

Community Governance and Electoral Issues Committee



Report of head of legal and democratic services

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Community Governance Reviews – draft recommendations

Recommendation(s)

To:

- (a) agree the revised timetable set out in paragraph 9 of this report;
- (a) consider the schedules attached at appendix B and agree draft recommendations in relation to each item under review for consultation.

Purpose of report

1. To invite the committee to agree a revised timetable for the reviews and agree draft recommendations in respect of a number of community governance reviews.

Background

2. Local authorities (in the case of two-tier areas, district councils) have had powers to review parish arrangements for many years. Until 2007, any proposals for change resulting from such reviews had to go to the relevant secretary of state for approval. The Local Government and Public Involvement in Health Act 2007 (the 2007 Act) changed that and gave full powers to local authorities to implement proposals without reference to central government (although see paragraph 12 below). The Act created the title of community governance reviews (CGR) to cover such activity.
3. At its meeting on 13 October 2015, this committee decided to proceed with the reviews deferred by Council in July 2014. These include reviews of Grove and East Challow, Radley and Kennington and Sunningwell and Wantage, Grove and Lockinge. The committee also agreed to carry out a review of the warding

arrangements of Longworth Parish Council. At its meeting on 17 October 2016 this committee agreed to undertake reviews of East Hanney Parish Council and South Hinksey Parish Council in response to requests from the parish councils.

4. In October 2016 the committee authorised the head of legal and democratic services to finalise the terms of reference for the review which were published in December 2016.

The draft proposals

5. An initial consultation period ran until 31 January 2017. The consultation was published via the media and council's website with all parish councils within the Vale of White Horse and district ward councilors notified with a link to the consultation. A report summary of the consultation responses has been published, circulated to all councilors and is attached at Appendix A.
6. Appendix B sets out recommendations in relation to each parish matter in the terms of reference. There is a schedule covering each proposed change with a justification for each recommendation and an accompanying map where appropriate.
7. The justification for each recommendation is based on the assessment criteria contained in the terms of reference and informed by the consultation responses. One of those criteria, however, "views expressed in relation to any changes, particularly from those people directly affected", can only be evaluated once council has consulted on its draft proposals.

What happens next?

8. The committee is now invited to agree formal draft proposals for consultation.
9. The terms of reference for the review that were published in December 2016 state that consultation on the proposals set out in the terms of reference will run until 31 January, this committee will agree draft proposals in March followed by a further consultation until June and changes agreed in July. However, due to other work commitments including a 'snap' parliamentary election this timetable has been delayed. Officers propose that consultation on the draft proposals will run until Monday 16 October with the committee agreeing final proposals at an additional meeting to be arranged in November 2017.
10. This revised timetable will provide for a full consultation period including writing to all of those residents directly affected by a proposed boundary change i.e. their property will move from one parish to another and sufficient time to analyse the responses and make final recommendations. This revised timetable will still allow the council to complete the review within 12 months of the publication of the terms of reference dated 5 December 2016.
11. Committee is invited to agree this revised timetable.

Role of the Local Government Boundary Commission (LGBC)

12. A small number of the proposed changes may require the approval of the Local Government Boundary Commission (LGBC) before we can implement them in the

short term. Principally, these are where we propose to change parish warding arrangements that the LGBC put in place at the time of the county council or district electoral reviews.

13. Any proposed changes may result in parish boundaries no longer being aligned with district ward boundaries. We will seek what are known as consequential amendments once council has taken its final decisions to align with new parish boundaries in time for the 2019 elections.

Financial implications

14. There are some modest financial implications arising from the decision to undertake a CGR. Assuming the council decides to confirm some changes in due course this will involve making legal orders, producing high quality maps to show new boundaries and adjusting council tax records. A growth bid may be required as part of the budget setting process for the costs arising from this work specifically to cover the costs of transferring the council tax records of properties that move parish.

Legal Implications

15. In carrying out a community governance review the council must follow the requirements laid down in the Local Government and Public Involvement in Health Act 2007. It must also pay heed to the joint guidance on community governance reviews published by the Communities and Local Government Department and LGBC.

Risks and Options

16. There is no statutory requirement to undertake a CGR so the committee has the option at any time to cease the reviews. However, given the stage now reached and the expectations raised in certain quarters, there is no obvious reason why it would want to do this.
17. The main risk remains that we fail to meet the statutory requirement to complete the review within 12 months. Pushing the final decisions back to November extends the timetable to 11 months.

Conclusion

18. The committee is invited to agree a revised timetable for the matters under review and draft proposals having regard to the consultation responses set out in the consultation summary and the report schedules attached to this report.

Background Papers

- Reports to the Community Governance and Electoral Issues Committee at its meetings on 13 October 2015 and 17 October 2016