

EXPLANATORY MEMORANDUM TO
THE WYRE FOREST (ELECTORAL CHANGES) ORDER 2015

2015 No. [XXXX]

- 1.** This explanatory memorandum has been prepared by the Local Government Boundary Commission for England (the Commission) and is laid before Parliament by Command of Her Majesty.
- 2. Purpose of the instrument**
 - 2.1 The Order provides for new district electoral wards and numbers of district councillors for the district of Wyre Forest at the district elections in 2015. The Order also provides for new parish wards and numbers of parish councillors at the parish elections in 2015 wherever this is necessary because a parish is to be split between new district electoral wards.
- 3. Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None.
- 4. Legislative Context**
 - 4.1 The Commission has power under section 59 of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act) to make an order giving effect to recommendations contained in a report prepared, under section 58(4) of that Act, after conducting an electoral review under section 56 (1) of that Act. This instrument is being made to give effect to the Commission's recommendations for new electoral arrangements set out in its report prepared following an electoral review of the district of Wyre Forest.
- 5. Territorial Extent and Application**
 - 5.1 This instrument applies England.
- 6. European Convention on Human Rights**
 - 6.1. As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.
- 7. Policy background**
 - What is being done and why

7.1 The purpose of an electoral review is to decide on the appropriate electoral arrangements including the number of councillors and the names, number and boundaries of wards or divisions for a specific local authority. The Commission began the electoral review of Wyre Forest on 25 June 2013. The Commission decided to carry out the review following a request, made by the Council, that it do so.

7.2 An electoral review aims to ensure that the number of electors represented by each county or district councillor is as close to equal as possible, but the recommendations must also reflect community identities and interests and ensure that the wards or divisions allow for effective and convenient local government. To achieve these aims, the Commission tries to ensure that the number of electors per councillor in every ward or division it recommends varies by no more than 10% from the average, to ensure good levels of electoral equality, but is happy to show flexibility in varying by more than 10% from the average based on the evidence provided to it during the consultation stages of the review. Following a staged review process the Commission published its “Final recommendations on the electoral arrangements for Wyre Forest District Council” on 14 October 2014.

7.3. The Order provides for changes to the electoral arrangements for the district of Wyre Forest at the district elections in 2015 as recommended by the Commission. The existing wards of the district will be replaced by 12 new ones. Of these, one ward will return one councillor, one ward will return two councillors and ten wards will return three councillors. The Commission evaluated how many wards would have electoral variances of more than 10% to give an overall indication of how its recommendations would improve electoral equality across the authority. The number of electors represented by each councillor is not predicted to vary by more than 10% from the average across the district in any ward by 2019.

7.4. To give effect to all or any of its recommendations, the Commission, under section 59 of the 2009 Act, can include provisions in its order to provide for the number of councillors to be returned by any electoral area, the election of councillors and the order of retirement of councillors for any electoral area. In order to implement the new electoral arrangements for the district, article 4 of the Order makes provision that there should be a whole council election in 2015 on the new warding arrangements. The district will revert back to the established system of elections by thirds in 2016. That article provides for the order of retirement of councillors and therefore the number of councillors for each ward that will be elected in 2016 and 2018.

7.5. Under section 56 of the 2009 Act, whenever the Commission recommends changes to the electoral arrangements of a district council it must also recommend whether, in consequence of those changes, any changes should be made to the electoral arrangements of any parish council that is within that district. Among other things, under Schedule 2 to that Act, recommendations must ensure that no parish ward is split between new district electoral wards and under section 56 of that Act, recommendations must be made regarding the number of parish councillors for each parish ward.

7.6. Consequently, in addition to making changes to the electoral arrangements for the district the Order also makes provision with respect to the establishment of new parish wards and sets the number of parish councillors for each of those parish wards in Stourport-on-Severn.

- Consolidation

7.7 The Order does not amend or revoke any legislation.

8. Consultation outcome

8.1 The Order gives effect to recommendations that were consulted on during the Commission's review of electoral arrangements from June 2013 until June 2014. There was an initial dialogue with Wyre Forest District Council ('the Council'), during which the Commission asked for proposals on the most appropriate number of councillors for the district. There followed a six-week consultation on the proposed council size, after which the Commission sought proposals from the area on appropriate warding arrangements for the district. Having considered the submissions received, the Commission published its "Draft recommendations on the new electoral arrangements for Wyre Forest District Council" on 15 April 2014. Following a further 10-week consultation on the draft recommendations, the Commission considered further evidence received during the consultation and published its final recommendations.

8.2. In total, 79 representations were received on council size and during the consultation stages of the review. The Council proposed a council size of 33 members, a reduction of nine from the current council size. The Council's Labour group proposed that the council size should not be reduced. A further 13 submissions were received during consultation on council size. The Commission considered that the Council's proposals provided a comprehensive rationale for a council size of 33 and that this council size would ensure effective and convenient local government for the district.

8.3. Following the consultation on the draft recommendations, opposition was received to the warding proposals for the parishes of Bewdley, Kidderminster Foreign, Stourport-on-Severn and Upper Arley. The Commission considered a variety of possible options and warding patterns for these areas and on the basis of this consideration and of the evidence received, altered its recommendation for this area. The Commission, having also received objections to the draft recommendations for Kidderminster, which is an unparished area, similarly considered evidence submitted and a variety of possible warding patterns before altering its draft recommendations.

8.4. A detailed analysis of the outcome of the consultation is set out in the report "Final recommendations on the new electoral arrangements for Wyre Forest District Council" which is available at <http://www.lgbce.org.uk/current-reviews/west-midlands/worcestershire/wyre-forest-fer>

9. Guidance

9.1. The Commission does not intend to issue any guidance alongside this instrument. This is not considered necessary as the Order is self-explanatory and gives effect to recommendations following consultation with interested parties as to the changes to electoral arrangements.

9.2. Once the Order has been made, the Commission will publish a press release and distribute to local media advising that new electoral arrangements will be implemented at the next local elections. The press release will also direct interested parties to the Commission's website where the final recommendations will be available in detail.

10. Impact

10.1. No impact assessment has been prepared because no impact on the private sector or the voluntary sector is foreseen.

10.2. The impact on the public sector will be limited to the area for which the Order makes provision. The one-off cost of producing the map referred to by the instrument is to be funded by the Commission. The one-off cost of amending the electoral register to reflect the new district wards and parish wards is to be funded by Wyre Forest District Council.

11. Regulating small business

11.1. The legislation does not apply to small business.

12. Monitoring & review

12.1. The Commission will have no role in monitoring Wyre Forest District Council's implementation of the Wyre Forest (Electoral Changes) Order. The Commission is not required to undertake such monitoring; that is a matter for the relevant officers of Wyre Forest District Council.

12.2. The Order will be reviewed insofar as the Commission continually monitors local authorities in England to identify any that meet its criteria for electoral reviews.

13. Contact

13.1. Marcus Bowell at the Commission (Tel: 0207 664 8530 or email: marcus.bowell@lgbce.org.uk) can answer any queries regarding the instrument.