

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

8 MARCH 2012

REPORT OF
CORPORATE
MANAGEMENT TEAM

COUNCIL DECISION

Leader of the Council – Councillor Cook

PARLIAMENTARY CONSTITUENCIES REVIEW

1. Summary

This is a further report to Members regarding the Parliamentary Constituencies review being undertaken by the four UK Boundary Commissions in their respective parts of the UK.

2. Recommendations

1. That the report be considered.
2. Consideration be given as to whether any further representations should be submitted to the Boundary Commission for England regarding the comments which have been made on the proposals relating to the Stockton-on-Tees Borough area.
3. Subject to this, the Director of Law and Democracy, in consultation with the political group Leaders, be authorised to submit representations to the Boundary Commission for England before the deadline of noon on 3 April 2012
4. A further report be submitted to Cabinet following the end of the secondary consultation period.

3. Reasons for the Recommendations

To ensure that Members' views on the Boundary Commission's initial proposals are submitted prior to the end of the secondary consultation period.

4. Members Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the

public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;
- and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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SUMMARY

This is a further report to Members regarding the Parliamentary Constituencies review being undertaken by the four UK Boundary Commissions in their respective parts of the UK.

RECOMMENDATIONS

1. That the report be considered.
2. Consideration be given as to whether any further representations should be submitted to the Boundary Commission for England regarding the comments which have been made on the proposals relating to the Stockton-on-Tees Borough area.
3. Subject to this, the Director of Law and Democracy, in consultation with the political group Leaders, be authorised to submit the agreed representations to the Boundary Commission for England before the deadline of noon on 3 April 2012
4. A further report be submitted to Cabinet following the end of the secondary consultation period.

DETAIL

Background

1. Previous reports to Cabinet have explained that the Parliamentary Voting System and Constituencies Act 2011 (“the Act”) requires the four Boundary Commissions to conduct a review of the parliamentary constituencies in their part of the UK and to submit final reports to Government before 1 October, 2013.
2. The Act requires there to be a fixed number of 600 constituencies for the whole of the UK (as opposed to the current 650). The number of constituencies allocated to England is 502 (including the two reserved for the Isle of Wight).
3. The Boundary Commission for England (“BCE”) has subdivided the 500 England constituencies between the regions used for European Parliament elections.
4. The North East has been allocated 26 constituencies (currently it has 29). The BCE’s initial proposals will ensure that each of these constituencies are wholly contained in the North East region.

5. The BCE is also required by the Act to ensure that each constituency has an electorate that is no less than 95% and no more than 105% of the UK electoral quota. This quota has been calculated at 76,641. Accordingly, each constituency must have an electorate that is no smaller than 72,810 and no larger than 80,473.

Initial Proposals

6. Taking these requirements into account, the BCE published its initial proposals for England, including the North East on 13 September, 2011.
7. Details of the North East proposals have been made available for inspection at the Municipal Buildings and at Libraries across the Borough.
8. A direct link to the proposals has also been provided from the front page of the Council's website.
9. Copies of all of the initial proposals for the UK are accessible at: www.independent.gov.uk/boundarycommissionforengland
10. Copies of the description of and the maps for the proposals affecting the Stockton Borough area are at **Appendix 1**.

Comments on the Proposals for the Stockton-on-Tees Borough area

11. Views on the proposals for Stockton-on-Tees Borough area were canvassed at the Members' Policy Seminar on 10 October 2011. Further views were invited from Members at a drop in session on 17 October and at a similar event before the Council meeting on 19 October.
12. At the Council meeting held on 1 December, the following comments on the proposals affecting the Stockton-on-Tees Borough area were agreed:-
 - (i) There is general concern that the restrictions imposed by the legislation, specifically the proposed reduction in the number of MPs from 650 to 600 and the requirement for each Constituency to have an electorate that is no less than 95% and no more than 105% of the UK electoral quota, will cause significant problems locally, with illogical parliamentary boundaries being created and constituencies sometimes being separated only by the width of a particular street.
 - (ii) Specific concerns regarding the impact on community boundaries and the loss of community identities as a result of all of the proposals.
 - (iii) The proposals will create four Members of Parliament for the Stockton Borough area. This will inevitably result in an increased use of the Council's resources than at present and will not, therefore, be cost effective.
 - (iv) The impact of the proposals at election time should not be underestimated. There will be voter confusion, with parts of the same communities voting for different Members of Parliament. The administration of elections for four different constituencies will be logistically complex and will require an increased use of resources.

- (v) There is widespread concern amongst residents and Members regarding the splitting of the Billingham wards and communities as a result of the proposals for Hartlepool BC and for Stockton and Billingham BC. It is, therefore, recommended that the Billingham North Ward is not included in the proposed Hartlepool BC and that it is retained with other Billingham wards, in any new, revised proposals.
- (vi) If the Billingham North ward is however to remain a part of the proposed Hartlepool BC, it is recommended that the constituency be renamed Hartlepool and Billingham North BC.
- (vii) As regards the **Middlesbrough BC**, it is recommended that the constituency be renamed Middlesbrough and Thornaby BC
- (viii) With regard to the **Sedgefield and Yarm CC**, the majority of the electorate will be Stockton Borough residents. The constituency should be a Stockton Borough, not County Constituency, administered by/on behalf of the Borough Council at elections. It is also recommended that it be renamed South West Stockton and Sedgefield BC

The Parkfield and Oxbridge ward is closely associated with the Stockton Town Centre area and should accordingly be retained as part of the new Stockton and Billingham BC (subject to the comments which follow regarding the name of that constituency).

- (ix) In relation to the **Stockton and Billingham BC**, the reference to Billingham will be confusing given that, at present, it will not include the Billingham North Ward. It should, therefore, be renamed North Stockton BC. It should also include the Parkfield and Oxbridge Ward, given its close association with the Stockton Town Centre area.

13. These comments were submitted to the BCE prior to the 5 December 2011 deadline.

Initial Consultation Period

14. The initial consultation period ended on 5 December 2011.

15. The BCE also took oral representations at two public hearings in the North East, as follows:-

- Monday 14 to Tuesday 15 November in Newcastle at the Civic Centre, Barras Bridge, Newcastle-upon-Tyne, NE1 8QH.
- Thursday 17 to Friday 18 November in Darlington at the St George Hotel, Darlington, Durham Tees Valley Airport, Darlington, County Durham, DL2 1RH.

Secondary Consultation Period

16. The BCE has indicated that all of the representations received on the initial proposals for new parliamentary boundaries and the verbatim transcripts of the public hearings, will be published on the BCE website from the 6 March 2012. In view of the very high level of response, hard copies of the representations and transcripts are not going to be made available as originally planned.

17. There is now a further statutory four week period from 6 March, during which people can submit to the BCE written comments on the published representations. Respondents to this secondary consultation will need to ensure that their comments are received by the BCE by no later than noon on Tuesday 3 April 2012.
18. So far as it is practicable to do so within the time available, details of the representations which relate to or affect the proposals for Stockton-on-Tees will be made available at the Cabinet meeting. Subject to this, Members are asked to determine if any further comments should be made to the BCE during the secondary consultation period.
19. If so, it is proposed that using urgency delegated powers under council functions, the Director of Law and Democracy be authorised to submit representations to the BCE in consultation with the political group Leaders, prior to the deadline of noon on 3 April 2012.

Revised Proposals

20. After the end of the secondary consultation period on the 3 April, all of the representations received from the outset of the initial consultation will be considered and reports will be prepared for the BCE for each region. The reports will summarise and consider each of the representations, and recommend whether and if so, how, the BCE's initial proposals should be revised in light of the representations.
21. The BCE will then consider each such report and decide whether and to what extent revisions should be made to its initial proposals.
22. Following this, the BCE will publish a notice in each region, stating whether or not revisions have been made to its initial proposals for that region. All of the written representations submitted during the 4 week secondary consultation period will be published at the same time as the notice.

Final Consultation Period

23. If the initial proposals are revised, there is then a further, final period of eight weeks for written representations to be made to the BCE on the revised proposals for that area.
24. A further report will be submitted to Cabinet if and when the initial proposals are revised so that Members can decide if they wish to make any representations on the revised proposals.

Final Recommendations and Report

25. The BCE will consider any representations made during the final consultation period about the revised proposals and will make its final decisions about whether further revisions are needed in light of these representations.
26. Once the BCE has decided on its final recommendations for the whole of England, it will then draft and submit a formal report to Government. The report, which will be published, will contain a description of the review in each region, a textual description of all of the final recommendations, and a set of maps to illustrate the existing constituency boundaries and those proposed by the final recommendations.
27. The submission of the formal, final report will conclude the review process.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

28. There are no financial or legal implications arising directly from this report.

RISK ASSESSMENT

29. The report is considered to be a low risk category report.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

30. Enhancing democratic representation and local democracy is a key feature of the Council Plan.

EQUALITY IMPACT ASSESSMENT

31. An assessment has not been considered necessary for the purpose of this report.

CONSULTATION

32. As before, all Members of the Council will be advised of this report. The BCE will consult relevant political parties and individuals as part of the review.

Director of Law & Democracy

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Background Papers:

Not applicable

Ward(s) and Ward Councillors:

The report affects all wards

Property Implications:

Not applicable