

**COMMUNITY GOVERNANCE REVIEW: DECREASE IN PARISH COUNCILLORS
– LITTLE THETFORD PARISH COUNCIL**

Committee: Annual Council

Date: 15 May 2014

Author: Principal Democratic Services Officer/Electoral Services Officer

[P7]

1.0 ISSUE

- 1.1 To consider the outcome of the initial consultation as part of a Community Governance review, arising from a request from Little Thetford Parish Council to decrease their number of Parish Councillors from nine to seven.

2.0 RECOMMENDATION(S)

- 2.1 That the Council's draft proposal, in accordance with the Terms of Reference for the Community Governance Review, be:

‘That the number of Parish Councillors on Little Thetford Parish Council be decreased from 9 to 7, to come into effect for the Parish elections in May 2015.’

3.0 BACKGROUND/OPTIONS

- 3.1 A written request was received from Little Thetford Parish Council in December 2013 to decrease their number of Parish Councillors from 9 to 7 arising from their Parish Council meeting on 24 October 2013, to come into effect from the next Parish elections in 2015. Following further contact with the Parish Council, justification for the proposed reduction was given as follows:

“The Parish Council expanded from 7 to 9 councillors when there was a major project under way to purchase and develop a recreation field in the village. This project has been completed for some years now and the workload of the council has reduced as a consequence.

The last two elections have resulted in insufficient candidates to fill all the vacancies and it has been necessary to go through the co-option process. Since the last election in 2011 the Council has been working with a membership of 7 as it has not been possible to fill all the vacancies. There have been some co-options but there have also been resignations. Regular requests for nominations are inserted in the newsletter and there is permanent information on the notice board if residents wish to be considered for co-option. A membership of 7 councillors would be more in keeping with the size of the village and will be a more practical size going

forward. Recent experience has shown that parish council business can be properly carried out with 7 councillors.”

3.2 This request requires the undertaking of a Community Governance Review (CGR) to effect such a change. Therefore, Terms of Reference and a Public Notice were prepared for the CGR and these are attached at Appendix A. As part of the initial consultation process, the conducting of the CGR was publicised on the Council’s website and Shape Your Place website; and a consultation letter enclosing copies of the public notices widely circulated to local stakeholders. The closing date for representations was 30 April 2014.

3.3 The only representation received was that from Little Thetford Parish Council requesting the decrease in the number of Parish Councillors from 9 to 7 to come into effect for the Parish elections in May 2015.

3.4 Therefore, the Council’s draft proposal, in accordance with the Terms of Reference for the CGR, is:

‘That the number of Parish Councillors on Little Thetford Parish Council be decreased from 9 to 7, to come into effect for the Parish elections in May 2015.’

3.5 If this is agreed by full Council, the draft proposal will be published and stakeholders notified as part of a final 2-month consultation period, before a final recommendation is considered by full Council in October 2014.

4.0 ARGUMENTS/CONCLUSIONS

4.1 Little Thetford Parish Council have requested the decrease on the grounds detailed above.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 There are no costs to the Council in agreeing this decrease.

5.2 Equality Impact Assessment (INRA) not required.

6.0 APPENDICES

6.1 Appendix A - Terms of Reference and Public Notice, Little Thetford CGR

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Request letter dated 5 December 2013 from Little Thetford Parish Council	Room 214 The Grange Ely	Tracy Couper – Principal Democratic Services Officer (01353) 616278 E-mail: tracy.couper@eastcambs.gov.uk Joan Cox – Electoral Services Officer (01353) 616460 E-mail: joan.cox@eastcambs.gov.uk

EAST CAMBRIDGESHIRE DISTRICT COUNCIL**COMMUNITY GOVERNANCE REVIEW 2014****TERMS OF REFERENCE**

A review of parishes under the Local Government and Public Involvement in Health Act 2007

INTRODUCTION**Aims of the review**

East Cambridgeshire District Council has resolved to undertake a Community Governance Review (CRG) pursuant to Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007, to consider the following parish matter;

Parish	Matter to be considered
Little Thetford	The Number of Parish Councillors

In undertaking the review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and The Electoral Commission in April 2008. Also the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

This Council is required to have regard to Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. Updated guidance was published in March 2010 and it has been considered when drawing up the Terms of Reference (TOR).

What is a Community Governance Review (CGR)?

A CGR is a review of the whole or part of the district to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of new parishes;
- The electoral arrangements for parishes (the ordinary year of elections; council size, the number of councillors to be elected to the council, and parish warding), and
- Grouping parishes under a common parish council or de-grouping parishes.

The Council is required to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and
- Is effective and convenient.

In doing so the CGR is required to take into account:

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

Why undertake a Community Governance Review?

A CGR provides an opportunity for principal authorities to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population or in reaction to specific, or local new issues to ensure that the community governance for the area continues to be effective and convenient and it reflects the identities and interests of the community.

The government has emphasised that recommendations made in CGR ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

Government guidance further states that it is good practice to conduct a (full) CGR at least every 10-15 years and keep the area under review in the interim. The most recent similar reviews of the district resulted in the:-

- The District of East Cambridgeshire (Electoral Changes) Order 2002
- The East Cambridgeshire District Council (Reorganisation of Community Governance) Order 2010 [Kennet Parish Council]

Specifically, this CGR will consider:

- The level of Parish Council membership for Little Thetford to ensure representation remains appropriate for the relevant community.

Who will undertake the CGR?

As the principal authority, the District Council is responsible for undertaking any CGR within its electoral area.

The Council will approve the final recommendations before a Community Governance Order is made.

CONSULTATION

How the Council proposes to conduct consultations during the Review?

Before making any recommendations or publishing final proposals, the District Council will take full account of the views of local people. The District Council will comply with the statutory consultative requirements by:

- Consulting local government electors for the area under review.
- Consulting any other person or body (including a local authority), which appears to the District Council to have an interest in the review.
- Notifying and consulting the county council.
- Taking into account any representations received in connection with the review.

Information relating to the CGR will be available on the Council's website and key documents will be on deposit at the District Council's offices at The Grange, Nutholt Lane, Ely, Cambridgeshire CB7 4EE.

When taking account of written representations the District Council is bound to have regard to the need to secure that community governance within the area under review:

- Reflects the identities and interests of the community in that area; and
- Is effective and convenient.

The District Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the CGR are informed of the recommendations and the reasons behind them.

The District Council will notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

A timetable for the CGR

A CGR must, by statute, be concluded within a twelve-month period from the day on which the CGR starts. A CGR starts when the District Council publishes its Terms of Reference and concludes when the District Council publishes the recommendations made in the CGR.

The following is the review timetable:

Action	Timetable	Outline of Action
Terms of Reference (TOR) are published	Start Date 3 February 2014	District Council publishes TOR and notifies stakeholders, clearly defining extent of CGR
Introductory stage – submissions are invited	Three month period ending 30 April 2014	District Council invites proposals from stakeholders on future arrangements under TOR
Draft proposals are prepared	By 1 May 2014	Draft proposals to be considered by Council on 15 May 2014
Draft proposals are published	By 9 June 2014	District Council publishes Draft proposals and notifies stakeholders
Consultation	Two month period ending 4 August 2014	Consultation with stakeholders
Final Proposals are prepared	By 1 September 2014	Results of consultation considered and Final Proposals prepared
Final Recommendations are published and decision by Council	16 October 2014(Provisional Date)	The Council meet to consider Final Recommendations and decide on the extent to which the Council will give effect to

		them.
Order made	Thereafter	Council publishes the reorganisation Order and requests the Electoral Commission to approve and consequential changes.

ELECTORATE FORECASTS

In considering the electoral arrangements of the parish stated within these Terms of Reference the District Council is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts.

The District Council has used the Register of Electors 2014 projected forecast prior to the register being published on 17 February 2014 to provide existing local government figures.

Electorate forecasts will be prepared using all available information.

THE PRESENT STRUCTURE OF LITTLE THETFORD PARISH AND THEIR ELECTORAL ARRANGEMENTS

Present Structure of parish governance in the area to be reviewed

Parish	Number of Councillors	Electors per seat
Little Thetford	9	557

Justification for Review: Little Thetford Parish Council have requested a reduction in the number of parish councillors from nine to seven and have provided the following justification.

“The Parish Council expanded from 7 to 9 councillors when there was a major project under way to purchase and develop a recreation field in the village. This project has been completed for some years now and the workload of the council has reduced as a consequence.

The last two elections have resulted in insufficient candidates to fill all the vacancies and it has been necessary to go through the co-option process. Since the last election in 2011 the Council has been working with a membership of 7 as it has not been possible to fill all the vacancies. There have been some co-options but there have also been resignations. Regular requests for nominations are inserted in the newsletter and there is permanently information on the notice board if residents wish to be considered for co-option. A membership of 7 councillors would be more in keeping with the size of the village and will be a more practical size going forward. Recent experience has shown that parish council business can be properly carried out with 7 councillors.”

Parishes

The Council wishes to ensure that electors should be able to identify clearly with the parish in which they are resident. It considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council,

leads to representatives and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity; the feeling of local community and the wishes of local inhabitants are primary considerations in this Review.

The Council is anxious to balance carefully the considerations of changes that have happened over time, through population shifts or additional development for example, and that have led to a different community identity with historic traditions in its area.

The Council notes the government's Guidance that community cohesion should be taken into account in this Review.

The Council also notes the government's strongly stated Guidance that it "expects to see a trend in creation, rather than abolition, of parishes" and that "the abolition of parishes should not be undertaken unless clearly justified". The Council also notes that the government also considers that, where existing parishes are abolished, "It would be undesirable to see the area becoming unparished with no community governance arrangements in place".

ELECTORAL ARRANGEMENTS

What does 'Electoral Arrangements' mean?

An important part of our Review will comprise giving consideration to 'Electoral Arrangements'. The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward;
- The name of any such ward.

Ordinary year of election

The Local Government Act 1972 states that ordinary election of parish councils shall take place in 1976, 1979 and every fourth year thereafter (ie 2007, 2011, 2015, etc). However, the government has indicated that it would want the parish electoral cycle to coincide with the cycle for the district council, so that the costs of elections can be shared.

If the Review finds that it is appropriate to delete posts for parish councillors then these will come in to effect at the next ordinary day of election i.e. 7 May 2015.

A council for a parish

The legislation lays down the different duties that the Council has with regard to the creation of a council for a parish.

- Where the number of electors is 1,000 or more – a parish council must be created;
- Where the number of electors is 151-999 – a parish council may be created, with a parish meeting being the alternative form of governance;
- Where the number of electors is 150 or fewer – a parish council is not created.

What considerations cover the number of parish councillors?

The government has advised, and this Council concurs that “it is an important demographic principle that each person’s vote should be of equal weight so far as possible, having regard to other legitimated competing factors, when it comes to the elections of councillors. Likewise, the Council notes that the number of parish councillors for each parish council shall not be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. However, in dealing with a request the following guidelines, which are based on recommendations from the National Association of Local Councils, will be followed.

Number of Parish Councillors Guidelines

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	45,000	25
9,000	16		

The government’s guidance is that “each area should be considered on its own merits, having regard to its population, geography and the pattern of communities,” and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter.

By law, the Council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- The number of local government electors for the parish;
- Any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

Parish Warding

The Act requires that in considering whether a parish should be divided into wards for the purposes of elections of the parish council the Council should consider the following:

Whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient;
Whether it is desirable that any area or areas of the parish should be separately represented on the council.

The government's guidance is that “ the warding of parishes in largely rural areas that are based predominately on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish”.

The Council will be mindful of all this guidance, noting further that “each case should be considered on its merits and on the basis of the information and evidence provided during the course of the review.”

The Council notes that warding arrangements should be clearly and readily understood by and should have relevance for the electorate of the parish; they should reflect clear physical and social differences within a parish; one parish but comprising different parts.

The Council recognises that ward elections should have merit; not only should they meet the two tests laid down in the Act, but they should also be in the interests of effective and convenient local government. They should not be wasteful of a parish's resources.

District Warding and County Division Boundaries

It is not envisaged that the issues which are the subject of this review will require any alterations to the boundaries of District Wards or County Divisions.

The Electoral Commission is responsible for deciding whether boundary changes of this nature should be made and will require that the Council has consulted on any such recommendations. If the need for changes becomes apparent during the course of this review the Council will endeavour to incorporate them within the consultation at the earliest opportunity.

REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the order in detail, and the document(s) which set out the reason for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council's Offices, website and Community Offices.

In accordance with the Guidance issued by the Government the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller

than 1;10,000. These maps will be deposited with the Secretary of State at the Department of Communities and Local Government and at the Council's office at The Grange, Nutholt Lane, Ely, Cambs. Prints will also be supplied, in accordance with the regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Electoral Commission.

It is proposed that the Order will take effect for financial and administrative purposes on 1 April 2015.

The electoral arrangements for a new or existing parish council will come into force at the next elections to the parish council, which will be on 7 May 2015.

CONSEQUENTIAL MATTERS

General Principles

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.

How to contact us

Should you wish to submit a written representation regarding this review please address to:

Electoral Services
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
Cambridgeshire
CB7 4EE

Alternatively your submission may be emailed to:

elections@eastcambs.gov.uk

Should you require any further information or need clarification on the review process, please contact:

Joan Cox
Electoral Services Officer

Telephone: 01353 665555
Email: joan.cox@eastcambs.gov.uk

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Principal Democratic Services Officer
Telephone: 01353 665555
Email: tracy.couper@eastcambs.gov.uk

Jeanette Thompson
Head of Legal and Democratic Services
Telephone: 01353 665555
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Publication of Terms of Reference

These Terms of Reference will be published on the District Council web site <http://www.eastcambs.gov.uk> and will be available for inspection at the offices at The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE

Notices advertising this Community Governance Review and the availability of the Terms of Reference will also be posted within the Parish of Little Thetford.

Date of Publication

3 February 2014