

## COUNCIL – 23RD JANUARY 2017

### Report of the Chief Executive

#### ITEM 6.6 COMMUNITY GOVERNANCE REVIEW

##### Purpose of Report

To present proposals to undertake a Borough-wide Community Governance Review of parish and town council electoral arrangements.

##### Recommendations

1. That a Community Governance Review be conducted for the whole of the Charnwood Borough Council area in accordance with the Local Government & Public Involvement in Health Act 2007, and that the terms of reference and timetable for the Review set out in the Appendix to this report be approved for publication on 1st February 2017.
2. That a politically balanced Member Reference Group of five Borough Councillors be established to give input during the Community Governance Review process and to any draft recommendations for changes as they emerge, with the following membership:

Conservative:	Councillors Hampson, Morgan, Poland and Shepherd
Labour:	Councillor Miah

##### Reasons

1. To comply with the requirements of the Local Government and Public Involvement in Health Act 2007 and relevant Government guidance.
2. To provide elected member input to the Community Governance Review as it progresses.

##### Policy Justification and Previous Decisions

The Borough Council, as the relevant principal authority, has responsibility under the Local Government and Public Involvement in Health Act for periodically reviewing the electoral arrangements for parish and town councils within its area by means of a Community Governance Review (CGR).

A CGR can be undertaken in response to specific requests or petitions from local electors, but it is also recommended best practice from the Government that a full review of the entire area of a principal authority should be undertaken every

10 to 15 years. A CGR of the whole Borough area has not been undertaken since the introduction of the relevant legislation in 2007.

Some parish and town councils within the Borough have indicated that they feel a CGR is now required due to the significant changes in local population and electorate figures that will result from the major residential developments included within the Core Strategy.

The CGR will therefore include consideration of the impacts of the three major proposed developments in question (North East of Leicester, West of Loughborough, and North of Birstall).

#### Implementation Timetable including Future Decisions and Scrutiny

The proposed timetable for the CGR is set out within the terms of reference in the Appendix. The timetable proposes that a report would come to Council in June 2017 setting out the results of the initial consultation stage and seeking approval to consult on any draft proposals for amendments to parish and town council electoral arrangements.

The CGR must be completed within 12 months of the publication of the terms of reference, and therefore the timetable also indicates that a report setting out any final proposed recommendations arising from the CGR would come back to full Council for consideration and approval in January 2018.

Any changes to parish or town council electoral arrangements approved by Council would come into force at the next full parish council elections in May 2019.

It is proposed to establish a Member Reference Group to monitor the CGR as it progresses, and nominations have been sought from political group leaders. Any Councillors on that Group who are also members of town or parish councils within the Borough would need to be mindful of any potential conflicts of interest should any issues or proposals relating to the relevant town or parish council arise during the CGR.

The Scrutiny Management Board can also consider whether it wishes to arrange for any scrutiny to be undertaken as the CGR progresses.

#### Report Implications

The following implications have been identified for this report:

### *Financial Implications*

It is difficult to predict the resource requirements for the CGR. Whilst there are clear decision points and controllable activities within the timetable, such as preparatory work, drafting consultation documents and writing reports, the nature and volume of consultation submissions could have a significant impact on resource requirements. It is also possible that external legal advice may be required as the CGR progresses, particularly if any complex amendments to existing parish council electoral arrangements are proposed.

It is estimated that between 10 – 12 weeks of staff resource (full time equivalent) will be required to support the CGR and this will be subject to ‘peaks and troughs’ as the timetable progresses. There will also be printing and postage costs, and a potential requirement for external legal advice as set out above.

Whilst it will be possible to provide much of the required officer support within existing resources, it is likely that additional staffing resources will be needed, in particular to deal with consultation submissions.

A one-off budget pressure of £75,000 has therefore been included within the medium term financial strategy to finance the CGR, which will be included within the budget for 2017/18 that will come before Council for approval at the meeting on 27th February 2017.

### *Risk Management*

No specific risks have been identified in relation to the decisions recommended within this report. Risks may be identified as the CGR progresses, and the Member Reference Group will be kept informed.

Background Papers:           Local Government and Public Involvement in Health Act 2007:  
<http://www.legislation.gov.uk/ukpga/2007/28/contents>

Guidance on Community Governance Reviews  
(published by the Department for Communities and Local Government):  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/8312/1527635.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf)

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Appendices

Appendix: Community Governance Review Terms of Reference



# Charnwood

**CHARNWOOD BOROUGH COUNCIL**

**COMMUNITY GOVERNANCE REVIEW WITHIN THE  
BOROUGH OF CHARNWOOD**

**TERMS OF REFERENCE**

**JANUARY 2017**

## **Introduction**

Charnwood Borough Council is undertaking a Community Governance Review of the whole of the Charnwood Borough local authority area in accordance with Part 4, Chapter 3 of the Local Government & Public Involvement in Health Act 2007.

The Borough Council is also required to have regard to the 'Guidance on Community Governance Reviews' issued by the Secretary of State for Communities & Local Government. That guidance was considered when drawing up these Terms of Reference.

## **What is a Community Governance Review (CGR)?**

A CGR is a legal process whereby principal authorities can create parish councils<sup>1</sup>, review and change parish council electoral arrangements and boundaries, and in extreme cases, abolish parish councils.

Charnwood Borough Council, as the principal authority responsible for CGRs within its area, must ensure that community governance arrangements within the Borough of Charnwood reflect the identities and interests of local communities and are effective and convenient.

It is important that any recommendations made as the result of a CGR should bring about improved community engagement, more cohesive communities, better local democracy and result in the more effective and convenient delivery of local services.

In undertaking the Review, the Borough Council will be guided by:

- Part 4 of Local Government & Public Involvement in Health Act 2007 (the 2007 Act),
- the relevant parts of the Local Government Act 1972 (the 1972 Act),
- the Guidance on Community Governance Reviews issued jointly by the Department of Communities & Local Government and The Electoral Commission in April 2008 (the Guidance),
- Also, the following Regulations which guide, in particular, consequential matters arising from the Review:
  - Local Government (Parishes & Parish Councils) (England) Regulations 2008 (SI2008/625);
  - Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

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<sup>1</sup> In order to ensure consistency with the relevant legislation and Government guidance, within this document the term 'parish council' is used to refer to both parish and town councils.

## **What does a parish council do?**

Parish councils are the most local form of local government. They levy money from council tax payers (via the Borough Council in its role as the collection authority) in the form of a 'precept', and this is used to invest in their local area to deliver or improve services and facilities. Parish councils can take different forms, but are usually made up of local people who stand for election or who are co-opted to represent their area.

A parish meeting consists of the local government electors for parishes with smaller populations, where every person living within the parish old enough to vote has the right to be directly involved in how their parish is run, to raise issues to go on the agenda, and to speak and vote at meetings. A parish meeting does not have parish councillors.

The Borough Council wishes to ensure that parish councils within its area are viable and able to actively and effectively promote the well-being of their residents and contribute to the provision of services in their area in an economic and efficient manner.

## **Why undertake this Community Governance Review?**

A CGR provides an opportunity for principal authorities to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population or in reaction to specific or local new issues to ensure that the community governance for the area continues to be effective and convenient and to reflect the identities and interests of local communities.

The Government has emphasised that recommendations arising from a CGR ought to bring about improved community engagement, more cohesive communities, better local democracy and should result in more effective and convenient delivery of local services.

Government guidance further states that it is good practice to conduct a full CGR of the principal council's area (in the case of Charnwood the whole Borough) at least every 10-15 years, and to keep the area under review in the interim. This Review will be a full CGR.

## **Areas to be Reviewed**

The Review will encompass the whole of the Charnwood Borough Council area, including consideration of the areas affected by the major residential development proposals as set out in the table below.

<b>Proposed Development</b>	<b>Parish Councils / Areas Affected</b>
North East of Leicester Sustainable Urban Extension (4,500 homes)	Barky & Barky Thorpe Parish Council Thurmaston Parish Council
West of Loughborough Sustainable Urban Extension (3,000 homes)	Hathern Parish Council Loughborough (unparished) Shepshed Town Council
North of Birstall Direction of Growth – ‘Broadnook’ (1,500 homes)	Rothley Parish Council Thurcaston & Cropston Parish Council Wanlip Parish Meeting

### **Who will undertake the Community Governance Review?**

As the relevant principal authority, Charnwood Borough Council is responsible for undertaking any CGR within its electoral area.

The body responsible for approving the terms of reference for the CGR and agreeing any recommendations before a final Community Governance Order is made will be the full Borough Council.

The Head of Strategic Support will be the officer responsible for coordinating the CGR, and the process will be managed as a project.

A Member Reference Group (MRG) of Borough Councillors will also be established to provide elected member input to the CGR as it progresses, which will consist of 5 Borough Councillors selected on the basis of political balance.

### **Consultation**

The Borough Council wants to know what local people and other stakeholders think about the community governance arrangements for the whole Borough of Charnwood, or for specific local areas within the Borough. The public and other stakeholders will be invited to send their views and responses during the relevant consultation stages as set out in the Timetable for the Review below.

Before making any recommendations or publishing final proposals, the Borough Council will take full account of the views of local people and other stakeholders. The Borough Council will comply with the statutory consultative requirements by:

- Consulting local government electors and residents within the Borough,
- Consulting any other persons or bodies (including local councils) which appear to the Borough Council to have an interest in the Review,
- Notifying and consulting with Leicestershire County Council,
- Taking into account any representations received in connection with the Review.

Information relating to the Review will be available on the Borough Council’s website ([www.charnwood.gov.uk/cgr](http://www.charnwood.gov.uk/cgr)) and key documents will also be on deposit at the Borough Council’s offices at Southfield Road, Loughborough, LE11 2TX.

When taking account of representations the Borough Council is bound to have regard to the need to secure that community governance arrangements:

- Reflect the identities and interests of the community in the relevant area,
- Are effective and convenient.

The Borough Council will publish its recommendations as soon as practicable and will take such steps as it considers sufficient to ensure that persons who may be interested in the Review are informed of the recommendations and the reasons behind them.

The Borough Council will notify each consultee who submits a response, and any other persons or bodies who have made written representations, of the outcome of the Review if they have provided contact details.

### **Timetable for the Review**

A CGR must, by law, be concluded within the twelve month period, which commences when the Terms of Reference are published and concludes when the Borough Council makes its final decision on any recommendations arising from the CGR.

<b>Details</b>	<b>Dates</b>
Commencement of CGR - terms of reference published	1 February 2017
Initial consultation stage	1 February 2017 – 30 April 2017
Draft proposals prepared	May 2017 - June 2017
Draft proposals considered by full Council	June 2017
Consultation on draft proposals	July 2017 - September 2017
Final recommendations prepared	October 2017 – December 2017
Final recommendations considered and approved by full Council	January 2018
Community Governance Order(s) made – if required	February 2018 - March 2018
New community governance arrangements come into force	May 2019 local council elections

### **Electorate Forecasts**

The January 2017 Register of Electors has been used to produce existing parish-parish ward electorate figures, which are set out in Annex A.

When the Borough Council comes to consider electoral arrangements for the parish councils in its area, it is required to consider any change in the number or distribution of electors which is likely to occur in the period of five years beginning with the day when the Review starts.

Electorate forecasts have been prepared using information contained in the Local Plan and data from the projected housing supply to produce five-year forecasts, details of which are also set out in Annex A.

The Government's guidance is that these forecasts should be made available to all interested parties as early as possible in the Review process, and ideally before the formal commencement of the Review, so that they are available to all who may wish to make representations.

### **The present structure of parish councils and their electoral arrangements**

As well as electorate information, Annex A also includes information regarding the following:

- Type of governance; eg. parish/town council, joint council or parish meeting,
- Current numbers of parish councillors,
- Ratio of current councillors to electorate,
- Borough Ward,
- County Division (effective from the May 2017 elections),
- Current Parliamentary Constituency.

### **Representations**

Charnwood Borough Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included within the Review.

Representations may be made in the following ways:

Online: Using the online submission form at:  
<http://www.charnwood.gov.uk/cgr>

By email: [cgr@charnwood.gov.uk](mailto:cgr@charnwood.gov.uk)

By post: Adrian Ward  
Head of Strategic Support  
Charnwood Borough Council  
Southfield Road  
Loughborough  
LE11 2TX

## CHARNWOOD BOROUGH COUNCIL COMMUNITY GOVERNANCE REVIEW

## ANNEX A

### Local Council Information, Electorate Details and Forecasts

Area	Parish Council / Meeting Name	Joint Parish (part of group)	Parish Wards	Number of Parish Cllrs	Polling Districts	Borough Ward(s)	County Council Division	Current Parliamentary Constituency	December 2016 Electorate	Ratio of Electors per Cllr	5 Year Forecast Electorate	Forecast Ratio of Electors per Cllr
Anstey	Anstey Parish Council	No	-	14	CA	Anstey	Bradgate	Charnwood	5,422	387	6,125	437
Barkby & Barkby Thorpe	Barkby & Barkby Thorpe Parish Council	Yes	Yes (2)	6	CB1/CB2	Queniborough	Thurmaston Ridgemere	Charnwood	342	57	719	120
Barrow upon Soar	Barrow upon Soar Parish Council	No	-	15	Z	Barrow and Sileby West	Quorn & Barrow	Loughborough	4,840	323	5,413	361
Beeby	Beeby Parish Meeting	N/A	N/A	N/A	CB3	Queniborough	Thurmaston Ridgemere	Charnwood	66	N/A	71	N/A
Birstall	Birstall Parish Council	No	Yes (5)	20	CC/CD/CE /CF/CG/CH/CI	Birstall Wanlip & Birstall Watermead	Birstall	Charnwood	10,401	520	10,769	538
Burton on the Wolds, Cotes & Prestwold	Burton on the Wolds, Cotes & Prestwold Parish Council	Yes	Yes (3)	8	AA/ AB2 AB3	The Wolds	Sileby & The Wolds	Loughborough	982	123	1,009	126
Cossington	Cossington Parish Council	No	-	5	CJ	Wreake Villages	Syston Fosse	Charnwood	422	84	422	84
East Goscote	East Goscote Parish Council	No	-	10	CK	East Goscote	Syston Fosse	Charnwood	2,350	235	2,350	235
Hathern	Hathern Parish Council	No	-	7	F	Loughborough Dishley & Hathern	Loughborough North	Loughborough	1,762	252	1,899	271
Hoton	Hoton Parish Council	No	-	7	AB1	The Wolds	Sileby & The Wolds	Loughborough	291	42	293	42
Loughborough	Unparished	N/A	N/A	N/A	A to Y	Loughborough - various	Loughborough - various	Loughborough	48,329	N/A	51,363	N/A
Mountsorrel	Mountsorrel Parish Council	No	Yes (3)	13	AC1/AC2 CL	Mountsorrel and Quorn & Mountsorrel Castle	Quorn & Barrow and Rothley & Mountsorrel	Charnwood & Loughborough	6,354	489	6,680	514

Area	Parish Council / Meeting Name	Joint Parish (part of group)	Parish Wards	Number of Parish Cllrs	Polling Districts	Borough Ward(s)	County Council Division	Current Parliamentary Constituency	December 2016 Electorate	Ratio of Electors per Cllr	5 Year Forecast Electorate	Forecast Ratio of Electors per Cllr
Newtown Linford	Newtown Linford Parish Council	No	-	7	CM1	Forest Bradgate	Bradgate	Charnwood	837	120	848	121
Queniborough	Queniborough Parish Council	No	-	9	CN	Queniborough	Syston Fosse	Charnwood	2,031	226	2,704	300
Quorndon	Quorn Parish Council	No	-	11	AD	Quorn & Mountsorrel Castle	Quorn & Barrow	Loughborough	4,560	415	4,602	418
Ratcliffe on the Wreake	Ratcliffe on the Wreake Parish Council	No	-	5	CO	Wreake Villages	Syston Fosse	Charnwood	148	30	150	30
Rearsby	Rearsby Parish Council	No	-	6	CP	Wreake Villages	Syston Fosse	Charnwood	943	157	965	161
Rothley	Rothley Parish Council	No	-	10	CQ	Rothley & Thurcaston	Rothley & Mountsorrel	Charnwood	3,556	356	4,412	441
Seagrave	Seagrave Parish Council	No	-	5	CR	Wreake Villages	Sileby & The Wolds	Charnwood	465	93	480	96
Shepshed	Shepshed Town Council	No	Yes (2)	15	AE/AF AG/AH	Shepshed East and Shepshed West	Shepshed	Loughborough	10,783	719	12,104	807
Sileby	Sileby Parish Council	No	Yes (3)	15	AI/AJ/ AK	Sileby	Sileby & The Wolds	Loughborough	6,281	419	6,570	438
South Croxton	South Croxton Parish Council	No	-	5	CS	Queniborough	Thurmaston Ridgemere	Charnwood	216	43	218	44
Swithland	Swithland Parish Meeting	N/A	N/A	N/A	CT	Rothley & Thurcaston	Bradgate	Charnwood	199	N/A	204	N/A
Syston	Syston Town Council	No	Yes (4)	20	CU/CV CW/CX CY	Syston East and Syston West	Syston Fosse and Syston Ridgeway	Charnwood	10,365	518	10,659	533
Thrussington	Thrussington Parish Council	No	-	5	CZ	Wreake Villages	Syston Fosse	Charnwood	451	90	457	91
Thurcaston & Cropston	Thurcaston & Cropston Parish Council	No	Yes (2)	6	DA/DB	Rothley & Thurcaston	Bradgate	Charnwood	1,738	290	1,740	290
Thurmaston	Thurmaston Parish Council	No	Yes (4)	19	DC/DD DE/DF DG	Thurmaston	Thurmaston Ridgemere	Charnwood	7,640	402	8,889	468
Ulverscroft	Ulverscroft Parish Meeting	N/A	N/A	N/A	CM2	Forest Bradgate	Bradgate	Charnwood	79	N/A	79	N/A
Walton on the Wolds	Walton on the Wolds Parish Council	No	-	5	AL	The Wolds	Sileby & The Wolds	Loughborough	216	43	220	44
Wanlip	Wanlip Parish Meeting	N/A	N/A	N/A	DH	Birstall Wanlip	Birstall	Charnwood	157	N/A	818	N/A
Woodhouse	Woodhouse Parish Council	No	-	9	DI/DJ	Forest Bradgate	Bradgate	Charnwood	1,642	182	1,680	187

Area	Parish Council / Meeting Name	Joint Parish (part of group)	Parish Wards	Number of Parish Cllrs	Polling Districts	Borough Ward(s)	County Council Division	Current Parliamentary Constituency	December 2016 Electorate	Ratio of Electors per Cllr	5 Year Forecast Electorate	Forecast Ratio of Electors per Cllr
Wymeswold	Wymeswold Parish Council	No	-	7	AM	The Wolds	Sileby & The Wolds	Loughborough	1,069	153	1,134	162