

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

Community Governance Review, Stage Two: Consideration of submissions received and draft recommendations

Relevant Portfolio Holder	Cllr Webb (for Cllr Margaret Sherrey)
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Wards Affected	Hagley West and Belbroughton and Romsley from 1 December 2014
Non-Key Decision	Electoral Matters Committee

1. SUMMARY OF PROPOSALS

- 1.1 Members of the Committee are asked to receive the results of the consultation carried out in relation to a proposal to review the boundaries of the Clent and Hagley Parish Council areas and to consider and approve a draft recommendation for further consultation between 1 April 2015 and 30 June 2015.

2. RECOMMENDATIONS

- 2.1 Members are asked to note the results of the consultation undertaken as a result of a valid petition to change the boundaries of Clent Parish Council and Hagley Parish Council.
- 2.2 Members are asked to consider and decide on the draft recommendation to be further consulted upon, either that
- 1) the changes set out in the petition be adopted;
 - 2) the changes proposed by Bromsgrove District Council be adopted;
 - 3) no change be undertaken; or
 - 4) that an alternative proposal to
 - a) amalgamate the Hagley and Clent parish councils; or
 - b) transfer half of area "B" (the eastern only) to Hagley, be adopted.

3. KEY ISSUES

Financial Implications

- 3.1 A sum of £4,500 was released by the Council to cover the estimated costs of consultation, holding any public meetings and production of public notices.

- 3.2 At the conclusion of the review there may 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

- 3.3 On receipt of a valid petition, the Council has a responsibility to undertake a Community Governance Review 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.
- 3.4 The Terms of Reference of the Review are set out in **Appendix 1**
- 3.5 Stage one of the review process was the initial consultation. Stage two is the consideration of submissions received and preparation of a draft recommendation for further consultation.
- 3.6 s93 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.
- s93 (6) provides that the council must "take into account" any representations received in connection with the review as one element of these considerations.
- 3.7 The DCLG Guidance states that a Community Governance review provides an opportunity for principal authorities to review and consider making changes to community governance within their area, to ensure that it continues to be effective and convenient and reflects the identities and interests of the community.
- 3.8 The guidance on the aims of the review is set out on page 5 of the Terms of Reference, (Appendix 1)

- 3.9 s2 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.
- 3.10 In 2013 – 2014 the Local Government Boundary Commission for England undertook a review of the electoral arrangements for the whole of the District Council Area and set out new Districts wards and changes to associated Parish Council Ward arrangements in The Bromsgrove (Electoral Changes) Order 2014. This Order came into force on 1 December 2014.

Service / Operational Implications

- 3.11 At its meeting on 24 September 2014, the Council noted and received a petition formally requesting a Community Governance Review of Hagley and Clent parish council boundaries. The Council approved the terms of reference for the review and agreed that the consultation process and statutory timetable should commence. Stage One, the initial consultation, took place between Friday 1 November 2014 and Friday 30 January 2015. Council further approved that authority be delegated to the Electoral Matters Committee to deal with all stages of the Review up to and including the making of the Re-organisation Order.
- 3.12 In support of the petition, Hagley Parish Council also submitted a Feasibility Study, which is attached at **Appendix 2**
- 3.13 Members are advised that representation has been received from Clent Parish Council detailing their response to the consultation process and this response can be found at **Appendix 3**.

The Consultation

- 3.14 Consultees were asked to select between the four following options:
- A – to adopt the proposed change as set out in the petition,
 - B – to adopt the change as proposed by Bromsgrove District Council,
 - C – that no change be undertaken, or
 - D – to make an alternative proposal
- 3.15 A map, which illustrates Options 1 and 2, was issued with the consultation. This is attached at **Appendix 4**

How the consultation was undertaken

- 3.16 Electoral Reform Services (ERS) on behalf of the Council, sent notification of the options to all households within the electoral areas of Clent and Hagley parish councils, along with an opportunity to vote on the proposals. A voting pack was sent to each household on 18 November 2014. Votes could be cast electronically or by posting the ballot paper back to the ERS, by 30 January 2015. If more than one person within a household wished to respond to the consultation, they could do so by responding individually to the Council's consultation.
- 3.17 Bromsgrove District Council established a dedicated web page for the review, issued a press release and information leaflet and invited representations from individual stakeholders and any party which may have an interest in the review.

Results of the consultation:

Electoral Reform Services Ballot

- 3.18 The results of the ERS household ballot are attached at **Appendix 5**.
- 3.19 Alternative proposals (Option 4) submitted to the ERS:
Three parties selected this option, two of whom made relevant alternative proposals:
- a) Amalgamate the two parishes under one council.
 - b) "Half of area B be transferred (i.e. eastern section only).

The third comment did not relate to the governance review but complained about the poor service from the local GP surgery.

Council Consultation

- 3.20 The Council received 375 responses to its consultation. The results are attached at **Appendix 6**.
- 3.21 Ten parties completed the Option 4 (alternative proposal) section and made some comments about the proposals and the process. These are set out in **Appendix 7**. No alternative proposals were included.

Draft recommendations

- 3.22 Option 1 is the proposal included in the petition, to transfer the areas labelled "A" and "B" from Clent to Hagley parish council area, as

indicated on the consultation plan (Appendix 3)

- 3.23 A consequence of adopting Option 1 would be that two areas labelled “B” would become part of a “new” Hagley parish council area but would remain within the Belbroughton and Romsley District Council Ward.
- 3.24 In this case, after the Council has made its final Order at the conclusion of the Review, Bromsgrove District Council would need to apply to the Local Government Boundary Commission for England for a related alteration to the District Council’s ward boundaries between Hagley West District Ward and Belbroughton and Romsley District Ward.
- 3.25 Option 2 of the draft recommendations proposed by Bromsgrove District Council, will partly meet the petition proposal, transferring Area “A” to Hagley Parish. However, by not transferring the two areas labelled “B”, the existing District Council Ward boundaries, as settled in the recent LGBCE District Review, would be maintained.
- 3.26 In both cases, Bromsgrove District Council would have to address electoral arrangements for parish warding within the revised parish council areas, determining the number of parish councillors and trier representation.
- 3.27 Option 3 is for no change.
- 3.28 Option 4 sets out the two alternative proposals submitted in the consultation. One is to amalgamate the two parish councils and one to transfer the eastern part of land labelled “B” to Hagley Parish Council.
- 3.29 At the conclusion of the review process, after further consultation has been undertaken on the Council’s adopted draft recommendation, Bromsgrove District Council will be required to make an Order defining the new parish boundaries, set out the new electoral arrangements and address any financial consequences relating to assets precepts, transfer of assets and other associated changes.
- 3.30 The Head of Legal and Democratic Services is responsible for the administration and conduct of the review. Any associated administrative functions are being undertaken by Electoral Services. There may also be an impact on other Council Officers from the Legal Services Team and Revenues and Benefits in implementing any changes required at the conclusion of the process.
- 3.31 The timetable for the review includes the election in 2015 so that careful consideration will need to be given to any publicity and use of officer time during the restricted pre-election period.

Customer / Equalities and Diversity Implications

- 3.32 In conducting the review the Council will ensure that the affected communities are properly consulted.
- 3.33 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 1 – Terms of Reference

Appendix 2 – Hagley Parish Council Feasibility Study

Appendix 3 – Clent Parish Council representation

Appendix 4 – Consultation map

Appendix 5 – Results of Electoral Reform Services ballot

Appendix 6 – Results of BDC consultation

Appendix 7 – Results of BDC consultation

6. BACKGROUND PAPERS

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

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