

Licensing & Regulatory Committee

Minutes of the meeting held on Monday 13 November 2017, at the Town Hall, Royal Leamington Spa at 4.00 pm.

Present: Councillor Illingworth (Chairman); Councillors Ashford, Boad, Gallagher, Gill, Grainger, Heath, Mrs Hill, Quinney, Mrs Redford and Mrs Stevens.

23. Apologies and Substitutes

- (a) Apologies for absence were received from Councillor Mrs Knight; and
- (b) Councillor Boad substituted for Councillor Gifford.

24. Declarations of Interest

There were no declarations of interest.

25. Revised Proposals for new Constituency Boundaries in the West Midlands

The Committee received a report from the Chief Executive which brought forward a proposed response from Warwick District Council to the Boundary Commission for England on "Revised proposals for new Constituency Boundaries in the West Midlands".

The Boundary Commission for England was undertaking a review of all Parliamentary Constituencies within England with a view to submitting proposals before Parliament for adoption in 2018. This was the second round of consultation, following the proposals that were published in October 2016. The revised proposals, set out at Appendices 1 to 3 of the report, took account for some of the concerns previously raised by Warwick District Council in October 2017.

The proposed boundaries were based on the current Warwick District Council Ward boundaries and for most of the District this did not cause any potential issues. However, as illustrated at Appendix 4 to the report, the proposed boundary to the south of Kenilworth would cut through Kenilworth Cricket Club grounds and the proposed housing development in the Local Plan that would wrap around it. It was expected that this housing site would be developed by the time of the next scheduled General Election. If this was not changed it would replicate the problem that currently existed within Hopton Crofts in Leamington, although this new issue would affect significantly more properties, where officers received complaints from residents at each General Election that had been called on the current boundary.

It was therefore proposed that the boundary should be moved to the Kenilworth Town boundary to the south of the proposed housing site. This would align with a proposal that was due to emerge at the second stage of the current Boundary Review of the Council's ward boundaries to align the Town, District and County Division boundaries.

Near the proposed constituency boundaries between Coventry South & Kenilworth and Warwick & Leamington there was a significant development at Kings Hill (site H43) and site H08 at Oak Lea Farm, Finham of a combined development circa 4,000 new homes (6,320 new electors). It was anticipated that these communities

would look towards Coventry as their community and therefore it would be appropriate for them to be part of the Coventry South and Kenilworth constituency now, thus potentially negating the need to review this boundary soon. Plans illustrating the development sites within Warwick District, in comparison to the new boundaries were set out at Appendices 5, 6 and 7 to the report.

The primary outstanding concern, from the previous submission by this Council, was the base data used for modelling the new constituencies. Officers were aware from figures available nationally, that the electorate used by the Boundary Commission to establish these boundaries was significantly lower than the electorate for the 2017 General Election. In addition, by the time the consultation closed, the data the Commission was using would be over two years old.

There was also no account given for growth across the country because of developments. These created flaws within the allocations which could see the need to review constituency boundaries again soon because the constituencies could be so far away from electoral equality. That said, officers were aware that the Commission was following the rules established by its remit which was different to the regulations covering a Warding arrangement for Councils. This was an area of concern that Parliament may wish to consider and in turn that the Commission may wish to highlight to Parliament.

It was considered appropriate that the District Council should keep its neighbouring authorities and the current MPs representing Warwick District aware of its comments on the revised proposals. This was especially important regarding the boundary to the south of Kenilworth.

All of the maps detailed in Appendices 1 to 7 to the report were also available electronically.

The Chief Executive introduced the report and, explained that these proposals resulted in operational changes for elections. The local authority that held the largest proportion of the constituency would host the count. In this instance, the proposals would result in Coventry hosting any election count.

The second part the Chief Executive highlighted was that the Council welcomed Warwick and Leamington being located in one constituency. However, it was with regret that officers noted the proposed movement of Kenilworth which would face its fourth reshuffle in 35 years.

Officers had highlighted the housing proposals and predicted population growth which the Boundary Commission had not taken account of. In addition, the data used by the Boundary Commission had been from a fixed point in time in 2015 and the electoral register had grown since then. This meant that electoral equality would not be reached.

Members raised concerns that the proposed development at Kingshill had not been taken into account but noted that the aim was not to subdivide wards and to relate boundaries to communities.

Councillor Illingworth requested that a key be added to Appendix 4 because the Kingshill development was not identified on the map and queried whether recommendation 2.2 (iv) should clarify that we had a local problem as well as a national problem. It was also suggested that a table of numbers could help to explain the differentials detailed in recommendation 2.2 (iv).

Members felt strongly that recommendation 2.2 (b) was not strong enough and could not accept the proposals for Kenilworth. It was therefore proposed that the words 'accepts with regret' should be amended to read 'regret the proposals for Kenilworth...'.

It was also noted that the Chief Executive, in conjunction with the Chairman of Licensing & Regulatory Committee would look at the amendments between them.

The Committee therefore

Resolved that

- (1) the proposed Parliamentary Constituencies proposed for the West Midlands region that would cover the District, as set out at Appendices 1,2 and 3 of the report, are noted;
- (2) as the relevant Committee, the Licensing & Regulatory Committee makes the formal response to the Boundary Commission for England's (BCE) Consultation, on behalf of the Council, as follows:
 - (i) Warwick District Council does not object to the proposals as laid out in the revised proposals for new constituency boundaries in the West Midlands and in doing so:
 - (a) welcomes the retention of Warwick and Leamington in a single constituency;
 - (b) regrets the proposals for Kenilworth, which faces their fourth reshuffle in 35 years (having been part of Warwick and Leamington, Rugby and Kenilworth, Kenilworth and Southam); and
 - (c) regrets that Radford Semele and Eathorpe, Hunningham, Offchurch and Wappenbury JPC will move to the Rugby & Southam constituency;
 - (ii) Warwick District Council recommends one minor but important change that the boundary for the Coventry South & Kenilworth constituency should be amended to the south of Kenilworth so that it follows the current Town Boundary (as set out at Appendix 4 to the report), thus removing a potential of part of a new development of circa 100 homes which is anticipated to be completed before the next general election being in another constituency. This would also reflect the proposed Warwick District Council Ward Boundary changes, due to come into force in May 2019;
 - (iii) Warwick District Council highlights to the Commission the developments H43 and H08, of ultimately 4000 houses within its adopted Local

Plan, as identified in the plan at Appendix 6 to the report, which would more readily identify with the Coventry South & Kenilworth constituency than the Warwick & Leamington constituency, but acknowledges that the BCE are not permitted to consider growth as part of their remit;

- (iv) Warwick District Council highlights that the base data for the review has significantly altered from December 2015 to the present with the register of electors (within England) having grown from then to the General Election in June 2017 by 1.439 million electors, which means to achieve electoral equality, each constituency would need to be circa 78,000 electors. Warwick and Leamington Constituency has increased by 6793 electors in this time (which is 2.5 times the average national increase) and Kenilworth & Southam has increased by 2,400 (just below the national average of 2712). Therefore not taking account of this growth, within the original terms of reference is one which will cause significant electoral inequality within both the West Midlands and the rest of the Country as soon as the proposed recommendations are adopted;
 - (v) Warwick District Council informs the Commission that between now and the next scheduled General Election, this District will have increased by 8258 homes (as outlined within our adopted Local Plan) which equates to circa 13,000 new electors within Warwick District; and
- (3) officers will send copies of the Council's comments to Warwickshire County Council, Coventry City Council, all Parish and Town Councils in Warwick District, the other District and Borough Councils in Warwickshire, Solihull Borough Council and the two MPs who currently represent Warwick District, encouraging them to make similar submissions, especially with respect to the boundary south of Kenilworth.

(The meeting ended at 4.54 pm)

Signature redacted
Signed by the Chairman on Monday
16 April 2018