

## COMMUNITY GOVERNANCE REVIEW

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### Purpose of this report

This report invites the Committee to consider the Final Recommendations in relation to the Community Governance Review for the whole of the Council's area.

### RECOMMENDATIONS

The Committee is asked to:

1. Make recommendations to Council in respect of each parish within the District, to either change or retain current arrangements, following the completion of the Community Governance Review for the whole of the Council's as set out in the review report at Appendix A.
2. Recommend to Council that delegated authority is given to the Monitoring Officer for the creation of any Orders necessary for the implementation of those proposals which receive the support of full Council (and any consequential matters thereby required).

### Background

1. The Committee, at its meeting on 26 October 2017, resolved to undertake a Community Governance Review of the whole of the Central Bedfordshire area.
2. Stage One of the review, which commenced on the 1 November 2017 and ceased on 31 January 2018, invited all town and parish councils and selected stakeholders to respond to the consultation document.

3. At the meeting held 29 March 2018, this Committee approved the Stage 3 draft recommendations for publication and further consultation with interested parties and residents.
4. Members are now requested to consider the representations received and to agree the 'Final Recommendations' as shown at Appendix A which will then be subject to approval by Council on 27 September.

### **Criteria for undertaking a review**

5. Members are reminded that a Community Governance Review offers the opportunity to put in place strong, clearly defined boundaries and to remove any anomalous parish boundaries.
6. The Council is required 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

### **Constraints**

7. The Council may not alter the boundary of Central Bedfordshire, and may not alter the boundaries of other principal councils. However, the Review may make recommendations to the Local Government Boundary Committee for England (LGBCE) as to what related alterations (if any) should be made to the boundaries of the electoral areas of any affected principal council. In effect, the LGBCE needs to have recommendations that it can implement or reject; it does not have powers to modify recommendations.

### **Consultation**

8. The draft recommendations together with a consultation questionnaire were available for 8 weeks and were promoted via:
  - Articles in Staff Central, Members Information Bulletin
  - Email bulletin to residents via our opt-in list
  - Press releases and coverage in local newspapers
  - Posters in Central Bedfordshire libraries
  - Council website
  - Letters sent to Town and Parish Councils

9. The number of responses are small, but 16 are formal responses from Town and Parish Councils. The consultation questionnaire received 136 responses from a mix of residents and voluntary organisations.
10. Across all parishes, there is general agreement with the proposals around name changes. Most disagreement is about the reduction in the number of councillors and the concerns of increased pressures on parish councillors being the reason for their disagreement.
11. Given that the response numbers are low, where possible free text responses are provided (some provide only extracts due to the length of the response).
12. The consultation findings are reflected throughout the review document and have helped inform the recommendations that are being put forward for specific town and parish councils.
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### **Council Priorities**

14. 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**

### **Legal Implications**

15. The Local Government & Public Involvement in Health Act 2007 (part 4) ('the Act') devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local governance arrangements. Section 82 of the Act gives the Council the power to undertake a review. The Act sets out the procedure to be used and the various factors that must be taken into account.

16. The duty under Section 93 of the Act is to consult the electors of the area under review, and other person/bodies with an interest in the review, and to try and secure a community that reflects the identities and interests of the community affected, as well as needing to make the area "effective and convenient". The council must also take into account arrangements for community representation and community engagement, as well as having regard to any representations made. Any recommendations must, under the Act, be published and any persons who may be interested in the review informed of the recommendations. The council must conclude the review within the period of 12 months starting with the day on which the council receives the community governance application.
17. Such reviews concern the parishing arrangements for the area of the principal council and the electoral arrangements for any related parish council. The principal council, may by order, give effect to the recommendations made in the review.
18. Paragraph 1.7.3 of Part 3A of the Council's constitution provides that: "The approval of any recommendations arising from the conduct of a community governance review under Section 86 of the Local Government and Public Involvement in Health Act 2007" is to be exercised by Full Council.
19. The Council will be mindful of Government guidelines and policy and take this into consideration throughout the review
20. To mitigate against the potential for judicial review, the Council will ensure that all decisions are evidence based.

### **Financial Implications**

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

### **Equalities Implications**

23. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

24. 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**

25. Any changes to the community governance arrangements that are approved by the Council are brought into effect by means of a formal Order. This Order shall come into force on 1 April 2019.

### **Appendices:**

Appendix A – Final Recommendations

**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