

COUNCIL BUSINESS COMMITTEE

Community Governance Review: Petition to create an Aldcliffe-with-Stodday Parish Council – Consultation Responses 08 September 2016

Report of Democratic Services Manager

PURPOSE OF REPORT

To consider the responses received to the introductory stage of the consultation process for the proposal to create Aldcliffe-with-Stodday Parish Council and to agree the draft proposals for further consultation.

This report is public.

RECOMMENDATIONS

- (1) **To consider the responses received to the Community Governance Review for the proposal to create Aldcliffe-with-Stodday Parish Council, and to agree amendments to the draft Terms of Reference document for distribution at the second stage of the consultation.**

1.0 Background

- 1.1 Council Business Committee, at its meeting on 29 January 2016, considered a report of the Chief Officer (Governance) and agreed the draft Terms of Reference Document for the consultation process of the Community Governance Review for the proposed Aldcliffe-with-Stodday 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 Consultation

- 2.1 All households in the area of the proposed Aldcliffe-with-Stodday Parish Council were sent a copy of the Draft Terms of Reference and notification of the deadline to respond.
- 2.2 In addition, copies were sent by email to the Members of Parliament for Morecambe and Lunesdale and Lancaster and Fleetwood, the County Councillors for the district, all City Councillors and all Parishes.
- 2.3 Copies of the draft Terms of Reference Document and Notice of Review were posted on the noticeboards in Lancaster and Morecambe Town Hall, on the City Council's website, and press releases were issued to provide additional local coverage of the consultation.
- 2.4 The first stage of consultation opened on 08 July 2016, and closed on 05 August 2016.

3.0 Responses to the Consultation

- 3.1 Fourteen written responses were received before the deadline. All are from residents living within the area proposed as Aldcliffe-with-Stodday Parish Council and all are in support of the proposal.
- 3.2 Copies of all responses are attached to this report at Appendix A, all of which have been acknowledged.

4.0 Amount of Precept

- 4.1 It may be beneficial for the City Council to provide an indication of a precept amount for 2017/18 at the next stage of consultation and further comments can be considered.
- 4.2 One person has suggested £26, which is close to the average figure of £25.75 for all current parishes, but two have suggested that the figure should be higher with a maximum suggestion of £50.
- 4.3 It is therefore suggested that the following range of options are included in the Terms of Reference in order to assist in the setting of an initial precept for 2017/18. This has been based on the current estimated Tax Base of 145 Band D equivalent properties for the proposed parish.

Tax Rate	£25	£30	£35	£40	£45	£50
Resulting Precept Amount	£3,625	£4,350	£5,075	£5,800	£6,525	£7,250

5.0 Electoral Arrangements

- 5.1 Two of the responses mention that a parish council made up of 7 councillors would be more appropriate than the 5 suggested. One of the responses mentions that the area includes a number of groups of houses that are separated from each other by both fields and distance, and that each group of residents should have the opportunity to be represented.

5.2 Five is the minimum number of Councillors required to constitute a parish council, but the number can be increased if it is felt that the area could be better represented by more Councillors. A list of current parish seats is attached at Appendix B to this report and provides an overview of the position across the district.

6.0 Conclusion

6.1 A good response from those resident in the affected area has been generated by this consultation, although those able to contribute were from across the wider district. Good publicity was given to the process when the consultation was launched by local media outlets.

6.2 Overwhelming support for the creation of a new parish has been demonstrated by both the number of signatures on the petition and by the responses received.

3.2 Once the draft Terms of Reference have been further amended, it is proposed that it will be circulated to the same interested parties for comment.

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 145 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 fit reasonably well.
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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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