

## STROUD DISTRICT COUNCIL

AGENDA

ITEM NO

## COUNCIL

19 JULY 2018

7

<b>Report Title</b>	<b>COMMUNITY GOVERNANCE REVIEW FOR STROUD DISTRICT</b>
<b>Purpose of Report</b>	To seek approval of Council to carry out a Community Governance Review for Stroud District.
<b>Decision(s)</b>	<p><b>Council RESOLVES:</b></p> <ol style="list-style-type: none"> <li>1. That in accordance with the Local Government and Public Involvement in Health Act 2007, a Community Governance Review be undertaken for the whole Stroud District area before the next scheduled local elections in May 2020.</li> <li>2. To conduct the Community Governance Review in accordance with the Terms of Reference contained in Appendix 1 of this report.</li> <li>3. To establish a cross party working group to oversee the process of the Community Governance Review and propose recommendations for the electoral arrangements in view of the consultation responses.</li> </ol>
<b>Consultation and Feedback</b>	If a Community Governance Review is conducted, two full consultation exercises will be undertaken during the process.
<b>Financial Implications and Risk Assessment</b>	<p>If approval is granted, any costs associated with undertaking the review must be met from the Elections budget.</p> <p>Adele Rudkin, Accountant Tel: 01453 754109 Email: <a href="mailto:adele.rudkin@stroud.gov.uk">adele.rudkin@stroud.gov.uk</a></p>
<b>Legal Implications</b>	<p>The Local Government and Public Involvement Health Act 2007 allows the Council to conduct a Community Governance Review. It also requires that a review must be conducted when the Council receives either a valid:</p> <ol style="list-style-type: none"> <li>a) petition (which requires a minimum percentage or number of electors dependent on the number of electors in the area to be reviewed); and/or,</li> <li>b) application from an organisation or a body designated as a neighbourhood forum (under Section 61F of the Town and Country Planning</li> </ol>

	<p>Act 1990).</p> <p>The Council is required to have regard to guidance issued by the Secretary of State, currently as published March 2010 by the Department for Communities and Local Government (as was) and the Local Government Boundary Commission (LGBC). Should the Council agree the Terms of Reference then the review must comply with said terms and as soon as practicable publish them. If as part of a Community Governance Review, the Council wishes to alter the electoral arrangements for a parish whose existing electoral arrangements were put in place within the previous five years by an order made by the Secretary of State, Electoral Commission or the LGBC then consent from the LGBC is required. Any further legal implications are covered in the body of the report and/or the draft terms of reference.</p> <p>Craig Hallett, Solicitor &amp; Deputy Monitoring Officer  Tel: 01453 754364  Email: <a href="mailto:craig.hallett@stroud.gov.uk">craig.hallett@stroud.gov.uk</a>  R28.06D05.07C03.07</p>
<b>Report Author</b>	<p>Hannah Emery, Elections Manager  Tel: 01453 754383  Email: <a href="mailto:hannah.emery@stroud.gov.uk">hannah.emery@stroud.gov.uk</a></p>
<b>Options</b>	<ol style="list-style-type: none"> <li>1. It is open to the Council not to carry out a Community Governance Review as no formal request to do so has been received.</li> <li>2. Undertake Community Governance Reviews for individual parishes upon receipt of a valid petition. This is not recommended as it is difficult for parishes to obtain the number of signatures needed to commence a Community Governance Review and would result in parish arrangements not being considered for some parishes in a considerable amount of time.</li> </ol>
<b>Background Paper/Appendices</b>	<p>Terms of Reference  Terms of Reference – Annexe A – Local council information and electorate details</p>

## 1. BACKGROUND

- 1.1 A Community Governance Review (CGR) enables the Council to consider what changes, if any, are needed to the existing arrangements, in order to ensure that:
- 1.1.1 Parish governance within the District is robust, representative and able to meet new challenges; and
  - 1.1.2 That there is clarity and transparency to the areas that parish/town councils represent and that the electoral arrangements of parishes are appropriate, equitable and readily understood by their electorates.

- 1.2 A CGR can consider a number of issues, including whether to:
- 1.2.1 Abolish or create a new parish (this may be where an area is not currently parished, or as a result of bringing together two or more existing parishes);
  - 1.2.2 Alter the boundary or warding arrangements of one or more existing parishes;
  - 1.2.3 Bring a number of parishes together as a grouped parish council; and
  - 1.2.4 Alter the number of seats on an existing parish council
- 1.4 It should be noted that there is no requirement to change existing arrangements within parishes if it is felt that they are fit for purpose.

## 2. WHY CONDUCT A COMMUNITY GOVERNANCE REVIEW

- 2.1 The Local Government Boundary Commission for England recommends that councils review local government arrangements every 10 to 15 years. Although a CGR took place in Moreton Valence in 2011 the District Council has not conducted a CGR for other parishes in over 10 years. It is therefore recommended that a whole District CGR is conducted ahead of the next scheduled local elections in 2020.
- 2.2 It is also recommended that a CGR takes place partly in response to suggestions made by some parish/town councils (given population changes and shifts in 'natural settlements' caused by new development) and partly due to changes made to parish warding arrangements as part of the District Ward Review conducted by the Local Government Boundary Commission of which changes came into effect in 2016.

## 3. PROCESS OF A COMMUNITY GOVERNANCE REVIEW

- 3.1 If Council approves the terms of reference for the CGR, legislation requires that it must be completed within 12 months, and specifies the process to be followed, including consultation. Once completed, any elections required as a result of any changes would be undertaken as part of the local elections scheduled for May 2020.
- 3.2 The key stages in the review process will be as follows:

Stage	Action	Timescale
Commencement	Publish terms of reference	Following full Council approval
Preliminary stage	Consider consultation arrangements and electoral forecasts	One month
<b>Consultation</b> Stage 1	Initial submissions invited	Three months
Stage 2	Consideration of submissions received. Draft recommendations prepared	Two months

<b>Consultation Stage 3</b>	Draft recommendations published and consulted on	Three months
Stage 4	Consideration of submissions received. Final recommendations prepared	Two months
Final stage	Recommendations submitted to full Council for approval	One month

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

- 3.3.1 Consulting local government electors and residents within the District;
- 3.3.2 Consulting any other persons or bodies (including local councils) which appear to the Council to have an interest in the CGR;
- 3.3.3 Notifying and consulting with Gloucestershire County Council; and
- 3.3.4 Taking into account any representations received in connection with the CGR

#### **4. COUNCIL DECISION**

4.1 The Local Government and Public Involvement Health Act 2007 devolved power to carry out a Community Governance Review to Principal Councils. The decision to conduct a CGR therefore sits with the District Council.