

Wiltshire Council

Full Council

26 March 2019

Electoral Review of Wiltshire Council: Response to the Draft Recommendations of the Local Government Boundary Commission for England

Executive Summary

The Electoral Review Committee (“The Committee”) was established by Full Council at its meeting on 17 October 2017 to progress the Council’s responses to the Local Government Boundary Commission for England’s Electoral Review of Wiltshire Council.

The Local Government Boundary Commission for England (“The Commission”), having determined that the council size should remain at 98 councillors, and following submissions from the council and others, has published draft recommendations setting out a proposed pattern of electoral divisions.

The Electoral Review committee has prepared a response to the consultation of the Commission on its draft recommendations.

Proposal

That Council approves the draft response to the Local Government Boundary Commission for England as set out in **Appendix A**, subject to any necessary consequential changes and any additional supporting evidence, with the final wording of the response to be delegated to the Director of Legal and Democratic Services after consultation with the Chairman of the Electoral Review Committee.

Reason for Proposals

To ensure the Council provides a submission to the Local Government Boundary Commission for England to its consultation.

Ian Gibbons, Director of Legal and Democratic Services (and Monitoring Officer)

Wiltshire Council

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Purpose

1. For the Council to approve a draft response to the Local Government Boundary Commission for England (“The Commission”) regarding the consultation on its draft recommendations setting out a proposed pattern of electoral divisions.

Background

2. On 15 September 2017 Wiltshire Council (“The Council”) was notified by the Local Government Boundary Commission for England (‘the Commission’) of its intention to carry out an electoral review of the Council in its 2018/19 work programme. This was because 25 of the 98 electoral divisions in Wiltshire had a variance from the average number of electors per councillor greater than 10% and 2 had a variance of more than 30%.
3. On 17 October 2017 Council established the Electoral Review Committee (‘the Committee’) to progress the Council’s response to the review, and to formulate recommendations on any submissions to be made to the Commission during the review process.
4. Following two submissions from the Council, on 28 August 2018 the Commission announced that it was minded to agree a council size of 98 councillors, noting its decision was taken ‘*in the context of the Area Boards and their importance to the Council’s decision-making process*’. A consultation on a pattern of divisions was therefore launched to run from 28 August - 5 November 2018.
5. The Council, following consideration of evidence by the Committee, approved a submission on a proposed pattern of divisions at its meeting on 16 October 2018. The proposals were based upon the statutory criteria of effective and convenient local government, community identity and acceptable levels of electoral variance.
6. On 5 February 2019 the Commission published [draft recommendations](#) for both a pattern of divisions and the names of those divisions. A consultation was launched which will run until 15 April 2019.
7. The Committee met for a workshop to discuss the draft recommendations on 7 February 2019 and in public session on 28 February 2019 and 11 March 2019.

Main Considerations

8. In addition to the Council’s submission the Commission received almost 100 other comments to its consultation seeking proposals on a pattern of divisions. These

comments were received from members of the public, parish councils, parish councillors, unitary councillors and one political party. Only one comment included an alternative council wide proposal, with others supporting or opposing the council's submission in whole or in part, or other commentary on the existing pattern of divisions and the review generally.

Pattern of Divisions

9. The Commission broadly accepted the arguments and proposals of the Council's submission, and has therefore used that submission as the basis for its own proposals, accepting many of them directly or with only minor variations.
10. However, the Commission's proposals do differ from the Council's submission significantly in several proposed divisions. These were either in response to comments received during the consultation from other parties, or otherwise from the Commission's own interpretation of the relevant criteria which reached a different conclusion to that of the Council.
11. The Committee considered where the draft recommendations differed from the Council's submission, and after deliberation resolved to recommend that the Council should register objections to the draft recommendations in several instances as not adhering to the statutory criteria for the review. This was particularly the case in the areas of Westbury, Melksham, Malmesbury and Laverstock.
12. It was considered that the Commission's proposals in these instances did not provide the most effective or convenient governance arrangements or else did not properly reflect localised community identity, especially where the conclusions of the Commission had not arisen from any local suggestion or been supported by any local representation.
13. Therefore, the Committee has prepared a draft response to each division proposal of the draft recommendations, which is set out at **Appendix A**.
14. It is also proposed that accompanying the submission will be any further evidence supporting the arguments contained therein, and a document setting out details of minor clarifications and corrections to boundaries which have arisen as a result of drafting or mapping errors, for example where the Commission's proposed line does not align with a parish boundary.

Safeguarding Implications

15. There are no safeguarding implications.

Public Health Implications

16. There are no public health implications.

Procurement Implications

17. There are no procurement implications.

Equalities Implications

18. There are no equalities implications.

Environmental Implications

19. There are no environmental implications.

Financial Implications

20. Work to date has been carried out within existing resources. Financial considerations are not relevant for the purpose of determining council size.

Legal Implications

21. The electoral review is a statutory process carried out by the Commission in accordance with its obligations and powers as set out in the Local Democracy, Economic Development and Construction Act 2009.

Risks

22. If the Council fails to respond to the review the Commission would determine matters based on the submission of other interested parties.

Options Considered

23. The Committee considered whether there should be counter submissions made to those parts of the Commission's recommendations which differ from the Council's previous submission, as well as alternative division name proposals.

Next Steps

24. Following consideration of all representations the Commission will publish its final recommendations detailing a pattern of divisions and division names on 2 July 2019. At that stage the proposals can no longer be amended, but will be laid before Parliament where they can be either accepted or rejected. This would be scheduled to take place from September 2019 onwards, and come into effect for the unitary elections in May 2021.

Proposal

25. That Council approves the draft response to the Local Government Boundary Commission for England as set out in **Appendix A**, subject to any necessary consequential changes and any supporting evidence, with the final wording of the response to be delegated to the Director of Legal and Democratic Services after consultation with the Chairman of the Electoral Review Committee.

Ian Gibbons, Director of Legal and Democratic Services

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Appendices

Appendix A – Draft Response to the Local Government Boundary Commission for England

Background Papers

[Wiltshire Council's Pattern of Divisions Submission](#)

[Draft Recommendations of the LGBCE](#)

[Technical Guidance of the LGBCE](#)