



Committee: COUNCIL BUSINESS COMMITTEE

Date: THURSDAY, 27 OCTOBER 2022

Venue: MORECAMBE TOWN HALL

Time: 6.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of meeting held on 16th July 2022 (previously circulated).

3. **Items of urgent business authorised by the Chair**

4. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **Committee Timetable 2023/2024** (Pages 3 - 6)

Report of the Head of Democratic Services.

6. **Community Governance Review: Petition to merge Yealand Conyers and Yealand Redmayne Parish Councils** (Pages 7 - 23)

Report of the Head of Democratic Services

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Geoff Knight (Chair), Erica Lewis (Vice-Chair), Darren Clifford, Tim Dant, Joan Jackson, Paul Stubbins and David Whitaker.

(ii) Substitute Membership

Councillors Roger Cleet (Substitute), Roger Dennison (Substitute), Abi Mills (Substitute), Anne Whitehead (Substitute), Jason Wood (Substitute) and Joanna Young (Substitute).

(iii) Queries regarding this Agenda

Please contact Debbie Chambers, Democratic Services - email dchambers@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on Tuesday 18 October, 2022.

COUNCIL BUSINESS COMMITTEE

Committee Timetable 2023/2024

27 October 2022

Report of the Head of Democratic Services

PURPOSE OF REPORT

To consider a timetable of committee meetings for the 2023/24 municipal year.

This report is public.

RECOMMENDATIONS

- (1) **That Members consider the proposed timetable of meetings, times and venues for the 2023/24 municipal year as set out within the report and appendices.**
- (2) **That a final schedule of meetings be agreed at this meeting, or, if significant changes are made, that the matter be referred to Council for decision at its next meeting.**

1.0 Background and Introduction

- 1.1 This Committee's terms of reference include "To agree the annual timetable of Lancaster City Council meetings and any other timetabling issues which may arise." (Constitution Part 2, Section 5, paragraph 8). A draft timetable is therefore presented to Members at this meeting to be finalised. This will allow accommodation to be booked and notice to be given of the proposed dates to Members and officers.

2.0 Proposal

- 2.1 Proposed start times, venues and number of meetings are shown at Appendix 1. The draft timetable is shown at Appendix 2. It is based on the number of meetings held this municipal year.
- 2.2 It should be noted, however, that where the Personnel Committee and Standards Committee hold hearings in respect of individual cases, which are likely to last for a half day or more, and require the attendance of witnesses and others, such hearings are held during the day. This is because a 6.10pm start time is not practical.

- 2.3 Regarding venues for meetings, it is suggested that some Committees which had been meeting at Morecambe Town Hall can now return to Lancaster Town Hall, such as Budget and Performance Panel and Personnel Committee. Licensing Committee will stay at Morecambe Town Hall instead of returning to Lancaster. Planning Regulatory Committee members were consulted and there was no majority voting for either venue, so it is suggested that this stays at Morecambe Town Hall in the Council Chamber. Professional livestreaming equipment will shortly be installed in the Chamber for full Council meetings and it would make sense to keep the Planning Regulatory Committee meetings there, should the Council ever wish to livestream those meetings in the future. They are the meetings which, generally speaking, have the most public in attendance.
- 2.4 The Joint Consultative Committee of Personnel Committee Members and Trade Union representatives will be held virtually in future as this body is not required to hold face to face meetings, unlike the City Council's other committees.

3.0 Conclusion

- 3.1 Members are asked to consider this report and agree a timetable of meeting dates, times, and venues for the 2022/23 municipal year at this meeting. If any significant changes are proposed, to make recommendations to Council.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) None.</p>	
<p>LEGAL IMPLICATIONS It is a legal requirement that the City Council publishes its timetable of meetings by the commencement of each Municipal Year. Amendments can be made throughout the year provided at least 5 days' notice is given.</p>	
<p>FINANCIAL IMPLICATIONS There are no additional financial implications for the proposed draft timetable. The costs of the meetings will be met from existing budgets.</p>	
<p>OTHER RESOURCE IMPLICATIONS, such as Human Resources; Information Services; Property; Open Spaces: None.</p>	
<p>MONITORING OFFICER COMMENTS The Monitoring Officer has been consulted and has no further comments.</p>	
<p>SECTION 151 OFFICER'S COMMENTS The Section 151 Officer has been consulted and has no further comments</p>	
<p>BACKGROUND PAPERS None.</p>	<p>Contact Officer: Debbie Chambers Telephone: 01524 582057 E-mail: dchambers@lancaster.gov.uk</p>

START TIMES, VENUES AND NUMBER OF MEETINGS

Meeting	Venue	Start Time	Number of Meetings
Annual Council (Ceremonial)	Ashton Hall	12 noon	1
Annual Council (Business)	MTH	6:00pm	1
Council	MTH	6:00pm	9
Council Business Committee	MTH	6:00pm	3
Cabinet	Alternates: MTH/LTH	6:00pm	9
Overview & Scrutiny Committee	MTH	6:00pm	9
Budget and Performance Panel	LTH	6.10 pm	5
Licensing Committee	MTH	1:00pm	8
Planning Regulatory Committee	MTH	10:30am	13
Personnel Committee	LTH	6:10pm	2
JCC	REMOTE	Flexible	2
Audit Committee	MTH	6:00pm	4
Standards Committee	LTH	6:10pm	2

DRAFT COMMITTEE TIMETABLE 2023/24

	May 2023	June	July	August	September	October	November	December	January 2024	February	March	April	May	
Mon	1 Bank Holiday								1 Bank Holiday			1 Bank Holiday		Mon
Tue	2			1					2			2		Tue
Wed	3			2			1		3 Planning Site Visit			3	1	Wed
Thu	4 CITY, PARISH ELECTIONS and possible others	1		3			2		4 Licensing	1 Licensing		4	2 PCC ELECTIONS and possible others	Thu
Fri	5	2		4	1		3	1	5	2	1	5	3	Fri
Sat	6	3	1	5	2		4	2	6	3	2	6	4	Sat
Sun	7	4	2	6	3	1	5	3	7	4	3	7	5	Sun
Mon	8	5	3	7 Planning Site Visit	4 Planning Site Visit	2 Planning Site Visit	6 Planning	4 Planning	8 Planning	5	4	8	6 Bank Holiday	Mon
Tue	9	6 Cabinet	4	8	5	3	7	5 Cabinet	9	6 Cabinet	5	9	7	Tue
Wed	10	7	5 JCC	9	6 Overview & Scrutiny Committee	4	8 JCC Council	6 Overview & Scrutiny Committee	10	7 Overview & Scrutiny Committee	6 Overview & Scrutiny Committee	10	8	Wed
Thu	11	8 Licensing	6 Standards	10	7	5 Licensing	9	7	11 Standards	8	7	11	9	Thu
Fri	12	9	7	11	8	6	10	8	12	9	8	12	10 Annual Council	Fri
Sat	13	10	8	12	9	7	11	9	13	10	9	13	11	Sat
Sun	14	11	9	13	10	8	12 Remembrance Sunday	10	14	11	10	14	12	Sun
Mon	15	12 Planning Site Visit	10 Planning Site Visit	14 Planning	11 Planning	9 Planning	13	11	15	12	11 Commonwealth Flag Raising	15	13 Business Council	Mon
Tue	16	13	11 Cabinet	15	12 Cabinet	10	14	12	16 Cabinet	13	12	16 Cabinet	14	Tue
Wed	17	14 Overview & Scrutiny Committee	12 Overview & Scrutiny Committee	16	13	11	15 Overview & Scrutiny Committee	13 Council	17 Overview & Scrutiny Committee	14	13 Council	17	15	Wed
Thu	18	15 Council Bus Committee	13	17	14	12	16 Licensing	14	18	15	14 Licensing Budget and Performance Panel	18	16	Thu
Fri	19 Annual Council	16	14	18	15	13	17	15	19	16	15	19	17	Fri
Sat	20	17	15 Freeman's Court	19	16	14	18	16	20	17	16	20	18	Sat
Sun	21 Mayor's Sunday	18	16	20	17	15	19	17	21	18	17	21	19	Sun
Mon	22 Business Council	19 Planning AFs Day Flag Raising	17 Planning	21	18	16	20	18	22 Planning Site Visit	19 Planning Site Visit	18 Planning Site Visit	22 Planning Site Visit	20	Mon
Tue	23	20	18 Personnel	22	19	17	21 Personnel	19	23	20	19	23	21	Tue
Wed	24 Audit	21 Council	19 Audit	23	20	18	22 Audit	20	24 Council	21 Budget Council	20 Audit	24 Council	22	Wed
Thu	25	22	20	24 Licensing	21	19	23 Budget and Performance Panel	21	25	22	21	25	23	Thu
Fri	26	23	21	25	22	20	24	22	26	23	22	26	24	Fri
Sat	27	24	22	26	23	21	25	23	27	24	23	27	25	Sat
Sun	28	25	23	27	24	22	26	24	28	25	24	28	26	Sun
Mon	29 Bank Holiday	26	24	28 Bank Holiday	25	23	27 Planning Site Visit	25 Bank Holiday	29 Planning	26 Planning	25 Planning	29 Planning	27 Bank Holiday	Mon
Tue	30 Planning	27	25	29	26	24 Cabinet	28	26 Bank Holiday	30	27 Cabinet	26	30	28	Tue
Wed	31	28	26 Council	30	27 Council	25 Overview & Scrutiny Committee	29	27	31 Budget & Perf Panel	28	27		29	Wed
Thu		29 Licensing	27 Budget and Performance Panel	31	28 Budget and Performance Panel	26 Council Business Committee	30	28		29 Council Business Committee	28		30	Thu
Fri		30	28		29	27		29			29 Bank Holiday		31	Fri
Sat			29		30	28		30			30			Sat
Sun			30			29		31			31			Sun
Mon			31			30 Planning Site Visit								Mon
Tue						31								Tue
	May 2023	June	July	August	September	October	November	December	January 2024	February	March	April	May	

COUNCIL BUSINESS COMMITTEE**Community Governance Review: Petition to merge Yealand
Conyers and Yealand Redmayne Parish Councils
27th October 2022****Report of Head of Democratic Services****PURPOSE OF REPORT**

To agree the Terms of Reference document and the consultation timetable for the Community Governance Review for the proposed merger of Yealand Conyers and Yealand Redmayne Parish Councils into The Yealands Parish Council.

This report is public.

RECOMMENDATIONS

- (1) To agree the Terms of Reference for the Community Governance Review for the proposed The Yealands Parish Council.**
- (2) To agree the consultation timetable and additional meeting dates if needed.**

1.0 Introduction

- 1.1 Council, at its meeting on 27th July 2022, was advised that a valid petition had been received which would commence a Community Governance Review (CGR) to consider the creation of The Yealands Parish Council by merging the current Yealand Conyers and Yealand Redmayne Parish Councils.
- 1.2 A copy of the report to Council is attached at Appendix A, together with a copy of the relevant minute at Appendix B.

2.0 Proposal Details

- 2.1 Council has asked this Committee to develop the terms of reference, determine consultation plans and agree a timetable for this CGR.
- 2.2 Attached at Appendix C is a draft Terms of Reference document which will form the basis of discussion at the meeting.
- 2.3 The CGR must be concluded by July 2023.

3.0 Details of Consultation

- 3.1 This Committee will need to agree the process for consultation, and the timetable to be followed as this will also need to be included in the Terms of Reference document.

3.2 The Review must also consider all aspects of the merging of the two parishes, including the electoral arrangements that would need to be adopted (for example the warding arrangements, the number of Councillors for the new parish, etc), and must also consider and consult on precepting arrangement for the new parish.

4.0 Conclusion

4.1 In conducting the CGR, Council Business Committee should consider all aspects of the process to be undertaken. Although there is no standard format for carrying out a review, thought must be given to the most appropriate way to conduct a review which best suits the needs of the area. This can depend on the size and scale of the review to be carried out.

4.2 In all cases the review period must not exceed 12 months. Should agreement be reached to create The Yealands Parish Council, it is expected that a reorganisation order would come into effect on 01 April 2024 to tie into the start of that financial year.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

None.

LEGAL IMPLICATIONS

Chapter 3 of Part 4 of The Local Government and Public Involvement in Health Act 2007 devolved the power to take decisions about such matters as the creation of parishes and their electoral arrangements to local government and local communities in England. Principal councils are required, by Section 100(4) of the 2007 Act to have regard to guidance issued by the Secretary of State when undertaking reviews and the guidance has been followed in drafting this report.

FINANCIAL IMPLICATIONS

The cost of the review will be met from existing budgets. As part of the preparation of their business plan for the merged parish consideration was given to the current precept rates which differ between Yealand Conyers and Yealand Redmayne Parish Councils. A joint single precept amount has been proposed and details will be included in the terms of reference document to allow transparency as part of the consultation. Timing considerations around precept and tax setting for the new parish must be taken into account, but as long as a decision is reached before December 2023 the new parish will benefit from the precept collected for the financial year commencing 01 April 2024.

There are cost implications for the amendment of the Council Tax system provided by Capita, and this would be at an estimate of £6,500. This cannot be covered from the existing budget held by Democratic Services and would have to be built into future years budgets as part of the budget process.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Contact Officer: Lisa Vines
Telephone: 01524 582070
Email: lvines@lancaster.gov.uk
Ref:

COUNCIL

**Community Governance Review:
Petition to merge Yealand Conyers and Yealand Redmayne
Parish Councils
27th July 2022**

Report of Head of Democratic Services

PURPOSE OF REPORT

To advise Council of the receipt of a valid petition requesting the merging of Yealand Conyers and Yealand Redmayne Parish Council into The Yealands Parish Council, and to seek the Council's views on taking the Community Governance Review forward.

This report is public.

RECOMMENDATIONS

- (1) To consider the options set out in 3.2 of the report for allocating or establishing a Committee to develop terms of reference, determine consultation plans and agree a timetable for a Community Governance Review (CGR) for the proposed merging of Yealand Conyers and Yealand Redmayne Parish Councils into The Yealands Parish Council.**
- (2) That the Committee be consulted throughout the process and be involved in the preparation of final proposals to be submitted to Council in January 2023.**

1.0 Introduction

- 1.1 The Local Government and Public Involvement in Health Act 2007 ("the Act") transferred responsibility for the creation of new parish councils, or the merging or dissolving of existing parish councils from the then Department for Communities and Local Government to principal councils. A "community governance review" must be undertaken and completed before any changes can be made.
- 1.2 At the last Council meeting on 22 June, Members were provided with an update on a full CGR of the district. Such an undertaking is a large piece of work for our Elections Team. The report explained that this could only be undertaken in a year without scheduled elections, to meet the 12 month time limit for a CGR and deliver successful polls.
- 1.3 There are, however, provisions in the Act for community governance petitions, which must meet the conditions laid out in Section 80 of the Act (as amended by The Legislative Reform (Community Governance Reviews) Order 2014.

A petition must be signed by the following number of electors

<u>Petition Area</u>	<u>Required number of signatories</u>
<500 Electors	37.5% of the electors
500-2,499 electors	At least 187 of the electors
>2,500 electors	At least 7.5% of the electors

- 1.3 Petitions should be signed by local government electors on the most recently published register of electors inclusive of monthly notices of alteration.

2.0 Details

- 2.1 On 16 June 2022 the City Council received a petition to request merging of Yealand Conyers and Yealand Redmayne Parish Councils into a new “The Yealands Parish Council”. The business plan produced jointly by the two parishes includes a plan of the proposed area and includes details of future electoral arrangements and a proposed budget based on current financial commitments of both parishes.

- 2.2 The area of the proposed new parish currently has an electorate of 456 (168 in Yealand Conyers and 288 in Yealand Redmayne). The register to be used for the calculation of electorate for the petition is the register published on 1 July 2022. The petition has been checked and the number of electors who have signed is 238, of which 227 are registered electors. This represents 49.78% of the electorate, well in excess of the 37.5% required to trigger a CGR.

- 2.3 When a principal council, such as Lancaster City Council receives a valid petition, it must then carry out a CGR. The first stage of carrying out the review is to set a timetable and publish terms of reference for the review. These must specify the area under review and set out clearly the matters on which the review is to focus. The terms must be appropriate to local people and their circumstances and reflect the specific needs of their communities. Once a petition is received the review must be completed within 12 months. The review concludes when the Council publishes its final recommendations.

- 2.4 The proposed timetable for the Yealand Conyers and Yealand Redmayne CGR is as follows:

Report to Council	July 2022
Preparation of Terms of Reference	August/September 2022
Publication of Terms of Reference and Consultation on draft proposals	September/October 2022
Preparation of final proposals	November 2022
Publication of final proposals	December 2022
Agreement of final proposals by Council and publication of recommendations	January 2023
Publication of a reorganisation order	Before July 2023 (to come into effect on 1 April 2024).

3.0 Details of Consultation

- 3.1 As set out in 2.3 above, terms of reference for the review need to be established, agreed and published and it is recommended that a Committee of Council meet to formulate those terms of reference.

3.2 Council could choose to delegate the responsibility for setting the terms of reference for the CGR of Yealand Conyers and Yealand Redmayne to a Committee of Council which is already established. The most appropriate would seem to be Council Business Committee as they have already overseen previous CGRs and special meetings of the Committee can be convened as necessary. Alternatively, Council may wish to establish a Working Group on the basis of proportional representation to deal with this CGR. If a Working Group is to be established Council will need to decide how many councillors should serve on it and whether groups should be encouraged to nominate relevant Ward members, who are the most in touch with Yealand Conyers and Yealand Redmayne Parish Councils, or to co-opt them in a non-voting advisory capacity.

4.0 Conclusion

4.1 It is clear in this case that there is considerable support for the merging of Yealand Conyers and Yealand Redmayne Parish Councils into a new single Parish Council (The Yealands Parish Council), demonstrated by the number of electors who have signed the petition in support of the review.

4.2 Council is asked to consider the most appropriate decision-making process for the City Council to adopt. Councillors should be involved at all stages of the process before any final recommendations are brought before Council in January 2023 and the most effective way to do this would seem to be either to delegate the matter to Council Business Committee or establish a new Working Group to report back to Council in January 2023.

4.3 Should the merger be agreed in due course, The Yealands Parish Council would come into effect in April 2024, so elections would have to take place for members of Yealand Conyers and Yealand Redmayne Parish Councils in May 2023.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):
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None.

LEGAL IMPLICATIONS

Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 devolved the power to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England. Principal councils are required, by Section 100(4) of the 2007 Act to have regard to guidance issued by the Secretary of State when undertaking reviews and the guidance has been followed in drafting this report to Council.

FINANCIAL IMPLICATIONS

The cost of undertaking the review will be met from existing budgets within Democratic Services.
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If, ultimately, a new parish is formed to replace the two current parishes then that would have implications for council tax setting as the new parish would have powers to precept. As part
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of their business plan the two parishes have agreed a future budget based on their joint assets and have suggested a precept of £36 for a Band D property which will realise a budget to meet their needs in the first year of The Yealands Parish Council. Future precept levels would be decided by The Yealands Parish Council following its establishment.
There are cost implications for the amendment of the Council Tax system provided by Capita, and this would be at an estimate of £10,000. This cannot be covered from the existing budget held by Democratic Services and would have to be built into future years budgets as part of the budget process.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None.

SECTION 151 OFFICER'S COMMENTS

The S151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Petition.

Contact Officer: Lisa Vines
Telephone: 01524 582070.
Email: lvines@lancaster.gov.uk
Ref:

Minute from Council Meeting 27th July 2022

46 COMMUNITY GOVERNANCE REVIEW

Council considered a report to advise Council of the receipt of a valid petition requesting the merging of Yealand Conyers and Yealand Redmayne Parish Council into The Yealands Parish Council, and to seek the Council's views on taking the Community Governance Review forward. The Mayor clarified that the word 'Committee' in the recommendations about establishing a body should actually have said 'Working Group'.

The report was introduced by Councillor Wood, the portfolio holder for Corporate Services.

Members asked a number of questions, which Councillor Wood responded to. It was noted that the cost of amendment of the Council tax system was estimated in the financial implications as £10,000. Since those implications had been drafted a quote had been received and this was for a lower figure of £6,500.

Councillor Wood seconded by Councillor Whitehead, proposed:

- "(1) To allocate the work to develop terms of reference, determine consultation plans and agree a timetable for a Community Governance Review (CGR) for the proposed merger of Yealand Conyers and Yealand Redmayne Parish Councils into The Yealands Parish Council to Council Business Committee; and
- (2) That the Council Business Committee consult with Councillors throughout the process and that all parties be involved in the preparation of final proposals to be submitted to Council in January 2023."

There was a short debate.

A vote was then taken on the proposition, which was clearly carried.

Resolved:

- (1) To allocate the work to develop terms of reference, determine consultation plans and agree a timetable for a Community Governance Review (CGR) for the proposed merger of Yealand Conyers and Yealand Redmayne Parish Councils into The Yealands Parish Council to Council Business Committee; and
- (2) That the Council Business Committee consult with Councillors throughout the process and that all parties be involved in the preparation of final proposals to be submitted to Council in January 2023.

LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COMMUNITY GOVERNANCE REVIEW

**PROPOSED MERGER OF
YEALAND CONYERS AND YEALAND REDMAYNE PARISH COUNCILS
INTO
THE YEALANDS PARISH COUNCIL**

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

DRAFT TERMS OF REFERENCE

1. INTRODUCTION

- 1.1 Lancaster City Council has resolved to undertake a Community Governance Review following receipt of a petition for the merging of Yealand Conyers and Yealand Redmayne Parish Councils into The Yealands Parish Council.
- 1.2 The review will be conducted in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 and guidance issued by the Department of Communities and Local Government (now the Department for Levelling Up, Housing and Communities) and the Local Government Boundary Commission for England in March 2010.
- 1.3 Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish its Terms of Reference in a Review.
- 1.4 The Terms of Reference must specify the area under review and set out clearly the matters on which the review is to focus. The terms must be appropriate to local people and their circumstances and reflect the specific needs of their communities. The terms of reference should assist Lancaster City Council to prepare draft proposals.

2. What is a community Governance Review?

- 2.1 A Community Governance review can consider a range of topics affecting the community governance of the area under Review. These include the creation, merging, altering or abolishing of parish areas, the naming of parishes, the electoral arrangements for parishes (creating a council; the number of councillors to be elected to the council; parish warding) and consequential matters such as resulting effects on the city wards or the setting of the commencement dates for any new arrangements.

3. Why is the council undertaking the review?

- 3.1 The Council is undertaking this Community Governance Review as a petition has been received requesting that Yealand Conyers and Yealand Redmayne Parish Councils are merged into one Parish Council to be called The Yealands Parish Council.
- 3.2 The area of the proposed parish council is defined in the map at Appendix A to these Terms of Reference.
- 3.3 In particular the review will consider
 - a) Whether or not to merge Yealand Conyers and Yealand Redmayne Parish Councils into a new The Yealands Parish Council.
 - b) Whether to create an alternative form of community governance for that area.

4. Who is undertaking the Review?

- 4.1 Lancaster City Council is responsible for undertaking any review within its electoral area. The Council is responsible for agreeing the Terms of Reference for the review and agreeing the draft and final recommendations prior to any Community Governance Order being made.
- 4.2 The lead officer for this review is Mrs Lisa Vines, Election Manager, Lancaster City Council.

5. Matters on which the review is to focus

- 5.1 The Review will focus on:
 - a. The area of the proposed parish council
 - b. Whether or not to merge Yealand Conyers and Yealand Redmayne Parish Councils into a new The Yealands Parish Council.
 - c. Whether to create an alternative form of community governance for that area.
 - d. The setting of a parish precept
 - e. The electoral arrangements for the new Parish Council

6. How the Review will take place

- 6.1 The Council shall prepare a proposal dealing with the issues at paragraph 5.1 above. Following this the Authority shall carry out a consultation exercise (as detailed below) with the local government electors for the area under review and any other person or body who appears to have an interest in the review on proposals.
- 6.2 The Council shall take representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007 (Section 93). This provides that “a principal council must have regard to the need to secure that community governance within an area under review:
 - (a) reflects the identities and interests of the community in that area, and
 - (b) is effective and convenient
- 6.3 The Council will then prepare and publish its final proposal. This will be put to Full Council for consideration. The Council will then consider the proposal and make recommendations.
- 6.4 In deciding what recommendations to make the Council must take into account any other arrangements (apart from those relating to parishes and their institutions) –
 - (a) That have already been made, or
 - (b) That could be made,

For the purpose of community representation or community engagement in respect of the area under review.

- 6.5 As soon as practicable after making any recommendations, the Council will:
- (a) Publish the recommendations; and
 - (b) Take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of the recommendations.
- 6.6 If the Council's recommends the creation of a new The Yealands Parish Council the Authority (subject to its full recommendations) will make reorganisational order.
- 6.7 The order, if approved, would come into force on 1 April 2024.

CONSULTATION

7. How the Council proposes to conduct consultations during the review

- 7.1 The Council has drawn up and now publishes this Terms of Reference document. This document lays out the aims of the review and the legislation that guides it.
- 7.2 In forming its recommendations during the review, the Council will seek the views of local people. The Act requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007 (Section 93).
- 7.3 The Council intends to publish all correspondence received in the review and all decisions that it takes in the Review, giving its reasons for taking those decisions. The Council is mindful of government guidance that "community governance reviews should be conducted transparently so that local people and other stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind those decisions".
- 7.4 The Council will endeavour to ensure that local government electors and any other person or body with an interest in the Review has every opportunity to express their views. The Council recognises the importance of ensuring full consultation and encouraging stakeholders to contribute to the Review.
- 7.5 The Council proposes to use general press releases, its website, the placing of key documents on deposit at the Town Halls in the Customer Contact Centres, relevant parish council contacts and direct personal communication with all registered electors in the area covered by the review to achieve these objectives. The Council is mindful of the costs of a Review, and it will endeavour to ensure that the consultation process is cost effective and that only reasonable costs are incurred.

8. Timetable for the Review

- 8.1 The review must be completed within twelve months, with publication of the terms of reference as the starting point.
- 8.2
- 8.3 The timetable for the Community Governance Review to consider the creation of The Yealands Parish Council is as follows:

Action	Date
Report to Council	July 2022
Preparation of Terms of Reference	August/September 2022
Consultation on draft proposals	October/November 2022
Preparation of final proposals	November 2022
Publication of final proposals	December 2022
Agreement of final proposals by Council and publication of recommendations	January 2023
Publication of a reorganisation order	Before July 2023 (to come into effect on 1 April 2024).

CONSULTATION**9. Receipt of Petition**

- 9.1 Those signing the petition to start a review must be local government electors on the most recently published register.
- 9.2 The petition was received on 16 June 2022 and the electors were checked against the electoral register published on 01 July 2022.
- 9.3 There were 456 electors registered as at 01 July 2022. In order to be valid, for an area with less than 500 electors the petition has to have been signed by at least 37.5% of the electors registered in that area. The petition contains 227 valid signatures which represents 49.78% of the registered electors in that area.
- 9.4 The petition provides a valid indication that there is sufficient support amongst the registered electors in the area for the creation of The Yealands Parish Council.

10. Proposed Electoral Arrangements

- 10.1 The proposed area covered by The Yealands Parish Council covers two polling Districts. Yealand Conyers Parish Council sits within the Warton Ward and is identified as polling district WARB and represented by 5 Parish Councillors. Yealand Redmayne Parish Council sits within the Silverdale Ward and is identified as polling district SILB and is also represented by 5 Parish Councillors.
- 10.2 It is proposed that The Yealands Parish Council will have a total number of 7 Councillors and be divided along the existing parish boundaries into two parish wards to be named Conyers Ward and Redmayne Ward. Conyers Ward would be represented by 3 Councillors and Redmayne Ward would be represented by 4 Councillors to reflect the population of the two wards.
- 10.3 Due to the timing of the review, elections will take place in May 2023 to Yealand Conyers and Yealand Redmayne Parish Councils with a term of office of 1 year. Elections to The Yealands Parish Council would take place in May 2024 with an initial term of office for those elected of 3 years. Elections would then take place in May 2027 (the next scheduled parish elections for the Lancaster District) allowing the electoral cycle to return to the four year term of office, in line with all other parishes in the district.
- 10.4 From 01 April 2024 until the election of Councillors, the City Council would operate a shadow parish council, comprising the serving Councillors of the current Yealand Conyers and Yealand Redmayne Parish Councils as well as the Ward Councillors for the Silverdale and Warton Wards. An interim Clerk would be provided by the City Council until the new Parish is able to make its own appointment.

11. Parish Precept

- 11.1 Any parish council may raise funding through issuing a precept notice to the local billing authority (i.e. the City Council).
- 11.2 Generally, a parish council forecasts the amount of funding it will require for the following year and requests this funding from its local district council in the form of a precept. The billing authority generates this income by increasing the council tax for every property (chargeable for council tax) within the relevant parish area. Council tax rates must be set by 11 March each year.
- 11.3 The total number of chargeable properties is known as the council tax base. This takes account of:
- a. The number of properties in each band during the year (i.e. including the results of changes and appeals)
 - b. Disabled relief
 - c. Discounts and exemptions
 - d. Provision for bad or doubtful debts
 - e. Allowance for growth

- 11.4 The tax base figures are expressed as Band D equivalents in accordance with the relevant regulations. The council tax base should be set by 31 December each year.
- 11.5 The timescales for completing the community governance review make provision for this, on the basis that:
- a. A provisional tax base would be calculated by 31 December 2023; and
 - b. The City Council would calculate and publish by 31 January 2024 the first precept for The Yealands Parish Council. Precepts in subsequent years would be set by the Parish Council and may be higher or lower.

What would the parish precept be for 2024?

Yealand Conyers and Yealand Redmayne Parish Councils have given consideration to the budget that would be required by The Yealands Parish Council. They have considered the population of each of Yealand Conyers and Yealand Redmayne Parish Councils, the current assets and where savings will be made once the two Councils merge. Once the parish is established and a plan for the future is agreed, the parish council will decide what level of funding is needed in future years and will request a precept to be levied which reflects those plans. That precept (or income requirement) is then raised by charging a parish council tax rate to households within the parished area.

Some parishes have very small tax bases, and therefore if they decide on specific spending plans this can result in comparatively large tax rates. It should be noted that parish councils currently fall outside of the local referendum thresholds. The current Government has stated that it still remains an option for thresholds to be set for parishes in future years, but if this was the case, then it is still considered likely that a de minimis limit would be set to exclude the majority of smaller spending parishes.

The tax base in the proposed parish area is currently 263.39. It is proposed that the precept for 2024 should be £36 (based on a band D property) which would result in a total precept of £9,482.04 (£36 x 263.39). The level of precept for 2025 and future years would be decided by the Parish Council once it has been established.

The Band D parish tax rates currently range from £0 - £118 with the average parish tax rate of £35.49.

CONSEQUENTIAL MATTERS

General principles

Lancaster City Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order.

These may include:

The dissolution of the current parishes of Yealand Conyers and Yealand Redmayne;

The transfer and management or custody of property to The Yealands Parish Council;

The setting of precepts for the new parish;

Provision with respect to the transfer of functions, property, rights and liabilities.

In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.

In particular, the Council notes that the Regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area estimated by the proper officers of the council as an appropriate proportion.

HOW TO RESPOND TO THIS CONSULTATION

Comments should be submitted to the Council's Elections Team. They can be submitted by letter or by email to:

Election Office

Lancaster City Council

Town Hall

Lancaster

LA1 1PJ

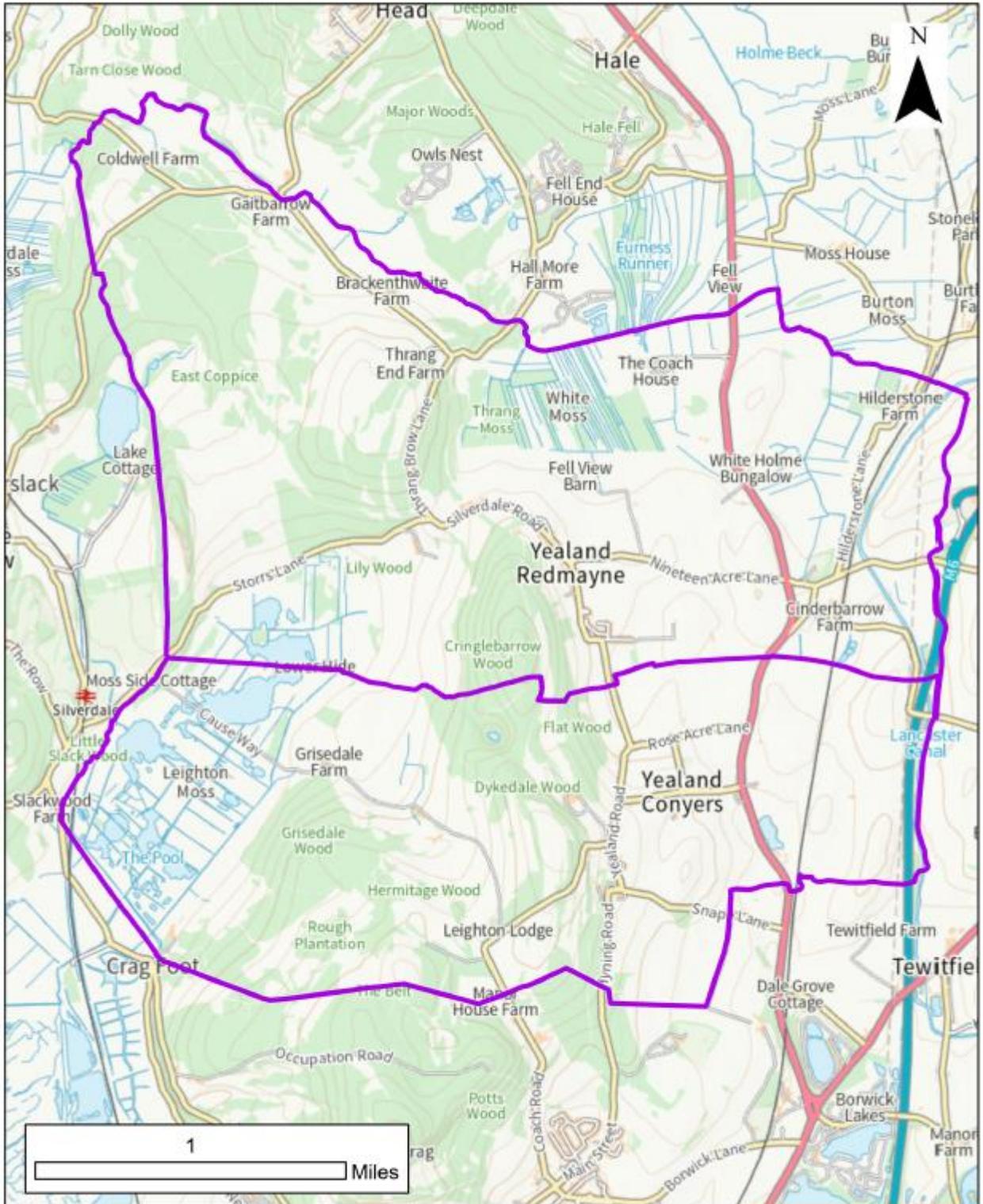
Email: elections@lancaster.gov.uk

The closing date for comments is: Friday 18 November 2022.

TERMS OF REFERENCE PUBLISHED ON 01 NOVEMBER 2022

Appendix A

The Parishes of Yealand Redmayne and Yealand Conyers



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