

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Cabinet
Date:	19 September 2016
Title:	Electoral Review of Hampshire County Council – Local Government Boundary Commission for England Final Recommendations
Reference:	7793
Report From:	Chief Executive

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1. Executive Summary

- 1.1. The Local Government Boundary Commission for England (LGBCE) is a body corporate established by Parliament under the provisions of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). The LGBCE is an independent body directly accountable to Parliament.
- 1.2. On 29 August 2014, the LGBCE advised the County Council that the LGBCE had determined that a further Electoral Review of the County Council's Electoral Arrangements should take place. So far as the County Council is concerned, Electoral Arrangements means:
 - a) The total number of County Councillors of 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
 - d) The names of electoral divisions of the County Council
- 1.3. A further Electoral Review is a review by the Commission carried out under Section 56(2) of the 2009 Act, and is triggered where the LGBCE consider 'significant' electoral inequality exists.
- 1.4. The County Council has engaged with the process of the review, led by a cross-Party Member Working Group, representing all District areas.
- 1.5. The review is now complete and the LGBCE published its final report on 6 September 2016, setting out its final recommendations and conclusions.

2. Final Recommendations

- 2.1. The LGBCE has determined that the number of County Councillors should remain at 78, being a number that "will ensure the Council can perform its roles

and responsibilities effectively". This recommendation is in accordance with the County Council's submission that the County Council should retain its existing Council Size.

- 2.2. The LGBCE has determined that the 78 County Councillors should represent 74 single-Member divisions and two two-Member divisions. None of the 76 divisions will have an electoral variance of greater than 10 percent of the average for Hampshire by 2021. In this regard the LGBCE has used electoral forecasts provided by the County Council as the basis for its final recommendations.
- 2.3. The outcomes of the review affect most County Council divisions through boundary changes; a number of divisions have been re-named. The LGBCE has determined that the number of divisions in the Eastleigh Borough Council area should increase by one and that the number of divisions in the New Forest District Council area should reduce by one. The formerly two-Member division of Bedhampton & Leigh Park in the Havant District Council area has been divided into two single Member divisions in accordance with the County Council's submission on Electoral Division patterns. The existing two-Member divisions of Fareham Town and Leesland & Town in the Fareham and Gosport District Council areas have also been retained in accordance with the County Council's submission.
- 2.4. The full final report and recommendations of the LGBCE is attached at appendix 1 of this report.

3. Next steps

- 3.1. There is no statutory provision for appeal or challenge to the final recommendations. As the review by the LGBCE is complete, it must now be approved by Parliament. A draft of the proposed Order to be made by way of a Statutory Instrument must be laid before Parliament by way of a 'Negative Resolution' procedure, in accordance with the requirements of Section 6 (1) of the Statutory Instruments Act 1946. The draft will contain the date on which it is intended that the Order will come into effect (being the date of the Local Government Elections in 2017), together with a statement showing either the date on which copies were laid in Parliament or a statement that such copies are to be laid before Parliament.
- 3.2. The draft needs to be laid before each House of Parliament for 40 days. In calculating the 40 day period, no account is taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days. The draft Order may be laid before both Houses at the same time, the only proviso being is that if the draft is laid on different days, the 40 day period is calculated from expiry of the later of the two. There is no provision for Parliament to modify the proposed Order, which will come into law unless Parliament objects.

4. Recommendations

- 4.1. That Cabinet receives and notes the final recommendations of the LGBCE and the next steps involved in the Statutory Instrument being laid before Parliament, prior to the Order coming into effect in 2017.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	No
Maximising well-being:	No
Enhancing our quality of place:	No

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Further Electoral Review of Hampshire County Council – Council Size Submission to the Local Government Boundary Commission for England	6623	13 April 2015
Further Electoral Review of Hampshire County Council – Pattern of Electoral Divisions Submission to the Local Government Boundary Commission for England	6823	16 July 2015
Further Electoral Review of Hampshire County Council – Response to the Draft Recommendations of the Local Government Boundary Commission for England on a New Pattern of Divisions	7200	7 January 2016
Further Electoral Review of Hampshire County Council – Reponse to the Local Government Commission for England’s Additional Limited Consultation on a New Pattern of Divisions	7500	13 May 2016
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	
Local Democracy, Economic Development and Construction Act	2009	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

None.

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

-) Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

- (a) An Equalities Impact Assessment has not identified any particular impacts on individuals with protected characteristics

1. Impact on Crime and Disorder:

1.1. There is no impact on crime and disorder.

2. Climate Change:

2.1. How does what is being proposed impact on our carbon footprint / energy consumption? Not applicable.

2.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? Not applicable.