



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE ELECTORAL MATTERS COMMITTEE**

**THURSDAY 3RD SEPTEMBER 2020**

**AT 6.00 P.M.**

**VIRTUAL MEETING - SKYPE - VIRTUAL**

**MEMBERS:** Councillors M. Glass (Chairman), R. J. Hunter (Vice-Chairman), S. R. Colella, R. J. Deeming, S. G. Hession, L. C. R. Mallett and M. Middleton

### **AGENDA**

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest  
  
To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Electoral Matters Committee held on 27th February 2020 (Pages 1 - 4)
4. Polling Place Alternation 2020 (Pages 5 - 8)
5. Community Governance Review for a proposed new parish within the Current Stoke Parish Area (Pages 9 - 24)
6. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

25th August 2020



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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE ELECTORAL MATTERS COMMITTEE**

**27TH FEBRUARY 2020, AT 6.00 P.M.**

PRESENT: Councillors M. Glass (Chairman), R. J. Deeming, L. C. R. Mallett and M. Middleton

Officers: Mrs. C. Felton, Mr D. Whitney and Ms. A. Scarce

15/19 **APOLOGIES**

Apologies for absence were received from Councillors S. Colella and Councillor R. Hunter. Councillor J. King was expected as substitute for Councillor Hunter, but unfortunately was delayed and not able to attend.

16/19 **DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

17/19 **MINUTES**

The minutes of the meeting of the Electoral Matters Committee held on 24<sup>th</sup> October 2019 were submitted.

**RESOLVED** that the minutes of the meeting of the Electoral Matters Committee held on 24<sup>th</sup> October 2019 be approved as a correct record.

18/19 **POLLING PLACES REPORT**

The Electoral Services Manager introduced the report and explained that the review which had been undertaken in 2019 had been interrupted by the calling of a General Election in December and since then a number of requests had been received in respect of changes to polling places. These were considered individual and the ensuing discussions detailed below:

**Polling District SSA/SSB currently Finstall First School**

It was noted that the Head Teacher from Finstall First School was present in the public gallery and was invited to join Members at the table during the discussion.

The Electoral Services Manager reminded Members that there had been a request from the School in recent years to no longer be used as a polling place. Prior to the General Election the Head Teacher had been

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asked by the Chair of the School Governors to look at this matter again. For obvious reasons this had not been possible due to the General Election being called, but the matter was now being considered. The Electoral Services Manager explained that there had been a number of suggestions which had been considered, including the Rugby Club, which had proved to be unsuitable and St Godwald's Church Hall. Whilst the back room at the Church Hall was small, it could be used in conjunction with the main room. However, the parking was not particularly good. A statement from the Head Teacher had been provided to all Members of the Committee.

Following presentation of this section of the report Members discussed a number of areas in more detail:

- The proximity of St Godwald's Church Hall to the polling district. It was confirmed that it was further than the School and that the Rugby Club was even further.
- St Godwald's were willing to accommodate the May 2020 election, which was in respect of the Police and Crime Commissioner (PCC).
- It was suggested that as the May election would not necessarily see a large turnout, there would be an opportunity to see what the impact of holding it there would be and whether it was a viable option going forward.

The Electoral Services Manager advised that there were three options available to Members:

1. No change.
2. Do a short consultation to gauge people's views on the alternatives. However, it was noted that this would only be for 2 weeks, which was a very short time.
3. Use St Godwald's Church Hall for the May 2020 PCC election as a trial, canvass the views of those attending with a short questionnaire to see whether it was suitable and for the Committee to meet later in the year to make a decision.

Members asked a number of further questions before making a decision:

- Whether Aston Fields Social Club had been considered – it was confirmed that the parking was limited, and it was further away. New Road Methodist Hall was also suggested as an alternative and it was agreed that this would be something to consider in the future.
- Whether any feedback had been received from the Ward Councillor, it was confirmed that they had noted that the School wanted the polling place moved but had made no further comment.
- St Godwald's Church Hall was on the border of the polling district and wherever possible it should be within the polling district.

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When invited to speak the Head Teacher asked what funding was available to cover the cost of hiring alternative accommodation. It was explained that the Cabinet Office provided funding for the PCC, with the Council making a re-charge. It was accepted that the Cabinet Office were keen for schools to be used as they were the most cost-effective option, however it was appreciated that there was a conflict between the two Government departments. The Head Teacher appreciated that it was difficult to find somewhere suitable within the Ward that was a good location and suggested that the School would be happy to be used occasionally for elections where a greater turnout was expected.

**RESOLVED** that St Godwald's Church Hall be used as a polling place for the May 2020 Police and Crime Commissioner's election and attendees be canvassed for their views as to its suitability, with a review taking place later in the year.

## Polling District BHA currently the Westmead Hotel

The Committee was reminded that the use of the Westmead Hotel had been agreed in 2019 due to access issues at the Village Hall. Members of the Hopwood Village Hall Committee were asking that the Committee review its decision as building works had resolved this issue. However, it was noted that this work would not commence until 16<sup>th</sup> March, which was short notice for the May 2020 elections.

Feedback from those attending the Westmead Hotel at the last election had been positive and it was therefore suggested that the Westmead Hotel be used for May 2020 and a further review of the Village Hall take place once the building works had been completed.

Members questioned whether there was a difference in the cost of the two venues and it was confirmed that the Westmead Hotel had agreed to charge the same rate as the Village Hall when initially approached. It was noted that the Village Hall were keen for it to be used in order for local residents to see what facilities it had to offer to the local community. Members acknowledged this and agreed that the Westmead Hotel be used for this election and the use of the Village Hall to be reconsidered when the building works had been completed.

**RESOLVED** that the Westmead Hotel be used as a polling place for the May 2020 Police and Crime Commissioner's election with a review taking place in respect of using the Village Hall following completion of the disability access works.

## Polling District BRD currently Clent Parish Hall

The Electoral Services Manager advised that this was a more urgent matter as the Trustees of Clent Parish Hall had advised that they no longer wished to be used as a polling place. He had asked if they would reconsider and offered to review the price paid, but the Trustees were more concerned about the disruption and inconvenience to its regular

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uses and would not reconsider. The District and County Councillors had been consulted, but a response had not been received. The only remaining option was therefore Clent Primary School, who were unhappy with this, but understood the situation.

Members discussed whether in the long term there were any other options that could be considered, and the Electoral Services Manager confirmed that there was the Clent Community Club which could be explored in the future.

**RESOLVED** that Clent Primary School be used as a polling place.

19/19

## **DATE OF THE NEXT MEETING OF THE COMMITTEE**

It was confirmed that at this present time there was no need for a further meeting to be arranged.

The meeting closed at 6.18 p.m.

Chairman



### **Polling Place Alteration 2020**

Relevant Portfolio Holder	Councillors K May, Leader and, G Denaro Portfolio Holder for Finance and Enabling
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Service - Legal, Democratic & Property Services
Wards Affected	Barnt Green & Hopwood
Ward Councillor Consulted	Yes
Non-Key Decision	(Electoral Matters Committee has full devolved powers)

#### **1. SUMMARY OF PROPOSALS**

- 1.1 The report sets out a change to the polling place for polling district BHA in advance of the May Elections 2021.

#### **2. RECOMMENDATIONS**

- 2.1 **that the Committee makes Hopwood Village Hall the polling place for BHA with any stipulations it might wish to make.**

#### **3. KEY ISSUES**

##### **Financial Implications**

- 3.1 There are no envisaged changes to finance.

##### **Legal Implications**

- 3.3 a) Authority to set Polling District boundaries and to designate polling places rests with the Council (Statutory elements of the Council's Constitution under the Local Government Act 2000). Bromsgrove District Council has delegated full relevant powers to this Electoral Matters Committee.

b) Decisions about the situation of Polling Stations within designated Polling Places are for the (Acting) Returning Officer. Arrangements must comply with relevant provisions of the Representation of the People Acts and Regulations and the Equality Act 2010.

- 3.4 "Relevant authorities" (such as Bromsgrove District Council) must
- "a) seek to ensure that all the electors in the Constituency have such reasonable facilities for voting as are practicable in the circumstances"; and
- "b) seek to ensure that, so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled and, when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons. If it is necessary to use a place where the access is not ideal, then every reasonable adjustment must be undertaken to provide access for all electors."

#### **Service / Operational Implications**

- 3.5 As a result of the polling places review held last year and the General Election held 12 December 2019 officers received a number of requests to change some polling places within the District.
- 3.6 One of the requests was to move the polling place from the Westmead Hotel back to the previous polling place of Hopwood Village Hall.
- 3.7 The Committee had decided to move the polling place from Hopwood Village Hall to Westmead Hotel as part of the 2019 review. The main reason for the move was the access issues the village hall had.
- 3.8 Members of the Hopwood Village Hall Committee have approached officers and their District Councillor asking that the Committee review their decision as building works have now resolved the main issue. At the Electoral Matters Committee meeting of 27 February 2020 it was noted that the building works would not be completed until mid-March. It was resolved that the Westmead Hotel be used for Police and Crime Commissioner election with a review taking place of using the Village Hall following the completion of the building works.
- 3.9 The PCC elections were postponed due to COVID-19 so the Westmead Hotel was not used in May. Officers visited the Village Hall and confirmed the new access path was satisfactory.
- 3.10 The District Councillor supports the return of the polling place to the village hall.
- 3.11 Officers also received a letter of support for the return to the Village Hall from the Alvechurch Parish Council.

- 3.12 The (Acting) Returning Officer must make a submission regarding current and any proposed polling stations. He raised no objections to the polling place being returned to the Village Hall.
- 3.13 If the Village Hall is to be used as a polling place again, officers would like the Committee to consider some stipulations for the hall to be a polling place
- A guarantee that the hall could be used for polling at short notice;
  - That the hall be opened and closed for polling plus delivery and collection of polling booths

#### **Customer / Equalities and Diversity Implications**

- 3.14 The Council's policies directly cross-relate, particularly in relation to Access issues. Accessibility for members of minority or disadvantaged groups is a key issue in the selection of suitable Polling Stations.

#### **4. RISK MANAGEMENT**

- 4.1 Any changes agreed must be likely to be sustainable for a reasonable number of years, as frequent changes of Polling Station are not helpful for electors and undermine their knowledge of, and confidence in, electoral systems.
- 4.2 Choice of Polling Place / Polling Station should not give rise to significant grounds of complaint which might put election results at risk of challenge.
- 4.3 In terms of Environmental risks, it is of course preferable that choice of Polling Station location can help minimise unnecessary additional journeys by motorised vehicles.
- 4.4 In terms of Human Resources risks, the (Acting) Returning Officer must provide adequate levels and standards of staffing to secure proper polling arrangements.

#### **5. APPENDICES**

None

#### **6. BACKGROUND PAPERS**

Local Government Boundary Commission for England and Electoral Commission Guidance.

**7. KEY**

Bromsgrove Returning Officer, Mr Kevin Dicks, is designated (Acting) Returning Officer for Parliamentary Elections.

This is because formally the Returning Officer for a County Constituency such as Bromsgrove is the High Sheriff for that County, which is a purely honorific title/role.

**AUTHOR OF REPORT**

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### **ELECTORAL MATTERS COMMITTEE**

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#### **Community Governance Review for proposed new parish within the current Stoke Parish Area**

Relevant Portfolio Holder	Councillors May, Leader and, Denaro Portfolio Holder for Finance and Enabling
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Ward(s) Affected	Avoncroft, Rock Hill
Ward Councillor(s) Consulted	Yes
Not a Key Decision	(Electoral Matters Committee has full devolved powers)

#### **1. SUMMARY OF PROPOSALS**

- 1.1 Members are asked to note and receive the petition requesting a Community Governance Review (CGR) which proposes a new parish within the Stoke Parish Council Area. In order to trigger the statutory timetable and process for consultation, members are asked to consider and approve the review terms of reference.

#### **2. RECOMMENDATIONS**

**Members are asked**

**2.1 to note and receive the valid petition from residents of Stoke Heath Parish Ward;**

**2.2 to approve the Terms of Reference for the Community Governance Review (appendix 1);**

**2.3 to delegate authority to the Chief Executive, in consultation with Members of the Committee, to make minor amendments to the Terms of Reference, including the timetable for the review, if required.**

#### **3. KEY ISSUES**

##### **Financial Implications**

- 3.1 There will be a cost for the consultation exercise but this can be met from existing budgets.

#### **Legal Implications**

- 3.2 On receipt of a valid petition, the Council has a responsibility to undertake a CGR in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 (Part 4) and the associated Dept. of Communities and Local Government (DCLG) Guidance on Community Governance Reviews, the Local Government (Parishes and Parish Councils) Regulations 2008 and the Local Government Act 1972 (as amended). The authority must have regard to the guidance issued by the Secretary of State (s100 (4) of the 2007 Act) and must give consideration to the views of local people in reaching its decision
- 3.3 The Terms of Reference of the Review are set out in Appendix 1 and a map of the proposed parish in Appendix 2.
- 3.4 Section 93 of the 2007 Act sets out the council's duties in undertaking a community governance review. In relation to deciding what recommendations to make, it provides that the council must have regard to the need to secure that community governance within the area under review:
- a) reflects the identities and interests of the community in that area, and
  - b) is effective and convenient.

Section 93 (6) provides that the council must "take into account" any representations received in connection with the review as one element of these considerations.

- 3.5 Section 2 of the Local Democracy, Economic Development and Construction Act 2009 states that there is a duty on principal councils to promote understanding among local people, which extends to parish councils

#### **Service/Operational Implications**

- 3.6 There are two ways for a CGR to be triggered. A local authority can choose when to carry out a review, either for a specific area or district-wide, or electors of an area can submit a petition signed by a proportion of electors.
- 3.7 In this case, Bromsgrove District Council has received a valid petition from Residents of the Stoke Heath Parish Ward (polling district RHA) of Stoke Parish Council, requesting that a Community Governance Review (CGR) be carried out pursuant to Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007 to consider the following Parish matter:

'Making that area known as Stoke Heath Ward (RHA) a civil parish separate from Stoke Parish Council'.

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- 3.8 Once the Terms of Reference are agreed officers will commence the publicity and consultation stages.
- 3.9 A full timetable is included within the Terms of Reference but the review will consist of:
- Consultation
  - Draft recommendations drawn up from the consultation
  - Consultation on the draft recommendations
  - Final recommendations published
  - Order made (if there are any changes)
- 3.10 Should residents support the separation of the parish, a number of arrangements will need to be made, including but not limited to, transfer of assets between the existing parish council and any newly created parish council.

### **Customer/Equalities and Diversity Implications**

- 3.7 In conducting the review the Council will ensure that electoral equality is taken into consideration.

## **4. RISK MANAGEMENT**

- 4.1 The Act requires that the CGR must be completed within 12 months of the validation of the petition. No amendments of the act have been made due to the ongoing COVID-19 situation so the CGR still needs to be completed within the statutory timeframe.
- 4.2 It is not anticipated that the current situation will impact on the completion of the review. Meetings of the Committee can be held remotely. All other aspects of the review will be able to take place as they would do for any other CGR, as the process is based on consultation.
- 4.3 Amendments to the timetable for the review are not anticipated, however in the event that meeting dates have to be amended, for example due to the Covid-19 situation, it is requested that authority be delegated to the Chief Executive in consultation with members of the Committee to make minor changes to the Terms of Reference, including the timetable. Any such changes would be publicised.
- 4.4 In terms of Human Resources risks, the timetable for the review is concurrent with the election period in 2021 and use of officer time during the election period needs to be considered.

## **5. APPENDICES**

- 1 Terms of Reference

## **ELECTORAL MATTERS COMMITTEE**

**3 September 2020**

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2 Map of Polling District RHA the area of the proposed new parish.

### **6. BACKGROUND PAPERS**

- DCLG Guidance
- Relevant Statutory provisions

### **7. KEY**

N/A

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**Bromsgrove District Council**

# Terms of Reference

COMMUNITY GOVERNANCE REVIEW FOR PROPOSED NEW  
PARISH WITHIN THE CURRENT STOKE PARISH AREA



**Bromsgrove**  
District Council

[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

Date of Publication – 30 September 2020

**Agenda Item 5**

**TERMS OF REFERENCE**  
**COMMUNITY GOVERNANCE REVIEW FOR PROPOSED NEW PARISH**  
**WITHIN THE CURRENT STOKE PARISH AREA**

**GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

**Introduction**

Bromsgrove District Council has received a valid petition from residents of the Stoke Heath Parish Ward (polling district RHA) of Stoke Parish Council, requesting that a Community Governance Review (CGR) be carried out pursuant to Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007 to consider the following Parish matter:

‘Making that area known as Stoke Heath Ward (RHA) a civil parish separate from Stoke Parish Council’.

In undertaking the review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007 (the 2007 Act); the relevant parts of the Local Government Act 1972; Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and Local Government Boundary Commission for England (LGBCE) in March 2010; and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

**What is a Community Governance Review?**

A CGR is a review of the whole or part of the Council area to consider one or more of the following:

- Creating, merging, altering or in extreme cases abolishing parishes
- The naming of parishes and the style of new parishes
- The electoral arrangements for parishes, such as the ordinary year of election, council size, number of councillors to be elected to the council and parish warding
  - Grouping parishes under a common parish council or de-grouping parishes

The Council is required to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and
- Is effective and convenient

In doing so the Review is required to take into account:

- The impact of existing community governance arrangements on community cohesion; and
- The size, population and boundaries of any local community or proposed parish or town Council

The government has emphasised that recommendations made in Community Governance Reviews ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more efficient delivery of local services.

# Agenda Item 5

## TERMS OF REFERENCE

### COMMUNITY GOVERNANCE REVIEW FOR PROPOSED NEW PARISH WITHIN THE CURRENT STOKE PARISH AREA

#### **What does a Parish Council do?**

Parish Councils are the most local form of government. They collect money from Council Tax payers (via the District Council) known as a “precept” and this is used to invest in the area to improve services or facilities. Parish Councils can take different forms but usually are made up of local people who stand for election as Parish Councillors to represent their area. They can be the voice of the local community and work with other tiers of government and external organisations to co-ordinate and deliver services and work to improve the quality of life in the area.

#### **Why is the Council undertaking the Review?**

Residents of Stoke Heath Parish Ward have submitted a valid petition which includes:-

- Signatures by the requisite number of local government electors for the area;
- The name of the polling district RHA which clearly defines the area to which the review is to relate and;
- Specific recommendations stating what changes the petitioners wish a community governance review to consider.

The petition meets the legal requirements to be a valid petition and accordingly the Council must, under legislation, undertake a Review.

The timetable within the statutory guidance provides for a twelve month period to accommodate all of the steps required to complete a review of this nature.

#### **Who undertakes the review?**

Bromsgrove District Council is responsible for undertaking a CGR within its electoral area.

The Council’s Electoral Matters Committee is responsible for overseeing this process but officers will produce draft and final recommendations for consideration before a Community Governance Order is made.

#### **This Community Governance Review will consider:-**

- The creation of a new Parish Council based on the Polling District RHA;
- The number of members for each Parish Council (Stoke and the new Parish Council) as a result of creating a new Parish.

#### **The Community Governance Review will not consider:-**

- Changes to any other electoral areas including wards or divisions within the Principal Council Area (Bromsgrove District Council).

#### **Consultation**

The Act requires the Council to

- Consult the local government electors for the area under review.
- Consult any other person or body who appears to have an interest in the review.

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## TERMS OF REFERENCE

### COMMUNITY GOVERNANCE REVIEW FOR PROPOSED NEW PARISH WITHIN THE CURRENT STOKE PARISH AREA

The Council will have regard to Guidance on Community Governance Reviews issued by the Department of Communities and Local Government which aims to ensure that:-

- Electors should be able to identify clearly with the parish in which they are resident. The guidance states that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.
- Parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity; the feeling of local community and the wishes of local inhabitants are primary considerations in a Review.
- A careful balance to the considerations of changes that have happened over time, through population shifts or additional development for example, and that have led to a different community identity with historic traditions in its area.

Two consultation stages will be held, and a full consultation document will be produced for each stage. The documents will be available electronically, being published on a dedicated page on the Bromsgrove District Council website.

As the petition refers to the potential splitting of the existing parish, it is important that all residents have the opportunity to respond. The document will initially outline the implications of splitting the parish, and ask residents for their views. It will be delivered to every address in the parish, and include a form to return and a pre-paid envelope.

All consultation responses will be logged and reported back to the Electoral Matters Committee for consideration. Names and addresses of individual respondents will not be included in the central log for data protection purposes.

Representations may also be made in writing (either in the form of email or letter) to Bromsgrove District Council.

Responses received from parish councils/residents groups will be highlighted as such, and will be assumed to be an official response on behalf of the whole parish council/residents group.

Bromsgrove District Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the Community Governance Review are informed of the recommendations and the reasons behind them. All representations will be available for public inspection (any personal information will be redacted).

The Council will notify any persons or bodies who have made written representations of the outcome of the review at all stages (where requested) and full details of any recommendations will be available on the Bromsgrove District Council website.

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**TERMS OF REFERENCE**  
**COMMUNITY GOVERNANCE REVIEW FOR PROPOSED NEW PARISH**  
**WITHIN THE CURRENT STOKE PARISH AREA**

**How to Respond to this Review**

Representations in response to this review should be submitted within the specified timescales detailed below either by letter or email to:

Stoke Heath Ward Community Governance Review

Electoral Services Manager  
C/O Town Hall  
Walter Stranz Square  
Redditch  
B98 8AH

Email [elections@bromsgroveandredditch.gov.uk](mailto:elections@bromsgroveandredditch.gov.uk)

Tel: 01527 881 421

Website **TO BE INSERTED**

# TERMS OF REFERENCE Agenda Item 5

## COMMUNITY GOVERNANCE REVIEW FOR PROPOSED NEW PARISH WITHIN THE CURRENT STOKE PARISH AREA

### A timetable for the Community Governance Review

Stage	What happens?	Timescales
Commencement	Terms of Reference are published	30 September 2020
Preliminary stage	Promotion of public consultation	Two Weeks 1 October to 14 October 2020
Stage one	Initial Submissions are invited	Two months 14 October 2020 to 14 December 2020
Stage two	Consideration of submissions received – Draft Recommendations are prepared	Two months 15 December 2020 to 15 February 2021
Stage three	Draft Recommendations are published. Public response invited	Three months 16 February to 17 May 2021
Stage four	Considerations of submissions received – final recommendations are prepared	Two months 18 May to 16 July 2021
Stage five	Final recommendations are published – concluding review	1 August 2021
Stage six	Electoral Matters Committee resolves to make a Reorganisation Order	One month later 1 September 2021 (provisional date)
Stage seven	Report outcome to Full Council	October 2021 (provisional date)

### Considerations

The final recommendations for this review may include:

- Creation of a new Parish Council.
- Future electoral arrangements with regard to Parishes.
- Future number of Councillors for each Parish Council.
- Implementation of any Orders as a result of the Review and arrangements for when the Order comes into force.
- Financial arrangements and division of any assets.
- Any other matter not mentioned here that arises during the consultation period.

# Agenda Item 5

## TERMS OF REFERENCE COMMUNITY GOVERNANCE REVIEW FOR PROPOSED NEW PARISH WITHIN THE CURRENT STOKE PARISH AREA

### **Glossary of Terms and explanation of guidance covering this review**

#### **What does 'Electoral Arrangements' mean?**

An important part of our Review will comprise giving consideration to 'Electoral Arrangements'. The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward;
- The name of any such ward

#### **Ordinary year of election**

The Local Government Act 1972 states that ordinary election of parish councillors shall take place in 1976, 1979 and every fourth year thereafter. The Government has indicated that it would want the parish council electoral cycle to coincide with the cycle for the district council, so that the costs of elections can be shared. However, any changes which form part of the final recommendation where Council seats are re-distributed, it is possible to reduce the existing term of office to allow mid-term elections and revert thereafter to the 4 year cycle. Any costs associated with mid-term elections are wholly attributable to the Parish Council.

#### **A council for a parish**

The legislation lays down the different duties that the Council has with regard to the creation of a council for a parish.

- Where the number of electors is 1,000 or more – a parish council must be created;
- Where the number of electors is between 151 and 999 – a parish council may be created,
- Where the number of electors is 150 or fewer – a parish council cannot be created.

#### **What considerations cover the number of parish councillors?**

The number of parish councillors for each parish council shall not be less than five. There is no maximum number. There are no rules relating to the allocations of councillors.

In its survey, the Aston Business School found that the levels of representation varied and these are included in the following table.

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## TERMS OF REFERENCE COMMUNITY GOVERNANCE REVIEW FOR PROPOSED NEW PARISH WITHIN THE CURRENT STOKE PARISH AREA

<b>Electors</b>	<b>Councillors</b>
Less than 500	5 – 8
501 – 2,000	6 – 12
2,501 – 10,000	9 – 16
10,001 – 20,000	13 – 27
Greater than 20,000	13 - 31

The National Association of Local Councils has also issued the following guidelines:

<b>Electors</b>	<b>Councillors</b>	<b>Electors</b>	<b>Councillors</b>
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	25,000	25
9,000	16		

The Government's guidance is that 'each area should be considered on its own merits, having regard to its population geography and pattern of communities', and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter. The Government makes the point 'that the conduct of parish council business does not usually require a large body of councillors'.

By law, the Council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- The number of local government electors for the parish;
- Any change in that number which is likely to occur in the five years beginning with the day when the review starts.

### **Naming of a Parish**

In the naming of a parish, the Council will be mindful of existing local or historic place names, and there will be a presumption in favour of names proposed by local interested parties.

### **Reorganisation of Community Governance Orders and Commencement**

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the order in



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detail, and the document(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the locations listed at the end of this document.

In accordance with the guidance issued by the government, the Council will issue maps to illustrate each recommendation at a scale. These maps will be deposited with the Secretary of State and at the Council Offices. Prints will also be supplied, in accordance with regulations to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Agency, the Boundary Commission for England and the Local Government Boundary Commission for England.

Any new electoral arrangements will come into force at the next ordinary elections to the council which are scheduled to be held in May 2023. However, it is possible to reduce the existing term of office to allow mid-term elections and revert thereafter to the 4 year cycle. Any costs associated with mid-term elections are wholly attributable to the Parish Council.

### Consequential Matters

#### General Principles

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order.

These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.

#### How to contact us

Should you require any further information or need clarification on the review process, please contact:

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Polling District RHA  
RHC

RHB

CFA  
Charford Ward

Rock Hill Ward

RHA

Avoncroft Ward

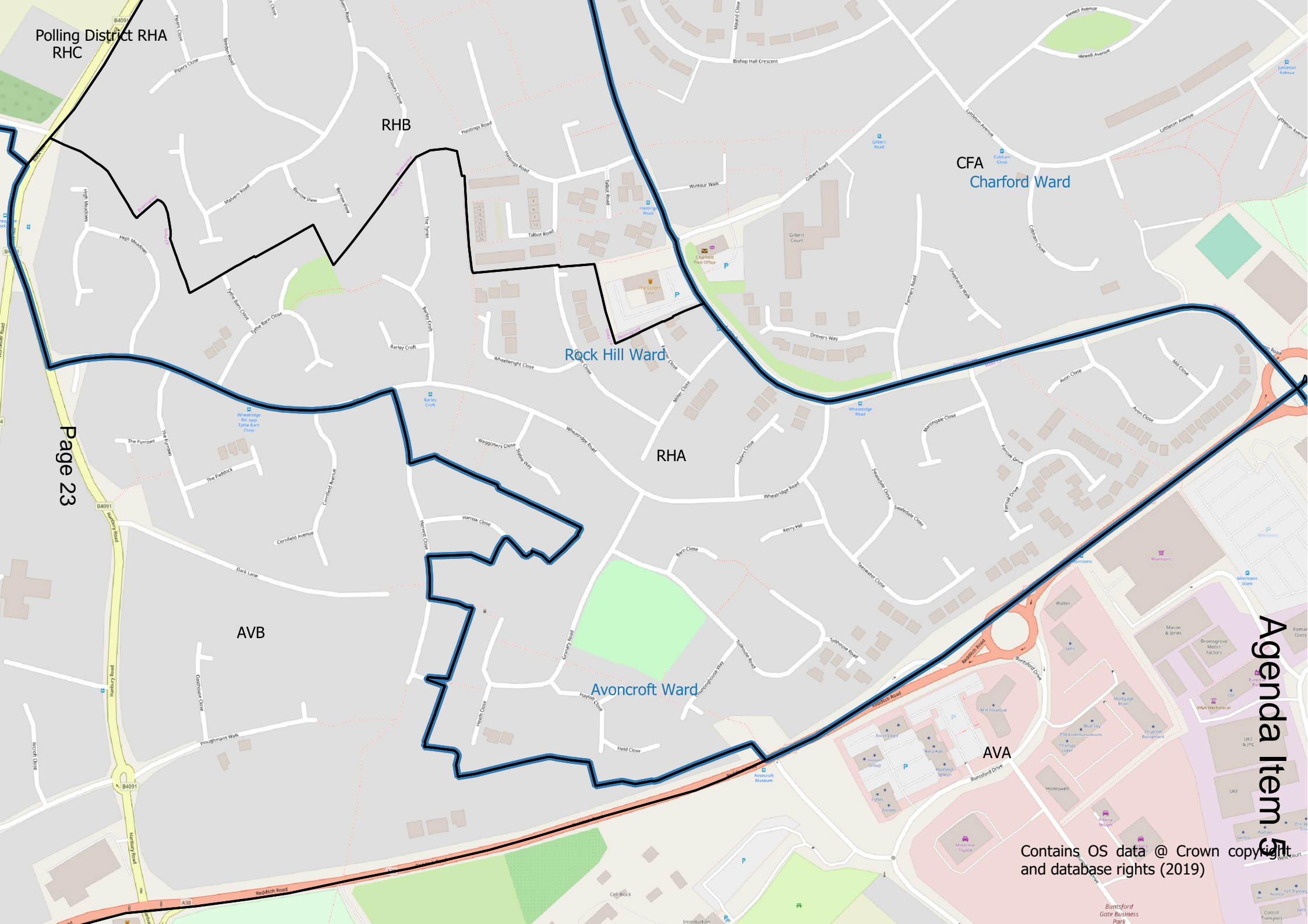
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