**EXPLANATORY MEMORANDUM TO**

**THE BOSTON (ELECTORAL CHANGES) ORDER 2013**

**2013 No. 0000**

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 wards and numbers of district councillors for the district of Boston at the district elections in 2015 and thereafter.

## 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 the 2009 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 Boston.

4.2. This instrument is one of four similar ones laid before Parliament together. The others are the Northamptonshire, Purbeck and Tonbridge & Malling (Electoral Changes) Orders 2013.

## 5. Territorial extent and application

5.1. This instrument applies to 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 Boston on 18 October 2011. The Commission decided to conduct the review as, based on the January 2012 electorate figures, the number of electors per councillor in 39% of wards varied from the average by over 10%. Most notably Kirton ward had 25% more electors per councillor than the average.

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 have regard to community identities and interests and the need for effective and convenient local government. To achieve these aims, the Commission tries to ensure that the number of electors per councillor in every division or ward is as close as possible to the average for the authority, but is happy to show flexibility in moving away from the average based on the evidence provided during the consultation stages of the review. Following a four-stage review process the Commission published its 'Final recommendations - New electoral arrangements for Boston'[1] on 16 October 2012.

7.3. The Order provides for changes to the electoral arrangements for the district of Boston at the district elections in 2015 as recommended by the Commission. The existing wards of the district will be replaced by 15 new ones, three wards will each return one councillor, nine wards will each return two councillors and three wards will each return three councillors. The Commission considered that the evidence received justified one ward having variances predicted to vary by more than 10% from the authority average by 2018.

- Consolidation

7.4. 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 review of electoral arrangements from June 2012 until July 2012. There was an initial twelve-week consultation, during which the Commission asked for proposals on the most appropriate number of councillors and ward boundaries for the district. Having considered the submissions received, the Commission published its 'Draft recommendations - New electoral arrangements for Boston'[2] on 19 June 2012. Following a further six-week consultation on the draft recommendations, the Commission considered the further evidence received and published its final recommendations.

[1] http://www.lgbce.org.uk/__documents/lgbce/draft-final-reports/2012-draftfinal-reports/boston-final-recs-final.pdf
[2] www.lgbce.org.uk/__documents/lgbce/draft-final-reports/2012-draftfinal-reports/boston_draft_rec_report-final-2012-06.pdf

8.2. During the course of the review, the Commission received approximately 40 representations. The consultations involved Boston Borough Council, parish and town councils, local MPs and other interested parties. The Commission considered that a council size of 30 would ensure effective and convenient local government for the district. The Commission based its draft recommendations on submissions from Boston Borough Council. The Commission made some modifications in specific areas to better reflect the statutory criteria.

8.3. In response to the consultation on the draft recommendations, the Commission modified its recommended boundaries in the east of Boston town and Fishtoft parish, and modified its proposed boundary between Old Leake & Wrangle and Coastal wards. The Commission also modified the names of wards throughout the district to reflect evidence received during consultation. The Commission received support for its draft recommendations in the rural part of the borough in the west of the district.

8.4. The Commission also received submissions opposing its proposed boundaries in Station ward and Fenside ward in the west of Boston town. In each of these cases, the Commission did not consider that satisfactory evidence had been received for it to alter its draft recommendations. The Commission therefore confirmed the remainder of its draft recommendations for the district as final.

8.5. A detailed analysis of the outcome of the consultation is set out in the report 'Final recommendations - New electoral arrangements for Boston' which is available at www.lgbce.org.uk/all-reviews/east-midlands/lincolnshire/boston-electoral-review

## 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 is to be funded by Boston.

## 11. Regulating small business

11.1. The Order does not apply to small business.

## 12. Monitoring and review

12.1. The Commission will have no role in monitoring Boston's implementation of the Boston (Electoral Changes) Order 2013. The Commission is not required to undertake such monitoring; that is a matter for the relevant officers of Boston.

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.