.5% decline in the electorate of Sandwell borough. The Borough Council submitted electorate forecasts for the year 2006, projecting an increase in the electorate of 0.2% from 215,500 to 215,863 over the five-year period from 2001 to 2006. It expects most of the growth to be in Great Bridge, Greets Green & Lyng, Oldbury and Tividale wards, but also predicts a decline in the electorate of 13 wards, most notably Abbey, Newton, Old Warley, Princes End and Wednesbury South wards. 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. Having accepted 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.

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

Council size

32 Sandwell Metropolitan Borough Council presently has 72 members. In the draft recommendations report we adopted the Council's proposal for a council of 72 members as we considered that the achievement of electoral equality and the statutory criteria would best be met by a council of this size. The Borough Council considered that, in light of the new system of political management, 72 members were required for the Council to function effectively in view of

its current workload. It also indicated a number of areas in which the duties of councillors were increasing, or were expected to increase, in the near future.

33 At Stage One, the Conservative Group proposed a council size of 69 members and argued that this council size would reflect the decline in population of the borough from 315,500 to 286,600 since the last review of electoral arrangements was completed in 1976. It also stated that the electoral equality provided by their proposed warding pattern would match that provided by the Borough Council's scheme but considered that its proposals would require less change to existing wards, with six wards remaining unchanged. The Conservative Group also considered that its scheme would better respect community identities. Sylvia Heal MP supported a 69-member council, expressing her concern that 'the proposed population for Sandwell ... for 2006 will not be sufficient to support 24 wards.' Tipton Community Association proposed a 54-member or 72-member council based on an allocation of nine or 12 councillors (three or four three-member wards) to each of the six town areas that comprise Sandwell.

34 As we are required to secure equality of representation between electors and cannot base our proposals for council size on an equal distribution of borough councillors between the six town areas, which differ in the size of their electorates, we could not give further consideration to Tipton Community Association's proposals.

35 Having carefully considered the Conservative Group and Sylvia Heal MP's proposals, we were not persuaded that a 69-member council would better facilitate effective and convenient local government than the existing 72-member council. Nor were we persuaded that the decline in the population of Sandwell since the last review of its electoral arrangements was sufficient grounds for a reduction in council size. As explained in our *Guidance* from the Electoral Commission, we do not accept that increases in an authority's electorate should automatically result in increases in council size. On that basis, reductions in electorate should not automatically point to a reduction in council size.

36 During Stage Three, we received two objections pertaining to our proposed council size of 72. The Conservative Group expressed its disappointment with some of the terminology used in our draft recommendations; in particular it objected to the phrase 'the Conservatives' case for a 69-member council was based to an extent on the view that their proposed warding pattern was superior to that of the Borough Council's'. As stated in the draft recommendations; 'in determining council size we consider in the first instance the number of councillors required to best provide effective and convenient local government'. It is only after a decision on council size has been taken that we look at individual warding arrangements. This approach is consistent with the Enfield Judgement in the House of Lords (London Borough of Enfield v Local Government Boundary Commission for England (1979)) in which it was held that conclusions on council size should be reached prior to giving consideration to electoral equality. It was considered that, in its Stage One submission, the Conservative Group had chosen its proposed council size in light of the warding pattern it favoured. However, we do recognise that this was only one factor in its argumentation for a council size of 69 members and would like to point out that it was not the sole reason we did not propose adopting the Conservative Group's proposed council size.

37 In its Stage Three submission, the Conservative Group argued that its 'scheme aimed to deliver the minimum amount of disruption to the local electorate and at the same time aimed at reducing bureaucracy ... whilst maintaining a good and effective local government.' It restated its point that 'the population in Sandwell has declined', but we do not consider this to provide sufficient evidence for a reduction in council size. We have been persuaded by the Borough Council's evidence that councillors' workloads are on the increase and remain unconvinced that a reduction in council size would enable the council to operate more effectively than is currently the case.

38 We received one other submission relating to council size at Stage Three. Councillor Archer, member for Wednesbury North ward, argued that 'there could be a reduction to two councillors per ward'. This was because 'with the Cabinet system, there is less for ward councillors to do' and would have the additional benefit of bringing 'savings to the Council Tax payer'. However, as stated in the *Guidance*, we are only able to recommend three-member wards, or a number divisible by three, in metropolitan areas and so could not give this proposal further consideration.

39 After careful analysis of the representations received at Stage Three, we conclude that the existing council size of 72 members would continue to allow councillors to best fulfil their roles. We have not been persuaded by any new evidence submitted during Stage Three that a reduction in council size would allow Sandwell Borough Council to function more effectively. Finally, we note that all eight other submissions received at Stage Three accepted retaining the current council size of 72 members and based their amendments to the warding patterns on that size.

Electoral arrangements

40 We gave careful consideration to all representations received at Stage One, including the borough-wide schemes from the Borough Council and the Conservative Group. We noted that both schemes provided for very good electoral equality and the correct allocation of councillors for each area of the borough. However, as a consequence of our decision to adopt the Borough Council's proposed council size of 72, we were only able to give limited further consideration to the proposals from the Conservative Group, which were based on a council size of 69.

41 We based our draft recommendations on the Borough Council's scheme, considering on the basis of the available evidence that the proposed warding pattern would provide a better balance between electoral equality, the reflection of community identities and interests and the provision of effective and convenient local government than either the existing arrangement or any other proposals received at Stage One. We also noted that in many areas there was some agreement between the Borough Council and the Conservative Group on the names and boundaries of proposed wards, despite the difference in proposed council size.

42 However, we moved away from the Borough Council's proposals in a number of areas, particularly in the south-east and south-west of the borough. Several of these amendments reflected proposals put forward by the Conservative Group and Sylvia Heal MP intended to better reflect community identities and interests by uniting neighbourhoods in a single ward wherever possible.

43 At Stage Three, the Borough Council supported our draft recommendations, subject to minor amendments affecting 12 wards to provide for better boundaries and to provide a better reflection of community identities and interests. The Conservative Group questioned why we failed to adopt its proposed council size of 69 but, accepting this to be the case, put forward amendments to six wards. The Liberal Democrat Group supported our draft recommendations with one minor modification also proposed by the Borough Council.

44 Councillor Archer, member for Wednesbury North ward, opposed our draft recommendations, asserting that they ensured Labour control of the borough, and proposed a reduction to two members in the number of councillors per ward. A local resident also stated that our draft recommendations would ensure Labour retains control of the borough. Whilst we noted these two submissions, we do not have regard for the political outcome of our recommendations and we are satisfied that our final recommendations provide the best balance between the statutory criteria. As indicated above, we are unable to recommend a reduction in councillors to two per ward, due to the necessity of having three, or a number divisible by three, councillors representing each metropolitan ward.

45 The draft recommendations have been reviewed in the light of the representations received during Stage Three. Having carefully considered these representations, we propose largely confirming our draft recommendations as final, but propose adopting six of the Borough Council's amendments together with one of our own for reasons discussed in the following sections. For borough warding purposes, the following areas, based on existing wards, are considered in turn:

- a) Great Bridge, Greets Green & Lyng, Princes End and Tipton Green wards;
- b) Friar Park, Hateley Heath, Wednesbury North and Wednesbury South wards;
- c) Charlemont, Great Barr, Newton and West Bromwich Central wards;
- d) Blackheath, Cradley Heath & Old Hill, Rowley and Tividale wards;
- e) Bristnall, Langley, Old Warley and Oldbury wards;
- f) Abbey, St Pauls, Smethwick and Soho & Victoria wards.

46 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 maps.

Great Bridge, Greets Green & Lyng, Princes End and Tipton Green wards

47 The wards of Great Bridge, Greets Green & Lyng, Princes End and Tipton Green are situated in the north and north-west of the borough. At present, Great Bridge, Princes End and Tipton Green wards together comprise the Tipton town area, while Greets Green & Lyng ward forms part of the West Bromwich town area. Under the existing arrangements Great Bridge, Princes End and Tipton Green wards have councillor:elector ratios 7%, 5% and 35% above the borough average respectively (14%, 2% and 36% above by 2006). Greets Green & Lyng ward has a councillor:elector ratio 14% below the borough average (8% below by 2006).

48 At Stage One, the Borough Council put forward a number of amendments to the boundary between the existing Great Bridge ward and the existing wards of Greets Green & Lyng and Wednesbury South. It proposed that a small residential estate branching from Addenbrook Way and accessed from Blakeley Wood Road be transferred from Great Bridge ward to Wednesbury South ward and that the boundary between the existing Great Bridge and Wednesbury South wards to the south be adjusted to follow the A41 Black Country New Road, affecting no electors. It then proposed that Greets Green & Lyng ward be extended as far west as Cygnus Way in the north and Ryder Street, the Balls Hill Branch Canal, the B4149 Ryders Green Road, Tasker Street and Whitgreave Street in the south. The Borough Council also proposed to address the under-representation of the existing Tipton Green ward by transferring that part of the ward to the south-east of the A461 to a revised Oldbury ward. Finally, it proposed that Princes End ward be retained on its existing boundaries. The Conservative Group put forward warding proposals based on a council size of 69 but, as a result of our recommendation to retain a 72-member council, it did not prove possible to accommodate any substantive part of its proposals for this area as part of our draft recommendations.

49 We therefore based our draft recommendations for this area on the Borough Council's proposals, which we considered would best meet our statutory criteria. However, we also put forward a number of minor amendments that would not significantly impact upon electoral equality. First was a minor amendment to ensure that all the properties on the B4166 Whitehall Road would be included in Great Bridge ward. Second were a number of boundary modifications to ensure that all properties on Powis Avenue and Toll End Road were included in Great Bridge ward. Third was to include Mills Walk, currently in Princes End ward, in Tipton Green ward, to reflect road access from Newhall Street. Lastly we proposed to include in Princes End ward all the properties on the north side of the A4037 Gospel Oak Road, affecting only a small number of properties currently in Wednesbury South ward.

50 Under the draft recommendations the proposed Princes End ward would have a councillor:elector ratio 3% above the borough average (1% above by 2006). The proposed Great

Bridge, Greets Green & Lyng and Tipton Green wards would have councillor:elector ratios 5%, 3% and 4% below the borough average respectively (2% and 3% above and 2% below by 2006).

51 At Stage Three, we received four representations regarding this area. The Borough Council proposed the transfer of 133-167 Highfield Road and 2-12 Watt Road from Princes End ward to Great Bridge ward. They argued that this would better reflect community identities by uniting the electors of these two roads in a single ward. The Conservative Group said that it would like it noted that, for Princes End ward, its 'scheme returned to the old ward scheme prior to the last electoral review.' Tipton Community Association objected to 'areas being transferred to another town, i.e. Tipton into Oldbury, Tipton into Wednesbury and Wednesbury into Tipton.' It considered that these changes would 'do nothing to improve turn-out at local elections' and that 'each town of Sandwell has its own particular characteristics and local loyalty which will never change'. It also stated that 'Tipton suffered very dearly in previous boundary changes' and requested that we 'reconsider' our proposals 'very carefully.'

52 Tipton Civic Society objected to our proposed Tipton Green ward on the grounds of preserving local identities. It also pointed out that 'changes to both ward and borough boundaries since 1966 have resulted in confusing distortion of the town's historic provenance, so much so that we now consider the modern DY4 postcode boundary to be the best indicator of the extent of the town.' Consequently, it objected to the 'serious violation of this boundary', the proposal to transfer that part of Tipton Green ward south-east of the A461 to the proposed Oldbury ward. It stated that 'this area ... has absolutely no historic or community ties with the town of Oldbury' and to go ahead with this proposal 'would have a seriously damaging effect on the identity and interests of the Tipton community.' However, it did 'support the transfer of the Temple Way estate from Tipton Green ward to Oldbury' ward as 'it was never a part of Tipton and its natural affiliation is with Oldbury.'

53 Tipton Civic Society put forward its own amendments to this area, the first of which was the transfer of the Dudley Port and Burnt Tree area south-east of the A461 back into Tipton Green ward. To compensate for this, it proposed the transfer of 'suitable areas of Tipton Green (e.g. the land between Lower Church Lane and the railway line) to Great Bridge [ward] and then to do likewise from Great Bridge [ward] to Greets Green [ward].' It supported the proposal to transfer the south eastern part of the existing Great Bridge ward to Greets Green ward, and argued that this area 'be increased to include as much of the Newtown district as necessary to obtain the required balance.'

54 Having carefully considered the representations received, we have decided to adopt the Borough Council's proposed amendment to the boundary between the proposed Great Bridge and Princes End wards. We have been persuaded by its argumentation that this would better reflect community identities and interests for the affected properties. The Conservative Group did not provide any argumentation in support of its proposals for Princes End ward and we could not consider that ward in isolation.

55 While we are sympathetic to Tipton Civic Society and Tipton Community Association's submissions regarding the Tipton area, neither provided a comprehensive alternative to our draft recommendations. The Civic Society did put forward amendments to Tipton Green ward, but failed to adequately compensate for the knock-on effects on neighbouring wards. Under the Civic Society's proposals, Oldbury ward would have a councillor:elector ratio of 24% below the borough average by 2006, which we consider to be unnecessarily high given the nature of the area. We would also like it noted that in preparing our recommendations we do not have regard for postcodes. Therefore, having considered all representations received at Stage Three, we propose confirming our draft recommendations in this area as final.

56 Under our final recommendations, the councillor:elector ratios for the proposed Great Bridge, Greets Green & Lyng and Tipton Green wards would be the same as under our draft

recommendations. The councillor:elector ratio for the proposed Princes End ward would be 3% above the borough average (equal to by 2006).

Friar Park, Hateley Heath, Wednesbury North and Wednesbury South wards

57 The wards of Friar Park, Hateley Heath, Wednesbury North and Wednesbury South are situated in the north of the borough. At present, Friar Park, Wednesbury North and Wednesbury South wards together comprise the Wednesbury town area, while Hateley Heath ward forms part of the West Bromwich town area. Under the existing arrangements Hateley Heath, Wednesbury North and Wednesbury South wards have councillor:elector ratios 3%, 4% and 4% above the borough average respectively (1% and 4% above and equal to by 2006). Friar Park ward has a councillor:elector ratio 7% below the borough average (8% below by 2006).

58 At Stage One, the Borough Council put forward a number of amendments to the existing Friar Park ward. It proposed that the ward include all of the existing Wednesbury North ward to the east of the north-south freight railway line and that the boundary between the wards of Friar Park and Wednesbury South follow the centre of Hydes Road. In Wednesbury town centre, the Borough Council proposed that the boundary between Wednesbury North and Wednesbury South wards be amended to transfer all properties situated to the east of Lower High Street and north of the railway line in Wednesbury South ward to Wednesbury North ward. Subject to the minor amendments already described, it proposed that the existing Wednesbury South ward be substantially retained, and that the existing Hateley Heath ward be retained without amendment. The Conservative Group put forward warding proposals based on a council size of 69. However, as a result of our recommendation to retain a 72-member council, we were only able to give these proposals limited further consideration.

59 We proposed to base our draft recommendations for this area on the Borough Council's proposals, which we considered would best meet our statutory criteria, based on the available evidence. However, we proposed a number of minor amendments that would not significantly impact upon electoral equality but would better reflect community identities and provide for more convenient ward boundaries. The first of these was to ensure that all properties on Union Street be included in Wednesbury North ward and that all properties on the Market Place be included in Wednesbury South ward. Second, we proposed transferring part of Austen Walk to the proposed Charlemont with Grove Vale ward to reflect road access from Wilford Road. Third, we proposed that all properties addressed to Wilford Road be included in Charlemont with Grove Vale ward. Finally, we proposed the transfer of 100-126 Church Lane (the B4149) to West Bromwich Central ward, uniting them with the nearest residential properties on the south side of the road.

60 Under the draft recommendations the proposed Hateley Heath and Wednesbury South wards would have councillor:elector ratios 2% and 6% above the borough average respectively (equal to and 2% above by 2006). The proposed Friar Park and Wednesbury North wards would have councillor:elector ratios equal to and 2% below the borough average respectively (2% and 3% below by 2006).

61 In response to the draft recommendations the Borough Council proposed a minor amendment to the boundary between the proposed Wednesbury North and Wednesbury South wards; the transfer of 34 Ridding Lane from Wednesbury South ward to Wednesbury North ward. This would be 'to retain number 34 with the remainder of Ridding Lane.' It also proposed the transfer to Hateley Heath ward of those properties in Austen Walk which would otherwise be included in Charlemont with Grove Vale ward. This would unite Austen Walk in a single ward which the Borough Council argued should be Hateley Heath ward, because of a 'footway' linking it to that ward. It was argued that Orwell Drive 'really has the status only of a rear access.' The Liberal Democrat Group also put forward this amendment, stating that 'the dwellings really do

relate much more to Lily Street than to Wilford Road.' Tipton Community Association's objections to the proposed Wednesbury wards have already been detailed.

62 We have given careful consideration to the evidence and representations received at Stage Three. We propose adopting the Borough Council's amendment to the boundary between Wednesbury North and Wednesbury South wards and note that this proposal does not affect any electors, but would unite Ridding Lane in one ward. We do not propose to adopt the Borough Council and Liberal Democrat Group's proposal to transfer Austen Walk into Hateley Heath ward from Charlemont with Grove Vale ward. We concur that all of the properties of Austen Walk should indeed lie in the same ward but propose that they should be included in Charlemont with Grove Vale ward to reflect their road access. We have not been persuaded by the argumentation from the Borough Council and Liberal Democrat Group that Austen Walk being included in Hateley Heath ward would better reflect community identity, and consider that our final recommendations for this area use stronger boundaries. We propose that the part of Lily Street adjacent to Austen Walk should also be included in a revised Charlemont with Grove Vale ward due to it being similar in nature to the properties of Austen Walk and using the same access route.

63 Under our final recommendations the councillor:elector ratios for these wards would be the same as under our draft recommendations.

Charlemont, Great Barr, Newton and West Bromwich Central wards

64 The wards of Charlemont, Great Barr, Newton and West Bromwich Central are situated in the east and north-east of the borough, at present forming part of the West Bromwich town area. Newton ward and part of Charlemont and Great Barr wards are separated from the rest of the borough by the junction of the M5 and M6 motorways. Under the existing arrangements Charlemont ward has a councillor:elector ratio equal to the borough average, both initially and by 2006. Great Barr and Newton wards have councillor:elector ratios 10% and 2% above the borough average respectively (11% above and equal to by 2006). West Bromwich Central ward has a councillor:elector ratio 9% below the borough average (10% below by 2006).

65 At Stage One, the Borough Council proposed to substantially retain the existing Great Barr ward, but with the revised name of 'Great Barr with Yew Tree', which it considered better reflected community identities in this part of the borough. However, it put forward several boundary amendments. Under the Borough Council's proposals, the part of the current ward to the south of the M5/M6 junction and broadly to the west of Red House Park, centred upon the roads of Longleat and Monksfield Avenue, would be transferred to a new Charlemont with Grove Vale ward. Further to the west, the boundary of the proposed Great Barr with Yew Tree ward would follow the M6, resulting in the transfer of Navigation Lane to Charlemont with Grove Vale ward. The Borough Council proposed to substantially retain the existing Newton ward, except for the inclusion of a largely unpopulated area between the A4041 Newton Road, the Birmingham to Walsall railway line and Forge Lane, currently in Charlemont ward. The new Charlemont with Grove Vale ward would be largely based upon the existing Charlemont ward, while the Borough Council considered that the revised ward name would better reflect community identities in the area. However, in addition to the amendments described above, a part of the ward to the south of the A4041 Newton Road and to the east of the A4031 All Saints Way would be transferred to West Bromwich Central ward. This area would comprise residential streets directly to the east of the A4031 and part of Sandwell Valley Country Park. The Borough Council proposed to otherwise retain West Bromwich Central ward upon its existing boundaries.

66 We received one further representation in relation to this area, from the Conservative Group based on a council size of 69. However, as a result of our recommendation to retain a 72-member council, we were only able to give these proposals limited further consideration, and it did not prove possible to accommodate any substantive part of their proposals for this area as part of our draft recommendations.

67 We based our draft recommendations on the Borough Council's proposals for this area as we considered they best met our statutory criteria based upon the available evidence. However, we did put forward a number of minor amendments that would not significantly impact upon electoral equality. The first of these was to include all properties on Forge Lane in Newton ward, rather than dividing them between Newton and West Bromwich Central wards. The minor amendments between the proposed Charlemont with Grove Vale and Hateley Heath wards and Hateley Heath and West Bromwich Central wards have been described in the previous section.

68 Under the draft recommendations Charlemont with Grove Vale, Newton and West Bromwich Central wards would have councillor:elector ratios 3%, 3% and 1% above the borough average respectively (3% above, equal to and equal to by 2006). Great Barr with Yew Tree would have a councillor:elector ratio 2% below the borough average (1% below by 2006).

69 In response to the draft recommendations the Borough Council and Liberal Democrat Group proposed that Austen Walk be transferred to the proposed Hateley Heath ward from Charlemont with Grove Vale ward, as detailed in the previous section. We received no further representations regarding this area at Stage Three.

70 Having carefully considered both representations received at Stage Three and, with the exception of including Austen Walk and part of Lily Street in a revised Charlemont with Grove Vale ward as detailed in the previous section, we confirm our draft recommendations in this area as final.

71 Under our final recommendations the councillor:elector ratios for these wards would be the same as under our draft recommendations.

Blackheath, Cradley Heath & Old Hill, Rowley and Tividale wards

72 The wards of Blackheath, Cradley Heath & Old Hill, Rowley and Tividale are situated in the west and south-west of the borough. At present, Blackheath, Cradley Heath & Old Hill and Rowley wards together comprise the Rowley Regis town area, while Tividale ward forms part of the Oldbury town area. Under the existing arrangements Blackheath, Cradley Heath & Old Hill, Rowley and Tividale wards have councillor:elector ratios 3%, 6%, 7% and 5% above the borough average respectively (5%, 5%, 5% and 9% above by 2006).

73 At Stage One, the Borough Council proposed to retain all four wards, subject to the following amendments. It proposed that the existing Cradley Heath & Old Hill ward be renamed 'Cradley Heath' to better reflect community identities in this area, and that part of the ward to the east of the A459 Old Hill Bypass, to the south of the A4100 Highgate Street and Garratt's Lane, and to the north of the Birmingham to Worcester railway line be transferred to a revised Blackheath ward. To the south of the railway line, it also proposed that part of Blackheath ward to the west of (and including) Hillside Avenue be included in Cradley Heath ward. In addition to these changes, the Borough Council put forward further amendments to Blackheath ward. It proposed to include part of Langley ward to the east of the A4034 Oldbury Road, to the south of Boundary Avenue and west of the M5. The Borough Council also proposed to transfer the majority of the existing ward to the north of Throne Road and to the east of St Michaels Church of England High School, an area known as the Lion Farm Estate, to a revised Langley ward. However, it proposed that Anvil Drive, Birchley Park Avenue, Bristam Close and Forge Way be transferred from Blackheath ward to Tividale ward, rather than Langley ward.

74 Under the Borough Council's proposals, Rowley ward would include that part of the existing Blackheath ward to the north of Throne Road and to the west of St Michaels Church of England High School (comprising parts of Throne Road and the Pineways). It would also include part of the existing Tividale ward referred to by the Borough Council as the 'Midhill Drive Estate', comprising those properties to the north of (and including) part of Newbury Lane, east of

Portway Hill and west of Wallace Road. The Borough Council also proposed a revised boundary between Blackheath and Rowley wards. This would run east from Moor Lane to the north of Highmoor Road, Ross Heights, Siveters Lane and Old School Drive, and then continue east on Curral Road and Church Road, transferring properties to the south of these roads and to the west of Newhall Road to the revised Blackheath ward. Further to the north and east, the Borough Council proposed to transfer Moorlands Court and St Giles Court to Blackheath ward, and Druids Avenue, Goths Close and part of Majestic Way to Rowley ward.

75 We received two further representations in relation to this area. The Conservative Group put forward warding patterns based on a council size of 69; it proposed the retention of all the existing wards and ward names in this area, subject to a minor amendment between Oldbury and Tividale wards. However, as a result of our recommendation to retain a 72-member council we were only able to give these proposals limited further consideration.

76 Sylvia Heal MP put forward alternative proposals for the south-west of the borough based on a council size of 69, which differed from those put forward by the Conservatives and the Borough Council. While as a result of our recommendation to retain a 72-member council we were only able to give these proposals limited further consideration, Sylvia Heal MP also commented upon the wards put forward by the Borough Council in this area. She opposed its proposal to transfer to Blackheath ward part of the existing Cradley Heath & Old Hill ward situated to the east of the A459 Old Hill Bypass. She further considered the existing boundary in this area, which follows the Dudley Canal south from the A4100 Garratt's Lane/Powke Lane roundabout to Waterfall Lane, to be 'a very obvious natural boundary.' Sylvia Heal MP also proposed to retain the existing ward name of 'Cradley Heath & Old Hill,' stating that 'the loss of a specific identity for the area would not be welcomed by Old Hill residents.' She further opposed the Borough Council's proposed boundary amendments between Blackheath, Langley, Rowley and Tividale wards. Finally, Sylvia Heal MP considered that the existing Rowley ward had 'very obvious natural boundaries of open land and main trunk roads.'

77 On the basis of the available evidence, we considered that the Borough Council's proposals would best meet the statutory criteria and adopted them as part of our draft recommendations, subject to a number of amendments. We noted that there was some disagreement as to the most appropriate boundary between the wards of Blackheath and Cradley Heath & Old Hill and, having visited the area, proposed that the boundary continue to follow the Dudley Canal, reflecting to some extent warding proposals by the Conservative Group and Sylvia Heal MP. However, we also proposed that the boundary continue to follow the canal from Waterfall Lane to the Birmingham to Worcester railway line. To the south of the railway line we put forward our own revised boundary to facilitate the achievement of good electoral equality in this part of the borough. We proposed that Seedhouse Court and Sherbourne Road, together with properties on the western side of Station Road, be included in the revised Blackheath ward. We also decided to adopt Sylvia Heal MP's proposal to retain the existing ward name 'Cradley Heath & Old Hill'. We noted that this was also the preferred option of the Conservative Group and considered on the basis of the evidence received that this name would best reflect the composition of the ward.

78 We put forward further amendments between the proposed wards of Blackheath and Rowley to achieve good electoral equality, better reflect community identities and interests, and provide for effective and convenient ward boundaries. First, we proposed that the boundary run east to the north of Curral Road and then proceed southwards along the B4171 road. Second, we proposed to include Druids Avenue, Goths Close and Sandringham Drive, as well as all of Majestic Way, in Blackheath ward rather than Rowley ward, to reflect road access from Buckingham Road. Finally, we proposed that the boundary between Blackheath and Rowley wards run to the south and east of Roman Way, Cambourne Road and Elmhurst Avenue, to include all roads accessed from Enfield Road and Reservoir Road in Blackheath ward. We also proposed one minor amendment to the Borough Council's proposed Tividale ward; that Brunel Drive be transferred from the current Blackheath ward to Tividale ward to reflect road access from Newbury Lane.

79 Under the draft recommendations Cradley Heath & Old Hill and Rowley wards would have councillor:elector ratios 4% and 3% above the borough average respectively (3% and 1% above by 2006). Blackheath and Tividale wards would have councillor:elector ratios 2% and 2% below the borough average respectively (equal to and 2% above by 2006).

80 At Stage Three, we received five submissions in relation to this area. The Borough Council proposed that 'numbers 127 and 129 High Haden Road be transferred from Blackheath ward to Cradley Heath & Old Hill ward.' This would unite these properties with the remainder of High Haden Road. It also proposed that number 252 Newbury Lane be transferred from Langley ward to the proposed Tividale ward, because numbers 250 and 254 Newbury Lane are in Tividale ward.

81 The Conservative Group also proposed amendments in this area. It argued that the inclusion of the area adjacent to Wolverley Crescent (polling district GA) in Langley ward 'is very confusing. It does not form a natural boundary with the existing Langley [ward] indeed it is separated by a dual carriageway and a very large motorway (Junction 2 M5) island.' It therefore proposed that part of this area be transferred back into Blackheath ward and the rest into Rowley ward. It also proposed the transfer of the area adjacent to Buckingham Road and Uplands Avenue (polling district GB) from Rowley ward to Blackheath ward. The area to the east and west of Station Road (polling district IG) would remain in Langley ward.

82 Tividale Branch Labour Party proposed one amendment to Tividale ward; that Brunel Road should remain in Langley ward 'to which it is connected physically (by means of a footpath more used than the roadway onto Newbury Lane), historically and culturally and, also, this would give a greater equality in the number of electors between the two wards.'

83 We received two submissions in support of our draft recommendations for Cradley Heath & Old Hill ward from an interested party and a local resident. However, the local resident did put forward one amendment, proposing that their road, Halesowen Road, 'be linked with Old Hill and Cradley Heath.' They stated that this road has 'no association' with Rowley Regis with whom they had been 'lumped together'.

84 After careful consideration of all representations received at Stage Three, we propose to adopt both of the Borough Council's amendments as we concur with the Borough Council that they would better reflect community identities and interests. Whilst we noted the Conservative Group's proposals for Blackheath and Langley wards, we do not consider that these proposals provide a better balance between electoral equality and reflection of community identities and interests than the draft recommendations. The Conservative Group's proposals would result in both wards having a councillor:elector ratio of 18% from the borough average by 2006. Furthermore, we consider links across the motorway to be good, via Penn cricket Lane, Titford Lane and Wolverhampton Road. We were also unable to adopt Tividale Branch Labour Group's amendment as we did not consider that it provided sufficient argumentation to persuade us to move away from our draft recommendations. We also note that Brunel Road's vehicle access is from Tividale ward, of which we consider these properties should be part. Neither do we propose to adopt the local resident's amendment to Cradley Heath & Old Hill ward as we do not consider that it would provide a stronger boundary than that contained in our draft recommendations.

85 Under our final recommendations the councillor:elector ratios for these wards would be the same as under our draft recommendations.

Bristnall, Langley, Old Warley and Oldbury wards

86 The wards of Bristnall, Langley, Old Warley and Oldbury are situated in the centre and south of the borough. At present, Langley, Old Warley and Oldbury wards form part of the Oldbury town area, while Bristnall ward forms part of the Smethwick town area. Under the existing

arrangements Bristnall and Langley wards have councillor:elector ratios 5% and 7% above the borough average respectively (4% and 7% above by 2006). Old Warley and Oldbury wards have councillor:elector ratios 3% and 10% below the borough average respectively (6% and 6% below by 2006).

87 At Stage One, the Borough Council proposed that the part of Langley ward broadly to the south of Leahouse Road and to the east of Farm Road, Langley Road and All Angels Walk, and north of the A4123 Wolverhampton Road be transferred to a revised Bristnall ward. It also put forward several amendments between the proposed Blackheath and Langley wards, as described in the previous section. These changes would see the transfer of the Lion Farm Estate to Langley ward, and the transfer of an area in the south-west of the ward to Blackheath ward.

88 To the north and south of Langley ward, the Borough Council proposed to substantially retain its existing boundaries with Oldbury and Old Warley wards. However, Brandhall Lane and a small number of properties on the A4123 Wolverhampton Road would be transferred from Old Warley to Langley ward under its proposals, 'for the greater convenience of the electorate.' The Borough Council also proposed a minor amendment between Langley and Oldbury wards to include all residential properties on the south side of the B4182 Station Road in Langley ward.

89 In addition to the changes described above, the Borough Council also put forward the following amendments to the existing Bristnall and Old Warley wards. It proposed that the part of Bristnall ward broadly to the east of Queen's Road and to the north of (and including) William Road be included in a revised Smethwick ward. The Borough Council also proposed that an area to the south of George Road, to the east of Brandhall Road (including properties on the east side of this road), and to the west of Bleakhouse Road be transferred from Bristnall ward to Old Warley ward.

90 As previously discussed, under the Borough Council's proposals all of the existing Tipton Green ward to the south of the A461 would be transferred to the proposed Oldbury ward. In addition to the minor amendment with Langley ward outlined above, it proposed that all of the existing Oldbury ward to the south-east of the Birmingham to Worcester railway line would be included in a revised St Pauls ward. However, the Borough Council also proposed that the ward boundary continue to follow the railway line from Rood End Road to Mallin Road, before returning west to the existing boundary on the A457 Oldbury Road. This would result in the transfer of West End Avenue and a number of residential properties on the west side of Mallin Road from St Pauls ward to Oldbury ward.

91 We received three further representations in relation to this area. The Conservative Group put forward warding proposals based on a council size of 69. However, as a result of our recommendation to retain a 72-member council, we were only able to give these representations limited further consideration. Sylvia Heal MP put forward alternative warding proposals for the south-west of the borough, also based on a council size of 69, and commented on the Borough Council's proposals in this area, opposing its revised Langley ward. Again, as a result of our recommendation to retain a 72-member council, we were only able to give this submission limited further consideration. Finally, a local resident supported the Borough Council's proposal to retain the existing boundary between Abbey and Old Warley wards.

92 After careful consideration of all representations received at Stage One, we decided to adopt the Borough Council's proposals in this area, considering them to best meet the statutory criteria. However, we also put forward a number of minor amendments. Two of these concerned the boundary between Bristnall and Langley wards; to ensure that all of Langley Road be included in Langley ward and to make use of a break in properties on the east side of Farm Road by including 104-140 Farm Road in Langley ward. One concerned the boundary between Bristnall and Old Warley wards; to ensure that Brandhall Road, Shire Close and The Constables be included in Bristnall ward. Lastly, we proposed that in the West End Avenue area, the existing

boundary should be retained between Oldbury and St Pauls wards to better reflect community identities, subject to minor amendments, which would affect no electors.

93 Under the draft recommendations the proposed Bristnall ward would have a councillor:elector ratio equal to the borough average, both initially and by 2006. Old Warley ward would have a councillor:elector ratio 4% above the borough average (1% above by 2006). Langley and Oldbury wards would have councillor:elector ratios 1% and 8% below the borough average respectively (1% and 4% below by 2006).

94 At Stage Three, the Borough Council put forward one amendment in this area; the transfer of number 252 Newbury Lane from Langley ward to Tividale ward, as detailed in the previous section. The Conservative Group proposed significant amendments. Its modification to Langley ward was also discussed in the previous section. In addition, it proposed changes to Abbey, Bristnall and Old Warley ward. It argued that Old Warley ward should include the area adjacent to Beechwood Road (part of polling district AG), part of Abbey Road, part of Hurst Road, Pheasant Road and Telford Close (part of polling district AA) and Warley Woods (part of polling district AB). The area adjacent to The Oval (polling district BE) and the area to the east of Hurst Road and north of Norman Road (part of polling district BF) would be transferred from Bristnall ward to Abbey ward. These amendments were proposed because 'that part of [polling district] AG was always historically part of Old Warley ward prior to the last boundary review. The postal address for that area are in the main Oldbury postcodes as are those in Old Warley. [Polling district] BE and BF are Smethwick postcodes as is Abbey ward.'

95 The Conservative Group also argued that the area adjacent to Parson Hill and Walton Road (polling district BH) be transferred to Bristnall ward from Old Warley ward. This was because '[polling district] BH and the rest of Old Warley [ward] are separated by a very busy dual carriageway', something it was worried would 'affect voting.' 'In addition, it does not naturally fit with the rest of Old Warley [ward] unlike the inclusion of [polling districts] AG and AA which formed part of the boundaries of Old Warley previously.'

96 We carefully considered all representations received at Stage Three. As already discussed, we have decided to adopt the Borough Council's proposed amendment to Langley and Tividale wards. We also gave serious consideration to the Conservative Group's proposals for this area. However, we were not persuaded to move away from our draft recommendations as the proposals adversely affected electoral equality and we did not consider the argumentation provided on community identity grounds to be sufficient for such a change. We would also like it noted that we do not have regard for postcodes or postal addresses in preparing our recommendations. We have decided to confirm our draft recommendations as final, subject to the amendment to the proposed Langley and Tividale wards.

97 Under our final recommendations the councillor:elector ratios for these wards would be the same as under our draft recommendations.

Abbey, St Pauls, Smethwick and Soho & Victoria wards

98 The wards of Abbey, St Pauls, Smethwick and Soho & Victoria are situated in the south-east of the borough, at present forming part of the Smethwick town area. Under the existing arrangements Abbey, St Pauls, Smethwick and Soho & Victoria wards have councillor:elector ratios 2%, 8%, 5% and 45% below the borough average respectively (5%, 8%, 6% and 46% below by 2006).

99 At Stage One, the Borough Council put forward amendments to address the over-representation of the existing Soho & Victoria ward. First of all, the Borough Council proposed to include in a revised Soho & Victoria ward that part of Smethwick ward broadly to the west of Stanhope Road and Cheshire Road and south of the A4030 High Street and A4092 Cape Hill, except for Dale Close, Dale Street, Dawson Street and Vince Street. It proposed that these four

roads be included in Abbey ward, which would otherwise be retained upon its existing boundaries. Second, the Borough Council also proposed to transfer to Soho & Victoria ward a smaller part of St Pauls ward to the east of Halford's Road, north of Lewisham Road and south of the Birmingham to Wolverhampton Metro tramline.

100 In order to achieve good electoral equality in its revised St Pauls and Smethwick wards, the Borough Council put forward further boundary amendments. As described in the previous section, it proposed that the part of the existing Oldbury ward to the south-east of the Birmingham to Worcester railway line be included in St Pauls ward, and that the West End Avenue area be transferred from St Pauls ward to Oldbury ward. Under the Borough Council's proposals the revised Smethwick ward would also include part of Bristnall ward broadly to the east of Queen's Road and north of William Road, and part of the existing St Pauls ward to the south of the Bartleet Road estate, Hugh Road and White Road.

101 We received two further representations in relation to this area. The Conservative Group put forward warding proposals based on a council size of 69. However, as a result of our recommendation to retain a 72-member council, it did not prove possible to accommodate any substantive part of its proposals for this area in our draft recommendations. As previously stated, a local resident supported the Borough Council's proposals to retain the existing boundary between Abbey and Old Warley wards.

102 After careful consideration of all representations received at Stage One, we based our draft recommendations for this area to some extent on the Borough Council's proposals. However, we did not adopt the Borough Council's proposal to transfer the Oxford Road estate from St Pauls ward to Soho & Victoria ward as we did not consider it to reflect community identities or interests. We therefore proposed that the existing boundary between these two wards be retained.

103 This modification in turn required further changes to provide good electoral equality in the proposed wards in this area. We therefore proposed that the part of St Pauls ward to the south of Basons Lane and to the south of (but not including) Holly Lane to the west of the cemetery be transferred to the proposed Smethwick ward. To the east, we proposed that all of Sabell Road be included in Smethwick ward, noting that the Conservative Group also put this boundary forward. As discussed in the previous section, we also proposed that West End Avenue and part of Mallin Road be retained in St Pauls ward to better reflect community identities and interests in the area.

104 We also proposed further amendments to reduce the high electoral variance in the proposed Soho & Victoria ward, following our decision not to adopt the Borough Council's proposals in this area. First, we proposed that the revised Soho & Victoria ward include Dale Close, Dale Street, Dawson Street and Vince Street. Second, we proposed that Soho & Victoria ward include part of the proposed Smethwick ward to the north of Watery Lane, east of Arden Road and Firs Lane, and south of Cooper's Lane, as well as all the properties on the west side of Cheshire Road to keep this road in a single ward. As a result of our amendments, we proposed to retain the existing Abbey ward, which we noted had good electoral equality both now and in 2006.

105 Under the draft recommendations the proposed St Pauls and Smethwick wards would have councillor:elector ratios 1% and 5% above the borough average respectively (1% and 2% above by 2006). Abbey and Soho & Victoria wards would have councillor:elector ratios 2% and 5% below the borough average respectively (5% and 5% below by 2006).

106 At Stage Three, the Borough Council proposed two amendments in this area. First, it proposed that The Lodge and numbers 127a to 127d Holly Lane be transferred from St Pauls ward to Smethwick ward. It argued that these properties 'are part of a new development and have community ties with the remainder of properties on the estate' and therefore should be

transferred to Smethwick ward. Second, it proposed that numbers 68 to 74 (evens) Devonshire Road be transferred from St Pauls ward to Smethwick ward. It stated that 'these properties have always been grouped with [numbers] 76 to 126 Devonshire Road and it is proposed that the dividing line between the remainder of Devonshire Road be the junction with Sabell Road as previously.' The Conservative Group proposed amendments to the proposed Abbey ward as discussed in the previous section.

107 After careful consideration of all representations received at Stage Three, we have decided to adopt both of the Borough Council's proposed amendments. We consider these modifications to the proposed St Pauls and Smethwick ward to better reflect community identities and interests, and to use stronger boundaries than our draft recommendations with no adverse affect on electoral equality. We are confirming our draft recommendations for the remainder of this area as final.

108 Under our final recommendations the councillor:elector ratios for these wards would be the same as under our draft recommendations.

Electoral cycle

109 Under section 7(3) of the Local Government Act 1972, all metropolitan boroughs have a system of elections by thirds.

Conclusions

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

- we propose to adopt the Borough Council's minor amendments to the proposed Blackheath, Cradley Heath & Old Hill, Great Bridge, Langley, Princes End, St Pauls, Smethwick, Tividale, Wednesbury North and Wednesbury South wards;
- we put forward one amendment of our own to the boundary between the proposed Hateley Heath and Charlemont with Grove Vale wards, based on argumentation provided by the Borough Council and the Liberal Democrat Group.

111 We conclude that, in Sandwell:

- a council size of 72 members should be retained;
- there should be 24 wards, the same as at present;
- the boundaries of 23 of the existing wards should be modified, and one ward should retain its existing boundaries.

112 Table 4 shows the impact of our final recommendations on electoral equality, comparing them with the current arrangements, based on 2001 and 2006 electorate figures.

Table 4: Comparison of current and recommended electoral arrangements

	2001 electorate		2006 electorate	
	Current arrangements	Final recommendations	Current arrangements	Final recommendations
Number of councillors	72	72	72	72
Number of wards	24	24	24	24
Average number of electors per councillor	2,993	2,993	2,998	2,998
Number of wards with a variance more than 10 per cent from the average	3	0	4	0
Number of wards with a variance more than 20 per cent from the average	2	0	2	0

113 As Table 4 shows, our recommendations would result in a reduction in the number of wards with an electoral variance of more than 10% from three to none. This improved level of electoral equality would continue to 2006, with no wards varying by more than 5% from the borough average. We conclude that our recommendations would best meet the statutory criteria.

Final recommendation

Sandwell Metropolitan Borough Council should comprise 72 councillors serving 24 wards, as detailed and named in Tables 1 and 2, and illustrated on Map 2 and in Appendix A and the large maps.

Map 2: Final recommendations for Sandwell

6 What happens next?

114 Having completed our review of electoral arrangements in Sandwell and submitted our final recommendations to The Electoral Commission, we have fulfilled our statutory obligation under the Local Government Act 1992 (as amended by SI 2001 No. 3692).

115 It is now up to The Electoral Commission 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 24 June 2003, and The Electoral Commission will normally consider all written representations made to them by that date. They particularly welcome any comments on the first draft of the Order, which will implement the new arrangements.

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

**The Secretary
The Electoral Commission
Trevelyan House
Great Peter Street
London SW1P 2HW**

Fax: 020 7271 0667

**Email: implementation@electoralcommission.org.uk
(This address should only be used for this purpose)**

Appendix A

Final recommendations for Sandwell: **Detailed mapping**

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

Map A1 illustrates, in outline form, the proposed ward boundaries.

The **large maps** illustrate the proposed warding arrangements for Sandwell.

Map A1: Final recommendations for Sandwell: Key map

Appendix B

Guide to interpreting the draft of the Statutory Instrument

Preamble

This describes the process by which the Statutory Instrument will be made, and under which powers. Text in square brackets will be removed if The Electoral Commission decides not to modify the Final Recommendations.

Citation and commencement

This defines the name of the Statutory Instrument and sets the dates on which it will come into force.

Interpretation

This defines terms that are used in the Statutory Instrument.

Wards of the Borough of Sandwell

This abolishes the existing wards, and defines the names and areas of the new wards, in conjunction with the map and the Schedule.

Elections of the council of the Borough of Sandwell

This sets the date on which a whole council election will be held to implement the new wards, and the dates on which councillors will retire.

Maps

This requires Sandwell Metropolitan Borough Council to make a print of the map available for public inspection.

Electoral registers

This requires Sandwell Metropolitan Borough Council to adapt the electoral register to reflect the new wards.

Revocation

This revokes the Statutory Instrument that defines the existing wards, with the exception of any articles that established the system of election by thirds.

Explanatory note

This explains the purpose of each article. Text in square brackets will be removed if The Electoral Commission decides not to modify the Final Recommendations.

Appendix C

First draft of the electoral change Order for Sandwell

STATUTORY INSTRUMENTS

2003 No.

LOCAL GOVERNMENT, ENGLAND

The Borough of Sandwell (Electoral Changes) Order 2003

Made - - - - - 2003

Coming into force in accordance with article 1(2)

Whereas the Boundary Committee for England(a), acting pursuant to section 15(4) of the Local Government Act 1992(b), has submitted to the Electoral Commission(c) recommendations dated May 2003 on its review of the borough(d) of Sandwell:

And whereas the Electoral Commission have decided to give effect [with modifications] to those recommendations:

And whereas a period of not less than six weeks has expired since the receipt of those recommendations:

Now, therefore, the Electoral Commission, in exercise of the powers conferred on them by sections 17(e) and 26(f) of the Local Government Act 1992, and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

- 1.—(1) This Order may be cited as the Borough of Sandwell (Electoral Changes) Order 2003.
- (2) This Order shall come into force –
 - (a) For the purpose of proceedings preliminary or relating to any election to be held on 6th May 2004, on 15th October 2003;

-
- (a) The Boundary Committee for England is a committee of the Electoral Commission, established by the Electoral Commission in accordance with section 14 of the Political Parties, Elections and Referendums Act 2000 (c. 41). The Local Government Commission for England (Transfer of Functions) Order 2001 (S.I. 2001/3962) transferred to the Electoral Commission the functions of the Local Government Commission for England.
- (b) 1992 c.19. This section has been amended by S.I. 2001/3962.
- (c) The Electoral Commission was established by the Political Parties, Elections and Referendums Act 2000 (c. 41). The functions of the Secretary of State, under sections 13 to 15 and 17 of the Local Government Act 1992, to the extent that they relate to electoral changes within the meaning of that Act, were transferred with modifications to the Electoral Commission on 1st April 2002 (S.I. 2001/3962).
- (d) The metropolitan district of Sandwell has the status of a borough.
- (e) This section has been amended by S.I. 2001/3962 and also otherwise in ways not relevant to this Order.
- (f) This section has been amended by S.I. 2001/3962.

- (b) for all other purposes, on 6th May 2004.

Interpretation

2. In this Order –

“borough” means the borough of Sandwell;

“existing”, in relation to a ward, means the ward as it exists on the date this Order is made; and

any reference to the map is a reference to the map marked “Map referred to in the Borough of Sandwell (Electoral Changes) Order 2003”, of which prints are available for inspection at –

- (a) the principal office of the Electoral Commission; and
(b) the offices of Sandwell Metropolitan Borough Council.

Wards of the borough of Sandwell

3.—(1) The existing wards of the borough(a) shall be abolished.

- (2) The borough shall be divided into twenty-four wards which shall bear the names set out the Schedule.
- (3) The wards shall comprise the areas designated on the map by reference to the name of the ward and demarcated by red lines; and the number of councillors to be elected for each ward shall be three.
- (4) Where a boundary is shown on the map as running along a road, railway line, footway, watercourse or similar geographical feature, it shall be treated as running along the centre line of the feature.

Elections of the council of the borough of Sandwell

4.—(1) Elections of all councillors for all wards of the borough shall be held simultaneously on the ordinary day of election of councillors in 2004(b)(c).

- (2) The councillors holding office for any ward of the borough immediately before 10th May 2004 shall retire on that date and the newly elected councillors for those wards shall come into office on that date.
- (3) Of the councillors elected in 2004 one shall retire in 2006, one in 2007 and one in 2008.
- (4) Of the councillors elected in 2004 –
- (a) the first to retire shall, subject to paragraphs (6) and (7), be the councillor elected by the smallest number of votes; and
- (b) the second to retire shall, subject to those paragraphs, be the councillor elected by the next smallest number of votes.
- (5) In the case of an equality of votes between any persons elected which makes it uncertain which of them is to retire in any year, the person to retire in that year shall be determined by lot.
- (6) If an election of councillors for any ward is not contested, the person to retire in each year shall be determined by lot.
- (7) Where under this article any question is to be determined by lot, the lot shall be drawn at the next practicable meeting of the council after the question has arisen and the drawing shall be conducted under the direction of the person presiding at the meeting.

(a) See the Borough of Sandwell (Electoral Arrangements) Order 1978 (S.I. 1978/610).

(b) Article 4 provides for a single election of all the councillors and for reversion to the system of election by thirds, as established by articles 8 and 9(7) S.I. 1978/610.

(c) For the ordinary day of election of councillors of local government areas, see section 37 of the Representation of the People Act 1983 (c.2), amended by section 18(2) of the Representation of the People Act 1985 (c.50) and section 17 of, and paragraphs 1 and 5 of Schedule 3 to, the Greater London Authority Act 1999 (c.29).

Maps

5. Sandwell Metropolitan Borough Council shall make a print of the map marked “Map referred to in the Borough of Sandwell (Electoral Changes) Order 2003” available for inspection at its offices by any member of the public at any reasonable time.

Electoral registers

6. The Electoral Registration Officer(a) for the borough shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

Revocation

7. The Borough of Sandwell (Electoral Arrangements) Order 1978(b) is revoked, save for articles 8 and 9(7).

Signed by the members of the Electoral Commission

Date

Pamela Gordon
Commissioner

Date

Glyn Mathias
Commissioner

Date

Neil McIntosh
Commissioner

Date

Karamjit Singh
Commissioner

Date

Sam Younger
Commissioner

Date

Graham Zellick
Commissioner

(a) As to electoral registration officers and the register of local government electors, *see* sections 8 to 13 of the Representation of the People Act 1983 (c.2).
(b) S.I. 1978/610.

SCHEDULE

article 3

NAMES OF WARDS

<i>Name of Ward</i>
Abbey
Blackheath
Bristnall
Charlemont with Grove Vale
Cradley Heath and Old Hill
Friar Park
Great Barr with Yew Tree
Great Bridge
Greets Green and Lyng
Hateley Heath
Langley
Newton
Old Warley
Oldbury
Princes End
Rowley
St Pauls
Smethwick
Soho and Victoria
Tipton Green
Tividale

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect, [with modifications], to recommendations by the Boundary Committee for England, a committee of the Electoral Commission, for electoral changes in the borough of Sandwell.

The modifications are *indicate the modifications*.

The changes have effect in relation to local government elections to be held on and after 6th May 2004.

Article 3 abolishes the existing wards of the borough and provides for the creation of 24 new wards. That article and the Schedule also make provision for the names and areas of, and numbers of councillors for, the new wards.

Article 4 makes provision for a whole council election in 2004 and for reversion to the established system of election by thirds in subsequent years.

Article 6 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

Article 7 revokes the Borough of Sandwell (Electoral Arrangements) Order 1978 with the exception of articles 8 and 9(7).

The areas of the new borough wards are demarcated on the map described in article 2. Prints of the map may be inspected at all reasonable times at the offices of Sandwell Metropolitan Borough Council and at the principal office of the Electoral Commission at Trevelyan House, Great Peter Street, London SW1P 2HW.