

Report of the Assistant Chief Executive (Corporate Governance)

General Purposes Committee

Date: 4 February 2011

Subject: Aligning Ward and Parish Boundaries

<p>Electoral Wards Affected:</p> <p>Morley North and Morley South</p> <p><input type="checkbox"/> Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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1.0 Executive Summary

- 1.1 During the Council's review of polling districts, polling places and polling stations in 2009 (PD Review) carried out under the provisions in the Elections Administration Act 2006, a number of proposals were submitted on behalf of Morley Borough Independent Party recommending changes to parish boundaries in polling districts in Morley North and Morley South as it was felt that existing arrangements were not in the best interest of electors in the area.
- 1.2 However, the proposed changes submitted by the Morley Borough Independent Party were not submitted for the consideration of General Purposes Committee as part of the PD Review as there is no provision in the 2006 Act to deal with parish matters, which can only be considered as part of a community governance review. Under the circumstances the Electoral Working Group (EWG) recommended that that a report should be submitted to General Purposes Committee recommending that a community governance review should be undertaken in Morley north and South Wards to address the issues raised.

2.0 Purpose of This Report

- 2.1 This report puts forward proposals by the Electoral Working Group to align ward and parish boundaries and in particular to make amendments to parish boundaries in Morley North and Morley South affecting polling districts; MNC, MNH, MSD, MSI, MSE, MSF, MSJ

3.0 Background Information

The Local Government and Public Involvement in Health Act 2007 and community governance reviews

- 3.1 Chapter 3 of part 4 of the 2007 Act devolves the power to take decisions about matters such as the creation of parishes and their electoral arrangements from the

Secretary of State and the Electoral Commission to local government and local communities in England.

- 3.2 The Secretary of State will therefore have no involvement in taking decisions about recommendations made in community governance reviews and the Electoral Commission's involvement will be limited to giving effect to recommendations for related alterations to the electoral areas of principal councils.
- 3.3 From 13 February 2008, district councils, unitary county councils and London borough council ('principal councils') have had responsibility for undertaking community governance reviews and have been able to decide whether to give effect to recommendations made in those reviews. In making that decision, they will need to take account of the views of local people.
- 3.4 Principal councils are required, by section 100(4) of the 2007 Act, to have regard to the guidance issued by the Secretary of State, under section 100(1) and (3), and the Electoral Commission and under section 100(2). As part 2 of the Local Government and Rating Act 1997 ('the 1997 Act') has been repealed by the 2007 Act.

4.0 Terms of reference for community governance reviews.

- 4.1 The 2007 Act allows principal councils to determine the terms of reference under which a community governance review is to be undertaken. It requires the terms of reference to specify the area under review and the principal council to publish the terms of reference. If any modifications are made to the terms of reference, these must also be published. (proposed terms of reference attached at appendix B)

5.0 Duties when undertaking a review

- 5.1 The principal council must comply with the duties in this section when undertaking a community governance review. But, subject to those duties, it is for the principal council to decide how to undertake the review.
- 5.2 The principal council must consult the following –
- (a) the local government electors for the area under review
 - (b) any other person or body (including a local authority) which appears to the principal council to have an interest in the review
- 5.3 The principal council must have regard to the need to secure that community governance within the area under review –
- (a) reflects the identities and interests of the community in that area, and
 - (b) it effective and convenient
- 5.4 In deciding what recommendations to make, the principal council must take into account any other arrangements (apart from those relating to parishes and their institutions) –
- (a) that have already been made, or

(b) that could be made

For the purposes of community representation or community engagement in respect of the area under review.

- 5.5 The principal council must take into account any representations received in connection with the review.
- 5.6 As soon as practicable after making any recommendations, the principal council must –
- (a) publish the recommendations; and
 - (b) take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of those recommendations.
- 5.7 The principal council must conclude the review within the period of 12 months starting with the day on which the council begins the review.
- 5.8 Proposed draft timetable attached timetable for the review is at appendix A,

6.0 Main issues

- 6.1 Electoral Services are responsible for the annual canvass of electors and the conduct of all elections and referendums within the Authorities Area.
- 6.2 This year local government elections taking place on 5th May will be combined with parish elections in over one third of the Authorities area. Pending the Alternative Voting System and Constituencies Bill 2010 receiving Royal Assent they will also be combined with a referendum on the Alternative Voting System. The conduct of these elections will have resource implication on the Section.
- 6.3 Collection and collation of the details for the compilation of the registers of electors (annual canvass) commence 1st September and concludes on 31 November. The revised register of electors is published on 1st December in accordance with regulations. This exercise has further implications on the resources of the section.

7.0 The Review Process

- 7.1 Stage 1 – When notice is given of the terms of reference for the review, the area under review, the closing date for representations on the proposed alterations to existing parish boundaries. It sets out where details of the review can be accessed and which reference documents should be made available.
- 7.2 Stage 2 – When EWG consider representations received from stakeholders regarding the proposed changes to existing parish boundaries as published by the Council.
- 7.3 Stage 3 - When the Council makes its decision on those matters they have considered, as defined by the terms of reference set at the start of the review. The Council's decision must take account of any representations received and should be supported by evidence which demonstrates that the recommended community governance arrangements would meet the criteria set out in the 2007 Act.

- 7.4 Stage 4 – When the Council publishes how it has given effect to the review.
- 7.5 Under the 2007 Act principal councils are required to consult both those local government electors in the area under review, and others (including a local authority such as a county council) which appears to the principal council to have an interest in the review. In the case of a community governance review where a parish council already exists, as a local authority, it too should be consulted. Other bodies might include local businesses, local public and voluntary organisations – such as schools or health bodies. The principal council must take into account any representations it receives a part of a community governance review.
- 7.6 Details of the consultation process will be published in the local newspaper and on the Council's web pages. Notices will also be placed on parish notice boards, schools, libraries and community buildings.
- 7.7 Principal councils are required to complete the review, including consequential recommendations to the Local Government Boundary Commission for England for related alterations to the Boundaries of principal area wards and/or divisions, within 12 months form the start of the community governance review.
- 7.8 It's important to not that the review must be completed by mid- November so that the revised registers of electors published on 1st December can reflect any changes recommended by the Council as a result of the review.

8.0 Implications for Council Policy and Governance

- 8.1 Covered earlier in this report.

9.0 Legal and Resource Implications

- 9.1 Covered earlier in this report.

10.0 Recommendations

- 10.1 General Purposes Committee is asked to:-

- i) To agree the proposals of EWG to review the parish boundaries in Morley North and Morley South
- ii) Decide on the involvement of the Electoral Working Group as proposed in this report
- iii) Agree the terms of reference for a review
- iv) To decide whether to offer final recommendations for delegated decision
- v) The timetable is attached at appendix A

Review of polling district and parish boundaries, in Morley North and Morley South,
Draft Timetable

Task	Date	Notes
Publication of Notice of Review, Terms of Reference and Area to be Reviewed	1 June 2011	Published in local press including whereabouts of documentation for public inspection and details of consultation period
Consultation Period, 3 months	1 June to 31 Aug 2011	All representations received are logged on receipt
EWG to consider representations received 1 month	30 September 2011	EWG makes recommendations on outcome of Review.
Decision of the Council	October 2011	Report to GPC/ or offered to Delegated Decision to approve the final scheme
Council Publishes Details of how it has given effect to the review	30 November 2011	All stakeholders notified. Details of whereabouts of Review
Council publishes revised registers of electors	1 December 2011	Electors affected by outcome of review transferred to new registers

Proposed Terms of Reference

The purpose of this review is for the Council to consider giving effect to altering **parish boundaries** in Morley North and South Ward as listed below.

Any changes given effect to as a result of the outcome of the review will not be implemented for elections taking place before 1 December 2011.

The review will not consider any proposed alterations to the district ward boundaries of Morley North and Morley South.

Electors in the area, elected members, political parties, parish councilors and other interested stakeholders are invited to submit representations during the consultation (1 June 31 - Aug 2011)

The Council will publish its decision in November 2011

The decision of the Council will be reflected in the revised registers of electors published on 1 December 2011.

Area to be Reviewed

Morley North Ward

Polling District MNC/MNH: Transfer electors in Chestnut Gardens and Chestnut View (MNH) to MNC (Electors would transfer to Scatcherd Ward from Churwell Ward of Morley Town Council)

Polling Station(s):
MNC – St Peters Church Hall, at the junction of Victoria Road and Rooms Lane
MNH – Churwell Primary School, Westwood Side

Electorate:
MNC – 2812
MNH – 1857

Polling District MSD/MSI: Alter MSD boundary to take in part of MSI (Electors would transfer from Morley Town Council Topcliffe Ward to Central Ward)

Polling Station(s):
MSD – Morley Town Hall, Queen Street
MSI - Sports Club, Glenn Road

Electorate:
MSD – 1587
MSI – 1079

Morley South Ward

Polling District MSE/MSJ: Alter boundary between MSE and MSJ to take in Lewisham Grove (Electors would transfer from Morley Town Council Topcliffe Ward to Central Ward) see 36 below.

Polling Station(s): MSE – Joseph Priestley College, Peel Street
MSJ – Newlands Primary School, access via Albert Drive

Electorate: MSE – 1341
MSJ - 2394

Polling District MSF/MSJ: Correct register error to move Sandringham Close and Sandringham Fold to MSF from MSJ

Polling Station(s): MSF – Newlands Methodist Church, Albert Drive
MSJ – Newlands Primary School, access via Albert Drive

Electorate: MSF- 1203
MSJ -2394

Polling District MSI/MSJ: alter mapped boundary with MSI to take in electors already on MSJ register.

Polling Station(s): MSI – Sports Club, Glenn Road
MSJ – Newlands Primary School, access via Albert Drive

Electorate: MSI - 1079
MSJ - 2394