EXPLANATORY MEMORANDUM TO

THE RUSHCLIFFE (ELECTORAL CHANGES) ORDER 2013

2013 No. 2797

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 Rushcliffe Borough Council at the borough 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 Rushcliffe Borough Council.

4.2. This instrument is one of three similar ones laid before Parliament together. The others are the Arun and Hackney (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 Rushcliffe in January 2012. The Commission decided to conduct the review following a request from Rushcliffe Borough Council in February 2011. Additionally, based on the December 2011 electorate figures, the number of electors per councillor in 36% of wards varied from the average by over 10%. Most notably Soar Valley and Stanford wards had 24% 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 for new electoral arrangements for Rushcliffe Borough Council'[1] on 19 February 2013.

7.3. The Order provides for changes to the electoral arrangements for Rushcliffe Borough Council at the borough elections in 2015 as recommended by the Commission. The existing wards of the borough will be replaced by 25 new ones. 11 wards will each return one councillor, nine wards will each return two councillors and five wards will each return three 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.

- Consolidation

[1] http://www.lgbce.org.uk/__documents/lgbce/draft-final-reports/2013-draftfinal-reports/rushcliffe-final-recs-2013-01-30-post-editor-comments.pdf

7.6. 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 January 2012 until February 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 12-week consultation on the most appropriate ward boundaries for the borough. Having considered the submissions received, the Commission published its 'Draft recommendations for new electoral arrangements for Rushcliffe'[2] on 18 September 2012. Following a further eight-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 49 representations. The consultations involved Rushcliffe Borough Council, local organisations and other interested parties. The Commission initially consulted on a council size of 45, which it felt would ensure effective and convenient local government for the borough. However, during the formulation of its draft recommendations, the Commission decided to reduce the council size by one to 44 members. The Commission felt that a council size of 44 would allow for better electoral equality across the borough. The Commission based its draft recommendations on submissions from the Conservative, Labour and Liberal Democrat Groups on Rushcliffe 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 between Abbey and Edwalton, and Cranmer (which was named Aslockton in the draft recommendations) and East Bridgford. The Commission also modified the names of three wards throughout the borough to reflect evidence received during consultation.

8.4. The Commission also received submissions proposing alternative warding arrangements in the Langar cum Barnstone area. While the Commission acknowledged that some evidence of communities had been provided, it considered that the level of electoral inequality created by these wards was unacceptable. The Commission therefore confirmed the remainder of its draft recommendations for the borough 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 Rushcliffe' which is available at http://www.lgbce.org.uk/all-reviews/east-midlands/nottinghamshire/rushcliffe-fer.

9. Guidance

[2] http://www.lgbce.org.uk/__documents/lgbce/draft-final-reports/2012-draftfinal-reports/rushcliffe-draftrecs-final-2012-09-10-2.pdf

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 and parish wards is to be funded by Rushcliffe.

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

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.