

BROMSGROVE DISTRICT COUNCIL

Community Governance Review for the proposed boundary changes to Clent and Hagley Parish Council areas

FULL COUNCIL

Date 24 September 2014

REPORT TITLE

Community Governance Review for proposed boundary changes to Clent and Hagley Parish Council areas.

Relevant Portfolio Holder	Cllr Webb (for Cllr Margaret Sherrey)
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Wards Affected	Hagley and Furlongs, until 30 November 2014 then Hagley West and Belbroughton and Romsley from 1 December 2014
Non-Key Decision	Electoral Matters Committee (devolved powers going forward)

1. SUMMARY OF PROPOSALS

- 1.1 Members are asked to note and receive the petition requesting a Community Governance Review which proposes boundary changes to Clent and Hagley Parish Council Areas. 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

- 2.1 Members are asked to note and receive the petition from Hagley Parish Council formally requesting a Community Governance Review proposing changes to the boundaries of Clent Parish Council and Hagley Parish Council.
- 2.2 Members are asked to consider and approve;
- The Terms of Reference for the Clent and Hagley Community Governance Review.
 - That the proposed consultation process and statutory timetable commence forthwith.
 - That Council delegate to the Electoral Matters Committee all stages up to and including the making of the reorganisation order.
 - That the Council release the sum of £4,500 from balances to cover the cost of consultation.

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3. KEY ISSUES

Financial Implications

- 3.1 A budget estimate to consult stakeholders by leaflet/questionnaire, holding any public meetings and production of public notices would be approximately £4,500.00
- 3.2 No budgetary provision currently exists for this exercise and therefore a request is being made of Full Council for funds to be released from balances to cover this review
- 3.3 At the conclusion of the review there may also be financial implications for adjustments in Parish Council precepts, transfer of assets and other associated changes, such as, changes to Council Tax management.

Legal Implications

- 3.4 A Community Governance Review must be conducted in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 (Part 4) and the associated DCLG Guidance on Community Governance Reviews, the Local Government (Parishes and Parish Councils) Regulations 2008 and the Local Government Act 1972 (as amended). In making its decision, the Council will need to take account of the views of local people. The Council must, by section 100(4) of the 2007 Act, have regard to the guidance issued by the Secretary of State.
- 3.5 This Council has responsibility for undertaking this Community Governance Review and will be able to decide whether to give effect to recommendations made in this review. Governance Reviews, the Local Government (Parishes and Parish Councils) Regulations 2008 and the Local Government Act 1972 (amended)

Service / Operational Implications

- 3.6 Hagley Parish Council has submitted a valid petition for a Community Governance Review. In accordance with legislation governing such matters, this petition includes:-
 - Signatures by the requisite number of local government electors for the area;
 - A map, which clearly defines the area to which the review is to relate and;
 - Specific recommendations stating what changes the petitioners wish

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a community governance review to consider.

- 3.7 Members are asked to acknowledge and record the receipt of a valid petition in accordance with their duty as principal council and to approve the terms of reference at appendix A.
- 3.8 Members are advised that under section 83 of the Local Government and Public Involvement in Health Act 2008, where a valid petition is received which relates to whole or part of its area, that it must undertake a community governance review and that this review has terms of reference which allow for the petition to be considered. It should be noted that the principal council is wholly responsible for the conduct and administration of a community governance review.
- 3.9 Section 81(4) of the Local Government and Public Involvement in Health Act 2001 requires that the principal authority decide the terms of reference of any community governance review and decide what modifications (if any) to make to the terms of reference. For members reference a copy of the plan submitted by Hagley Parish Council with their petition is included at appendix 1 to the terms of reference. The plan shows the area that would be transferred from Clent Parish Council to Hagley Parish Council. In addition to consulting on this proposal the Council will also be consulting on a slightly different proposal as set out in the plan attached at appendix 3 of the terms of reference. Members will be aware that district ward boundaries will be changing from 01 December 2014 as a result of the boundary review. Officers would advise that these changes should be taken into consideration in the context of this governance review, and the plan at appendix 3 shows the area to be transferred as co-terminus with the new ward boundaries. The questions to be asked of consultees are set out at page 4 of the terms of reference.
- 3.10 The Head of Legal and Democratic Services will be responsible for the administration and conduct of the review. Any associated administrative functions will be led by the Electoral Services Manager.
- 3.11 At the conclusion of the review there may be an impact on other Council Officers from the Legal Services Team and Revenues and Benefits.
- 3.12 The timetable for the review is concurrent with the election period in 2015 and careful consideration will need to be given to any publicity and use of officer time during the restricted election period.

Customer / Equalities and Diversity Implications

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- 3.13 In conducting the review the Council will ensure that the affected communities are properly consulted.
- 3.14 In conducting the review the Council will ensure that electoral equality is taken into consideration.

4. RISK MANAGEMENT

- 4.1 None identified at this time.

5. APPENDICES

Appendix A – Terms of Reference

The Terms of Reference refer to five appendices numbers 1 to 5. For the purposes of this report the following appendices have been published with the agenda:-

- Appendix 1 Map of The Hagley Parish Council proposed Transfer Area
- Appendix 3 Map of Review Area which is coterminous with existing electoral arrangements
- Appendix 4 - List of those who will be consulted as part of the review

The following appendices are available for members to read on the website.

- Appendix 2 Hagley Parish Council Feasibility Study
- Appendix 5 The Bromsgrove (Electoral Changes) Order 2014

6. BACKGROUND PAPERS

- 6.1 References to all legislation and guidance are listed within the Terms of Reference (Appendix A)

AUTHOR OF REPORT

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