

COUNCIL BUSINESS COMMITTEE

Community Governance Review: Petition to create an Aldcliffe-with-Stodday Parish Council 26 May 2016

Report of Democratic Services Manager

PURPOSE OF REPORT

To agree the Terms of Reference document and the consultation timetable for the Community Governance Review for the proposed Aldcliffe-with-Stodday Parish Council.

This report is public.

RECOMMENDATIONS

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

1.0 Introduction

- 1.1 Council, at its meeting on 13 April 2016, was advised that a valid petition had been received which would commence a Community Governance Review to consider the creation of a new parish council for an area to be called Aldcliffe-with-Stodday Parish Council.
- 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 and oversee the process for the Community Governance Review. Attached to this report at Appendix C is a draft Terms of Reference document which will form the basis of discussion at the meeting.
- 2.2 Council Business Committee will also need to agree the process for consultation and the timetable to be followed. The Review must be concluded by April 2017.
- 2.3 The Review must also consider all aspects of the creation of the parish

council, including the electoral arrangements that would be need to be adopted (for example warding arrangements, the number of councillors for the area, etc). It must also consider the initial precept arrangements should a new parish be created.

3.0 Conclusion

3.1 In conducting the Community Governance Review, 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 this area and can depend largely on the size and scale of the review to be carried out.

3.2 In all cases, the review period must not exceed 12 months in duration and it is expected that the final recommendations for this review will be reported back to Council in December 2016. Should the outcome be that a new parish council should be created, it would be expected that a reorganisation order would be effective for the next financial year commencing 01 April 2017.

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 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 the review will be met from existing budgets. If, ultimately, a new parish is formed within the district, then that would have implications for council tax setting as the new parish would have powers to precept, the same as other parishes within the district. As an indication of the likely size (in tax base terms) of any future parish, at present there are around 150 Band D equivalent properties within the area. As context, currently the smallest parish within the district is Roeburndale, with just over 20 Band D equivalents, but it has never precepted separately. There are a number of other parishes that have tax bases at or below 150. Timing considerations around precept and tax setting for the new parish will need to be taken account of in detailed planning, but at present it is thought that reaching a decision by December 2016, or thereabouts, should be fit reasonably well.

OTHER RESOURCE IMPLICATIONS**Human Resources:**

None

Information Services:

None

Property:

None

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

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