

BROMSGROVE DISTRICT COUNCIL

ELECTORAL MATTERS COMMITTEE

23 February 2024

Possible Community Governance Review – Finstall Parish

Relevant Portfolio Holder	Councillors May, Leader, and Hotham, Cabinet Member for Finance and Enabling
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Report Author	Job Title: Electoral Services Manager, Darren Whitney Contact email: darren.whitney@bromsgroveandredditch.gov.uk Contact Tel: 01527 881650
Wards Affected	Tardebigge, Aston Fields
Ward Councillor(s) consulted	
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. RESOLUTIONS

- 1.1 **Members of the Committee are asked to note the report; and**
- 1.2 **decide whether to hold a Community Governance Review on Finstall Parish Council in regard to the areas within the report and Appendix 1.**

2. BACKGROUND

- 2.1 The report sets out a request for a possible County Boundary Review (CGR) in Finstall Parish.
- 2.2 The Parish Council would like move their parish boundary to correct some anomalies with regard to the current boundaries.

3. FINANCIAL IMPLICATIONS

- 3.1 Subject to the Committee's final decisions, there may be some minor financial implications for a consultation exercise which would be found under existing budgets.

4. LEGAL IMPLICATIONS

- 4.1 A CGR must be undertaken 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 The Terms of Reference of the Review are set out in Appendix 1 and a map of the proposed parish in Appendix 2.
- 4.3 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.
- 4.4 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 This report deals with statutory functions but relates to the strategic purpose of an effective and sustainable council.

Climate Change Implications

- 5.2 It is preferable that choice of polling place location can help minimise unnecessary additional journeys by motorised vehicles.

5.3 Emissions and carbon footprint should be reduced as far as possible.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

6.1 In conducting a review the Council will ensure that electoral equality is taken into consideration.

Operational Implications

6.2 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.

6.3 In this case Fininstall Parish Council are asking Bromsgrove District Council if they will review the parish boundaries of Fininstall Parish.

6.4 Officers met with the clerk and members of the parish council in January to discuss a potential CGR.

6.5 At it's meeting on the 6 February the parish council agreed to the following suggestions in regard to boundary changes (Appendix 1):

a) Field View House: to support re-drawing of the parish boundary so that it runs alongside the railway line to the south of Field View House, thereby placing Field View House to the north of the parish boundary and to support the same for the district and county boundaries.

b) Rutherford Road area (otherwise known as Hazelcroft): to seek to move the parish boundary northwards to run alongside the railway line, to incorporate Hazelcroft within Fininstall parish.

6.6 The first change relates to an area in Tardebigge Ward, this would mean a recommendation to change the ward boundary in the current Local Government Boundary Commission for England (LGBCE) review for Bromsgrove. It also would require changing the division boundary under the current LGBCE review of Worcestershire. The Parish have already submitted a response to the Worcestershire review.

The change affects 21 electors who have no contact with the rest of Fininstall Parish.

- 6.7 The second change relates to a whole polling district (TAE – Gambolds) which already sits within the Tardebigge Ward and the Bromsgrove East County Division. The area is currently unparished so would just be a matter of moving the parish boundary to incorporate that polling district.
- 6.8 If the committee decides to hold a CGR officers will draw up a timetable and terms of reference to be agreed by the Committee. If the committee decides not to hold a CGR the Parish will still have the option to draw up a petition which the Authority will have to hold a CGR.

7. RISK MANAGEMENT

- 7.1 The Act requires that the CGR must be completed within 12 months of the start of the review.
- 4.3 Amendments to the timetable for a review are not anticipated, however in the event that meeting dates have to be amended, it would be 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.

8. APPENDICES and BACKGROUND PAPERS

- Appendix 1 (map of the area)
- DCLG Guidance
- Relevant Statutory provisions

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Cllr Hotham	14 February 2024
Head of Service		
Financial Services		
Legal Services		