

REPORT OF THE  
Chief Executive  
PART I

**179. FURTHER ELECTORAL REVIEW OF HAMPSHIRE COUNTY COUNCIL –  
RESPONSE TO THE DRAFT RECOMMENDATIONS OF THE LOCAL  
BOUNDARY COMMISSION FOR ENGLAND ON A NEW PATTERN OF  
DIVISIONS**

1. On 29 August 2014 the Local Government Boundary Commission for England ('the Commission') advised the County Council that the Commission had determined that a Further Electoral Review of the County Council's Electoral Arrangements should take place. A Further Electoral Review is a review by the Commission carried out under Section 56 (2) of the Local Democracy, Economic Development and Construction Act 2009 ('the 2009 Act'), and is triggered where the Commission consider 'significant' electoral inequality exists.

2. So far as the County Council is concerned Electoral Arrangements means:
- (a) the total number of County Councillors elected to the County Council;
  - (b) the number and boundaries of Electoral Divisions in the County Council;
  - (c) the number of County Councillors in respect of any Electoral Division; and
  - (d) the name of a new Electoral Division of the County Council.

**Electoral Review Process**

3. A Further Electoral Review has two distinct parts. The timetable for the Further Electoral Review is attached at Annex 1 to this Report. Part 1 is consideration of Council Size. As Members will recall a submission on Council Size was approved by the County Council at the Extraordinary Council Meeting on 13 April 2015. The submission of the County Council was that the County Council should remain with 78 County Councillors. Subsequent to the meeting the Commission advised the County Council on 26 May 2015 that it was minded to recommend that the size of the County Council should remain at 78 County Councillors, as per the County Council's submission.

4. Part 2 of the process is consideration by the Commission of proposals for new electoral division patterns and formulation of their recommendations. In drawing up its recommendations on electoral division patterns, the Commission carries out two phases of public consultation. The first phase of consultation is where the Commission asks for proposals on new electoral division patterns, and whether any changes to electoral division names are proposed. As Members will recall a submission on proposed electoral division pattern was approved by the County Council at the Extraordinary Council Meeting on 16 July 2015.

5. Responses to the first phase of consultation have been used by the Commission to draw up draft recommendations for a new pattern of electoral division boundaries. These draft recommendations have now been published by the Commission. The recommendations include full draft proposals for new electoral divisions, electoral division boundaries and electoral division names, and the County Council now has the opportunity of making representations on the draft recommendations. This is the main purpose of this Report.

### **Electoral Division Patterns**

6. In consideration of its recommendations as to a pattern of new electoral divisions, the Commission is required to have regard to three statutory criteria, as set out at Schedule 2, Paragraph 1 of the 2009 Act. These are:

- (a) Electoral equality, that is that each County Councillor should represent roughly the same number of registered electors as other County Councillors across the County Council;
- (b) that the recommended pattern of electoral divisions should, as far as possible, reflect the interests and identities of local communities and have readily identifiable boundaries; and
- (c) that the Electoral Arrangements of the County Council should provide for effective and convenient Local Government.

### **Draft Recommendations of the Commission**

7. The draft Recommendations of the Commission are contained in the link included at Paragraph 1.8 of the suggested response of the County Council contained at Annex 3 and referred to at Paragraph 12 of this Report. In its draft recommendations, and comments on division patterns the Commission indicates, district area by district area, of the County Council how, in its view, the proposed new Electoral Division Arrangements reflect the three statutory criteria.

8. As Members will note, the draft recommendations of the Commission are based on a combination of the County Council's proposals, proposals received from other stakeholder bodies and respondents referred to in the Commission's report, and on the Commission's own views. Members will note in particular the draft recommendation of the Commission in Eastleigh is that there should be an increase of one County Councillor to eight Councillors, and in the New Forest a reduction of County Councillors from eleven to ten Councillors.

### **Consultation on Draft Recommendations**

The purpose of the second phase of consultation is for the Commission to gather views on its draft recommendations, whether or not such views support the draft recommendations (and why), or whether it is considered that the draft recommendations can be improved. It is important to recognise that at this stage of consultation the County Council is commenting on draft recommendations as proposed by the Commission. Guidance from the Commission states that it can, and sometimes does, undertake limited further consultation following comments received during the

consultation on its draft recommendations. However, this only happens where the Commission is minded to make significant changes to its draft recommendations, and where it considers it has insufficient evidence of wider local views in relation to those changes. The County Council therefore does not have the 'open book' it had in the first phase of consultation.

### **Members' Working Group**

9. As Members will recall following the Extraordinary Council Meeting on 13 April 2015, a Members' Working Group with representation from all Political Groups represented on the County Council was convened. Each Member of the Working Group was given a local co-ordinating role in respect of each District/Borough Council area, to make recommendations to Political Group Leaders on a proposed pattern of Electoral Divisions in respect of the first phase of consultation, and thereafter to consider the draft recommendations of the LGBCE once published and formulate a proposed response. A copy of the Terms of Reference of the Members' Working Group, as approved by the County Council, is attached at Annex 2 to this Report.

10. In the course of their work in respect of the second phase of consultation, Members of the Members' Working group have again conducted consultation with all other County Council Members within the District/Borough Council are allocated to them in accordance with the Terms of Reference. Members of the Members' Working Group have also used their local knowledge in commenting on the draft recommendations.

11. The Members' Working Group was content with the Commissions draft recommendations for Basingstoke & Deane borough, with proposed minor alterations to Fareham borough, Havant borough, Test Valley borough, and Winchester city areas.

12. The Members' Working Group considered however that there should be changes to the Commission's draft recommendations for the East Hampshire district, Eastleigh borough, Gosport borough, Hart district, New Forest district, and Rushmoor borough areas.

13. A copy of the draft response to the recommendations of the Commission containing comments of the Members' Working Group to the Leader's Working Group are attached at Annex 3 of this Report. Comments of the Members' Working Group were considered at meetings of the Group Leaders on 9 and 17 December 2015.

### **Leaders' Working Group**

14. Group Leaders are supportive of the overall response. Members will note from the draft submission that strong concern is expressed with regard to the Commission's recommendation that the New Forest District reduces from eleven to ten County Councillors. A range of concerns were discussed as set out a paragraph 9.1 of the submission. As a result of these concerns, and in order that the New Forest District area could continue to be adequately represented, the Group Leaders' view was that the Commission should be asked to retain an eleven Member model in the New Forest, albeit that to do this and increase the number of Councillors in Eastleigh would lead to an increase in the number of Members of the County Council to 79, contrary to the Council's previous submission that the County Council should remain with 78 Members.

It was recognised however that it was still important for the County Council to respond to the Commission on its draft recommendation as to a ten Member model in

the New Forest, to make better sense of the three statutory criteria, and the draft submission to the Commission also sets out the County Council's response on the Commission's recommendations in this regard.

### **Commentary**

15. It is recognised that any response of the County Council to the recommendations of the Commission on a new pattern of electoral division boundaries and electoral division names may not have universal support from all Members. It is also recognised that on occasion alternative options, either in respect of individual electoral division(s), or affecting a whole District within the County Council's area, may be proposed.

16. As indicated above in this Report, the draft recommendations are those as drawn up by the Commission. In seeking comment on the draft recommendations, the Commission consults widely, and actively encourages submissions from a wide variety of other stakeholders, and from the public at large. It is therefore open to any individual Member of the County Council who might have an alternative view, either in part or in whole, from that set out in the County Council's response to the Commission's draft recommendations, to make their own submission to the Commission.

17. It is important however to recognise that whilst the County Council is not required to respond to the Commission on its draft recommendations on proposed new electoral division patterns, if no submission is made then the views of the County Council will not be heard. As noted above in this Report, in many places the recommendations of the Commission are in accordance with the County Council's own proposals, and whilst the County Council may not be in support of all recommendations unilaterally and in certain cases consider it appropriate to put forward alternative proposals, it is just as important for the County Council to indicate where the recommendations are supported as well as where it considers the recommendations can be improved.

### **Next Stage in the Process**

18. Following conclusion of the period of consultation on draft recommendations on electoral division patterns, the Commission will consider the proposals it received. Thereafter final recommendations will be published by the Commission on 5 April 2016. There is no provision in the Act for representations to be made on the final recommendations. This is therefore the end of the process so far as the County Council is concerned.

19. Once the Commission has agreed its final recommendations a draft Electoral Changes Order will be laid before Parliament. Parliament will then have 40 days in which to consider the draft Order. If both Houses are satisfied with the recommendations, the draft Order will then be 'made', by way of a Statutory Instrument, and the new electoral division arrangements will come into effect at the next County Council elections in May 2017. There is no provision for Parliament to modify the Order, which will come into law unless Parliament objects.

### **RECOMMENDATION**

That the County Council considers the draft response on the Local Government Boundary Commission for England's draft recommendations on a new pattern of divisions for the County Council (attached at Annex 3 to this Report), setting out the argument and evidence supporting the County Council's response, and agrees that the response be submitted to the Commission.

**THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND  
FURTHER ELECTORAL REVIEW OF HAMPSHIRE COUNTY COUNCIL  
TIMETABLE**

Activity	Date
<b>PART 1:</b>	
Extraordinary County Council Meeting to consider the Council Size submission	Monday 13 April 2015
Submission of the Council Size Report to the LGBCE	by Friday 1 May 2015
LGBCE considers Council Size	Tuesday 19 May 2015
<b>PART 2:</b>	
Preparatory work	April 2015
LGBCE consultation on pattern of electoral divisions	Tuesday 26 May – Monday 3 August 2015
Members Working Group to formulate its recommendations on a pattern of electoral divisions	by Wednesday 17 June 2015
Draft report to be prepared for finalisation by the Leaders Working Group	Thursday 18 June – Friday 3 July 2015
County Council Meeting to consider the Pattern of Electoral Divisions Report	Thursday 16 July 2015
Submission of the Pattern of Electoral Divisions Report to the LGBCE	by Monday 3 August 2015
<b>STAGE 3:</b>	
LGBCE considers its draft recommendations	Tuesday 20 October 2015

Activity	Date
LGBCE consultation on the Draft Recommendations	Tuesday 17 November 2015 – Monday 11 January 2016
Members Working Group considers the LGBCE's Draft Recommendations and undertake the work to inform the preparation of a draft response	Monday 23 November – 4 December 2015
Draft response to be prepared for finalisation by the Leaders Working Group	7 – 19 December 2015
County Council Meeting to consider the proposed response to the LGBCE's Draft Recommendations	Thursday 7 January 2016
LGBCE considers its final recommendations	Tuesday 15 March 2016
LGBCE publishes its Final Recommendations	Tuesday 5 April 2016
Order laid in Parliament	May 2016
Implementation of the Order	May 2017 (in time for the County Council's next Elections)

## **FURTHER ELECTORAL REVIEW OF HAMPSHIRE COUNTY COUNCIL MEMBERS' WORKING GROUP**

### **TERMS OF REFERENCE**

#### **1. Purpose:**

The purpose of the Further Electoral Review of Hampshire County Council Members' Working Group ('FER Members Working Group') is:

- a) To consider a new pattern of electoral divisions for Hampshire County Council in line with the Local Government Boundary Commission for England's (LGBCE) 'minded to' recommendation on the future size of the County Council and in accordance with the LGBCE's three main criteria, as set out in law:
  - i) the new pattern of divisions should mean that each Councillor represents roughly the same number of voters as elected Members elsewhere in the authority;
  - ii) division patterns should, as far as possible, reflect community interests and identities, and boundaries should be identifiable; and
  - iii) the electoral arrangements should promote effective and convenient local government.
- b) To consider the Draft Recommendations of the LGBCE and formulate a proposed response; and
- c) To prepare a report for the Leaders Working Group in regard to a) and b) above for consideration and approval in accordance with the Review Timetable (as attached at Annex 1 of this report) in order to meet the submission deadlines set by the LGBCE.

#### **2. Membership:**

- a) The FER Members' Working Group will comprise 12 Members on a cross-Party basis:

Councillors: Chris Carter (Cons), Adrian Collett (LD), Criss Connor (Lab), Jacqui England (Ind), Liz Fairhurst (Cons), Andrew Gibson (Cons), Keith House (LD), Rob Humby (Cons), Mark Kemp-Gee (Cons), Peter Latham (Cons), Mark Staplehurst (UKIP) and Ken Thornber\* (Cons).

\* Chairman of the Working Group

- b) The Chairman and Members of the Working Group will report to the Leaders Working Group co-ordinated by the Chief Executive and Monitoring Officer.

**3. Method:**

Each Member of the FER Members' Working Group will have a local co-ordinating role for District/Borough Council areas on the following basis:

Chairman of the Working Group: Councillor Ken Thornber

<b>District/Borough Area</b>	<b>Councillors</b>
Basingstoke & Deane	Councillor Criss Connor
East Hampshire	Councillor Mark Kemp-Gee
Eastleigh	Councillor Keith House
Fareham	Councillor Peter Latham
Gosport	Councillor Chris Carter
Hart	Councillor Adrian Collett
Havant	Councillor Liz Fairhurst
New Forest	Councillor Jacqui England
Rushmoor	Councillor Mark Staplehurst
Test Valley	Councillor Andrew Gibson
Winchester	Councillor Rob Humby

and will:

- a) conduct consultation with all other County Council Members within the District/Borough Council area allocated to them;
- b) conduct consultation with the Leader of the District/Borough Council allocated to them;
- c) conduct consultation with local community groups and organisations; and
- d) use their local knowledge to meet the Commission's criteria set out a 1a) above.

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