

Community Governance Review of the District

27 September 2017

Report of Chief Officer (Legal and Governance)

PURPOSE OF REPORT

To seek Council's approval for officers to undertake a Community Governance review of the district. To delegate authority to Council Business Committee to agree the terms of reference for, and oversee, the review.

This report is public

RECOMMENDATIONS

- (1) To agree that a full Community Governance Review of the district administered by Lancaster City Council be carried out over the next year.**
- (2) To authorise the Council Business Committee to develop terms of reference, determine consultation plans, agree a timetable for the review, be consulted throughout the process and be involved in the preparation of final proposals to Council in late 2018.**

1.0 Introduction

- 1.1 The Local Government and Public Involvement in Health Act 2007 transferred responsibility for the creation of new parishes and their electoral arrangements from the Department for Communities and Local Government to principal councils such as Lancaster City Council.
- 1.2 Community Governance Reviews can be triggered by local people presenting public petitions to the Council, as happened last year when a new Parish Council for Aldcliffe-with-Stodday was created as a result. Principal councils can also carry out full reviews of their entire area and the Local Government Boundary Commission for England's Guidance on Community Governance Reviews suggests that it is good practice to do so every 10-15 years.
- 1.3 The City Council has not yet carried out a full review of the district since the Local Government and Public Involvement in Health Act 2007 came into force and officers consider 2018 to be an ideal time to undertake the work, since there are no scheduled elections next year.

2.0 Details

- 2.1 Democratic Services are already aware of several issues that may be raised if Council agrees to carry out a full Community Governance Review. Some of these would be to explore changes to particular parish boundaries, merging of parishes and whether or not to dissolve a parish. The most significant request is likely to be for the creation of a new Parish Council in the Heysham area, where a Neighbourhood Council has been in existence for some years. Democratic Services officers have already met with a group who are interested in taking this forward and advised them that it could be dealt with as part of a full review, should the City Council agree to undertake one.
- 2.4 The Council would be required to complete the review within twelve months of the start. With that in mind, the proposed timetable for a district-wide Community Governance Review is as follows:

Report to Council	September 2017
Publication of terms of reference	December 2017
Introductory stage - submissions are invited	January 2018
Preparation of draft proposals	February/March 2018
Publication of draft proposals	March 2018
Consultation on draft proposals including any necessary polls	May 2018
Preparation of final proposals	Autumn 2018
Publication of final proposals	Autumn 2018
Agreement of final proposals by Council and publication of recommendations	September/October 2018
Publication of any reorganisation orders	September/October 2018

3.0 Council Business Committee

- 3.1 As set out in 2.4 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 The Council could choose to delegate the responsibility for overseeing the full Community Governance Review to a new ad-hoc committee specially established for that purpose. However, the Council Business Committee has, in the recent past, overseen the Aldcliffe-with-Stodday review and it is therefore recommended that this Committee is best placed to carry out that role. Although the Committee only has three scheduled meetings per year, special meetings could be convened as necessary.

4.0 Conclusion

- 4.1 As noted in this report, it is good practice for principal councils like Lancaster City Council to carry out a full CGR every 10-15 years and it is recommended that this be carried out in 2018 when the elections timetable allows capacity for the Elections Team to carry out the necessary consultation and mapping work.

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, including any necessary polls, has been estimated at £35k and put into the Democratic Services budget for 2017/18 (£10k) and 2018/19 (25k).

If, ultimately, any new parish or parishes are formed within the district, then that would have implications for council tax setting as any new parish would have powers to precept. Timing considerations around the review, precept and tax setting for the any new parish(es) will need to be taken account of in detailed planning. At present it is thought that reaching a decision by October 2018 or thereabouts, should 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

Local Government Boundary Commission for England's Guidance on Community Governance Reviews March 2010.

Contact Officer: Debbie Chambers

Telephone: 01524 582057

E-mail: dchambers@lancaster.gov.uk

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