

INCREASE IN MEMBERS ON EAST BOLDRE PARISH COUNCIL - COMMUNITY GOVERNANCE REVIEWS

1. INTRODUCTION

- 1.1 The Local Government and Public Involvement in Health Act 2007, amongst other things, amended the legislation governing changes to electoral arrangements for parish and town councils. The changes also place a duty on District Councils to undertake a “community governance review” (CGR) every 10 - 15 years.
- 1.2 A CGR under the Act is a review of part or the whole of a council’s area to consider one or more of the following:
 - Creating new parishes
 - Abolishing, merging or altering parishes
 - Electoral arrangements for parishes
- 1.3 This report covers two issues, namely:
 - (a) a request from the East Boldre Parish Council to increase the number of members on the parish council from 5 to 7 (see Appendix 1); and
 - (b) seeking the Committee’s preliminary views on whether it considers that a wider review of parishes and community governance arrangements generally is desirable at this stage.
- 1.4 The new legislation referred to in paragraph 1.1 is aimed at demonstrating the government’s commitment to parishes and recognises the role that local councils play in community empowerment at a local level. The Act also aims to improve support for citizens and community groups. It also offers principal councils the opportunity to look at existing parishes in their areas following population changes, or where councils have become redundant or moribund, or to re-draw electoral boundaries.

2. BACKGROUND

- 2.1 Before the coming into force of the 2007 Act, District Councils had power to vary the numbers on local councils by making an order. Procedures were not prescriptive and numbers on parish councils, or other Parish electoral arrangements, could be varied easily and quickly. Unfortunately this is no longer the case and the procedures prescribed for community governance reviews, set out in the 2007 Act, have to be followed even when the only issue to be considered is a variation in a parish council’s numbers.
- 2.2 The government made it clear in its white paper *‘strong and prosperous communities’* that it wished to encourage more community engagement and facilitate mechanisms for local residents to have a say in improving local

services. The Act therefore allows for the public to petition for reviews in their areas. Reviews must be undertaken if petitions are received as follows:

- Area with fewer than 500 electors - at least 50% of the electors
- Area with between 500 and 2,500 electors – at least 250 of the electors
- Area with more than 2,500 electors - at least 10% of the electors.

2.3 It is, however, not necessary for a petition to be received to initiate a review. The Parish Council has requested an increase in its numbers and it is for the Council to decide whether it wishes to undertake a review of the East Bolde parish area with a view to increasing the size of the parish council.

3. COMMUNITY GOVERNANCE REVIEWS – GENERAL PRINCIPLES RELATING TO PARISHES AND PARISH COUNCILS

3.1 Under the legislation the District Council must aim to ensure that community governance in the area under review

- reflects the identities and interests of the community in that area
- is effective and convenient
- takes into account any other arrangements for the purpose of community representation or community engagement.

When considering this, the Council should take into account a number of factors, including:

- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of any new local community or parish.

3.2 A review involves the following stages:

- (1) Setting terms of reference of the review (if the Committee recommends a review in East Boldre, suggested terms of reference are set out in Appendix 2);
- (2) Publicising the terms of reference (for the purposes of the Act, the review formally commences when the terms of reference are published);
- (3) Undertaking consultations with the local government electors for the area and any other person or body (including the Parish Council) who appears to have an interest in the review.
- (4) Considering representations;
- (5) Preparing and publishing draft proposals
- (6) Undertaking consultation on the draft proposals
- (7) Considering representations
- (8) Publishing recommendations
- (9) Making an order to bring into effect any decisions arising from the review;
- (10) A review must be concluded within 12 months of the publication of the terms of reference.

- 3.3 When undertaking a CGR a principal council must have regard to guidance issued by the Secretary of State and the Electoral Commission. However, subject to this, it is for the Council to decide how to undertake the review.

4. REQUEST FROM EAST BOLDRE PARISH COUNCIL

- 4.1 East Boldre Parish Council has put forward a reasoned request for an increase in numbers. There is no formal guidance on the size of parish councils, but the minimum number is 5. The DCLG reports that, nationally, local councils representing the following electorates have, typically, the number of councillors stated:
- Less than 500 – between 5 and 8 councillors
 - Between 501 and 2,500 – between 6 and 12 councillors
- 4.2 East Bolde has 694 electors. In the light of the reasons put forward by the Parish Council, the officers consider that a review should proceed.
- 4.3 Allowing for the need to report to this Committee as the various stages of the review progress, it is estimated that the review will take 9 – 12 months to complete. It is suggested that any changes in the composition of the parish council that might be agreed take effect at the next quadrennial elections in May 2011.

5. WIDER COMMUNITY GOVERNANCE REVIEW

- 5.1 As mentioned in paragraph 1.1, all principal councils now have a duty to undertake a CGR every 10 – 15 years. The views of the Committee are requested on whether a CGR across the whole district should be launched soon. The officers are not aware of any issues that need to be addressed. Town and Parish Clerks were asked at a recent liaison meeting whether there were any issues that should be looked at through a CGR, but none was aware of any. However, it might be advisable to write formally to all parish and town councils to ask whether there are any boundary or electoral arrangements that need to be addressed through a CGR. Once replies are received, the Committee could consider further whether it wishes to launch a review in all or part of the District Council's area.

6. FINANCIAL IMPLICATIONS

6.1 East Boldre Parish Council

- 6.1.1 Resources involved will be mainly employee time. Expenditure will be incurred on consultations but will hopefully be fairly modest, less than £1,000, and which could be contained within existing budgets.

6.2 Wider Review

- 6.2.1 Embarking on a wider CGR would involve far greater expenditure but it is difficult to estimate how much at this stage without knowing the extent of any proposed review. Consultation across the whole district would be costly. Any proposed changes to boundaries would involve redrawing and copying of

maps, and would involve a significant amount of staff time. Additional staff would probably be required for a District-wide review.

7. ENVIRONMENTAL, CRIME & DISORDER AND EQUALITIES & DIVERSITY IMPLICATIONS

7.1 None.

8. RECOMMENDATIONS

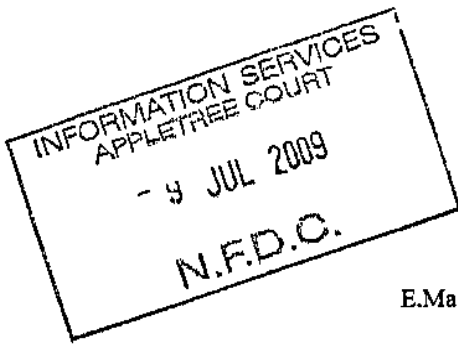
- 8.1 That a Community Governance Review be undertaken in the East Boldre Parish area with a view to increasing the number of parish councillors from 5 to 7, with the terms of reference set out in Appendix 1 to this report.
- 8.2 That all parish and town councils be asked for their views on whether a Community Governance Review is needed within their area.

Further information:

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Background Papers:

Published documents



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7th July, 2009

Dear Ms. Rutins,

Further to our recent e-mails and telephone conversations, I am writing to respectfully request that the New Forest District Council consider favourably, a formal application by East Boldre Parish Council to increase the number of councillors for East Boldre Parish Council from 5 to 7.

East Boldre Parish Council are mindful that they need to achieve effective and convenient local government and feel that this can only be possible if the number of members is increased. Currently, with only 5 members it is insufficient to cover the number of projects which East Boldre Parish Council wishes to undertake and several have had to be shelved as we cannot allocate a small committee or even an individual to the projects.

The current council would like to increase the facilities offered to their electorate and indeed, have just taken on some Allotment Gardens which require a considerable amount of attention just by themselves as they have, for some time been under the supervision of a volunteer team and were not kept in the best order. This has necessitated the appointment of a dedicated member of the council to ensure they will be brought up to a good standard.

E.B.P.C., would also like to have dedicated members for the formulation of the Parish Plan, amenities for the parish, developing parish events to enhance community spirit, obtaining grants, affordable housing and the publication of the parish newsletter and website. In addition to this, E.B.P.C. still are mindful that they need to give the necessary attention to highways, the NPA Plans, NFDC Plans and Projects, planning and general improvement of the quality of life for their parishioners.

Holidays present a problem for E.B.P.C., as there can sometimes be insufficient members to make up a quorum and meetings have to be cancelled. In addition, there is the problem of illness which has necessitated on occasion, council to cancel meetings, this would not be necessary if we increased our allotted number of councillors. EBPC need to increase the number of councillors in order to ensure they are able to offer the required effective and convenient local government that it deserves and which central government are encouraging.

I do hope that you will take the above points into consideration and look forward to hearing from you.

Yours sincerely,

Mrs. C.M. Howe
 Clerk's Office,
 East Boldre Parish Council

Ms. R. Rutins,
 Democratic Services Manager,
 Legal & Democratic Services,
 N.F.D.C.,
 Appletree Court,
 Lyndhurst,
 Hampshire.

Community Governance Review of East Boldre Parish Council's Electoral Arrangements – Terms of Reference

- (1) To review the number of members on the East Boldre Parish Council in the light of the Parish Council's request to increase the numbers from 5 – 7 with a view to implementing any changes that might be agreed with effect from the next quadrennial elections in May 2011.
- (2) That the review be undertaken in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 and any statutory guidance.