

BOROUGH OF KETTERING

Committee	LOCAL GOVERNMENT REFORM ADVISORY COMMITTEE	Item 7(iii)	Page 1 of 6
Report Originator	Ian White	<i>Fwd Plan Ref No:</i> N/A	
Wards Affected	All Kettering Town wards and those immediately adjacent	10 th April 2019	
Title	Community Governance Review - Representation		

1. **PURPOSE OF REPORT**

To consider the following key factors in respect of the creation of a Parish Council for the currently unparished area of Kettering Town:

- Council size
- Parish warding
- The years of elections
- The relationship with any future boundaries of the unitary authority area for the North Northamptonshire Council within the currently unparished area

2. **INFORMATION**

2.1 In giving consideration to these matters, the following documents will be relevant and are summarised below.

- *Guidance published by the former Department of Communities and Local Government (DCLG) in relation to Community Governance Reviews introduced by the Local Government and Public Involvement with Health Act 2007*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf
- *Principal Area Boundary Reviews: technical guidance, published by the Local Government Boundary Commission for England (LGBCE) (NB: this document is not specific to this review but provides excellent guidance on the criteria for members to consider when deliberating on ward areas etc;)*
<file:///C:/Users/iwhit/Desktop/Single%20Tier/Boundaries%20&%20Representation/PABR-Guidance-06052015.pdf>

3 **MATTERS FOR CONSIDERATION**

BOROUGH OF KETTERING

Committee	LOCAL GOVERNMENT REFORM ADVISORY COMMITTEE	Item 7(iii)	Page 2 of 6
------------------	---	----------------	----------------

- 3.1 **a) Council size - the number of councillors to be elected to the council.**
- 3.2 In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities.
- 3.3 The Local Government Act 1972, as amended, specifies that each parish council must have at least five councillors but there is no maximum number. There are no rules relating to the allocation of those councillors between parish wards.
- 3.4 In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Almost all councils representing a population of over 20,000 have between 13 and 31 councillors.
- 3.5 **b) Parish Warding - the division of a parish into wards for the purpose of electing councillors.**
- 3.6 This includes the number and boundaries of any wards, the number of councillors to be elected for any ward and the names of wards.
- 3.7 In considering whether or not a parish should be divided into wards, the Local Government and Public Involvement in Health Act 2007 requires that consideration be given to whether:
- a) the number, or distribution of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and
 - b) it is desirable that any area or areas of the parish should be separately represented
- 3.8 When considering the electoral arrangements for a parish, whether it is warded or not, the principal council must also consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts.
- 3.9 Accordingly, principal councils should consider not only the size of the electorate in the area but also the distribution of communities within it.
- 3.10 There is likely to be a stronger case for the warding of urban parishes, unless they have particularly low electorates or are based on a particular locality. In urban areas community identity tends to focus on a locality, whether this be a housing estate, a shopping centre or community facilities. Each locality is likely to have its own sense of identity.
- 3.11 In reaching conclusions on the boundaries between parish wards the principal council should take account of community identity and interests in the area, and

BOROUGH OF KETTERING

Committee	LOCAL GOVERNMENT REFORM ADVISORY COMMITTEE	Item 7(iii)	Page 3 of 6
------------------	---	-----------------------	-----------------------

consider whether any particular ties or linkages might be broken by the drawing of particular ward boundaries.

- 3.12 The principal council should also consider the desirability of parish warding in circumstances where the parish is divided by district and/or county division boundaries.
- 3.13 When considering parish ward boundaries principal councils should ensure they consider the desirability of fixing boundaries which are, and will remain, easily identifiable, as well as taking into account any local ties which will be broken by the fixing of any particular boundaries.
- 3.14 Consideration should be given to the levels of representation between each ward. That is to say, the number of councillors to be elected from each ward and the number of electors they represent. It is an important democratic principle that each person's vote should be of equal weight so far as possible, having regard to other legitimate competing factors, when it comes to the election of councillors.
- 3.15 The LGBCE believes it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation between different parish wards. Such variations could make it difficult, in workload terms, for councillors to adequately represent the interests of residents. There is also a risk that where one or more wards of a parish are over-represented by councillors, the residents of those wards (and their councillors) could be perceived as having more influence than others on the council. It is usual for a threshold figure of plus or minus 10% of the average councillor to elector ratio over the whole area to be applied to each ward.
- 3.16 When considering ward boundaries, members should do so with development projections for the next 5 years in mind, so that they are planning for the provision at that time rather than immediately after the conclusion of the review. A copy of the number of projected housing developments in the Wards affected by the review over that period is attached at **Appendix 'C' to report item A2** and members may wish to refer to that document when considering this report also.
- 3.17 In order to calculate the projected 5 year electorate figures for a ward, it is normal to use the following formula:
- Divide the number of electors for the ward by the number of existing houses for the ward to give the average number of electors in each house.
 - Multiply that figure by the number of projected houses to be built in that ward and add the rounded figure to the existing electorate.
 - Therefore, all projections of electorate figures for 2024 are based on an average of 1.65 electors per property which is the current figure for the

BOROUGH OF KETTERING

Committee	LOCAL GOVERNMENT REFORM ADVISORY COMMITTEE	Item 7(iii)	Page 4 of 6
------------------	---	-----------------------	-----------------------

Borough.

3.18 c) The naming of Parish wards

3.19 In considering the names of parish wards, the principal council should give some thought to existing local or historic places so that, where appropriate, these are reflected and there should be a presumption in favour of ward names proposed by local interested parties.

3.20 d) Ordinary Year of Election

3.21 Ordinary parish elections are held once every four years with all councillors being elected at the same time. New parish electoral arrangements come into force at ordinary parish elections, rather than parish by-elections, so they usually have to wait until the next scheduled parish elections. However, the next parish elections for the Kettering area are due to take place in May 2020, so that should not be an issue in this instance.

3.22 e) Relationship to new unitary authority boundaries

3.23 The Guidance for Community Governance Reviews states that '*principal councils may wish to consider as part of a community governance review whether to make consequential recommendations to the LG BCE for related alterations to the boundaries of any affected alterations to ensure coterminosity between the new parish boundary and the related ward and/or division boundary. If so, the Commission will make an order to implement the related alterations. The Commission will not normally look to move ward or division boundaries onto new parish ward boundaries. However, it will consider each proposal on its merits.*'

3.24 It is likely that the initial boundaries for the new unitary authority when it comes into being in April 2020, will be based on the existing County Council Electoral Division boundaries. These boundaries are formed from building blocks comprising the existing Borough Polling Districts, and therefore it is suggested that members may wish to adopt the same approach in terms of using the polling districts within the unparished area as for this purpose if they choose to have a warded parish within the town of Kettering. (A list of polling districts and the streets etc. within them will be available at the meeting to assist with discussion).

3.25 However, any boundaries that are established may be susceptible to being changed to be brought in line with the boundaries that will exist after the planned boundary review of the new unitary authority area which is likely to take place in 2021. This could happen whatever method members choose to adopt now if they are minded to have a warded parish area for the town of Kettering.

4 OPTIONS

BOROUGH OF KETTERING

Committee	LOCAL GOVERNMENT REFORM ADVISORY COMMITTEE	Item 7(iii)	Page 5 of 6
------------------	---	----------------	----------------

- 4.1 At **Appendix A** to this report, in order to assist members with their deliberations, some examples are attached that provide options for the electoral arrangements of the proposed Town Council. On each of the examples, suggested arguments in favour of that particular option and against it have been included. These options are not intended to be exhaustive and neither are the arguments for and against each one. However, it is important to point out to members that the formulation of areas for electoral purposes can be a lengthy and time consuming process, and the review must be concluded in accordance with the agreed timetable.
- 4.2 Additionally, members should bear in mind that there is likely to be a full review of the electoral area boundaries of the new unitary authority area carried out by the LGBCE in 2021-22, and whilst it is difficult to pre-empt the outcomes of that, it is suggested that it might be safer for members to stick to existing 'building blocks' (Borough Wards and Polling Districts; County Electoral Divisions) when arriving at their conclusions.
- 4.3 These options as mentioned above are as follows:
- Option 1 A 20 member Council with 9 wards, based on the existing Borough Council warding arrangements with the same number of members
 - Option 2 An 11 member Council with 8 wards, based largely on the existing Borough Council warding arrangements but with one less ward and 9 less members
 - Option 3 A 13 member Council with 5 large wards based mainly on the existing County Council electoral division arrangements with 8 more members than the existing NCC representation
 - Option 4 A 16 member Council with 5 large wards based mainly on the existing County Council electoral division arrangements with 11 more members than the existing NCC representation
 - Option 5 A 16 member Council with 6 new wards comprising a mixture of existing adjacent Borough Wards (either partly or wholly) and adjacent polling districts.

NB Under the interim electoral arrangements proposed in the structural change order, Kettering town area will have 15 members representing it in the new unitary authority, six of whom will also cover areas outside of Kettering itself.

5. RECOMMENDATION

- 5.1 Members consider the options listed above and any other which may arise at the meeting and instruct officers accordingly.

BOROUGH OF KETTERING

Committee	LOCAL GOVERNMENT REFORM ADVISORY COMMITTEE	Item 7(iii)	Page 6 of 6
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