

Ordinary meeting of the Board
Local Government Boundary Commission Consultation
10th March 2022

A public consultation is currently being undertaken by the Boundary Commission into proposed changes to the district wards of Malvern.

See <https://consultation.lgbce.org.uk/node/24708>

A map showing some of the proposed changes is attached.

The Trust's levying arrangements are set out in s33 of the MHA 1924, and are defined by reference to parishes. The parish boundaries are not affected by the proposals. However the election arrangements are defined in part by reference to the then Malvern Urban/Upton on Severn Rural District Council wards (s7 MHA 1824). These Urban/Rural District wards became part of Malvern Hills District Council in the local government changes introduced by the 1972 Local Government Act. The wards are not named in the Act.

The changes as currently proposed would affect a number of wards whose residents vote in the Trust election, summarised as follows:

1 Change of name of the Dyson Perrins ward to Upper Howsell, Chase to Barnards Green.

It is understood that this would not have any significance to the Trust as the Acts stipulates the number of wards which can elect a trustee, but does not name them.

2 Changes in alignment of ward boundaries.

The changes proposed to ward boundaries within the existing electoral area would have no material impacts for the Trust. The voters are switched in some cases from one ward to another.

3 Expansion of Link Ward to include all the area of Newland Parish.

This would appear to be a material change as it would bring all those residences within Newland Parish (currently Powick ward) within the expanded Link Ward boundary, and entitle them to vote in Trust elections, even though they were not part of the original Malvern Urban DC area and would not pay the levy (as this is determined by which parish the residents live in). On the face of it, this would seem to sever the link between the precepted area and the vote (but there is a precedent for this see below).

4 Reduction in size of Wells Ward

The change as proposed would result in the southernmost part of Wells Ward and Upper Welland moving from Wells Ward into the Welland Ward. This would result in residents of the properties affected no longer being able to vote in Trust elections. Those living in Malvern Wells parish would still pay the levy (Upper Welland). On the other hand, it would remove an anomaly as the residents of the southern part of Wells Ward (Tinker's Hill/Broad Down) who currently vote but don't pay the levy, would no longer be able to vote in Trust elections.

Overall

It appears the Boundary Commission has not taken into consideration the effects that proposed changes to District Ward boundaries will have on voting arrangements in Trust elections.

Some background

In 1958, changes were made to create an additional ward (Langland) within the Malvern UDC area, increasing the number of wards from 6 to 7. A Statutory Instrument (SI) was made to alter the wording in the Acts to reflect that change. There is therefore a precedent to alter the Acts by SI to reflect ward boundary changes.

Advice is being sought in this matter, including the likely cost of such an instrument if the changes as proposed resulted in one being required.

Responding to the Consultation

A response to the consultation will be made before the deadlines which will include comments relating to the above points including -

Preference that no changes are made to the outer boundary of the combined Wards that fall within the levy paying /voting area of the Trust except that the boundary between Welland Ward and Wells Wards should follow the Malvern Wells parish boundary so that Little Malvern is excluded from Wells Ward but Upper Welland stays within Wells Ward, thus making the levy paying and voting areas the same.

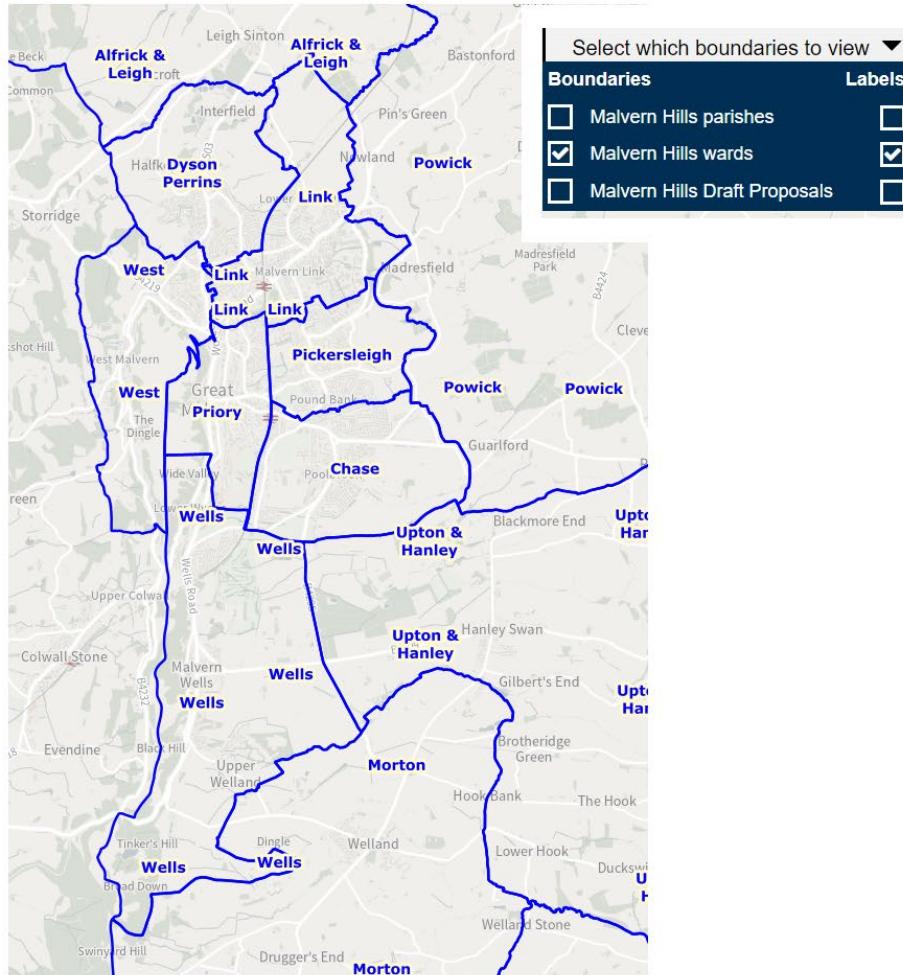
If Link Ward is to be increased in area it should be to a line that excludes currently unlevied properties - eg to a line 100m back from Stocks Lane in similar manner as appears to have been done at some point in the past to the eastern boundary of both Link and Pickersleigh Wards.

Internal changes, keeping the same number of wards, would not appear to be an issue.

Highlighting that if changes go ahead which result in a Statutory Instrument being required, the Trust would look to the Commission to undertake and secure that SI as part of the submission of their scheme to Parliament.

Duncan Bridges
CEO
24/02/2022

Current District Ward Boundaries



District Ward Boundaries as proposed

