

**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.

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