

COUNCIL BUSINESS COMMITTEE

Community Governance Review: Petition to merge Yealand Conyers and Yealand Redmayne Parish Councils – Second Stage Consultation Responses 2nd March 2023

Report of Head of Democratic Services

PURPOSE OF REPORT

To consider responses received to the second stage of the consultation process for the proposal to create The Yealands Parish Council and to agree the order for submission to Council on 15th March 2023

This report is public.

RECOMMENDATIONS

- (1) To agree the draft Order for the creation of The Yealands Parish Council for submission to Council on 15th March 2023.**

1.0 Introduction

- 1.1 Council Business Committee, at its meeting on 27th October 2022, considered a report of the Head of Democratic Services and agreed a second stage of consultation in relation to an increase in the Precept for the proposed The Yealands Parish Council.
- 1.2 The Local Government and Public Involvement in Health Act 2007 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 any representations that are received into account by judging them against the criteria in Section 93 of that Act.
- 1.3 Section 93 Sections (6) and (7) state that the principal council must take into account any representations received in connection with the review, and that as soon as practicable after making any recommendations, the principal council must publish the recommendations and take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of those recommendations.

2.0 Details of Consultation

- 2.1 As well as all households in the area of the proposed The Yealands Parish Council, all first stage consultees were sent a further letter outlining a proposal to increase the precept amount for a Band D property. The proposal to increase the precept had been raised in the first stage of consultation.

2.2 The second stage of consultation opened on 29th November 2022 and closed on Friday 30th December 2022.

3.0 Responses to the Consultation

3.1 One response was received to the second stage of the consultation objecting to the increase in parish precept citing issues of financial hardship.

4.0 Draft Order for the creation of The Yealands Parish Council

4.1 Attached to this report is a draft Order for consideration by Council Business Committee. Once agreed this will be submitted to Council for approval on Wednesday 15th March 2023. Approval of the Order will signify that there is agreement by the Council to the creation of the Parish Council and the Order will be effective from 1st April 2024.

5.0 Conclusion

5.1 Overwhelming support for bringing together the two Parish Councils of Yealand Conyers and Yealand Redmayne into a new The Yealands Parish Council has been demonstrated both by the number of signatures on the petition and by the responses received during both stages of the consultation.

5.2 The increase in Parish precept is considered to be reasonable in the circumstances and within statutory requirements.

5.2 The Terms of Reference document and the draft Order, once agreed, will be submitted to Council for final approval on 15th March 2023.

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

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