

Community Governance Review – Creation of The Yealands Parish Council 15 March 2023

Report of Council Business Committee

PURPOSE OF REPORT

To allow Council to consider agreeing an Order for the creation of The Yealands Parish Council.

This report is public.

RECOMMENDATIONS

(1) To agree the attached Order for the creation of The Yealands Parish Council.

1.0 Background

1.1 Council, at its meeting on 27 July 2022, was advised that a valid petition had been received which would commence a Community Governance Review to consider the merging of Yealand Conyers and Yealand Redmayne Parish Councils into a new parish Council to be called The Yealands Parish Council. Full Council asked Council Business Committee to oversee and develop the process for the Community Governance Review to be concluded by July 2023.

2.0 Process

2.1 The first stage of the process was in September 2022 when Council Business Committee set a timetable for the Review and agreed draft terms of reference for the basis of consultation. The terms of reference were circulated by the Elections Manager to occupiers of all affected properties and other stakeholders as required by the Local Government and Public Involvement in Health Act 2007.

2.2 In October 2022 Council Business Committee agreed a slight revision to the terms of reference document and a second stage of consultation took place. The second stage of consultation closed on Friday 30 December 2022.

3.0 Consultation

3.1 Overwhelming support for the merging of the two existing parish councils into The Yealands Parish Council was demonstrated by both the number of signatures on the original petition and by the number of positive responses received during the consultation.

4.0 Draft Order for the creation of The Yealands Parish Council

4.1 Attached to this report is a draft Order which was agreed by Council Business Committee on 2 March 2023. Council's approval of the Order will signify that there is agreement by Lancaster City Council to the creation of the new Parish Council and the order will be effective from 1 April 2024.

5.0 'Shadow' Arrangements

5.1 It is proposed in the Order that the new Parish Council comprise seven Parish Councillors representing two Parish Wards; Conyers Ward will have 3 Parish Councillors and Redmayne will have 4 Parish Councillors.

5.2 Should there be a need for decisions to be made in the period between 1 April 2024 and the date of the elections in May 2024, the Order details transitional provisions to allow a 'shadow' Parish Council to meet to take those decisions. The 'shadow' Parish Council will be comprised of those persons who immediately before 1st April 2024 are the elected councillors for the Yealand Conyers and Yealand Redmayne Parish Councils as well as the Ward Councillors for the Silverdale and Warton Wards of the City Council.

6.0 Conclusion

6.1 Support for the creation of a new parish of The Yealands has been clearly demonstrated and Council is asked to approve the Order so that arrangements can be made for the first set of Parish Elections for The Yealands Parish Council in May 2024. The Yealands Parish Council will replace the existing Parish Councils of Yealand Conyers and Yealand Redmayne from 1 April 2024.

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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