

CHESHIRE EAST COUNCIL

REPORT TO: COUNCIL MEETING

Date of Meeting: 22 July 2010
Report of: Borough Solicitor
Subject/Title: New Electoral Arrangements for Cheshire East Council

1.0 Report Summary

- 1.1 The independent Local Government Boundary Commission for England published its final recommendations for new local government electoral arrangements in Cheshire East on 13th July 2010. The timing of this announcement meant that the final recommendations arrived the day before publication of the Council agenda and it was therefore not possible to provide supplementary information at that time. This report has therefore been prepared to provide a brief summary of the background to the Boundary Review and to outline the key issues.

2.0 Decision Requested

- 2.1 That the final recommendations and report of the Boundary Commission in respect of the new local government electoral arrangements in Cheshire East be noted.

3.0 Reasons for Recommendations

- 3.1 The Boundary Commission published its draft recommendations in November 2009 and the Council made representations by the deadline of 15th February 2010. The work of the Boundary Commission and the consultation process is now complete, and its final recommendations will be laid before Parliament, in the form of an Order, in October 2010. Parliament can either accept or reject these recommendations.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications

- 6.1 There are no direct implications. Should the Boundary Commission recommendations be approved by Parliament, the proposed new size of

Council, new warding arrangements, and revised boundaries will take effect for the Cheshire East Council Elections in May 2011.

8.0 Financial Implications

8.1 No direct implications can be identified.

9.0 Legal Implications

9.1 In response to three petitions received under the Local Government and Public Involvement and Health Act 2007, the Council is currently conducting a Community Governance Review (CGR) of the unparished areas of Wilmslow, Handforth and Styal. Although this is a separate legal process from the Electoral Review, the final outcome of the Boundary Review could impact upon warding arrangements for a proposed Wilmslow Parish Council. A separate report concerning the Wilmslow Community Governance Review appears elsewhere on the agenda for this Council meeting.

10.0 Risk Management

10.1 There is a risk that the Parliamentary timetable could slip beyond October 2010. Should this happen, there would be increased pressure upon the Council to implement the boundary changes, in a shortened timescale, in time for the Cheshire East Elections in May 2011.

11.0 Background and Options

11.1 The Electoral Review of Cheshire East Council commenced on 24 February 2009, with an initial focus on Council size. On 2 April the Council agreed a submission proposing a Council of 82 Members, which in early May the Boundary Committee formally confirmed it was minded to accept. On 12 May the Review proceeded to the next stage which is the initial consultation on the Warding Arrangements to apply in the area. This covered the number of Wards and their specific boundaries, the number of Councillors to serve in each Ward and the proposed Ward names. Submissions on these issues were required by the Committee's deadline of 4 August. A Task Group of Members led the work and consultations undertaken to arrive at the proposals which were approved by the Council on 23 July 2009.

11.2 The Council was then invited to respond to the Boundary Committee's draft recommendations which were published in November 2009. The Council prepared a detailed submission and responded by the deadline of 15th February 2010. In preparing the Council's submission, regard was paid to the criteria which the Commission would apply in determining its final recommendations. The criteria included to achieve, as far as possible, electoral equality across the Wards, so that each Councillor has ideally more or less the same number of electors. Also the need to ensure that the Wards reflect local community identities and the links between communities, and that the Wards would help to provide convenient and effective local government.

- 11.3 It is disappointing that the Boundary Commission has decided not to incorporate in its final recommendations the majority of the changes proposed by Cheshire East Council during the final stage of consultation on the draft recommendations.
- 11.4 A summary of Boundary Commission's final recommendations is attached as Appendix A.
- 11.5 The proposed new electoral arrangements must be implemented by Parliament. The Council has been advised by the Boundary Commission that an Order will be laid in Parliament in October 2010. Parliament can either accept or reject the recommendations. Essentially, once signed and laid in Parliament, the Draft Order would become law on the date specified. However, it is open to MPs and Peers to object to the Draft Order (known as a motion to annul or "prayer" which can be received from any MP or Lord) within 40 days of it being laid. If a prayer is made, the House debates the Order and may vote to annul it. If accepted, the new electoral arrangements will come into force for the next Council elections in May 2011. The Council had hoped for earlier Parliamentary timetabling. There will be a limited amount of time for the Council to implement any agreed boundary changes in time for the May 2011 Elections. This will become particularly difficult if there is any slippage in the timetable.

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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