

COUNCIL BUSINESS COMMITTEE

Community Governance Review: Responses to the Second Stage of Consultation 19 July 2018

Report of Democratic Services Manager

PURPOSE OF REPORT

To consider the responses received to the second stage of consultation process and agree the matters for inclusion in the Draft Reorganisation Order

This report is public

RECOMMENDATIONS

- (1) To consider all responses received to the second stage consultation and agree any amendments to the draft Terms of Reference, under which the Community Governance Review is to be undertaken, prior to a further period of consultation.**
- (2) To decide on the method for considering any further responses to the Terms of Reference and agreement of the Draft Reorganisation Order for submission to Council in September 2018.**

1.0 Background

- 1.1 Council Business Committee considered the Community Governance Review (CGR) of the whole district at its meetings on 03 November 2017 and 22 February 2018. The CGR is undertaken in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007.
- 1.2 The Committee agreed a timetable for the process. The second stage has now been concluded and responses are included in this report.

2.0 Responses to the second stage of consultation

2.1 Proposal to create Heysham Parish Council

17 canvassing staff were employed to visit all properties within the proposed boundary of Heysham Parish Council. Where householders were able to answer, canvassers engaged with them to establish their view on the creation of the Parish Council and any comments were recorded. These are shown at Appendix A to the report.

Written comments were also received from a number of households. These generally provided a yes or no response and have been broken down into comments for Yes at Appendix B and Comments for No at Appendix C.

Responses were very mixed, with no overall outcome seen.

2.2 The merging of Yealand Conyers Parish Council and Yealand Redmayne Parish Council into one parish to be titled “Yealand Parish Council”

A total of 12 responses were received from residents in Yealand Redmayne and Conyers and the majority were in support of merging. However, Yealand Conyers Parish Council has now indicated that, although they can see the benefit of working as a merged authority under one heading, they do not feel that the time is currently right for that to happen and would prefer status quo. They are aware of the ability to start the process again by way of a petition and are happy to revisit this in the future.

It is therefore recommended that this proposal is taken no further.

2.3 The renaming of Thurnham Parish Council as “Glasson and Thurnham Parish Council”

A total of 17 responses were received - 12 being in favour of the name change, and 5 against.

However, 4 responders in favour have suggested a variation on the change of name. “Thurnham with Glasson” has been suggested by 2 people, “Thurnham and Glasson” has been suggested by 1 person and “Thurnham Glasson” has been suggested by 1 person.

Copies of the responses received are found at Appendix D.

3.0 Updated Terms of Reference

- 3.1 Once Council Business Committee has decided the issues to be taken further, the draft Terms of Reference can be recirculated for a short time to allow further comment. Any comments received can again be considered by members of the Council Business Committee and a Draft Reorganisation Order prepared.

4.0 Draft Reorganisation Order

- 4.1 It is proposed that the Draft Reorganisation Order will be submitted to Council for approval in September 2018. Approval of the Order will signify the agreement by the Council to the details contained within it and will form the basis for any change to be effective from 01 April 2019.

5.0 Conclusion

- 5.1 Before proposing the content of the Draft Reorganisation Order the Council Business Committee has to be clear that the wishes of the people affected by the proposals are being reflected in the outcome.
- 5.2 DCLG Guidance on Community Governance Reviews states that in making its recommendations, the review should consider the information it has

received in the form of expressions of local opinion on the matters considered by the review, representations made by local people and other interested persons, and also use its own knowledge of the local area.

- 5.3 The guidance also states that the aim of the 2007 Act is to open up a wider choice of governance to communities at the most local level. However, the Government considers that there is sufficient flexibility for principal councils not to feel “forced” to recommend that the matters included in every review must be implemented.

**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/amendment 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 the drafting of this report.

Legal services will be consulted over the wording of the Reorganisation Order.

FINANCIAL IMPLICATIONS

An amount of £10,000 was included in the 2017/2018 budget and £25,000 in the 2018/2019 budget in order to resource this project. The costs of carrying out the consultations have been met within the budget provision that has been allocated. If, ultimately, a new parish is made there will be implications for council tax setting as the new parishes would have powers to precept, the same as other parishes within the district. Reaching a decision by October 2018 should allow sufficient time for council tax records to be updated prior to the release of the 2019/2020 charge notices. It is expected that the amendment of Council tax records could cost in the region of £15,000 and sufficient funding for this has been included within the budget allocation for 2019/2020.

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

None

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has seen this report and has no comment to make.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has seen this report and has no further comment to make.

BACKGROUND PAPERS

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Ref: