

CHESHIRE EAST COUNCIL

Community Governance Review Sub-Committee

Date of Meeting:	22 nd November 2012
Report of:	Borough Solicitor
Subject/Title:	Re-Organisation of Community Governance (Crewe) Order 2012 and Mini Review of Electoral Arrangements for the Parish of Leighton
Portfolio Holder:	Councillor P Findlow

1.0 Report Summary

- 1.1 Council at its meeting held on 11th October 2012 agreed that the draft re-organisation of Community Governance (Crewe) Order 2012 be updated as required and submitted to Council on 13th December for approval, following a mini-review of the electoral arrangements for the Parish of Leighton, arising from the proposed boundary change to the Leighton Urban Ward.
- 1.2 Members are asked to give consideration to when elections in the affected ward of the parish should take place and to consider whether the current number of parish Councillors for that ward should be amended.
- 1.3 A copy of the draft re-organisation Order is attached as an appendix. Paragraph 10 of the Order relates to the area of Leighton parish and states:

"The area of the Leighton parish shall be varied to include within the Leighton Urban Ward of that parish the unparished part of the borough ward of Leighton (polling district 1FJ4) as indicated by the red line on the map."
- 1.4 The Sub- Committee is asked to give consideration to advice obtained from the Boundary Commission which indicates that it is usual practice, when parish boundary lines are altered, that it is done to co-incide with the parish council elections. In the case of Leighton Parish, 407 electors will be added to the Leighton Urban Ward as a result of the re-organisation order. This means that these electors would be required to pay a parish precept for two years, without having had a vote on who is representing them, as the next ordinary elections are not scheduled until May 2015.
- 1.5 The options are:
 - i) To include paragraph 10 in the re-organisation order as currently worded i.e. that the boundary change be made as stated and elections would not then be held until the ordinary year of election in May 2015;
 - ii) To delete paragraph 10 from the re-organisation order; and defer any boundary changes to the Leighton Parish until 2015, when the ordinary

elections are scheduled. This would require a separate re-organisation to be made in early 2015 to bring this change into effect.

- iii) To insert a new paragraph after paragraph 10 as follows:

“11. Elections for Leighton Urban Ward of Leighton Parish

(1) elections for all parish councillors for the Leighton Urban Ward (Leighton Parish) shall be held on 4 April 2013;

(2) The term of office of every parish councillor elected on 4 April 2013 for the Leighton Urban Ward of Leighton Parish shall be two years until 2015 and thereafter co-incide with the ordinary day of election of parish councillors every four years in accordance with s16(3) of the Local Government Act 1972.”

- 1.6 There are 8 seats for the Leighton Urban Ward (Leighton Parish) only 3 of which were filled by election on 5 May 2011. There are 4 seats currently vacant. The Grouped Parish Council has 22 seats in total. The current electoral arrangements for the Minshull Vernon and District Parish Council are as follows:

Parish	Electorate	No of Seats	Elector to Councillor Ratio
Leighton Urban Ward (Leighton Parish)	3677	8	460
Leighton Rural Ward (Leighton Parish)	79	3	26
Minshull Vernon	195	7	28
Woolstanwood	596	4	149

- 1.7 The table below shows the addition of the 107 electors on the Leighton Urban ward and the effect on the elector to councillor ratio which increases from 460 to 510. The table also shows the effect if an additional councillor was added for the Leighton Urban Ward, which would reduce the elector ratio to 453. Research by the Ashton Business School indicates that for an electorate of upto 10,000 between 9 -16 parish councillors would be the norm.

Parish	Electorate	No of Seats	Elector to Councillor Ratio
Leighton Urban Ward (Leighton Parish)	New electorate 4084	If 8 seats	510
Leighton Urban Ward (Leighton Parish)	New electorate 4084	If 9 seats	453

- 1.8 Minshull Vernon and District Parish Council has been consulted on the proposed boundary change and at a meeting on 12 September 2012 agreed its support of the proposal that the unparished area comprising polling district 1FJ4 form part of the existing Leighton Parish (Leighton Urban ward). In addition on 24th September the Parish Council considered the current level of elector representation and the potential impact of 407 additional electors being added as part of the Crewe Community Governance Review. The Grouped Parish Council was of the view that no additional representation, over and above the current 22 parish councillors, was required. Members of the Grouped Parish Council also discussed the possibility of elections in the Leighton Urban Ward in April 2013 and asked the parish clerk to convey their hope that the cost of such an election would not be passed on to the Parish Council, on the basis that the governance review was an initiative by Cheshire East Council and, therefore, it should be the Borough Council which ought to bear the cost. The Parish Council has asked that if the Borough Council is minded to insist that the cost be borne by the Parish Council, the clerk would need to know by the end of December 2012, so that this can be factored into their budget proposals for 2013-2014.
- 1.9 Based on the feedback from the Parish Council, and given the relatively high levels of electoral representation it is proposed that no increase in the number of parish councillors is required.
- 1.10 In respect of the cost of elections, the Council's policy is for Cheshire East Council to fund the cost of parish elections when these are held at the same time as the Ordinary Borough elections. In the case of all other parish elections, the cost is recharged to the parish council concerned. The new Crewe Parish Council will therefore be required to stand the cost of the parish elections on 4 April 2013. The same arrangement would need to apply for Minshull Vernon and District Council if an election was held for the Leighton Urban ward on 4 April 2013. However, the cost is expected to be low, given that it is very unlikely that 8 or more nominations would be received, thereby necessitating a full election. If 8 or less nominations were received, then the candidates would be elected unopposed and polling would not take place.

2.0 Recommendations

- 2.1 The Sub-Committee is asked to recommend to the Constitution Committee the proposed wording of the Re-Organisation order including any amendments deemed necessary for:
- (a) the timing of elections to the Leighton Urban Ward of Leighton Parish; and
 - (b) any changes required to the number of parish councillors for the Leighton Urban Ward of Leighton Parish.

3.0 Reasons for Recommendations

- 3.1 As set out in the report above.

4.0 Wards Affected

- 4.1 Wards covering the unparished area of Crewe and the Borough Ward of Leighton.

5.0 Local Ward Members

- 5.1 As Above

6.0 Policy Implications

- 6.1 The Council's policy is for the cost of parish by elections to be met by the parish councils concerned.

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

- 7.1 Financial implications of the community governance review for Crewe have previously been considered by Council on 11 October 2012.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 The review has been conducted in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007

9.0 Risk Management

- 9.1 The review has been conducted with due regard to the Government's Guidance on the conduct of Community Governance Reviews.

10.0 Background and Options

- 10.1 The background to the review and options are detailed earlier in the report.

11.0 Access to Information

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

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