

BROMSGROVE DISTRICT COUNCIL

**ELECTORAL MATTERS COMMITTEE
2021**

8 July

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

Relevant Portfolio Holder	Councillor Denaro Portfolio Holder for Finance and Enabling
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
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Wards Affected	Avoncroft, Rock Hill
Ward Councillor(s) consulted	Yes
Relevant Strategic Purpose(s)	N/A
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

Members are asked to consider and decide the final recommendations for the review of a parish separate from Stoke Parish Council consisting of polling district RHA be either that

- 1) it is the same as the draft recommendations namely ‘that no change be undertaken’**
- 2) an alternative proposal from the Committee be adopted**

2. BACKGROUND

- 2.1 A valid petition from Residents of the Stoke Heath Parish Ward (polling district RHA) of Stoke Parish Council was received requesting that a Community Governance Review (CGR) be carried out on ‘Making that area known as Stoke Heath Ward (RHA) a civil parish separate from Stoke Parish Council’.
- 2.2 A CGR commenced on 30 September 2020 when the terms of reference were published. Two rounds of consultation have taken place.
- 2.3 The publication of the final recommendations end the review.

3. FINANCIAL IMPLICATIONS

3.1 None in this report.

4. LEGAL IMPLICATIONS

4.1 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

4.2 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.

4.3 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

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

5.1 None as this report deals with statutory functions.

Climate Change Implications

5.2 None in this report.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

6.1 None in this report.

Operational Implications

6.2 At the meeting of this Committee on 29 September 2020 a letter and questionnaire were agreed for the households within the Stoke Parish area. This questionnaire was also made available electronically via the District Council webpage dedicated to the review. In addition responses were invited from any other interested parties.

3.6 The results of the consultation were reviewed in detail at the meeting of this Committee held on 2 February 2021 and it was concluded that the majority of residents did not want a new parish to be created. From these findings the draft recommendation of the Committee regarding the review was that no change be made from the status quo.

3.7 The Terms of Reference of the review state that there must be a consultation on the draft recommendations and this was to be run from 15 February to 17 May 2021.

3.8 The consultation was publicised with interested parties being able to write in or fill in an electronic form online via the Council's website.

3.9 The MP, the County Council and relevant Councillors were also contacted for their views.

3.10 One reply was received from the second consultation which was from the Parish Council to confirm that they had no further comments to make (they had rejected the proposal of a new parish in the first consultation) but were reviewing the comments made from households in the first consultation to see how they could engage better with the residents of Stoke Heath.

7. RISK MANAGEMENT

7.1 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.

- 7.2 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.

8. APPENDICES and BACKGROUND PAPERS

No appendices

Background papers:

- DCLG Guidance
- Relevant Statutory provisions

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9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Cllr G Denaro	24 June
Lead Director / Head of Service	Claire Felton	24 June
Financial Services		
Legal Services		