

Community Governance Review

Date: 10 November 2021
Agenda Item: N/A
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Key Decision? NO
Local Ward All
Members



CABINET MEMBER DECISION

1. Executive Summary

- 1.1 A community governance review is a legal process that provides an opportunity for principal councils to review and make changes to community governance within their areas. It involves consulting those living in the area and other interested parties and making sure they have a say in how their local communities are represented.
- 1.2 The Review can consider one or more of the following options:
- creating, merging, altering or abolishing parishes
 - the naming of parishes and the style of new parishes and the creation of town councils
 - the electoral arrangements for parishes (for instance, the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding)
 - grouping parishes under a common parish council or de-grouping parishes
 - other types of local arrangements, including parish meetings
- 1.3 The Review cannot:
- change the number of councillors on Lichfield District Council
 - change Lichfield District Council ward boundaries
 - change the amount of money that a parish council raises through your council tax (known as 'precept')

2. Recommendations

- 2.1 That the Cabinet Member for Regulatory, Housing & Health approve the outline timetable and Notice for the Community Governance Review and recommend it to full Council to begin the consultation process.

3. Background

- 3.1 The Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government published in 2010 recommends that principal councils should undertake a Review of its area every 10-15 years. For some areas of the District, a Review has not been undertaken for a considerable time. It is deemed appropriate to undertake a Review of all parishes within Lichfield

District to put in place strong, clearly defined boundaries, and remove any parish boundaries anomalies that may exist.

3.2 A Community Governance Review 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

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
- be effective and convenient

Any other factors, such as council tax precept levels, cannot be considered.

3.3 Before making any recommendations or publishing final proposals, the council must consult local government electors for the area under review and any other person or body (including a local authority) which appears to the council to have an interest in the Review.

3.4 The proposed Terms of Reference including timeline and relevant draft Notice are set out in Appendix A. This will entail an extensive consultation exercise with all stakeholders.

3.5 The council recognises that the development of strong, sustainable communities depends on residents' active participation in decision making in respect of the governance arrangements of parish councils, and the Council is therefore committed to engaging effectively with the diverse communities it serves and to enabling local people to participate meaningfully in the creation of effective community governance arrangements where all people feel able to take an active part in influencing service delivery.

3.6 The effective date for changes to community governance arrangement is 1 April 2023.

3.7 A project team has been established to take forward this project drawn from key services within the authority to collate the evidence base, carry out the consultation and draft proposals. A project manager has been assigned to ensure key milestones and statutory deadlines are met.

Alternative Options	A community governance review is a statutory obligation of the district Council, we can delay undertaking one, however there are advantages in undertaking this review before the next District and Parish elections in 2023 or before one is invoked by request from the electorate.
Consultation	The Community Governance Review will be discussed extensively with all key stakeholders and residents during 2 cycles of consultation.
Financial Implications	None arising from this report. A one off reserve has been provided to support any advertising, bookings or other costs associated with the review.
Approved by Section 151 Officer	Yes
Legal Implications	The process is detailed in Local Government and Public Involvement in Health Act 2007 and advice on best practice and training has been sought from Association of Electoral Administrators to support this project.
Approved by Monitoring Officer	Yes

Contribution to the Delivery of the Strategic Plan	This project supports the development of strong, sustainable communities with participation in decision making in respect of the governance arrangements of parish councils.
Equality, Diversity and Human Rights Implications	None identified at this stage.
Crime & Safety Issues	None identified at this stage.
Environmental Impact	None identified at this stage.
GDPR / Privacy Impact Assessment	None identified at this stage.

	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
A	Consultation is not undertaken in line with requirements of Act - HOS	Yellow (material)	Training and advice sought from AEA	(Green (tolerable))
B	That electorate may invoke a review as prescribed under the act at any time - HOS	Yellow (material)	Undertake the review to a timetable we can support	(Green (tolerable))
C	That review creates additional work across council services	Yellow (material)	That a project team is established to feed in and manage the work generated by the review and any decision	(Green (tolerable))
D	Insufficient capacity to support level of consultation and considerations - HOS	Yellow (material)	Additional temporary resources have been put in place - risks around project team member availability due to other projects are managed	(Green (tolerable))

	Background documents Any previous reports or decisions linked to this item
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	Relevant web links Any links for background information which may be useful to understand the context of the report
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Appendix A

Terms of Reference Community Governance Review

Local Government and Public Involvement in Health Act 2007

Terms of Reference

1. Introduction

What is a Community Governance Review?

A Community Governance Review is a review of the whole or part of the council's area 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 election, council size (the number of councillors to be elected to council), and parish warding); and
- grouping parishes under a common parish council or de-grouping parishes
- other types of local arrangements, including parish meetings

A Community Governance Review 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

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
- be effective and convenient

If the council is satisfied that the recommendation of a Community Governance Review would ensure that community governance within the area under review will reflect the identities and interests of the community in that area, and is effective and convenient, the council makes a Community Governance Order.

Why is the Council carrying out this Community Governance Review?

The council is required to keep its area under review – every 10-15 years. Following a number of requests from Parishes for a Review, it was deemed appropriate to undertake a Review of the whole principal council area, rather than dealing with review requests piecemeal. A Community Governance Review offers an opportunity to put in place strong,

clearly defined boundaries, tied to firm ground features, and remove the many anomalous parish boundaries that may exist.

Scope of the Review

The Review will consider any Community Governance Review requests received following publication of the Terms of Reference.

2. Consultation

How the Council proposes to conduct consultations during the Review?

Before making any recommendations or publishing final proposals, the council must consult local government electors for the area under review and any other person or body (including a local authority) which appears to the council to have an interest in the review. The council will therefore:

- publish a Notice and these Terms of Reference on the council's website and arrange for copies to be available for public inspection
- send a copy of the Notice and these Terms of Reference to all parish clerks
- seek to arrange for the notice to be published on parish council websites and notice boards; and
- send a copy of the Notice and these Terms of Reference to all local Members of Parliament

Before making any recommendations, the council will take account of any representations received. The 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 Community Governance Review are informed of the recommendations and the reasons behind them.

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

3. Timetable for the Community Governance Review

The council has to complete a Community Governance Review within twelve months from the day on which the Council publishes the Terms of Reference. A Community Governance Review is concluded on the day on which the Council publishes the recommendations made by the Community Governance Review.

Timetable

Action	Timeline	Details
Report to Full Council	Dec 2021	Council approves the principle of the Community Governance Review and its Terms of Reference.

Action	Timeline	Details
Publish Terms of Reference	Dec 2021 (The CGR must be completed within 12 months of the date of publication)	Publish Terms of Reference and notify stakeholders of the commencement of the Review.
Prepare draft consultation document and invite initial submissions	Feb 2022 to April 2022 (12 weeks)	Initial submissions invited: <ul style="list-style-type: none"> town and parish councils Parish and Town Councils Member of Parliament local groups and interested parties such as local businesses, local residents' associations, local public and voluntary organisations such as schools or health bodies. Publish proposals on Lichfield District Council website.
Consider submissions	May 2022 to July 2022	Consider any submissions/representations and prepare report of draft recommendations for Full Council in July 2022
Publish draft recommendations	July 2022 to September 2022 (10 weeks)	Publish draft recommendations for further consultation with: <ul style="list-style-type: none"> all local government electors all town and parish councils local groups and interested parties Publish draft recommendations on Lichfield District Council website.
Make final recommendations	Oct 2022 Full Council meeting	Consider any further submissions/representations and prepare final recommendations for report to Full Council.
Publish final recommendations	Dec 2022	Publish final recommendations and make Order.

Notice of a Community Governance Review

Local Government and Public Involvement in Health Act 2007

Lichfield District Council is undertaking a Community Governance Review of the civil parishes within the area to enable the Council to consider if any changes are needed to the current parish arrangements.

The council is conducting the first stage of the Review process and is inviting residents and interested organisations to submit their views on existing arrangements, together with any proposals for change, from 1 February 2022 to 25 April 2022.

The council has published its Terms of Reference for the Review and a copy can be viewed and downloaded from the Council's website or obtained by contacting the Governance team as shown below.

Should you wish to submit a written representation regarding this review please complete the online submission form which also allows you to upload any supporting papers. Alternatively you can email governanceadmin@lichfielddc.gov.uk

The dates for submissions for the first stage are from 1 February 2022 to 25 April 2022.