
Electoral reviews evaluation

In September 2005, we launched a consultation on the legislation and process relating to the way we conduct electoral reviews in England. In the light of recent debate and the forthcoming local government White Paper, we feel it is not appropriate to reach firm conclusions at this time. Therefore this paper presents our findings, as we believe it is important to give an indication of our views so far.

We aim to publish updated guidance around the turn of the year but a number of the changes to the review process we have identified will require primary legislation.

Background

Following the end of the periodic electoral review (PER) programme in 2004, we began a comprehensive evaluation of the legislation, policies and processes used to guide local authority electoral reviews in England. The evaluation included:

- examining how the statutory criteria and rules have been applied
- reviewing our approach on such matters as numbers of councillors, consultation with interested parties in reviews, timetabling reviews and warding
- considering when electoral reviews should take place and how frequently
- considering what evidence should be required to support proposals and decisions on individual reviews

In addition to a stakeholder consultation exercise, we commissioned research and analysis and undertook an internal review of previous practice.

The public consultation ended in November 2005. The consultation took the form of a structured

document which covered 13 issues. Although the document posed open questions, it was still possible to group and quantify responses by main themes. We received 276 responses, around half of which were from local authorities. A more detailed breakdown of responses, including analysis by topic, can be viewed on our website.¹

Alongside the consultation exercise, we commissioned external literature reviews on the issues of council size (i.e. the number of members serving on a council) and community identity. We also sourced guidance on compiling electorate forecasts, all of which are available on our website.

Changes to legislation

The conclusions we have drawn from the consultation process and our experience in conducting reviews have let us identify several areas where changing the legislation on electoral reviews could improve the review process. Because of this, we made proposals to Government in May 2006 for it to consider when drafting any new local government legislation. These proposals are

outlined below and can also be viewed on our website.

Proposals

The timing of reviews

The consultation showed that there is clear support for our current approach – a rolling programme of further electoral reviews (FERs) for the time being, with a programme of PERs to be initiated at some point in the future.

We intend to continue conducting FERs, but we will consider carefully when the next programme of PERs should commence.

However, there were mixed views on the current approach to deciding whether or not to conduct FERs of local authorities. A majority of respondents felt that we should consider requests from councils.

In the light of comments received we are minded to consider well-justified requests for electoral reviews from councils in the future.

Council size

There was a range of responses to this issue, with 32% of respondents wanting more comparative information from us as background, but with 26% feeling that our current approach is appropriate. We were not surprised at the lack of consensus; this was reflected in the external research, which concluded that diversity and flexibility of approach should be encouraged.

The Commission has attached considerable importance to the issue of council size, as it is the

starting point in our review process. Accordingly, we suggested in our consultation that we might revise our approach to electoral reviews in order to consult on and reach initial conclusions on the size of the council, before going on to consult on the electoral arrangements. This proved popular, with 57% of respondents favouring this approach.

We are persuaded of the merits of introducing an extra stage in the review process to consider council size, and have made proposals to Government for such a legislative change.

Although we accept that there is a strong desire for council size to be decided before the start of the first consultation stage on electoral arrangements, we acknowledge the concern of some respondents about the time taken to conduct a review with an additional consultation stage.

We intend to look carefully at the impact that a further consultation stage would have on the review process, with a view to streamlining the time between the consultation stages.

The statutory criteria

We found that there is a general acceptance that the statutory criteria to which we work – providing for electoral equality, reflecting community identities and providing for effective and convenient local government – are the most appropriate, although it is clear from the responses that people wish the Commission to apply some degree of flexibility.

Electoral equality

Only 4% of respondents felt there should be absolute parity between the three criteria, while 36% considered that a higher level of electoral inequality would be acceptable if the reflection of community identity was improved.

Community identity

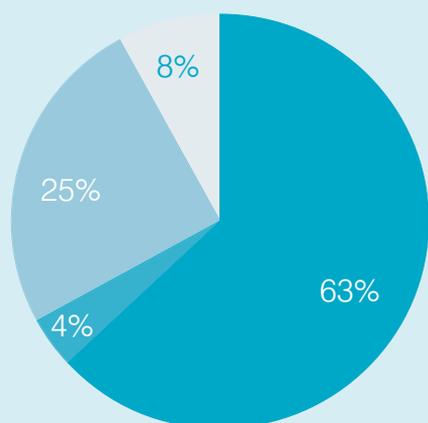
The research we commissioned on community identity concluded that there are two approaches that the Commission might consider; the use of statistical data to demarcate communities, and the location of community facilities. However, it also concluded that these could only ever be used as an approximation of any pattern of local communities.

Figure 1 (next page) shows that a majority of respondents favoured more account being taken of community facilities, although not in isolation from other factors. However, we found little consensus on identifying examples of what constitutes such facilities, with 25% of respondents preferring the use of historical factors or communication links as measures of community identity.

Effective and convenient local government

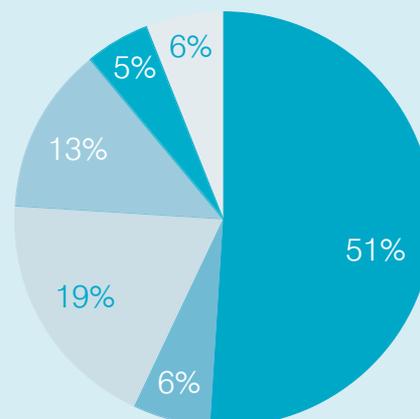
Our consultation proved more conclusive on the definition of effective and convenient local government, with 67% of respondents feeling that the level of coterminosity (of ward and division boundaries in two-tier areas) is an appropriate measure of this criterion. A large number also favoured reviews of districts and counties being conducted simultaneously, as a

Figure 1: What evidence can the Commission use to understand community identity?



- The use of public facilities in identifying community identity is advocated, but it cannot be considered in isolation.
- Clearer guidance on what public facilities can be used and some indication of a hierarchy or weighting would be welcomed.
- Public facilities are not a good indicator of community identity – factors such as the opinions of local people, historic factors and transport links are more important.
- Other comments.

Figure 2: Should the Commission be prescriptive about the number of councillors per ward or division?



- The current approach is acceptable.
- The Commission should be prescriptive in limiting numbers of councillors per ward with a degree of flexibility for differences in each area.
- Single-member wards are preferable in all tiers of local government.
- Councils should be able to determine the numbers of councillors.
- County areas should have only single-member wards.
- Other comments.

way of ensuring higher levels of coterminosity.

A simultaneous approach to reviews could only apply to a new programme of PERs, but we recognise that it would have considerable resource and operational implications for the Commission, and will be considering this issue further.

Forecasting electorate numbers

There was no clear consensus over the issues we raised in respect of five-year forecasts of electors. There was a general recognition that forecasting is an inexact science. Of our respondents, 54% felt that we should provide further guidance to local authorities on the subject.

Further guidance on forecasting electorate numbers is now available on the Boundary Committee for England's website.²

Are there other changes to be made?

Number of members per ward
Figure 2 (above) reveals that a majority of respondents were of the view that our current approach to the number of members per ward is acceptable. Only 6% of respondents felt that we should be rigidly prescriptive in the number of members per ward or division. However, further analysis revealed that only 11% of county councils which responded were in favour of the

current approach, and over a third advocated strict one-member divisions.

Multi-member wards

There was also support for an increased amount of flexibility when recommending multi-member wards in metropolitan areas, especially from metropolitan authorities. Our experience supported this view, as we have encountered problems in balancing the criteria in the less urban metropolitan areas because of the three-member ward constraint. The Government has also recognised that the inflexibility regarding metropolitan wards is an issue for the Commission.

We have recommended to Government that the three-member ward requirement in metropolitan areas be repealed.

Renaming wards

We also found clear support for the ability to rename wards outside the electoral review process, with 92% of respondents supporting this option.

We agree with the view that ward and division names should be able to be changed without the need for a review, and have asked Government to consider giving the Commission the power to make name-change Orders in legislation.

We will, however, be considering the process and safeguards which need to be put in place to allow for a fair and transparent mechanism for renaming wards.

Our communication and consultation with people

Our consultation produced a clear view that more proactive consultation and communication is favoured, with 56% of people supporting this. In addition, a further 12% proposed that Boundary Committee staff being more available in the local area to give guidance at the start of a review would assist the process.

Some of these concerns would be addressed by conducting an additional initial consultation stage on council size, collating data from the local authority and others during this time.

We are also keen to investigate other appropriate methods of communication in local areas.

Conclusions and next steps

Our evaluation exercise so far has yielded some interesting conclusions.

- We have recognised the strength of feeling on the issues of an initial council size consultation stage and changes to ward and division names and have made proposals to Government for legislative change on these matters.
- We accept that there should not be a rigidly mathematical and formulaic approach to balancing the statutory criteria when making recommendations and that flexibility is needed in order to reflect community identity.
- We will observe with interest any Government perspective on the nature and definition of communities in the forthcoming White Paper on local government.
- It is clear that there is a strong preference for a more joined-up approach to the conduct of PERs, with the goal of achieving higher levels of coterminosity between district ward and county division boundaries.
- We are not altogether surprised by the lack of consensus on issues such as the primacy of electoral equality, the approach to

deciding council size and the definition of community identity, and will continue to consider these issues.

Updated guidance

Once our evaluation is complete we will issue updated guidance on the conduct of electoral reviews. We expect to publish this around the turn of the year. However, a number of changes to review processes will need to await legislation.

1 www.electoralcommission.org.uk/elections/currentreviews.cfm.

2 www.boundarycommittee.org.uk/templates/search/document.cfm/14323.

Your comments and feedback

If you have any comments on these findings, or wish to feed further thoughts into the evaluation of the way in which we conduct electoral reviews, please contact:

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Further information about the evaluation process can also be found at:
www.electoralcommission.org.uk/elections/currentreviews.cfm.

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