



Bromsgrove District Council

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COMMUNITY GOVERNANCE REVIEW

PARISH OF LICKEY END

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

TERMS OF REFERENCE

**THESE TERMS OF REFERENCE HAVE BEEN PUBLISHED BY THE
COUNCIL ON:**

**SUBMISSIONS AND COMMENTS ON THESE TERMS OF REFERENCE
DOCUMENT SHOULD BE MADE BY:**

30 June 2010

Contents:	Page
1. Introduction	3
2. The present structure of the Parish of Lickey End and its electoral arrangements	5
3. How does the Review proceed from here	8
4. Consultation	9
5. The Questions on which to comment	13
6. A List of Annexes	13

INTRODUCTION

The request for a Review

1.1 Bromsgrove District Council has received a request from the Parish of Lickey End that the Council conduct a Community Governance Review to abolish the parish of Lickey End and dissolve the Parish Council.

1.2 The Electoral Matters Committee of Bromsgrove District Council considered this request at its meeting of 18 November 2007, where the Committee resolved that a review of the Parish of Lickey End commence with in accordance with the Local Government and Public Involvement in Health Act 2007 and its associated guidance when it was published at a later date. The scope of a Terms of Reference document was determined at the Committee's meeting of 20 January 2010 and the consultation document was approved at the meeting on 12 April 2010.

1.3 The government has stated that it expects a Terms of Reference document to set out clearly the matters on which a Community Governance Review is to focus and this is the aim of the later chapters of this document¹. The Terms of Reference is a prompt to local consideration, initial discussions and the exchange of ideas in a Review, which in turn will help Bromsgrove District Council to prepare Draft Proposals.

What is a Community Governance Review?

1.4 A Community Governance Review can consider a range of topics concerning the community governance of the area under Review. These can include the creation, merging, altering or abolishing of parish areas, the naming of parishes, the electoral arrangements for parishes (creating a council; the number of councillors to be elected to the council; parish warding), and consequential matters such as the 'knock-on' effect on the Borough wards or the setting of the commencement dates for any new arrangements.

¹ Section 81(5); Guidance on community governance reviews, para.21

1.5 In this Review, however, the Council is only concerned in particular whether the Parish of Lickey End should be abolished and the Parish Council be dissolved.

The legislative framework for a Review of this sort

1.6 In undertaking this Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007 and the relevant parts of the Local Government Act 1972.² The Council is also required to have regard to Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Act by the government Department for Communities and Local Government and the Electoral Commission. This Guidance was published in April 2008, and it has been considered carefully as these Terms of Reference have been drawn up.³

1.7 Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish this Terms of Reference document. Details of how this document is being published and publicised are in our chapter on Consultation below.

How Bromsgrove District Council deals with making decisions in a Review

1.7 The Council has delegated powers to make decisions in this matter to its Electoral Matters Committee.⁴ The Committee formally resolved to publish these Terms of Reference at its meeting of 20th January 2010. The Draft Proposals lay out the Committee's initial views on how this Review should progress and the changes if any that should be made. Following a period of consultation, the Committee will then publish its Final Proposals, allowing a further period of consultation before the Committee makes its Recommendations and, if appropriate, makes a Community Reorganisation

² The 2007 Act has transferred powers to the principal councils that previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England

³ This Guidance is available on the website of the Electoral Commission at www.electoralcommission.org.uk/boundary-reviews/parish-reviews

⁴ Council's Constitution, Section 10 Committee Procedure Rules

Order. At this early stage in the Review, the Council has written to the Electoral Commission to inform them of its commencement.

The area under Review

1.8 The Electoral Matters Committee of the Council has resolved that the following area shall be the subject of this Review:⁵

the Parish of Lickey End to include the South Marlbrook Parish Ward and the Lickey End Parish Ward

1.9 The Parish of Lickey End is situated close to the northern edge of the town of Bromsgrove to the east of the Birmingham Road A38.

1.10 The Parish of Lickey End is divided into two parish wards for the purposes of the election of a council for the parish, the South Marlbrook Parish Ward and the Lickey End Parish Ward. It may be helpful to note that the South Marlbrook Parish Ward is part of the Marlbrook District Ward with the Lower Marlbrook Parish Ward of the Parish of Lickey and Blackwell and the Lower Marlbrook Ward and West Marlbrook Parish Ward of the Parish of Catshill & Marlbrook, neighbouring Parish Councils to the Parish of Lickey End. The Lickey End Parish Ward is part of the Norton District Ward with the Norton North Polling District and the Norton West Polling District, both neighbouring unparished polling districts. Maps which show the relationship of the parish ward boundaries with the existing Borough ward boundaries are attached to this document. These can be found at Annex 1.

2. THE PRESENT STRUCTURE OF THE PARISH OF LICKEY END AND ITS ELECTORAL ARRANGEMENTS

Lickey End parish electoral arrangements

2.1 The Parish of Lickey End was established in the Bromsgrove (Parish) Order 2001 and has a council of 10 members.

⁵ Section 81(2) requires the area under Review to be specified in this Terms of Reference

2.2 The parish is divided into two wards for the purposes of the election of the parish council; the existing ward boundaries are shown in maps in Annex 1, and the existing electoral arrangements are shown in Table 2.1.

Table 2.1 - Electoral arrangements and levels of representation for the Parish

Parish Ward	Electors	Councillors	Ratio of Electors to Councillors
South Marlbrook (MLD)	846	4	598
Lickey End (NTA)	1332	6	619
	2178	10	614

Table 2.2 Current electorate and property statistics for the Parish

Parish Ward	Properties	Electors	Electors per property
South Marlbrook (MLD)	444	846	1.94
Lickey End (NTA)	4662	1332	1.75

2.3 At this stage in the Review, the Council does not envisage any changes arising to the present District wards as a consequence of this Review.

Lickey End Parish Council Background

2.4 By way of background information, historically Lickey End was an unparished area. In November 1999 Lickey End residents held a public meeting at which the creation of a Parish Council was proposed. A consultation exercise took place in the following July at which Bromsgrove District Council found there was insufficient support to justify the establishment of a new Parish. Following a petitioner's request, the Minister of State gave support to the setting up of a Parish Council at Lickey End and subsequently Bromsgrove District Council recommended that Lickey End (with the exception of Burcot) be parished.

2.5 The first election for the new Parish Council took place on 7th June 2001. Anti-Parish Council candidates were elected to the 10 vacancies (South Marlbrook Parish Ward electing 4 Councillors and Lickey End Parish Ward electing 6 Councillors).

2.6 In June 2001, Lickey End Parish Council submitted a formal request to Bromsgrove District Council for its own dissolution. The consultation process commenced in July 2002 and a draft proposal was forwarded by Bromsgrove District Council to the Minister in December 2002 to the effect that the Parish be abolished. The Minister confirmed no decision would be made until after the elections in May 2003. At this time 10 Anti-Parish candidates were elected. In September 2003 the Minister rejected the recommendation of the Bromsgrove District Council on the grounds:-

The ODPM believed there was no overwhelming support for the abolition. It believed the review showed that support was quite evenly balanced, notwithstanding the fact that anti-parish council candidates were elected in 2001 and 2003.

Further advice from the ODPM on the timescale to be adopted for another review was sent to Julie Kirkbride MP in September 2003. This stated that the only way abolition could be sought by the District Council was by undertaking a further review and making recommendations to the Secretary of State.

2.7 In May 2007, 10 Anti-Parish candidates stood for the 10 vacancies and were elected unopposed. A request was received from the Parish Council that the District Council should review the Parish with a view to its abolition. In November 2007, the Electoral Matters Committee recommended that, with reference to the Secretary of State, a review should be undertaken in accordance with Part 4 of the Local Government and Public Involvement in Health Act 2007.

Lickey End Parish Council current working

2.8 The current Lickey End Parish Council fulfils the minimum requirements under law. It elects proper officers - Chairman and Clerk, holds the minimum required meetings per year and prepares and publishes annual accounts. No precept has been raised.

Question

Should the present Parish of Lickey End be abolished and the Parish Council dissolved?

3. HOW DOES THE REVIEW PROCEED FROM HERE

3.1 The Council envisages that if an Order is made it will come into effect for Spring 2011. The following dates are suggested:

12 April 2010 - Electoral Matters Committee approval of Draft Consultation documents

April/May 2010 - Publication of consultation documents. Public Notice and leaflet consultation to all electors in the parish

June /July 2010 - close of first consultation and consideration of results

August 2010- Draft Proposals published

September /October 2010- close of consultation on draft proposals

November 2010 - Final Proposals published

1 December 2010 - Publication of the Revised Register of Electors - the new register of electors gives effect to any boundary and electoral arrangement changes

31 December 2010 - Order prepared and published

3.2 The Council intends that the outcome of this Review should encompass the broadly held views of the residents of Lickey End and that community governance in the area should reflect the identities and interests of the community and that it should be effective and convenient. The Council now

invites initial submissions in response to the question, and these should be received by a closing date of 30 June 2010.

3.3 The Council will then prepare its Draft Proposals in this Review. In its Draft Proposals, the Council will balance the submissions that it has received against the legal tests. The Draft Proposals will give the Council initial proposals for the future of the Parish of Lickey End. The Council will then allow a period of two months, in accordance with our timetable at Table 4.1, for consultations on its proposals.

3.4 The Councils Final Proposals will be made in response to the outcome of those consultations. They may wholly change our Draft Proposals, because we will endeavour again to encompass the broadly held views of the residents of the affected areas insofar as they are compatible with the legal tests. There will then be a one-month period before the Council publishes its Recommendations in this Review, and this period allows time for any final submissions and arguments to be made covering matters which may not have arisen earlier in the Review.

4. CONSULTATION

How the Council proposes to conduct consultations during the Review

4.1 The Council has now drawn up and now publishes this Terms of Reference document. This document lays out the aims of the Review, the legislation that the Council considers important in the Review.

4.2 In coming to its Recommendations in this Review, the Council will take account of the views of local people. The Act requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the Review and to take the representations that are received into account by judging them against the

criteria in the Act.⁶ The timetable for the Review, included at Table 4.1, allows a number of periods for comments and submissions. These comprise a two-month period after the Terms of Reference are published for initial submissions to be made; a two-month period after the Draft Proposals are published for comments on our proposals, and a one-month period for issues that have not previously been considered to be drawn to the attention of the Council after the Final Proposals are published.

4.3 The Council intends to publish all correspondence received in the Review and all decisions that it takes in the Review, giving its reasons for taking these decisions. The Council is mindful of the government's guidance that "community governance reviews should be conducted transparently so that local people and other local stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind these decisions."⁷ The Council will endeavour to ensure that local government electors and any other person or body that appears to have an interest in the Review have every opportunity to express their views. The Council recognises the importance of ensuring full consultation and that more effective proposals will be developed if all stakeholders have a full opportunity to contribute to the Review.

4.4 The Council proposes to use general press releases, its website, the placing of key documents on deposit at the Council House, the Customer Service Centre, relevant parish council contact points, briefing meetings and direct personal communication to achieve these objectives. The Council has to be mindful of the costs of a Review, and it will endeavour to ensure that the consultation process is cost effective and that only reasonable costs are incurred.

⁶ Section 93

⁷ Guidance, para.98

How to submit your views

4.5 Comments should be submitted to the Councils Electoral Services team.

They can be submitted either by letter or by e-mail to:

Electoral Services
Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove
Worcs. B60 1AA

Tel: 01527 881 421

Email: elections@bromsgrove.gov.uk

Details of our officer contacts are as follows:

Claire Felton Head of Legal, Equalities & Democratic Services	Project and resource management of the Review	c.felton@bromsgrove.gov.uk 01527 881 429
Susan Mould Electoral Services Manager	Responding to consultation responses and preparing key consultation documents	s.mould@bromsgrove.gov.uk 01527 881 462
Andy Stephens Committee Services Officer	Preparation of Committee Agendas and public access to Committee reports	a.stephens@bromsgrove.gov.uk 01527 881 410

Timetable for the Review

4.6 Publication of the Terms of Reference document formally begins the Review, and the Review must be completed within twelve months.⁸

The timetable for the Lickey End Parish Council Review is as follows:

Table 4.1 - A timetable for the Review

Action	Timetable	Relevant Date
Terms of Reference are published		April 2010
Introductory stage - submissions are invited	Two months	April 2010- June 2010

⁸ Section 93(8) of the 2007 Act

Action	Timetable	Relevant Date
Draft Proposals are prepared	One month	July 2010
Draft Proposals are published		July 2010
Consultations	Two months	August 2010- September 2010
Final Proposals are prepared	One month	October 2010
Final Proposals are published		November 2010
Licensing Committee publishes the Recommendations	One month later	November/December 2010
Council publishes the Reorganisation Order	thereafter	31 December 2010

Our consultation strategy for the Review

4.7 We propose to undertake the following activities shown in Table 4.2 to raise awareness of the Review in the affected areas.

Table 4.2 - A consultation strategy for the Review

Date	Activity	Follow up work
April 2010	Terms of Reference document is published.	Press releases will be issued to the list in Annex 2; supply of copy of the Terms of Reference document to organisations and individuals identified in Annex 2; copies of the Terms of Reference document will be available for inspection on the Council's website, Council House, CSC Dolphin Centre and parish council contact points in the affected areas also listed in Annex 2
April - June 2010	Period of initial submissions	Parish council is contacted to offer public briefing at this stage in May/June 2010 Briefing for Borough Ward members and County Division members
31 June 2010	Consultation period closes	
July 2010	Draft Proposals are published and the main consultation period of two months commences	Supply of copy of the Draft Proposals to organisations and individuals identified in Annex 2
		A programme of press releases will be issued to the list in Annex 2

Date	Activity	Follow up work
		Copies of the submissions that have been made towards the preparation of Draft Proposals will be available for inspection at Council House.
		The Draft Proposals will be available on the Council's Website
August - September 2010	Draft Proposals consultation	
November 2010	Final Proposals are published	Supply of copy of the Final Proposals to organisations and individuals identified in Annex 2
		Press releases will be issued to the newspapers listed in Annex 2; copies of the Final Proposals will be available for inspection on the Council's website, at the Council House and parish council contact points in the affected areas listed in Annex 2
		Copies of the submissions that have been made towards the preparation of Final Proposals will be available for inspection at the Council House
Post Review	Evaluation of the effectiveness of our consultation	After the Review is completed, an evaluation of the effectiveness of our consultation will be undertaken

5. THE QUESTION ON WHICH TO COMMENT

The Council is asking for initial submissions in this Review on the following question. Our deadline for initial submissions is 30 June 2010.

<p>Question</p> <p>Should the present Parish of Lickey End be abolished and the Parish Council dissolved?</p>

6. LIST OF ANNEXES

Annex 1

Map of the Lickey End Parish and the relationship with the District Council Wards/Polling Districts and neighbouring Parish Councils

Annex 2

A list of persons or organisations included in the consultation at the initial submission stage of the Review and press release list

Consultees (other than the electors of Lickey End Parish Council)

Councillors of Lickey End Parish Council

Bromsgrove Ward Councillors for Marlbrook Ward and Norton Ward

Bromsgrove District Council

County Councillors for Bromsgrove Central Division and Woodvale Division

Worcestershire County Council

Member of Parliament for the Bromsgrove Constituency

Local Political Parties

Press Release List

Bromsgrove Advertiser (and group, including Droitwich Advertiser, Redditch Advertiser, Stourbridge News)

Bromsgrove Standard (and group, including Droitwich Standard, Redditch and Alcester Standard)

Caters News - national news agency

Express and Star - Kidderminster office

Press Agency - Birmingham office

Village Voice

Worcester Evening News

BBC H&W (radio)

BBC WM (radio)

Heart FM (radio)

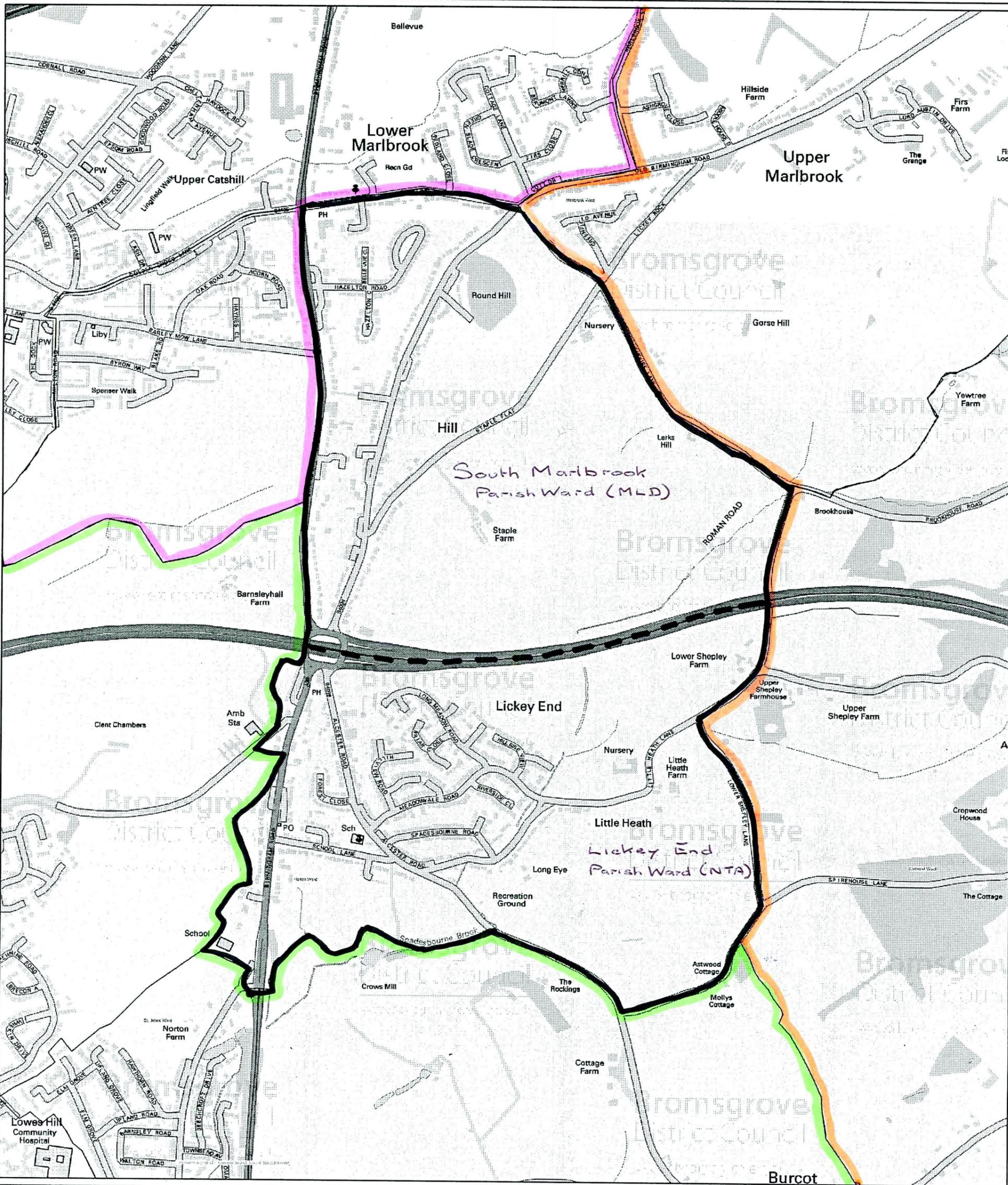
Smooth Radio (radio)

Wyvern (radio)

BBC Midlands Today (TV)

ITV Central (TV)

Lickey End Parish



- Parish of Lickey End
- Parish of Catshill and Marlbrook
- Parish of Lickey and Blackwell
- Unparished