

# GOVERNANCE COMMITTEE

27 March 2018

## REPORT OF DEPUTY CHIEF EXECUTIVE

### COMMUNITY GOVERNANCE REVIEW

#### 1.0 PURPOSE OF REPORT

- 1.1 To advise Members of a request for a Community Governance Review by Waltham on the Wolds and Thorpe Arnold Parish Council. To advise members of the key issues associated with such a review.

#### 2.0 RECOMMENDATIONS

- 2.1 **To agree to undertake a Community Governance Review of the Waltham on the Wolds and Thorpe Arnold Parish Council area and to agree the Terms of Reference set out in Appendix A.**

#### 3.0 KEY ISSUES

- 3.1 The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local community governance arrangements.
- 3.2 Community governance reviews provide the opportunity for principal councils to review and make changes to community governance within their areas.
- 3.3 A community governance review offers an opportunity to put in place strong, clearly defined boundaries, tied to firm ground features, and remove anomalous parish boundaries that may exist.
- 3.4 The 2007 Act allows principal councils to determine the terms of reference under which a community governance review is to be undertaken. It requires the terms of reference to specify the area under review and the principal council to publish the terms of reference. If any modifications are made to the terms of reference, these must also be published. If members approve a Community Governance review for Eaton Parish Council the terms of reference will be brought to an appropriate Committee for approval.
- 3.5 The recommendations made in a community governance review ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.
- 3.6 A review has not been undertaken since 2003 and Councils should exercise their discretion, but it would be good practice for a principal council to consider conducting a review every 10-15 years – except in the case of areas with very low populations when less frequent reviews may be adequate. In the interests of effective governance, consideration has been given to the benefits of undertaking a review of the whole of the area in one go. However, given the resources available a full review is not considered appropriate at this time but will be undertaken within the recommended timescales.
- 3.7 The council will consult local people and take account of any representations received in connection with the review. When undertaking the review regard will be taken to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.

3.8 Principal councils are required to complete the review, including consequential recommendations to the LGBCE for related alterations to the boundaries of principal area wards and/or divisions, within 12 months of the start of the community governance review. The review begins when the council publishes terms of reference of the review and concludes when the council publishes the recommendations.

#### 4.0 **POLICY AND CORPORATE IMPLICATIONS**

There are no direct policy and corporate implications.

#### 5.0 **FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 This will be undertaken within existing budgets.

#### 6.0 **LEGAL IMPLICATIONS/POWERS**

6.1 In addition to the 2007 Act, legislation relating to parishes can also be found in the Local Government Act 1972 (in particular, provision about parish meetings and councils, the constitution of a parish meeting, the constitution and powers of parish councils and about parish councillors) and the Local Democracy, Economic Development and Construction Act 2009 (reviews of, and recommendations about, electoral areas by the LGBCE), as well as in other enactments.

#### 7.0 **COMMUNITY SAFETY**

There are no direct community safety issues.

#### 8.0 **EQUALITIES**

8.1 An initial equalities impact assessment will be undertaken

#### 9.0 **RISKS**

9.1 There are no direct risks. This is business as usual.

#### 10.0 **CLIMATE CHANGE**

10.1 There are no climate change implications.

#### 11.0 **CONSULTATION**

11.1 Under the 2007 Act principal councils are required to consult both those local government electors in the area under review, and others (including a local authority such as a county council) which appears to the principal council to have an interest in the review. In the case of a community governance review where a parish council already exists, as a local authority, it too should be consulted. Other bodies might include local businesses, local public and voluntary organisations - such as schools or health bodies. The principal council must take into account any representations it receives as part of a community governance review.

#### 12.0 **WARDS AFFECTED**

12.1 All indirectly.

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Date: March 2018

Appendices: Appendix A

Background Papers: