

Community Governance Review

Date:	20 October 2022
Agenda Item:	12
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Local Ward Members	All



Council

1. Executive Summary

- 1.1 A community governance review (CGR) is a legal process that provides an opportunity for principal councils to review and make changes to community governance within their areas.
- 1.2 On 14 December 2021 the District Council resolved to undertake a review of the District and launched a consultation exercise (1 February - 25 April 2022).
- 1.3 Draft recommendations, informed by the consultation, were considered by Regulatory and Licensing Committee in June and approved by Full Council on 12 July 2022. These were then subject to a second stage consultation (25 July - 9 September 2022).
- 1.4 On 28 September Regulatory & Licensing Committee considered the key issues identified in the second stage consultation and approved the final recommendations set out in section 3.11.

2. Recommendations

- 2.1 That the Final Community Governance Review Recommendations as set out in section 3.11 below be approved.
- 2.2 That in pursuance of s96 of the Local Government and Public Involvement in Health Act 2007 the Council's decisions be published together with the reasons for making the decisions (as set out at Appendix A).
- 2.3 That the Final Recommendations form a Reorganisation Order to take effect on 1 April 2023.
- 2.4 That the Governance Manager be instructed to make the necessary order(s) and take other such action required and provided for by legislation to give effect to the recommendations.

3. Review

- 3.1 On 14 December the District Council agreed that a Community Governance Review (CGR) be conducted for the whole of the district in accordance with Part 4 Chapter 3 of the Local Government Public Involvement and Health (LGPIH) Act 2007.
- 3.2 A community governance review can 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 and parish warding)
- Grouping parishes under a common parish council or de-grouping parishes
- Other types of local arrangements, including parish meetings

Consultation (stage 1).

- 3.3 Between 1 February and 25 April 2022 the Council invited residents and interested organisations to submit their views on existing arrangements and suggest proposals for change.
- 3.4 A total of 98 Submissions were received together with a 67 signature petition.

Determining the Draft Recommendations

- 3.5 An initial assessment identified:
- proposals for change that indicated a degree of community consensus i.e. a critical mass
 - proposals for improving the effectiveness and efficiency of existing arrangements.
- (subject to the statutory guidance tests outlined at 3.6 and 3.7).
- 3.6 In arriving at recommendations 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
- 3.7 Governance arrangements should also aim to be:
- reflective of the identities and interests of the community in that area; and
 - effective and convenient
- 3.8 Any other factors, such as council tax precept levels, cannot be considered.

The Draft Recommendations & Stage 2 Consultation

- 3.9 Following consideration by Regulatory & Licensing Committee Draft Recommendations were approved by Council on 12 July 2022. These were then subject to a stage 2 consultation and the responses were considered by Regulatory & Licensing Committee on 28 September (and are set out at Appendix A of the [Regulatory & Licensing Committee report](#)).

Final Recommendations

- 3.11 The tables below set out (i) the draft recommendations, (ii) an overview of the stage 2 consultation response and (iii) the **final recommendations** as agreed by Regulatory & Licensing Committee on 28 September.

A. Fradley & Streethay Parish Council

Draft Recommendation	Consultation overview	Final Recommendation (changes in bold)
<p>A1. Fradley and Streethay Parish be split into:</p> <p>(i) Fradley Parish</p> <p>(ii) Streethay Parish</p> <p>A2. That the following governance arrangements be put in place:</p> <p>(i) Fradley Parish Council comprising 9 councillors</p> <p>(ii) Streethay Parish Council comprising 5 councillors</p>	<p>There was support for splitting the Parish into two separate parishes.</p> <p>Therefore it is proposed that this recommendation be made final.</p> <p>Comments centred on the most appropriate size of the respective Councils.</p> <p><u>Streethay</u> Concern was raised that five councillors is not sufficient for Streethay Parish Council given that a minimum quorum of 3 is required (therefore if there are 3 or more apologies for absence a meeting cannot proceed).</p> <p><u>Fradley</u> The Parish Clerk advised that at current levels of activity and involvement, Fradley Parish Council would function better with 10 Councillors. Two other consultation responses suggested an increased level or representation. One response questioned the ability to find enough suitable candidates.</p>	<p>A1. Fradley and Streethay Parish be split into:</p> <p>(i) Fradley Parish</p> <p>(ii) Streethay Parish</p> <p>A2. That the following governance arrangements be put in place:</p> <p>(i) Fradley Parish Council comprising 10 councillors.</p> <p>(ii) Streethay Parish Council comprising 7 councillors</p>

Further details are given in Appendix B.

B. LICHFIELD CITY

Draft Recommendation	Consultation overview	Final Recommendation (changes in bold)
<p>B1. Garrick Road Ward be incorporated into Chadsmead Ward. Chadsmead Ward to comprise 4 Councillors</p>	<p>No objections received.</p>	<p>B1. Garrick Road Ward be incorporated into Chadsmead Ward. Chadsmead Ward to comprise 4 Councillors</p>

(-1 councillor)		
B2. Burton Old Road Ward be incorporated into Stowe Ward. Stowe Ward to comprise 5 Councillors (-)	No objections received	B2. Burton Old Road Ward be incorporated into Stowe Ward. Stowe Ward to comprise 5 Councillors
B3. Pentire Road Ward be incorporated into Boley Park Ward. Boley Park Ward to comprise 4 Councillors (-)	No objections received	B3. Pentire Road Ward be incorporated into Boley Park Ward. Boley Park Ward to comprise 4 Councillors

In line with the recommendations of Council on 12 July 2022 views were also sought on expanding the above recommendations to further address the variation in the ratio of electors to councillors in the remaining three wards in Lichfield city:

Additional Proposal	Consultation overview	Final Recommendation (changes in bold)
B4. Curborough ward be increased to 4 councillors. (+1 councillor)	This proposal was formerly supported by Lichfield City Council	B4. Curborough ward be increased to 4 councillors.
B5. St Johns ward be decreased to 5 councillors (-1 councillor)	Lichfield City Council requested the retention of 6 members in St Johns ward due to the ongoing development in that ward. One respondent favoured the option for 5 members.	B5. St Johns ward to remain at 6 councillors.
B6. Leomansley ward be increased to 6 councillors (+1 councillor)	This proposal was formerly supported by Lichfield City Council	B6. Leomansley ward be increased to 6 councillors

The final recommendations as set out above **would increase the overall membership of the City Council from 28 to 29 members** (the original proposal reduced it to 26 and the expanded proposal would have kept it the same).

Although the original recommendations sought to avoid increasing councillor numbers there is currently no difficulty in filling vacancies on the Council.

Given that the City Council is best placed to determine the governance arrangements that will work for itself the recommendation has been amended accordingly. Further details of the proposal are given at Appendix B.

C. LONGDON PARISH

Additional Proposal	Consultation overview	Final Recommendation
C1. That Longdon Parish Council be reduced from 11 councillors to 9 councillors.	No objections received.	C2. That Longdon Parish Council be reduced from 11 councillors to 9 councillors.

D. Shenstone Parish Council

Regulatory and Licensing Committee and Council have previously recommended that Shenstone remain unchanged. The consultation responses received on the subject supported the decision.

Next Steps/Review Timetable

- 3.12 The final recommendations will be published and publicised in line with the requirements of s96 of the Local Government and Public Involvement in Health Act 2007.
- 3.13 As soon as practicable a re-organisation order will be made to give effect to the recommendations.
- 3.14 Arrangements will need to be made for the administration and financing of any new parish council. The District Council will need to arrange and adopt the initial parish precept on behalf of the parish. It may also need to arrange the first meeting of a new Parish Council including the Agenda, adoption of a code of conduct, election of Chairman and Vice-Chairman, appointment of parish clerk, appointment of bank, cheque signatories and auditor.
- 3.15 It is intended that changes will take effect in time for the elections in May 2023.

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	Two consultation exercise have been undertaken with residents, Parish Councils and other stakeholders (stage 1 & stage II). The Draft Recommendations were considered by Regulatory & Licensing Committee in June and Full Council in July. The final recommendations were approved by Regulatory & Licensing Committee on 28 September.
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	<p>The process is undertaken in line with the provisions of the 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.</p> <p>Two statutory instruments have been issued which relate to transitional and consequential matters:</p> <ul style="list-style-type: none"> Local Government (Parishes and Parish Councils)(England) Regulations 2008 (SI2008/625) Local Government Finance (New Parishes) Regulations 2008 (SI2008/626). <p>These make provision for the transfer of property, rights and liabilities and the calculation of council tax requirements.</p>
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.
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Equality, Diversity and Human Rights Implications	None identified at this stage.
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Crime & Safety Issues	None identified at this stage.
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Environmental Impact	None identified at this stage.
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GDPR / Privacy Impact Assessment	Residents' names and addresses are redacted.
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	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	LIKELIHOOD IMPACT SEVERITY	Training and advice sought from AEA	LIKELIHOOD IMPACT SEVERITY
B	There is a negative reaction to the draft recommendations in one or more parishes.	LIKELIHOOD IMPACT SEVERITY	Messaging will make it clear that the recommendations are draft proposals and no decision has been taken. The second stage consultation will consider representations for and against the draft recommendations.	LIKELIHOOD IMPACT SEVERITY
C	That review creates additional work across council services	LIKELIHOOD IMPACT	That a project team is established to feed in and manage the work generated by the review and any decision.	LIKELIHOOD IMPACT

		SEVERITY		SEVERITY
D	Insufficient capacity to support level of consultation and considerations.	LIKELIHOOD	Additional temporary resources have been put in place - risks around project team member availability due to other projects are managed	LIKELIHOOD
		IMPACT		IMPACT
		SEVERITY		SEVERITY

	<p>Background documents & Relevant web links</p> <p>Report to Regulatory & Licensing Committee (including Consultation Stage 1 Responses) on 20 June 2022: https://democracy.lichfielddc.gov.uk/documents/s13058/Draft%20RL%20Report%20-%20Community%20Governance%20Review.pdf</p> <p>Report to Council 12 July 2022 on the Draft Recommendations - https://democracy.lichfielddc.gov.uk/documents/s12970/Community%20Governance%20Report.pdf</p> <p>Report to Regulatory & Licensing Committee (including Consultation Stage 2 Responses) on 28 September 2022 https://democracy.lichfielddc.gov.uk/documents/s14221/Community%20Governance%20Review%20-%20RL%20Committee%2028%20September%202022.pdf</p>
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1 **FRADLEY AND STREETHAY**

Final Recommendations:

- A1.** Fradley and Streethay Parish be split into:
- (i) Fradley Parish
 - (ii) Streethay Parish
- A2.** That the following governance arrangements be put in place:
- (i) Fradley Parish Council comprising **10 councillors**.
 - (ii) Streethay Parish Council comprising **7 councillors**

Consultation response

- 1.1 A number of submissions were received in favour splitting Fradley and Streethay Parish to create two distinct parishes one centred on Fradley, the other on Streethay. An alternative suggestion was to include Streethay as a Ward of Lichfield City Council. No submissions were received in favour of the status quo.
- 1.2 The Parish Council is supportive of creating two distinct parishes.

Reasons

- 1.3 Fradley and Streethay are geographically separate settlements with their own distinct identities.
- 1.4 Both settlements have experienced significant growth to date and will continue to experience growth in the future. The population (aged 19+) is forecast to increase from 4,455 in 2022 to 6,932 in 2026.
- 1.5 The proposal to split the parish to create parishes centred on the two key settlements is consistent with the objective of promoting community cohesion and would be reflective of the individual identities and interests of the two communities. Critically the proposal appears to enjoy local support.
- 1.6 Recent and continuing growth mean the population can support individual parish councils, satisfying the criteria of effective and convenient governance.
- 1.7 Including Streethay as a ward of Lichfield City Council was considered as an option, however the existing Parish Council favours separate parishes for each settlement, and we are mindful that Lichfield City is already one of larger Parish Council's in the country.

2. LICHFIELD CITY

Recommendations:

- B1. Garrick Road Ward be incorporated into Chadsmead Ward. Chadsmead Ward to comprise 4 Councillors**
- B2. Burton Old Road Ward be incorporated into Stowe Ward. Stowe Ward to comprise 5 Councillors**
- B3. Pentire Road Ward be incorporated into Boley Park Ward. Boley Park Ward to comprise 4 Councillors**
- B4. Curborough Ward be increased to 4 councillors.**
- B5. St Johns Ward to remain at 6 councillors.**
- B6. Leomansley Ward be increased to 6 councillors.**

Consultation Response

2.1 Some responses express support for the status quo in Lichfield City while a number express concern about unequal councillor-to-resident ratio in some wards.

2.2 The City Council representation proposed that:

'Garrick Road ward to be incorporated into Chadsmead, Burton Old Road ward into Stowe and Pentire Road ward into Boley Park, thereby creating coterminous parish and district boundaries and removing the significant confusion that exists currently.'

2.3 It also requested:

'When assessing future options, LDC is asked to have regard to the current unequal allocation of councillors which results in a significant variation in the ratio of electors to councillors across Lichfield City Council wards.'

Reasons

2.4 The recommendations address two key issues raised in the consultation –

(i) The creation of coterminous parish and district boundaries satisfying the criteria of effective and convenient governance. The amalgamation of small single councillor wards into larger wards is not considered to have any detrimental impact on community identity or cohesion, indeed the larger wards would appear to represent more identifiable and coherent communities

(ii) The uneven distribution of Councillors ranging from 302 Councillors per Councillor to 1124 electors per Councillor.

3. LONGDON PARISH

Recommendation

C2. That Longdon Parish Council be reduced from 11 councillors to 9 councillors.

Consultation Response

- 3.1 The Parish Council has previously passed a resolution requesting that the District Council consider reducing the size of the Parish Council from 11 Members to 9 Members.

Reason

- 3.2 It is considered a smaller council is appropriate given the population of the parish and will (i) address difficulties experienced when filling vacancies and (ii) make it easier to achieve a quorum.

APPENDIX B

Fradley & Streethay

Polling Districts	Councillors	Electors - 2026	Electors per Councillor
Fradley	10		289
AB		1984	
AC		909	
	Total	2893	
Streethay	7		239
AD		1676	
	Total	1676	

Lichfield City Council

PROPOSED

Ward (& polling Districts)	Councillors	Electors	Electors per Councillor
Boley Park (including Pentire Road)	4		849
RA		1318	
RB		980	
RC		603	
RB1		497	
		3398	
Chadsmead (including Garrick)	4		825
RE		1,108	
RF		889	
RG		534	
RK		467	
RG1		302	
		3,300	
Curborough	4		835
RH		1426	
RJ		1915	
		3341	
Leamonsley	6		937
RL		1203	
RM1		941	
RM2		1156	
RN1		1097	
RN2		1224	
		5621	
St John's	6		782
RP		1040	
RQ		2304	
RR		1350	
		4694	

Stowe (including Burton Old Road)	5		985
RS		844	
RT		1156	
RU		214	
RW		414	
RX		1439	
RD		860	
		4927	