



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE ELECTORAL MATTERS COMMITTEE

TUESDAY 29TH 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 3rd September 2020 (Pages 1 - 4)
4. Community Governance Review for a Proposed new Parish within the current Stoke Parish Area (Pages 5 - 14)
5. 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

21st September 2020

If you have any queries on this Agenda please contact
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GUIDANCE ON VIRTUAL MEETINGS

Due to the current Covid-19 pandemic Bromsgrove District Council will be holding this meeting in accordance with the relevant legislative arrangements for remote meetings of a local authority. For more information please refer to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police Crime Panels meetings) (England and Wales) Regulations 2020.

Please note that this is a public meeting conducted remotely by Skype conferencing between invited participants and live streamed for general access via the Council's YouTube channel.

You are able to access the livestream of the meeting from the Committee Pages of the website, alongside the agenda for the meeting.

If you have any questions regarding the agenda or attached papers please do not hesitate to contact the officer named above.

Notes:

As referred to above, the virtual Skype meeting will be streamed live and accessible to view. Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the live stream will be suspended and that part of the meeting will not be recorded.



INFORMATION FOR THE PUBLIC

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- You can attend all Council, Cabinet and Committee/Board meetings, except for any part of the meeting when the business would disclose confidential or “exempt” information.
- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
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- Meeting Agendas
- Meeting Minutes
- The Council’s Constitution

at www.bromsgrove.gov.uk

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE ELECTORAL MATTERS COMMITTEE

3RD SEPTEMBER 2020, AT 6.00 P.M.

PRESENT: Councillors R. J. Hunter (Vice-Chairman), S. R. Colella, R. J. Deeming,
L. C. R. Mallett and M. Middleton

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

1/2020

APOLOGIES

Apologies for absence were received from Councillors M. Glass and S. Hession.

2/2020

DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

3/2020

MINUTES

The Minutes of the meeting of the electoral Matters Committee held on 27th February 2020 were submitted.

RESOLVED that the minutes of the meeting of the Electoral Matters Committee held on 27th February 2020 be approved as a correct record.

4/2020

POLLING PLACE ALTERATION 2020

The Electoral Services Manager introduced the Polling Place Alteration Report for 2020 and explained that this was a follow on from the report received at the February 2020 meeting, when it was agreed to use the Westmead Hotel for the PCC elections, which due to Covid-19 had not in fact taken place. It had been agreed at that meeting that the polling place would be reviewed once that election had taken place and the Village Hall had put the new disabled access in place. This had now been completed and officers had inspected the site and were quite happy with the access. The District councillor, Councillor C. Hotham was in support of the polling place returning to the Village Hall. Alvechurch Parish Council had also sent a letter in support of the return to the Village Hall. When polling places are reviewed the Acting Returning Officer has to be asked for their comments and he raised no objections to the change of the polling place back to the Village Hall. One of the areas mentioned when visiting the polling place was that the Council would like a guarantee that the Village Hall could be used as a polling place at short notice as previously there had been booking problems in respect of not enough notice being given. Officers would

also like to be able to request that the Village Hall be opened up and closed on polling day and during delivery as currently the presiding officer has to collect the keys from nearby.

Members asked whether the Village Hall had indicated whether they were happy with the recommendations and officers advised that this had not been received as yet. Officers confirmed that the addition of the opening and closing of the Village Hall and use at short notice, would be a useful addition to the agreement made with them.

RESOLVED that Hopwood Village Hall be the agreed polling place for BHA subject to agreement that the Village Hall be made available at short notice and is opened and closed by a Village Hall key holder on Polling Day.

5/2020

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

The Electoral Services Manager introduced the report in respect of a Community Governance Review for a proposed new parish within the current Stoke Parish area. It was noted that members of the community had raised a petition, part of the report was for Members to note and receive the petition and the Electoral Services Manager had the petition with him and showed this to the Members (via his online screen). It was confirmed that it had been checked by officers to ensure those signing were valid electors, there were 228 signatures, 13 not on the register, 20 had not signed but 195 were valid, as the requirement was 187 the petition was therefore valid. Once it is confirmed as a valid petition then a community governance review had to take place. Appendix 1 to the report had the draft terms of reference which Members needed to agree in order to proceed. The review needed to be completed within one year of receiving the petition. The report also asked for delegation to the Chief Executive, in consultation with Members of the Committee to make minor amendments to the terms of reference is necessary, this was mainly in regard to the time table, should these need to be revised at any stage.

It was noted that following publication of the agenda the lead petitioner had emailed Electoral Services querying one of the parts of the terms of reference (page 16 of the agenda pack and page 3 of the terms of reference). He was unhappy with the reference 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” The lead petitioner had three points to make:

- The proposed remaining residents of Stoke Parish may realise that they will be expected to pay more per household for the same level of amenities, this could influence their opinion and be detrimental to the residents of Stoke Heath. This had been

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discussed at officer level and with the Legal team and it was felt that the whole parish should be consulted as they did have an interest as assets would be changing hands. There was some sympathy in respect of this and it would be dependant on how the consultation document would be worded. It was suggested that an additional recommendation be added that suggested a short additional meeting of the Committee was held once the consultation documents was ready in order for Members to agree that document, before commencement. It was confirmed that the guidance was clear that it should not be based on financial issues, but the betterment of parish residents.

- The second point was in respect of Stoke Parish being formed by adding the then Stoke Heath Ward, at that time only the residents of Stoke Heath were included in the consultation. No residents of the Stoke Prior Parish were consulted at that time and the lead petitioner did not believe that they should be consulted now. Officers had been unable to find any documents on this to see what exactly had happened, but following discussions with Legal it was likely to have been done as the parish was being added to and not taking away an area.
- The third point was the petition had been accepted by just involving Stoke Heath residents and should remain so. Officers advised that the legislation stated that “you should consult with the Local Government electors for the area under review and consult with any other person or body who appears to have any interest in the review”. It was believed that the electors of Stoke Prior fell into that category.

It was noted that the terms of reference were standard for a Community Governance Review as was the timetable.

Members raised the following points during their discussions:

- It had been stated that Stoke Heath residents were unhappy with the current arrangement and officers were asked to clarify why this was. Officers confirmed that it was felt that there was a geographic issue.
- It was asked as to whether officers were aware of any appetite to form a parish in Stoke Heath – officers were not able to respond to this, but suggested that through the consultation this may become more apparent.
- It was noted that the majority of assets were in fact within Stoke Prior side, in respect of the second element of the points raised by the lead petitioner which did not seem to be logical and that the method of entry in to the parish was somewhat irrelevant in terms of exit.
- The impact of a split would have an effect on both residents of Stoke Heath and Stoke Prior and was therefore a decision for all concerned, as it may be felt that the Parish was too big and covered too wide an area.

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- The type of questions that would be asked within the consultation and the difficulty in posing questions which would give a fair view from both sides of the current parish area. It was confirmed that Members would get an opportunity to see the questions prior to the consultation commencing.
- It was confirmed that there had been no additional information from the relevant ward councillors.

The Committee briefly discussed the terms of reference and timeline and were happy to proceed on the basis set out in appendix 1 of the report.

RESOLVED:

- a) that the valid petition from residents of Stoke Heath Parish Ward be received and noted;
- b) that the Terms of Reference for the Community Governance Review at appendix 1 of the report be agreed;
- c) that authority be delegated 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; and
- d) that a short meeting of the Electoral Matters Committee be arranged prior to commencement of the consultation period in order for it to consider the questions within it.

The meeting closed at 6.28 p.m.

Chairman

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 agree a letter and questionnaire for residents of Stoke Parish in regard to the Community Governance Review starting on 30 September 2020.

2. RECOMMENDATIONS

Members are asked

to approve the letter and questionnaire, with any changes, for the Community Governance Review consultation (Appendix 1);

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 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.

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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.

Service/Operational Implications

3.6 At the meeting of this Committee on 3 September it was agreed that the Committee would meet again to discuss the consultation for residents and agree the wording of the documents to be sent out. The consultation letter and questionnaire for consideration are set out in Appendix 1.

3.8 Once the consultation documents are agreed officers will commence the publicity and consultation stages.

Customer/Equalities and Diversity Implications

3.7 None.

4. RISK MANAGEMENT

4.1 The Act requires that the CGR must be completed within 12 months of the validation of the petition. It is recommended that the consultation starts by 14 October to allow all steps to be completed within the 12 month timeframe and to allow for delays due to COVID-19.

5. APPENDICES

- 1 Consultation letter and questionnaire.

6. BACKGROUND PAPERS

- DCLG Guidance
- Relevant Statutory provisions

7. KEY

ELECTORAL MATTERS COMMITTEE

29 September 2020

N/A

AUTHOR OF REPORT

Name: Darren Whitney

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email: darren.whitney@bromsgroveandredditch.gov.uk

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Dear Resident

Possible creation of a new Parish from the Stoke Heath Ward of Stoke Parish – please tell us what you think

Bromsgrove District Council (BDC) has received a petition from a number of residents in Stoke Heath Ward requesting that consideration be given to creating a new Parish from the current Stoke Heath Ward. We are therefore writing to every household in the existing Stoke parish, to explain what we have been asked to consider and to get the views of residents.

It is very important at this stage to be clear that it is not a foregone conclusion that the new Parish will be created. Under the regulations relating to parish matters, when a valid petition is received the local council, BDC in this case, has to carry out a review. The views of local residents are an important part of the review process, and this first consultation stage will help BDC to find out what residents across the Parish think of the suggestion.

What would creating a new Parish mean?

Creating a new Parish for Stoke Heath area would create two parishes from the current Stoke Parish. A Parish Council consisting of the current Stoke Prior Ward and a new Parish Council consisting of the Stoke Heath Ward.

When a new Parish Council is formed, in order to be able to carry out its functions the new Parish Council would have the power to decide whether or not to levy a precept.

What are Parish Councils?

Parish councils make local decisions and introduce policy that is relevant to the public interest of the parish. This is done at meetings of the Parish Council, by Parish Councillors who are elected to serve for a four year term. Parish Councillors are unpaid. The existing Stoke Parish Council has 12 Parish Councillors (8 for Stoke Prior Ward and 4 for Stoke Heath Ward). If the Parish is split into two, each Parish Council would have its own Parish Councillors (numbers to be determined).

Parish Councils represent the local community, for example, by providing responses to planning or licensing consultations, they also deliver services to meet local needs and improve the quality of life and community well-being. Parish councils have powers to provide and maintain a variety of important local services, such as allotments, burial grounds, bus shelters, open spaces and village halls.

Parish councils are funded by a “precept” which forms part of the council tax residents pay. BDC collects the precept on behalf of Stoke Parish Council and gives this money to the Parish Council who use it to support its operations and carry out local projects. The precept that each household pays depends on which Band of Council Tax you fall into. For a Band D

property in Stoke the amount paid in 2020/2021 is £30.11 for the year. The Parish Council review this amount every year.

The petitioners feel that a disproportional amount of the precept money is spent in the Stoke Prior Ward.

Where would the parish be split?

The map below shows the parish ward boundaries. As part of the submitted petition, suggested the current Stoke Heath Parish Ward make up the new parish.

[map]

Will the amount of Council Tax I pay change?

It might do. If the split goes ahead, both Parish Councils would need to decide how much money they need to raise via their precepts, collected as part of your Council Tax bill, to help run their respective parishes. Therefore, whichever parish you live in, your Council Tax bill could go up or down.

Currently, Stoke Parish Council can spread its running costs across the whole parish. Should there be a separation into two parishes, there would be fewer properties to meet these costs, however there might be fewer services to provide. For example, if the parish council currently mows the grass in open spaces, insures bus shelters and pays someone to empty dog bins, and half of these assets were located in the new parish area, the new parish council would take responsibility for providing the services in their area.

What would the name of the parishes be?

If the parish was separated, consideration would also need to be given to the names of these parishes. It is possible for the Stoke Prior Ward to remain as Stoke Parish and the new Parish to be called Stoke Heath.

Please let us know if you have any name suggestions.

What happens now?

Under legislation the review must be completed within a year and the review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more efficient delivery of local services.

These are the things BDC will focus on when making its recommendations.

BDC is opening a consultation period for anyone with an interest to share their views. More specifically it is consulting every household, via this communication, in Stoke Parish to ensure that everybody in the parish has an opportunity to give their views.

Further information regarding the review including the timetable can be found at the dedicated webpage for the review: [webpage]

At the end of this letter you will find a short questionnaire. Please take a few minutes to fill this in and return it using the envelope supplied.

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Alternatively, you can reply electronically. You can visit the above webpage and click on the link to answer the questions through an online version of the questionnaire, or send an email to elections@bromsgroveandredditch.gov.uk .

All written or emailed responses should reach us by Monday 14 December 2020 to be taken into consideration. The online survey will close at 11:59pm on the same date.

Responses will then be considered by the Electoral Matters Committee, who will come up with a set of recommendations. There will then be a second consultation on proposals for the area.

Yours sincerely,

Darren Whitney

Electoral Services Manager

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COMMUNITY GOVERNANCE REVIEW – NEW PARISH WITHIN THE STOKE PARISH AREA

[ADDRESS 1]
[ADDRESS 2]
[ADDRESS 3]
[POSTCODE]

Parish Ward: [Parish Ward]

Please answer the following questions:-

1. Do you think that there should be a new Parish created from the current Stoke Heath Ward?

Yes	
No	

2. Do you think Stoke Parish creates a feeling of local community including for electors in Stoke Heath?

Yes		If yes, why do you think this is true?
No		If no, why do you think this is false?

3. If a new parish were created would you be interested in standing to become a Parish Councillor?

Yes	
No	

4. If the changes happen would you like to suggest names for the Parishes?

5. Would you like to make any further comments?

Name of person completing the form (this will not be published anywhere):

.....

Please return this form in the envelope provided or to:-

**Electoral Shared Services
Town Hall
Walter Stranz Square
Redditch
B98 8AH**