

COMMUNITY GOVERNANCE REVIEW

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Purpose of this report

This report recommends that the Council conducts a Community Governance Review for the whole of the Council's area and seeks approval of the Terms of Reference to be used in the Review. A review must conclude within 12 months of its commencement.

RECOMMENDATIONS

The Committee is asked to:

1. Agree that a Community Governance Review be undertaken across the whole of the Council's area under the terms of Chapter 3 of Part 4 of the Local Government and Public Involvement and Health (LGPIH) Act 2007;
2. Approve the timetable for the review outlined in Appendix A;
3. Approve the Terms of Reference set out in Appendix B.

Background

1. The LGPIH Act devolved the power to take decisions relating to creating, merging or abolishing parishes, the naming of parishes, the electoral arrangements for parishes and grouping arrangements for parishes from the Secretary of State and the Electoral Commission to principal councils. With effect from February 2008, principal councils have had the responsibility for undertaking community governance reviews (formerly known as a parish reviews) and have been able to decide whether to give effect to recommendations made in those reviews. The principal council must consult the local government electors for the area under

review and any other person or body (including a local authority) who appears to have an interest in the review.

2. Councils are required to have regard to guidance issued by the Secretary of State and the Boundary Commission. Guidance suggests that it is good practice for a principal council to consider conducting a review every 10-15 years. It is now over eight years since the Council was formed and it is considered timely to conduct a review of the whole of the Council's area and that any decisions to make changes to parish arrangements would be implemented at the next full parish elections in 2019.

Criteria for undertaking a review

3. Section 93 of the Act requires principal councils to ensure that community governance within the area under review will be:
 - reflective of the identities and interests of the community in that area; and
 - effective and convenient
4. When considering the criteria identified in the Act, principal councils should take into account a number of influential factors, including:
 - the impact of community governance arrangements on community cohesion; and
 - the size, population and boundaries of a local community or parish.
5. In considering the criteria, the impact on community cohesion is linked specifically to the identities and interests of local communities. Size, population and boundaries are linked to both but perhaps more specifically to community governance being effective and convenient.

Review Requirements

6. There are a number of requirements relating to the conduct of the review which must be observed. These are
 - Terms of Reference must be drawn up for the review. These must identify the focus for the review and the area under review;
 - Consultation must take place with local people, representative groups active in the area and any people/groups that could be reasonably expected to have an interest in the review;

- The Council must take account of the representations received;
- The review must be completed within 12 months of the Council publishing the Terms of Reference.

Consultation

7. To ensure that interested persons or groups have the opportunity to input and respond to the review the following actions will be undertaken:
 - Display notice at a number of council customer service centres, libraries, post offices, doctor surgeries etc
 - Information on the Council website
 - Press adverts and local news releases
 - Articles in Members' Information Bulletin
 - Article in Members' monthly briefing note for Town & Parish Councils.
 - Article in quarterly electronic newsletter to be sent to stakeholders
 - Letter to all parish councils/meetings within Central Bedfordshire including information that they may use to publicise the review within their parishes (This information could then be publicised through parish magazines/newsletters/intranet, notice boards or website)
 - Letter to other known community groups within Central Bedfordshire (using the Council's stakeholder database)
 - Letter to all Central Bedfordshire councillors, MPs representing constituencies within Central Bedfordshire and local constituency offices of registered political parties
 - Social network sites
 - Town & Parish Conference
8. Outside the scope of the review are the 4 Joint Committees in Central Bedfordshire: Biggleswade, Leighton-Linslade, Dunstable & Houghton Regis

Timetable and Terms of Reference

9. The review is concluded when the Council publishes its recommendations and this must be within 12 months of the Council publishing the Terms of Reference. The proposed timetable is set out in Appendix A and the suggested Terms of Reference is set out in Appendix B.

Council Priorities

10. This report contributes to the Council's requirement to bring about improved community engagement. Government guidance states that 'Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.'

Corporate Implications

Risk Management

11. Councils are expected to carry out community governance reviews every 10-15 years. There are no scheduled elections in 2018 for CBC and therefore staff resources are available to complete the review by September 2018.
12. The Council will be mindful of Government guidelines and policy and take this into consideration throughout the review
13. To mitigate against the potential for judicial review, the Council will ensure that all decisions are evidence based.

Staffing (including Trade Unions)

14. None resulting from this report.

Legal Implications

15. Community Governance Reviews operate under the following legislative framework:
 - Local Government & Public Involvement in Health Act 2007 (Section 81 of the Act requires the Council to publish its Terms of Reference);
 - Guidance on community governance reviews, issued in accordance with Section 100 of the Local Government & Public Involvement in Health Act 2007 jointly by Department for Communities and Local Government and the Local Government Boundary Commission for England in March 2010;
 - Local Government Act 1972 (as amended);
 - Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI 2008/625); and
 - Local Government Finance (New Parishes) Regulations 2008 (SI 2008 626).

16. The manner in which this framework applies to this review is explained in the text of the report.

Financial Implications

17. The anticipated costs for the review relate to the cost of the external support required by LGSS and the statutory obligation to communicate with local government electors about the review.
18. The costs are not expected to exceed £5000 and will need to be borne by the budget for Electoral Registration.

Equalities Implications

19. There are no direct equalities implications that have been identified as relevant to this report. However, achieving a more even distribution of electoral representation in every parish will provide an opportunity for fairer representation.

Conclusion

20. The Council is under a duty to carry out a Community Governance Review; there is an opportunity to carry out the review before the scheduled parish elections in May 2019.

Appendices:

Appendix A – Proposed Timetable

Appendix B – Proposed Terms of Reference

Background Papers: Local Government and Public Involvement in Health Act 2007

Local Government Act 1972

Guidance on community governance reviews published jointly by the Department for Communities and Local Government and the Local Government Boundary Commission – March 2010

Location of Background Papers: N/A