

# The Electoral Commission

The Rt Hon Michael Jack  
House of Commons  
London SW1A 0AA

21 April 2005

*Dear Michael*

Your letter of 6 April to Nick Raynsford MP, Minister for Local and Regional Government, enclosing correspondence from Mr John Bainbridge about the electoral arrangements for St Anne's on the Sea Parish Council, has been forwarded to the Commission for reply.

The issues relating to St Anne's on the Sea are complex. As you will be aware, the parish council is being established following a campaign by local residents and the submission to the Secretary of State of a petition under the Local Government & Rating Act 1997. In such circumstances, the Act is quite clear that where the Commission receives proposals from a local authority for the electoral arrangements of a new parish council, it falls to the Commission to make the relevant Order for those arrangements.

Unfortunately, the proposals from Fylde Borough Council were not received until December 2004. This was extremely late and, even with the best will, the Commission would have struggled to make an Order in time to implement the parish council's electoral arrangements in the May elections. In the event, I understand that Commission officers have a number of concerns about the appropriateness of the proposals received, an issue that has been the subject of lengthy discussions with both the Borough Council and Mr Bainbridge.

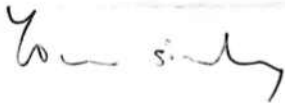
As matters stand at present, the Commission believes it is in receipt of valid proposals from the Borough Council for parish council electoral arrangements and has a duty to consider those proposals with a view to making any appropriate Order for those arrangements. It also remains the Commission's clear view is that the arrangements put in place by the council are not valid.

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It follows that the arrangements themselves, and anything done in reliance on them, is open to legal challenge. Having made this quite clear to the council, the Commission does not regard it as necessary or desirable for the matter to be resolved in that way, particularly when there is an alternative available solution.

Although the Commission has yet to consider the issues in detail, and I cannot therefore commit it, the likely way forward will be for the Boundary Committee for England to undertake a short review of St Anne's on the Sea with a view to making recommendations for electoral arrangements. This will give all interested parties the opportunity to make their views known. We can then take steps to make an Order with any revised electoral arrangements at the earliest possible date.



**Sam Younger**  
**Chairman**