EXPLANATORY MEMORANDUM TO

THE HACKNEY (ELECTORAL CHANGES) ORDER 2013

2013 No. 2795

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 electoral wards and numbers of borough councillors for the London Borough of Hackney at the borough elections in 2014.

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 London Borough of Hackney.

4.2. This instrument is one of three similar ones laid before Parliament together. The others are the Arun and Rushcliffe and (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 Hackney in January 2012. The Commission decided to carry out the review as, based on the December 2011 electorate figures, the number of electors per councillor in 37% of wards varied from the borough average by over 10%.

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 new electoral arrangements for the London Borough of Hackney"[1] on 16 April 2013.

7.3. The Order provides for changes to the electoral arrangements for the London Borough of Hackney at the borough elections in 2014 as recommended by the Commission. The existing wards of the district will be replaced by 21 new ones. Six wards will return two councillors and 15 wards will 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 Commission's review of electoral arrangements from January 2012 until April 2013. There was an initial dialogue with the Council, during which the Commission asked for proposals on the most appropriate number of councillors for the borough. After this, the Commission sought proposals from the Council on appropriate warding arrangements for the borough. Having considered the submissions received, the Commission published its "Draft recommendations on the new electoral arrangements for London Borough of Hackney"[2] on 17 July 2012. Following a ten-week consultation on the draft recommendations, the Commission considered further evidence received during the consultation. It then conducted a further six-week consultation on revised proposals in three areas of the borough. Having considered the evidence received during this further consultation, the Commission published its final recommendations.

[1] http://www.lgbce.org.uk/__documents/lgbce/reviews/hackney/final/hackney-final-recs-report-april-2012-final.pdf

[2] http://www.lgbce.org.uk/__documents/lgbce/draft-final-reports/2012-draftfinal-reports/hackney-draftrecs-report-2012-07-16-final.pdf

8.2. During the course of the review, the Commission received approximately 60 representations. The consultations involved Hackney Council, local organisations, a local MP and other interested parties. The Commission considered that a council size of 57 would ensure effective and convenient local government for the borough. The Commission based its draft recommendations on submissions from Hackney Council and the Liberal Democrats group. The Commission made some modifications in specific areas to better reflect the statutory criteria.

8.3. During the consultation on the draft recommendations, some opposition was received to the proposals in the north-east, central and south-west areas of the borough. In response to the consultation, the Commission modified its draft recommendations in these areas. Owing to the significance of the proposed changes, the Commission decided to undertake a further period of limited consultation inviting views on the revised proposals.

8.4. Following the further limited consultation, the Commission confirmed its revised proposals for the wards of Cazenove, Dalston, Hackney Central, Haggerston, Hoxton West, Hoxton East and Shoreditch, Shacklewell and Springfield as part of its final recommendations. It also made minor amendments to its proposals for the wards of Brownswood, De Beauvoir and Woodberry Down to provide for improved electoral equality. In all other areas the Commission was of the view that the draft recommendations best reflected the statutory criteria and retained these in its final recommendations.

8.5. A detailed analysis of the outcome of the consultation is set out in the report "Final recommendations on the new electoral arrangements for London Borough of Hackney" which is available at http://www.lgbce.org.uk/__documents/lgbce/reviews/hackney/final/hackney-final-recs-report-april-2012-final.pdf

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 it 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 electoral wards and parish wards is to be funded by the London Borough of Hackney.

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 the London Borough of Hackney's implementation of the Hackney (Electoral Changes) Order 2013. The Commission is not required to undertake such monitoring; that is a matter for the relevant officers of the London Borough of Hackney.

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.