

The
Local Government
Boundary Commission
for England

Electoral reviews: technical guidance

April 2010

Translations and other formats

For information on obtaining this publication in another language or in a large-print or Braille version please contact the Local Government Boundary Commission for England:

Tel: 020 7271 0500

Email: publications@lgbce.org.uk



Contents

Introduction	1
What is an electoral review?	3
The statutory criteria and rules	4
The electoral review procedure	7
Issues to be considered	10
Council size	10
Electoral equality	11
Community identity	13
Effective and convenient local government	14
Electorate forecasts	16
What is evidence?	18
Our information requirements	20
Implications for parishes	23
What happens next?	25
FAQs	26
Appendix A: Resources	29

What is the Local Government Boundary Commission for England?

The Local Government Boundary Commission for England is an independent body set up by Parliament in April 2010 by the Local Democracy, Economic Development and Construction Act 2009. It is independent of Government and political parties, and is directly accountable to Parliament through a committee chaired by the Speaker of the House of Commons.

1 Introduction

1.1 The purpose of this document is to provide detailed and technical guidance to all those participating, or who wish to participate, in an electoral review.

1.2 The Local Government Boundary Commission for England (LGBCE) is required to conduct electoral reviews of individual authorities at periodic intervals. We decide when to conduct a review of an authority and are responsible for implementing the new electoral arrangements once we have finished.

1.3 We conduct electoral reviews for a number of different reasons, and in slightly different ways. For example, although we might conduct a review of an existing authority which has suffered from significant shifts in population, resulting in electoral imbalances, we may also be conducting a review of a brand new unitary authority, following a restructure of local government. The types of review, the reasons we conduct them and the overarching purpose of reviews are described in **chapter 2** of this guidance.

1.4 When we conduct electoral reviews we are legally obliged to adhere to certain legislation. The main piece of legislation to which we work is the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act), which consolidates electoral review provisions previously contained in the Local Government Act 1972, the Local Government Act 1992 and the Local Government and Public Involvement in Health Act 2007. Details of what this legislation says, and how it affects the way we carry out reviews, can be found in **chapter 3** of this guidance. That chapter also outlines what can and cannot be done as part of an electoral review.

1.5 We have in place certain procedures for conducting reviews, ranging from timescales to how we publicise our work. Although individual reviews can differ in length depending on the issues involved, an estimate of a typical review process can be found in **chapter 4**.

1.6 Although chapter 3 lays out the statutory rules which we must follow, we face a number of challenging issues in balancing those rules when they conflict, or taking decisions on issues in light of conflicting evidence. Such issues include deciding on the number of councillors to be elected to the whole council, the number of councillors in each ward or division, how to balance the criteria to which we must have regard, and how to take account of any geographic features in the local authority area. **Chapter 5** sets out our approach to these and other issues. We also give guidance on more technical topics, such as electorate forecasts and coterminosity (explained in the chapter). Further technical guidance specifically for the authority under review can also be found in **chapter 7**, where we detail all information that we require from the authority at the start of the review.

1.7 Our approach to electoral reviews is one of consultation and analysis of all the evidence we receive. It is therefore very important that what people say to

us is well-argued, and backed up by credible evidence. We touch on evidence in specific relation to our statutory criteria in **chapter 5**, and consider what we mean by 'evidence' in **chapter 7**.

1.8 When conducting electoral reviews, we try to use parishes (where they exist) as building blocks for new wards or divisions, where appropriate. **Chapter 8** gives some guidance about parishes, our approach to them and what we can and cannot do as part of an electoral review. Finally, **chapter 9** gives information as to what happens at the end of the review process, following the publication of our final recommendations.

2 What is an electoral review?

2.1 The objective of an electoral review is to provide for good, or improved, levels of electoral representation across a local authority area. This means ensuring that, as nearly as possible, each councillor within a specific local authority¹ represents the same number of electors as his or her colleagues. We balance this aim with the need to reflect community identity and provide for convenient and effective local government. We will also consider, in the case of councils subject to elections by halves or thirds, the appropriate number of councillors for each ward or division. In reviews of two-tier county council areas we must also have regard to district ward boundaries. These considerations are set out in the legislation referred to in the next chapter and we must strike what we consider to be the best balance between them when conducting electoral reviews. They are often referred to as the 'statutory criteria' and are discussed in more detail below.

Why do we conduct electoral reviews?

2.2 The population – and hence electorate – of any local authority area is constantly changing, with migration into or out of areas, as well as within the same area. As a result of these changes in population, the levels of electoral representation change, with some councillors representing considerably more or fewer electors than their colleagues. When these levels of representation become notable, an electoral review is required.

2.3 In addition, when new local authorities are established by the Government following changes to local government structure, we are required to consider whether we should conduct an electoral review of the new authority, in order to provide appropriate and fair democratic arrangements for that authority. We may also conduct an electoral review in cases where local authority administrative (i.e. external) boundaries have been subject to alteration, or where district councils are changing the frequency of their elections.

2.4 Local authorities may also ask us to undertake electoral reviews with the objective of providing for single-member wards. All such reviews are conducted under the same legislation – described in chapter 3 – but may have different issues and concerns around them. This guidance covers all of the above types of review, known as electoral reviews, and is intended to be a resource for anyone seeking to take part in the review and requiring detailed guidance on the legislation, our processes, information requirements and overall approach to our work. We also publish a shorter stakeholder advice document, which sets out simply the purpose of a review, and encourages local people to get involved in the process. This is available on our website².

¹ County, district or borough council

² www.lgbce.org.uk

3 The statutory criteria and rules

3.1 Schedule 2 to the 2009 Act sets out the ‘statutory criteria’ to which we are required to have regard in conducting electoral reviews. In broad terms, they are:

- the need to reflect the identities and interests of local communities
- the need to secure effective and convenient local government, and
- the need to secure equality of representation

3.2 In addition, in conducting reviews of two-tier³ county council areas we are required to have regard to the boundaries of district or borough wards. We will use them as the building blocks for county divisions. Also, we must have regard to the desirability of securing the appropriate number of councillors in each ward of a district or borough council which elects by halves or by thirds⁴. We will also take into account factors such as the location and boundaries of parishes and the geographic features of the local area (when drawing boundaries). These are all discussed in more detail in subsequent chapters.

3.3 Schedule 2 to the 2009 Act also states that we should take into account any changes to the number and distribution of electors that is likely to take place within the next five years, following the start of the review. At the start of the review we will therefore ask local authorities to provide us with forecasts of their expected number of electors over a five year period. This also applies to parish and town council electoral arrangements.

3.4 In making our recommendations, we will ensure that every electoral division is wholly within a single district, so no division crosses the boundary between two neighbouring districts.

3.5 Under section 57 of the 2009 Act any local authority which elects the whole council every four years, or has resolved to do so, can request that we conduct an electoral review and make recommendations for single member wards or divisions. In conducting any such review we are required to have regard to the desirability of securing single member wards but this requirement does not override the statutory criteria referred to above, which take precedence in all electoral reviews. We are not obliged to recommend a uniform pattern of single-member wards or divisions in these cases.

3.6 When considering the electoral arrangements of parish or town councils we will also consider the need for parish wards within any specific parish. We will normally ensure that any parish which is divided by a district ward or county division boundary is also divided into parish wards, in order to provide for effective and convenient local government. We will also consider the

³ Where there are both county councils and district or borough councils

⁴ ‘Elections by halves’ occur every two years, when half the council is elected at each election; ‘elections by thirds’ means one third of the council is elected every year for three years, with no elections in the fourth year. All councillors serve a four-year term.

number and distribution of electors⁵ across that parish before deciding on the need for and location of parish wards, but this concern will not take precedence over the need to secure good levels of representation at ward or division level.

3.7 What can be done as part of an electoral review?

3.8 The LGBCE can make the following recommendations for local authority electoral arrangements:

- the total number of councillors to be elected to the council (known as 'council size')
- the number and boundaries of wards or divisions
- the number of councillors to be elected for each ward or division, and
- the name of any ward or division

3.9 We must also make recommendations for changes to electoral arrangements of existing parishes and towns represented by parish and town councils within the local authority under review, where these are directly consequential to our recommendations for changes to district wards or county divisions. We must consider recommendations for:

- the number of councillors to be elected to the council or, in the case of a common parish council that represents a group of parishes, the number of councillors to be elected from each parish in the group
- the need for parish wards
- the number and boundaries of any parish wards
- the number of councillors to be elected from any parish ward, and
- the name of any parish ward

What cannot be done as part of an electoral review

3.10 As part of an electoral review the LGBCE cannot make recommendations for changes to the external boundaries *between* local authorities or parishes (known as administrative boundaries), or consider the creation of new parish areas. We can initiate reviews of the external boundaries of counties and districts (known as 'administrative boundary reviews') under the Local Government and Public Involvement in Health Act 2007 (the 2007 Act) (and make recommendations for consequential changes to electoral arrangements) but we cannot alter them during an electoral review. Individual local authorities are able to carry out local governance reviews to create new parishes, or amend existing parish boundaries, and implement the outcome. The LGBCE and the Department for Communities and Local Government (DCLG) publish separate joint guidance on community governance reviews (through which parishes can be created, abolished or amended), which is available on our website⁶.

⁵ There is no requirement in legislation to secure equality of representation in relation to parish and town council electoral arrangements

⁶ www.lgbce.org.uk

3.11 We cannot make changes to the electoral arrangements of parish and town councils that are unaffected by any changes to district wards or county divisions. Local authorities can, however, undertake community governance reviews for such purposes, implementing any changes by their own Order. We also publish joint guidance on community governance reviews with the Department for Communities and Local Government, available on our website.

3.12 The LGBCE cannot make recommendations for changes to how often local authorities hold elections (electoral cycle). Under the 2007 Act, local authorities can resolve to change their electoral cycle. Where a council resolves to move from whole-elections – where the whole council is elected every four years – to elections by halves or thirds, the LGBCE must make the legal Order which implements the change. Before doing so, we must consider whether an electoral review is required in order to ensure that the number of councillors being returned from each ward reflects the proposed electoral cycle. There is a presumption that local authorities that elect by thirds should return three councillors from each ward, while those that elect by halves should return two councillors from each ward.

3.13 We cannot change, or take account of, the boundaries of Parliamentary constituencies. These are reviewed by a completely separate body, the Boundary Commission for England, which bases its recommendations on the ward boundaries put in place as a result of electoral reviews by the LGBCE. Any queries on Parliamentary boundaries should be addressed to the Boundary Commission for England⁷.

3.14 Our recommendations do not affect local taxes, or result in changes to electors' addresses or postcodes. Nor is there any evidence that our recommendations have an adverse effect on house prices, or car and house insurance premiums. They do not determine the size and shape of polling districts, or the location of polling stations, both of which are decided by the local authority. We therefore will not take into account any evidence based on these factors.

⁷ The Boundary Commission for England's contact details can be found at www.boundarycommissionforengland.org.uk

4 The electoral review procedure

4.1 Our approach to conducting electoral reviews is one of consultation, openness and transparency. We aim to build as much of our recommendations as possible on locally-generated proposals and, to that end, conduct as much consultation as is practicable in any review. We publicise the review as widely as possible, and ask that the local councils, political parties, parish and town councils, community groups, residents' associations and other main stakeholders do the same.

4.2 Timescales for electoral reviews vary depending on complexity, interest, cooperation from interested parties, and our workload. They are also dependant on the amount of consultation we undertake. Our starting point is usually to conduct at least two rounds of consultation – one at the very start of the review and one following the publication of our draft recommendations. However, there are occasions when we will wish to conduct further consultation on specific areas or issues, particularly if they are proving controversial.

4.3 Additionally, following an evaluation of electoral review policies and procedures in 2006⁸, the Electoral Commission, which previously had responsibility for our functions, concluded that the process of an electoral review would benefit from an additional stage of consultation at the beginning of a review, specifically on the issue of council size – the total number of councillors elected to the council. We agree with the Commission's conclusions on this matter, and would hope to provide this additional stage of consultation when possible. This would allow consultation on the number and boundaries of wards and the number of councillors in each ward – following the publication of our initial conclusions on council size. However, there may be occasions where, in the particular circumstances, we decide that it is not necessary.

4.4 In order to help local people generate schemes for new electoral arrangements, before the review starts we will try to:

- be in contact with the local authority to make initial plans for visiting the area and publicising the launch of the review. All authorities will be notified in advance of the next programme of electoral reviews
- provide at least two months' advance notice of the actual start date of a review, to enable authorities to prepare and to assemble and provide the necessary data we will require
- brief chief executives and lead officers on the review process, the review timetable and the content of proposals. In addition, we will wish to brief group leaders and elected members, on a cross-party basis, prior to the start of a review. We will also aim to brief parish and town councils, as well as other community groups, on the review process, particularly as it

⁸ See the 'policy' section at www.lgbce.org.uk

may affect parish electoral arrangements. We believe that all these meetings are vitally important to the success of the review

4.5 Once a review commences formally, we will normally aim to adhere to the timetable laid out in table 1, below. However, there may be cases where we consider it is appropriate to modify this timetable in light of particular circumstances.

Table 1: typical review timetable

Stage	What happens?	Timescales
Preliminary stage	Briefings and meetings with local authority, as mentioned above	6-8 weeks
<i>Council size consultation</i>	<i>Where possible and practicable we will conduct a short consultation specifically on council size</i>	<i>6 weeks</i>
Stage One	The initial consultation stage on electoral arrangements	Typically 12 weeks
Stage Two	The LGBCE's deliberation and analysis of representations received	Typically 10-14 weeks
Stage Three	Publication of the LGBCE's draft recommendations and consultation on them	Typically 12 weeks
Stage Four	The LGBCE considers representations on the draft recommendations, and publishes final recommendations	Typically 10-14 weeks

4.6 We will take all reasonable steps to publicise the start of the review, and the publication of our draft and final recommendations. At the start of each consultation stage, we will issue press releases, public notices and posters, write to all interested parties and offer local media interviews with our officials. We will ask for the local authority's help in deciding on the most relevant media, and rely on them and the county association of parish and town councils to distribute posters and recommendations reports.

4.7 We aim for complete transparency in our work and, to that end, publish on our website all preliminary information received from the council under review (or the leading council in areas becoming new unitary authorities) such as electorate figures, mapping and other appropriate information. In addition, at the end of each consultation stage, we will publish on our website all submissions we receive (for members of the public, without names and addresses) and send copies of all submissions to the council under review for deposit at its information points.

5 Issues to be considered

5.1 The issues discussed in this section of the guidance, and our general approach to them, have been developed during the electoral reviews previously conducted by the Boundary Committee for England, and informed by the results of the evaluation of the periodic electoral review programme, conducted by the Electoral Commission⁹. The guidance is intended to provide basic, helpful ground rules for the conduct of reviews for everyone from the local authority itself to any residents who wish to make proposals to us.

Council size

5.2 Council size is the term used to describe the number of councillors elected to a local authority. It is the starting point in any electoral review since it determines the average number of electors per councillor to be achieved across all wards or divisions of that authority. We cannot consider the patterns of wards or divisions without knowing the optimum number of electors per councillor, which is derived from dividing the electorate by the number of councillors on the authority.

5.3 For example, having considered all the evidence put to us, we recommend that the local authority under review should have a council size of 50. The local authority area has 50,000 electors. Therefore, the optimum number of electors each councillor should represent (the councillor:elector ratio) is 1,000. When considering the boundaries of the wards or divisions, we will aim to ensure that each councillor in those wards or divisions represents as close to 1,000 electors as possible. This example shows how our decision on council size affects the remainder of the review process.

5.4 We face a number of challenges in deciding on the most appropriate council size for any authority. The current number of councillors in each authority is mainly a result of historical trends which, in most areas, have evolved very little since local government reorganisation in 1974. Additionally, there is wide variation in council size across England, not only between the different types of local authority – metropolitan and shire district councils, county councils and London boroughs – but also between authorities of the same type.

5.5 Despite these wide ranges, we are of the view that each local authority should be considered individually and not compared with other authorities of similar geographic or population size, or those facing similar issues and concerns. In our opinion, local government is as diverse as the communities it serves, providing services, leadership and representation tailored to the characteristics and needs of individual areas. In addition, the demographic make-up and dispersal of communities in England are such that to aim for equality in the number of electors each councillor represents as an average across the whole country would be impractical, if not unachievable. We therefore will not base our decisions on council size on comparisons between local authorities.

⁹ See www.lgbce.org.uk

5.6 Despite this respect for diversity it is important to remember that the number of councillors a local authority currently has may not have been fully considered for a number of years, and that during this time the role and responsibilities of local government and councillors has changed considerably. Following the Local Government Act 2000 (the 2000 Act), most local authorities changed the way they make decisions and operate internally, some more so than others. The political management structures that have come into place in most local authorities since the 2000 Act have changed the roles of all councillors, both those who sit on the executives and those who undertake the scrutiny and representational roles. In addition, various central government and local authority initiatives have often affected the roles of local councillors, and the impacts of these may affect the optimum number of councillors needed to politically manage the authority.

5.7 It is important that proposals to us provide not only for equality of representation between the wards but also between the different parts of the district. We will look for any measure of local consensus underpinning the proposals for council size that are submitted. However, we do not accept that increases in an authority's electorate should automatically result in an increase in the number of councillors being returned, nor that changes should be made to the size of an authority simply to make it more consistent with that of a neighbouring area. All proposals must be justified and a clear rationale provided in support of them, based on the particular decision-making and democratic processes in place or envisaged in the local authority area. This approach applies as much to proposals for retaining existing council size as to those for increases or reductions; all proposals on council size, whether for changing the existing size or not, should be justified and a rationale must be provided in support of the proposal.

5.8 The Electoral Commission's evaluation of the electoral review process showed that people attach much importance to the decision on council size. Accordingly, where possible and practicable, we will consult and reach initial conclusions on the appropriate council size for an authority before inviting proposals for warding patterns. If, on the basis of initial proposals we are unable to reach conclusions on council size, we may request further information from those who have submitted such proposals.

Factors to consider when making a proposal on council size

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

5.10 When making recommendations we have to ensure that we can justify our proposals for council size on the basis of the statutory criteria, and the evidence we receive from stakeholders based on these criteria. It is therefore important that proposals for council size consider these factors.

5.11 A starting point should be to consider the model of local governance used by the local authority, or intended to be used by any authority. These models have impacts on the workload of councillors and the working practices of the council, and therefore will have an effect on the number of councillors needed by that council. The existence of parish and town councils in an area may also have a bearing, although it is unproven as to whether this factor necessitates more or fewer councillors. The functions of the scrutiny, planning and licensing committees of the council may also have an effect, as might the representational aspect of councillors' roles, which may have changed following new practices put in place by the 2007 Act.

5.12 It will be for those submitting proposals to us to examine the political management and working practices of the council under review, and make well-argued and reasoned proposals to us. We have no pre-conceived ideas regarding the number of councillors necessary to run a local authority effectively, and we are content to accept proposals for an increase, a decrease or the retention of the existing number of councillors, but only on the basis that they can be justified. However, in the absence of sufficient justification we will be prepared to challenge and ask searching questions about the rationale for the council size being proposed and, if necessary, reach our own conclusions. Such conclusions may be different from those of interested parties to a review.

5.13 Even if we are content with the rationale provided in support of a proposal for council size, we may choose to consider whether it is necessary to change this number in order to ensure better levels of electoral representation across the district. It is often possible to improve the levels of electoral representation across an authority by making minor modifications of one or two to the council size. We will also examine whether the allocation of councillors between certain easily distinguishable parts of an authority (for example – a town and a rural area) is accurate. Improving the accuracy of the allocation of councillors between areas in an authority can help achieve better levels of electoral equality and help us avoid splitting parishes, or combining urban and rural areas.

Electoral representation

5.14 Electoral reviews are an important tool in upholding integrity in the democratic process. Fairness at local elections – that is, each elector's vote being worth the same as another's – is a fundamental democratic principle.

5.15 As stated earlier in this guidance, the aim of an electoral review is to ensure, as nearly as possible, such equality of electoral representation. Once we have made a decision on council size, we can work out the optimum number of electors each councillor should represent by dividing the total number of electors by the number of councillors. This produces a figure known as the councillor:elector ratio. We will then seek to ensure that each councillor in the authority represents as closely as possible the same number of electors, by setting the boundaries of wards or divisions, or by changing the number of councillors in any ward or division.

5.16 Our objective is to build our recommendations on locally-derived proposals. We therefore stress that all interested parties who submit proposals should consider the effect their proposals would have on the levels of electoral representation. We will only recommend wards and divisions that do not provide a good level of electoral representation if we are satisfied, based on good evidence provided during the review, that such recommendations represent the most effective way of meeting the other statutory criteria, referred to later in this chapter.

5.17 Equally, it is important that we understand why a particular pattern of wards or divisions are being proposed to us. We will therefore look for some rationale explaining why, in community or other terms, a particular pattern or set of boundaries is being proposed.

5.18 If interested parties to a review propose wards or divisions that do not provide good levels of electoral representation, we will need evidence to justify how that ward or division reflects the other criteria. The higher the levels of variance from good equality of representation are, the greater the level of evidence required. However, we will also take account of particular geographic considerations if they impede our ability to achieve good levels of representation in a certain area.

What are good levels of electoral representation?

5.19 Once we have calculated the optimum ratio of elector per councillors, we can measure how far the councillors in each ward or division deviate from that number. When formulating our recommendations, we will be seeking to achieve ratios as close to the authority average in every ward or division. The further such measures get from the average for the authority, the stronger the evidence of the other considerations we take into account will need to be. However, we appreciate that areas can be very different based on geography and demography, which may have knock-on effects on the levels of electoral representation we achieve.

5.20 The Electoral Commission's evaluation of the periodic electoral review programme revealed that stakeholders valued a flexible approach in balancing the equality of representation criterion against those criteria relating to community identity and effective and convenient local government. We seek to take such an approach when making our recommendations. However, we can only do so when we receive clear arguments and evidence explaining why more consideration should be given to the two latter considerations than to equality of representation, as discussed below..

Community identity

5.21 The other two main considerations we are required to take into account are harder to define, as they cannot easily be measured and can often mean many different things to different people. It is essential, therefore, that if you are making a case on the basis of 'community identity' that you write to us and tell us what and where your community is and, more importantly, what defines it and marks it out as a separately identifiable community.

5.22 For some, community identity could be defined by the location of public facilities such as doctors' surgeries, hospitals, residents' associations, libraries or schools. Indeed, the evaluation conducted by the Electoral Commission into the conduct of electoral reviews revealed that those taking part in reviews feel the location of public facilities can provide some evidence of the existence of community identity but that such arguments cannot be considered in isolation. This is supported by research undertaken as part of the evaluation¹⁰. It will certainly not be the case that merely saying that such facilities exist can justify a community identity argument.

5.23 For others, an area's history and tradition may be the basis of its sense of community identity. However, communities change and evolve over time and historical considerations may not have such importance in areas which have been subject to recent development or population dispersal. Major roads could be seen to be the focus of an area if they are the location of shops or community facilities which people visit regularly. Alternatively, major roads, rivers or railway lines could be seen as physical barriers marking the boundary between different communities.

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

Effective and convenient local government

5.25 Effective and convenient local government is also difficult to define; it is the fundamental consideration at the start of the review when we take our decision about council size, but is often overlooked as a consideration by people making proposals to us on warding arrangements. The impact of proposals on individual councillors needs to be considered, as a ward may be so large in terms of area or electorate, or have such a large number of parish councils, that it prevents a councillor from effectively representing the ward.

5.26 A practical example of effective and convenient local government for us when considering proposed warding arrangements is to ensure that the wards are internally coherent. That is to say, that there are reasonable road links across the ward so that it can be easily traversed, and that all electors in the ward can access it without having to travel through an adjoining ward.

¹⁰ Community identity: literature review and analysis, www.lgbce.org.uk

Number of councillors in each ward or division

5.27 Arguments have been made in the past that if all wards or divisions in an authority return the same number of councillors this helps the local electorate to understand and therefore engage with local government. Proposals for a uniform pattern of wards will need to demonstrate how this aids the provision of effective and convenient local government and why any deterioration in equality of representation or community identity should be tolerated.

5.28 The 2009 Act states that, when reviewing district councils, we have to take account of the scheme for elections employed by the council when making our recommendations.¹¹ This means we will take into account the electoral cycle if the council elects a third of the council each year for three years (elections by thirds), or half the council every two years (elections by halves). We will seek to recommend that the appropriate number of councillors is returned from each ward. The legislation is clear that the appropriate number for elections by thirds is three, or a number divisible by three, and the appropriate number for elections by halves is two, or a number divisible by two.

5.29 However, in all cases this criterion will not take precedence over the other three criteria, and we will not recommend uniform patterns in the number of councillors per ward or division if, in our view or as is shown in evidence provided to us, it results in unacceptable levels of electoral inequality, does not reflect communities or hinders the provision of effective and convenient local government.

5.30 In addition, we may conduct a review at the request of any authority which elects the whole council every four years (or has resolved to) and wishes to move to a uniform pattern of single member wards or divisions across the authority. In conducting any such review we are required to have regard to the desirability of securing single member wards or divisions. This means we must assess whether it is appropriate – taking into account the statutory need to achieve good levels of electoral equality, reflect community identities and interests and provide for convenient and effective local government – that each ward or division should be represented by one councillor. We will have to be content that we can satisfactorily balance our criteria when considering this issue, and it is open to us to recommend multi-member wards or divisions if we cannot do so.

Coterminosity

5.31 When we are conducting a review of a county council, we will also be seeking to provide for ‘coterminosity’ between district wards and county divisions.¹² Coterminosity occurs when district ward boundaries are used for county division boundaries; this is also a consideration of convenient and effective local government.

¹¹ Paragraph 2(3)(d) of Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009

¹² Paragraph 1(3)(d) of Schedule 2 to the 2009 Act

5.32 Previous reviews of county councils have resulted in levels of coterminosity of between 60%-80%. For example, if we achieve 80% coterminosity within a county, this means that 80% of the district wards are wholly within a county council division. This improves the provision of convenient and effective local government by ensuring that electors in any district ward are clear who their county councillors are. However, it is necessary sometimes to divide district wards between county divisions in order to either minimise the levels of electoral inequality or better reflect communities.

5.33 We therefore do not insist on a target for the levels of coterminosity we achieve in any county council area, as it can inhibit us from achieving a good balance between the other statutory criteria. However, if we can balance the criteria acceptably and reflect the evidence put to us, we will also seek to achieve coterminosity when making our recommendations.

Electorate forecasts

5.34 Schedule 2 to the 2009 Act states that we must have regard to the likely increase, decrease or movement in electorate over a five-year period from the making of the recommendations.¹³ Accordingly, we will be requesting electorate figures from the local authority, both broken down by ward or division, parish and parish ward where appropriate, and polling district. The first set will normally be the electorate from the 1st of the month during which the review formally starts (although the Committee is willing to consider the use of the register published the previous December). We will also ask for a forecast of the electorate for the five-year period from the date on which we plan to make our recommendations.

5.35 We appreciate that forecasting electorates is a difficult task, and an inexact science. We firmly believe that the local authority is best placed to give us this forecast; we will, however, be scrutinising the figures when we receive them. We expect, where appropriate, that officers compiling the figures consider regional spatial strategies, planning permissions, local development frameworks, expected migration into, out of and within the authority and expected occupancy rate in individual areas rather than generally across the authority. We also stress that our experience has found that an increase in development in one area does not necessarily result in an increase in electorate across the whole authority. Once we are content that they are an accurate reflection of the electorate in five years' time, we will publish the figures on our website so that everyone can use the same starting point when making proposals to us.

5.36 We require this information in a standard spreadsheet format, which is available on our website¹⁴. Appendix A to this document – Resources – also contains links to the relevant pages. Not all of these spreadsheets are appropriate for every review, and our staff can give advice and guidance on those relevant to the specific review being undertaken.

¹³ Paragraphs 1(4), 2(4) and 3(4)

¹⁴ www.lgbce.org.uk

Detached wards

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

6 What is evidence?

6.1 In chapter 5, we state clearly the importance of providing evidence when making representations to us. A question often asked, however, particularly when we brief councillors and chief officers, is 'what sort of evidence is required?'. Examples are often requested. This is far from straightforward since:

- each review area has its own particular characteristics and is reviewed on its own merits
- accordingly, evidence submitted in support of, or in opposition to, a particular proposal needs to be considered in the context of the review area concerned; and
- the greater the level of electoral imbalance which would result from the proposals, the more persuasive the evidence will need to be

The nature of evidence

6.2 So what do we mean by evidence? It can take a number of forms but is far from clear cut. Perhaps the most straightforward is that which is based on geographic considerations or communication/transportation links. Generally speaking, we will not seek to include areas on either side of a river or canal within the same ward – in particular if there are no bridges – or a railway line which has no crossing points, or areas which have no vehicular transport links. It may be argued that motorways and major roads provide a natural divide between communities, but in some instances they may also link them.

6.3 Parks and recreation grounds may, on the face of it, provide natural breaks between communities but they can also act as focal points. Similar considerations apply to main roads that are also the location of local shopping centres.

6.4 Rather more complex is evidence that seeks to persuade us of a particular view on community identity. It is occasionally said that the local community is totally opposed to a particular proposal. But what is the community, how representative of the community is the respondent and what consultation has he or she undertaken before writing to us?

6.5 In determining the strength of local opinion on an issue, sheer numbers of signatures on petitions, or the number of proforma letters received are not necessarily a true guide. They may say more for the enthusiasm and competence of the organisers than for the real views of the signatories. In practice, a well-argued representation containing detailed evidence is likely to carry more weight with us.

6.6 Occasionally, local people or groups may arrange public meetings in order to gauge the level of support or opposition to a proposal. The outcome of such meetings may be a better guide to public opinion. But even here, large attendances are unlikely to be conclusive; the proportion of the electorate attending, and the breadth of their interests, will be more significant than the

total number. Moreover, meetings that draw their attendance from a particular political interest group may not express views which are representative of the community as a whole.

6.7 In summary, we will wish to know *why* a certain view is being put forward. If a particular road is seen as a barrier between communities, why is this the case? If another road is seen as the focus of the community, why is this the case? It is quite common for conflicting evidence to be received on community identity. Where this occurs, our task is to make a judgement on which strand of evidence to follow.

6.8 We feel it important in all the reviews we undertake for us to spend some time in the area concerned. This enables us to gain a better understanding of the issues being raised with us, particularly in relation to perceptions of community identity. These visits contribute to our evidence base, and are generally made before we reach conclusions on our draft recommendations, then again before we take decisions on our final recommendations. We do not normally ask interested parties to a review to accompany us.

7 Our information requirements

7.1 When conducting an electoral review, we aim to build a strong partnership with the local authority under review, as a good relationship helps to facilitate a robust and timely review process. To this end, we will want to hold meetings with the local authority chief officers, political group leaders and full council before the review starts. We will ask the local authority for a main contact – normally its election services manager – to be our main liaison throughout the review.

7.2 In order to conduct the review effectively and thoroughly, we will require some information before the review is commenced. This information will be used by both us and anyone wishing to get involved in the review itself, and we will publish it on our website (if it is not otherwise publicly available). All local authorities under review are required, under the 2009 Act, to provide us with information which is relevant to the review. Table 2 provides a list of the minimum information we require at the start of the review.

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

Information required	Format	Reason
<p>Electorate data:</p> <p>Two sets of figures: electorate for the start of the review, and a forecast of that electorate in five years' time.</p> <p>These broken down by division, ward, parish, parish ward and polling district, where appropriate</p>	<p>Excel spreadsheets linked from Appendix A to this document</p>	<p>In order that we – and anyone else wishing to contribute to the review – are working to the same set of electoral data</p>
<p>Electoral register</p>	<p>The local authority's chosen secured electronic format</p>	<p>In order that we can verify electoral figures – please note that the electoral register will not be made publicly available</p>
<p>A complete list of all parishes in the district/county, indicating the electoral year(s) of each parish or town council, which parishes do not have a council and those parishes that are</p>	<p>Electronic file</p>	<p>For the Order-making process</p>

grouped under a common parish council		
Maps of the local authority, including maps of each division, ward, parish, parish ward, polling district, topographical maps, and any other mapping the local authority deems relevant (such as community maps or travel-to-work patterns)	In GIS format if available	As a resource for us and local people to use
Comprehensive list of, community groups, partners and usual stakeholders	Electronic mergable list	In order that we can inform all relevant bodies about the review, and encourage them to participate or publicise further
Neighbourhood/community governance arrangements	Electronic file	For us to confirm or otherwise any evidence put to us on the basis of community identity
Political management arrangements of the council (or proposed arrangements for any new local authority)	Electronic file	As a resource for us when considering arguments regarding council size
Latest Annual Management Letter produced by the council's external auditor	Electronic file	As a resource for us when considering arguments regarding council size
Copy of any peer review report produced in the last three years	Electronic file	As a resource for us when considering arguments regarding council size
Copy of any corporate governance review produced in the last three years	Electronic file	As a resource for us when considering arguments regarding council size
Performance statistics relating to planning and licensing functions	Electronic file	As a resource for us when considering arguments regarding council size
One copy of every local order made under the	Electronic file	As a resource for us to

<p>Local Government and Public Involvement in Health Act 2007 concerning changes to ward or division names</p>		<p>refer to</p>
<p>One copy of every local order made by the council under the Local Government Act 1972, the Local Government and Rating Act 1997 or the 2007 Act concerning parishes, parish names, parish wards, parish councillors, parish councils, and parish elections and every resolution passed by the council under section 75 of the 1972 Act and section 32 of the 2007 Act</p>	<p>Electronic file</p>	<p>As a resource for us to refer to and for the Order-making process</p>
<p>Evidence to support the name of the authority if it does not follow the formula specified in section 2(3) of the 1972 Act</p>	<p>Electronic file</p>	<p>For the Order-making process</p>

8 Implications for parishes

8.1 Parish councils are sometimes referred to as local councils or community councils. Some parish councils have resolved to give themselves 'town' status and are known as town councils. Some parishes do not have parish councils but all parishes have parish meetings. The majority of parishes are in shire county areas, although there are also a number in metropolitan districts. Parish councils represent populations ranging from less than 100 to over 40,000; the overwhelming majority represent communities at the lower end of that range.

8.2 There is no national pattern of electoral arrangements for parishes or towns. The only legislative requirement is that each parish or town council should have no less than five councillors. In practice, most tend to have more. Some parish councils represent a single parish; some parishes are grouped under a common parish council. Some parishes are warded; some parishes are unwarded. Parish council elections are normally held on a whole-council basis every four years, in the same years as those of their district councillors.

8.3 We are able to make recommendations for changes to parish electoral arrangements (i.e. the number of councillors for the parish and for each parish ward, and the number, names and boundaries of parish wards) as part of an electoral review. However, this is restricted to parish councils that are directly affected by our recommendations for changes to district wards and/or county divisions. We cannot make recommendations to create, abolish or amend the external boundaries of parishes, even if the external boundaries are between parishes grouped under a common parish council.

8.4 Under the provisions of the Local Government and Public Involvement in Health Act 2007 Act, local authorities have the power to conduct and implement local governance reviews for the creation, abolition and alteration of parish areas. They may also make changes to parish electoral arrangements. The authority may also recommend consequential changes to the boundaries of district wards and county electoral divisions. We are responsible for considering and implementing any such consequential changes, and have published joint guidance with the DCLG on the conduct of community governance reviews¹⁵.

8.5 The importance of parishes should not be underestimated given that, where they exist, they normally form the building blocks for wards or divisions. In light of this, it is important that where any council's review of parish arrangements is to be undertaken, the order implementing any external boundary changes is made before we commence an electoral review of the area.

8.6 Very exceptionally, it may be appropriate for a local authority to undertake a community governance review at the same time as an electoral

¹⁵ www.lgbce.org.uk

review of the area is being conducted. However, this can cause administrative difficulties for us and confusion for the electorate, and any authority contemplating this approach is strongly advised to discuss with us in advance.

8.7 Parish and town councils are invited to comment on proposals for changes to district or county council electoral arrangements. Their involvement in the electoral review process is valuable, and district and county councils are reminded of the importance of consulting the parish and town councils and parish meetings in their area, and to encourage their active participation. Every parish, town or community council will be written to as part of our normal process in each electoral review. We encourage common parish councils to ensure that every parish in their group can contribute to the parish council's reply.

8.8 Particularly in rural areas, parishes often represent separate local identities and because of this, grouping parishes with similar interests to form a district ward will meet opposition in certain circumstances. For example, two parishes within a National Park area might share a common interest, but not necessarily an identity. In practice, however, it is inevitable that sometimes parishes will have to be brought together, sometimes against their wishes, to form a district ward. In some cases it might also be necessary to establish new parish or town wards, not necessarily with the blessing of the councils concerned, in order to facilitate new district ward boundaries.

9 What happens next?

9.1 The publication of our final recommendations marks the end of the electoral review process. Our recommendations will be published locally and on our website for anyone to read. There is no provision in legislation for representations to be made on our final recommendations.

9.2 Once our final recommendations have been published, we will prepare a draft Order. We will send this draft Order to the local authority or authorities concerned and ask for technical comments on the draft and on the final recommendations mapping that will be used as the basis of the map that will be referred to by the Order (the Order map). The final version of the order map will only show new division or ward and parish ward names and boundaries that we have recommended and existing county or district and parish and parish ward names boundaries that can be supported by evidence such as previous Orders that are still in force. Council staff are therefore strongly advised to provide copies of all Orders and Order maps that they have relating to current parish and parish ward names and boundaries.

9.3 Following the technical consultation, we will make arrangements for the draft Order to be laid before both Houses of Parliament. It will then be subject to what is called the draft negative resolution procedure. This means that we can only make the Order after it has been before Parliament for 40 sitting days. Draft Orders can be prayed against in either House. In such an event, a debate on the Order will take place. If a debate on a draft Order is lost, the Order will not be made; there is no provision for Parliament to modify the Order.

9.4 All Orders will come into force at whole-council elections in the normal year of election for the authority concerned. It may, however, be necessary to allow changes to electoral arrangements for district, county and parish councils to come into force in different years.

10 FAQs

What are wards and divisions?

Every district is divided into wards, and county into divisions. Each ward or division is represented by councillors who are elected from those wards or divisions. Only residents of the ward or division can vote for the candidate who will represent that ward or division. Some parishes and towns are divided into parish and town wards.

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

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

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

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

Will an electoral review affect who I can vote for?

Yes. The review will determine your ward or division and, in some cases, your parish ward and you can only vote for candidates who stand for election in those electoral areas.

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

Not necessarily, but this is a matter for your council, which conducts polling district reviews. They would normally wish to conduct such a review after any changes to the number or pattern of wards in the area..

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

We can only implement new electoral arrangements in the authority's normal year of election. However, we can make transitional changes to the years in which parish and town council elections take place.

My ward is not changing so why do we need an election?

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

My division, ward or parish ward is not changing so why can we not just make the change at a by-election?

We consider that a fresh mandate is necessary for a council that has had an electoral review. We will therefore abolish all of the existing wards and establish new ones that will come into force at a whole-council election rather than a by-election.

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

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

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

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

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

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

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

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

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

We suggest that you view them on the webpage for your review at <http://www.lgbce.org.uk/> because you can zoom in on the pdf versions of the maps to see more detail than you can see on the printed versions. You may find it helpful to compare our draft and final recommendations maps with the current electoral boundaries that are available on Ordnance Survey's website at <http://www.election-maps.co.uk/>. If you need to see the proposed electoral

boundaries in more detail and you have access to a GIS application to view electronic maps, then you may wish to contact Ordnance Survey's Boundary Helpline on 023 8030 5092.

Appendix A: Resources

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

Our website:

www.lgbce.org.uk

About electoral reviews:

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

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

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

The Local Government Act 1972:

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

The Local Government and Rating Act 1997:

http://www.opsi.gov.uk/acts/acts1997/ukpga_19970029_en_1

The Local Government Act 2000:

http://www.opsi.gov.uk/acts/acts2000/ukpga_20000022_en_1

The Local Government and Public Involvement in Health Act 2007:

http://www.opsi.gov.uk/acts/acts2007/ukpga_20070028_en_1

The Local Democracy, Economic Development and Construction Act 2009:

http://www.opsi.gov.uk/acts/acts2009/ukpga_20090020_en_1