EXPLANATORY MEMORANDUM TO

THE KENSINGTON AND CHELSEA (ELECTORAL CHANGES) ORDER

2014 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 borough wards and numbers of borough councillors for the Royal Borough of Kensington and Chelsea at the borough elections in 2014 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 Royal Borough of Kensington and Chelsea.

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 Kensington and Chelsea in May 2012. The Commission decided to conduct the review as, based on the December 2011 electorate figures, the number of electors per councillor in 44% of wards varied from the average by over 10%. Most notably Notting Barns ward had 17% more electors per councillor than the average.

7.2. An electoral review aims to ensure that the number of electors represented by each 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 the Royal Borough of Kensington & Chelsea'[1] on 24 September 2013.

7.3. The Order provides for changes to the electoral arrangements for the Royal Borough of Kensington and Chelsea at the borough elections in 2014 as recommended by the Commission. The existing wards of the borough will be replaced by 18 new ones. Four wards will each return two councillors and fourteen wards will each return three councillors.

- 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 May 2012 until September 2013. There was an initial six-week consultation, during which the Commission asked for proposals on the most appropriate number of councillors for the borough. This was followed by a 10-week consultation on the most appropriate ward boundaries for the borough. Having considered the submissions received, the Commission published its 'Draft recommendations - New electoral arrangements for the Royal Borough of Kensington & Chelsea'[2] on 18 March 2013. Following a further twelve-week consultation on the draft recommendations, the Commission considered the further evidence received and published its final recommendations.

8.2. During the course of the review, the Commission received approximately 122 representations. The consultations involved Kensington and Chelsea Council, local

[1] http://www.lgbce.org.uk/__documents/lgbce/reviews/kensington-_and_-chelsea/final/rbkc-final-recommendations-final-2013-09-18-post-editors.pdf
[2] http://www.lgbce.org.uk/__documents/lgbce/reviews/kensington-_and_-chelsea/st-3-draft/rbkc-draft-recommendations-report-2013-03-19.pdf

organisations, local MPs and other interested parties. The Commission considered that a council size of 50 would ensure effective and convenient local government for the borough. The Commission based its draft recommendations on submissions from the Labour Group's for the north of the borough and the Conservative Group's proposals in the central and south. The Commission noted that both of these proposals were similar in a number of areas to those of the Liberal Democrats and the local resident.

8.3. In response to the consultation on the draft recommendations, the Commission modified its recommended boundaries between Colville and Pembridge, and Courtfield, Hans Town and Queen's Gate wards. The Commission also modified the names of two wards to reflect evidence received during consultation.

8.4. A detailed analysis of the outcome of the consultation is set out in the report 'Final recommendations - New electoral arrangements for the Royal Borough of Kensington & Chelsea' which is available at www.lgbce.org.uk/all-reviews/south-east/greater-london/kensington-and-chelsea-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 borough wards is to be funded by Kensington and Chelsea.

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 Kensington and Chelsea Council's implementation of the Royal Borough of Kensington and Chelsea (Electoral Changes) Order 2014. The Commission is not required to undertake such monitoring; that is a matter for the relevant officers of Kensington and Chelsea.

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.