EXPLANATORY MEMORANDUM TO

THE NORTH SOMERSET (ELECTORAL CHANGES) ORDER 2014

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 district wards and numbers of district councillors for North Somerset Council at the district elections in 2015 and thereafter. The Order also provides for new parish wards and numbers of parish councillors at the parish elections in 2015 and thereafter wherever this is necessary because a parish is to be split between new district 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 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 North Somerset.

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 North Somerset in June 2012. The Commission decided to conduct the review as North Somerset triggered the Commission's criteria for conducting a review. This criteria is where more than 30% of wards have a variance of more than 10% from the average or where one or more ward has a variance of greater than 30% from the average. Based on December 2011 electorate data provided by the Council, 36% of the district's wards currently have a variance of more than 10%. Of these, Gordano ward has a variance of 32% from the average and Portishead East ward has a variance of 68%.

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 for new electoral arrangements for North Somerset Council'[1] on 29 July 2014.

7.3. The Order provides for changes to the electoral arrangements for North Somerset Council at the district elections in 2015 as recommended by the Commission. The existing wards of the district will be replaced by 35 new ones. Twenty wards will each return one councillor and fifteen wards will each return two councillors.

7.4. Under section 56 of the 2009 Act, whenever the Commission recommends changes to the electoral arrangements for a district council it must also recommend whether, in consequence of those changes, any changes should be made to the electoral arrangements for 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 wards and under section 56 of that Act recommendations must be made regarding the number of parish councillors for each parish ward.

7.5. Consequently, in addition to making changes to the electoral arrangements for the district the Order also, where necessary, makes provision with respect to the establishment of new parish wards and sets the number of parish councillors for each of those parish wards.

7.6. The Order does not amend or revoke any legislation.

[1] http://www.lgbce.org.uk/__data/assets/pdf_file/0005/21776/South-Kesteven-full-report-final-recommendations-to-2014-02-26-POST-EDITOR.pdf

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 2014. There was an initial six-week consultation, during which the Commission asked for proposals on the most appropriate number of councillors for the district. This was followed by a ten-week consultation on the most appropriate ward boundaries for the district. Having considered the submissions received, the Commission published its 'Draft recommendations for new electoral arrangements for North Somerset'[2] on 10th September 2013. Following a further ten-week consultation on the draft recommendations, the Commission decided sufficient evidence had been received for it to conduct a period of further limited consultation on part of its draft recommendations which lasted eight weeks. Upon the conclusion of this consultation the Commission considered the further evidence received and published its final recommendations.

8.2. During the course of the review, the Commission received 537 representations. The consultations involved North Somerset Council, parish councils, local organisations and other interested parties. The Commission initially consulted on a council size of 46 or 51, a reduction of 10 or 15. We received initial proposals from a group comprising the Leader of the Council and supporting councillors for a council size of 46. The Labour and Liberal Democrat groups proposed a council size of 51 and the Independent/Green Group proposed retaining the current council size of 61 elected members. All groups considered these council sizes would ensure effective and convenient local government for the district. During consultation on council size we received further submissions from the Leader's Group, Opposition Groups (a joint submission from the Liberal Democrat, Labour and Independent/Green groups on the Council), five district councillors, two parish councillors, 15 town and parish councils, the North Somerset Conservative Association, the North Somerset Constituency Labour Party, two local organisations and 63 local residents. After considering the evidence the Commission was minded to adopt a council size of 51.

8.3. The Commission received 45 submissions in response to its consultation on warding patterns including district-wide schemes from the Leader's Group, the Labour Group, and the Liberal Democrat Group which were all based on a council size of 50, a reduction of one from the council size that was consulted on, which they considered provided a better balance of the statutory criteria. The Commission were of the view that these submissions provided good electoral equality and used clear boundaries. The Commission therefore based its draft recommendations on these submissions.

8.4. The Commission received 117 submissions in response to its draft recommendations and 284 submissions during further limited consultation. The respondents were mainly content with the proposals for the towns of Weston-super-Mare, Portishead, Clevedon and Nailsea. The main area of contention was the rural area of the district and most

[2] http://www.lgbce.org.uk/__data/assets/pdf_file/0004/14188/north-somerset-report-publication-final-2013-09-04.pdf

submissions generally supported the original draft recommendations and opposed the alternative warding proposal put forward. On the basis of the submissions received the Commission decided to modify its draft recommendations for the wards of Portishead East, Portishead North and Portishead West. It put forward minor modifications to the boundaries of the four wards in the Nailsea area, and for the wards of Clevedon East, Clevedon Walton and Clevedon West. It also put forward several name changes to district and parish wards. The Commission 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 for new electoral arrangements for North Somerset' which is available at http://www.lgbce.org.uk/current-reviews/south-west/somerset/north-somerset-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 North Somerset Council.

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

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.