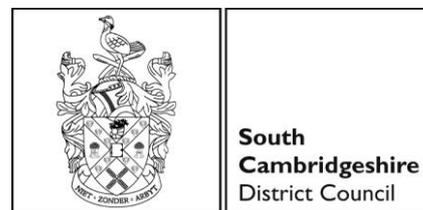


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26 November 2018

To: Chairman – Councillor Dr. Douglas de Lacey
Vice-Chairman – Councillor Dr. Claire Daunton
Members of the Civic Affairs Committee – Councillors Henry Batchelor,
Dr. Martin Cahn, Nigel Cathcart, Mark Howell, Bridget Smith, Peter Topping and
Aidan Van de Weyer

Quorum: 3

Dear Councillor

You are invited to attend the next meeting of **CIVIC AFFAIRS COMMITTEE**, which will be held in **SWANSLEY ROOM A AND B - GROUND FLOOR** at South Cambridgeshire Hall on **TUESDAY, 4 DECEMBER 2018 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution **in advance of** the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
Beverly Agass
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA

PAGES

PROCEDURAL ITEMS

- 1. Apologies for Absence**
To receive Apologies for Absence from Committee members.
- 2. Declarations of Interest**
- 3. Minutes of Previous Meeting** 1 - 4
To authorise the Chairman to sign the Minutes of the meeting held on 4 September 2018 as a correct record.

DECISION ITEMS

- 4. Barrington Parish Council - Community Governance Review** 5 - 14

- | | | |
|-----------|--|----------------|
| 5. | Milton Parish Council - Community Governance Review | 15 - 24 |
| 6. | Stapleford Parish Council - Community Governance Review | 25 - 34 |

INFORMATION ITEMS

- | | | |
|-----------|---|----------------|
| 7. | Update on Code of Conduct Complaints | 35 - 38 |
|-----------|---|----------------|

STANDING ITEMS

- | | | |
|-----------|---|--|
| 8. | Date of Next Meeting
The next meeting has been arranged for Tuesday 5 March 2019 at 10am
in the Swansley Room. | |
|-----------|---|--|

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Notes to help those people visiting the South Cambridgeshire District Council offices

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail democratic.services@scambs.gov.uk

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

Toilets

Public toilets are available on each floor of the building next to the lifts.

Recording of Business and Use of Mobile Phones

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

Disturbance by Public

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. You are not allowed to bring food or drink into the meeting room.

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Agenda Item 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Civic Affairs Committee held on
Tuesday, 4 September 2018 at 10.00 a.m.

PRESENT: Councillor Dr. Douglas de Lacey – Chairman
Councillor Dr. Claire Daunton – Vice-Chairman

Councillors: Dr. Martin Cahn Nigel Cathcart
Bill Handley Mark Howell
Bridget Smith Peter Topping
Aidan Van de Weyer

Officers: Patrick Adams Senior Democratic Services Officer
Gemma Barron Head of Sustainable Communities and Wellbeing
Elizabeth Davy Project Officer
Andrew Francis Electoral Services Manager
Rory McKenna Deputy Head of Legal Practice
Siobhan Mellon Development Officer

Councillor Heather Williams was in attendance, by invitation.

Apologies for absence were received from Councillor Henry Batchelor.

1. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillor Henry Batchelor. Councillor Bill Handley acted as substitute.

2. DECLARATIONS OF INTEREST

None.

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 26 June 2018 were agreed as a correct record.

4. MILTON COMMUNITY GOVERNANCE REVIEW - DRAFT TERMS OF REFERENCE

The Development Officer presented this report, which invited the Committee to agree the proposed timetable and terms of reference for the reduction of Milton Parish Council from 15 councillors to 12.

It was noted that the consultation period would last eight weeks. A report will be taken to the next meeting of this Committee in December, following the closure of the consultation period.

The Committee unanimously

AGREED the terms of reference and timetable for this Community Governance Review, as laid out in Appendix A.

5. NORTHSTOWE COMMUNITY GOVERNANCE REVIEW

The Head of Sustainable Communities and Wellbeing introduced this report on the proposed timetable for a Community Governance Review of Longstanton and Oakington and Westwick, in relation to the new development of Northstowe.

It was noted that Longstanton Parish Council had requested that the Community Governance Review be delayed until the summer of 2019. It was understood that this would allow residents of Northstowe to gain more experience as parish councillors on Longstanton Parish Council and would also mean that there will be more residents in Northstowe to consult on the Review. The Head of Sustainable Communities and Wellbeing estimated that there could be 350 occupations in Northstowe by winter next year.

In response to questioning, the Head of Sustainable Communities and Wellbeing explained that a management company would be taking on the maintenance of open space at Northstowe for at least the next 10 years. In the meantime Longstanton Parish Council would be responsible for the day to day decisions, before the Community Governance Review concluded.

The Committee **NOTED** the report.

6. STAPLEFORD COMMUNITY GOVERNANCE REVIEW REQUEST

The Development Officer explained that a request had been received from Stapleford Parish Council to increase the Council size from 9 to 11 parish councillors. It was noted that a reference to 12 councillors in an e-mail from the Parish Council Chairman in Appendix A was a mistake, and the official request from the Parish Council was for an increase to 11 members.

Terms of reference

The Committee supported the terms of reference as laid out in Appendix B. It was agreed that including the terms of reference with the Review request was beneficial and should be repeated when possible in relation to requests concerning parish numbers.

Views of local members

It was understood that one of the local members was supportive of the proposed increase, the views of the other local member was unknown. It was agreed that in the future, the Committee should be informed of the views of all the local members.

Encouraging residents to stand as parish councillors

Concerns were expressed regarding the difficulties that Stapleford Parish Council could have in recruiting 11 parish councillors. It was suggested that the District Council could do more to promote the work of parish councils to encourage residents to stand as parish councillors. The Head of Sustainable Communities and Wellbeing assured the Committee that recently Stapleford Parish Council had been successful in encouraging residents to stand for co-option.

The Committee unanimously

AGREED

- A)** To the request from Stapleford Parish Council for a Community Governance Review to increase the number of parish councillors from 9 to 11; and
- B)** To the draft terms of reference, as laid out in Appendix B;

C) For staff to agree the timetable in consultation with Stapleford Parish Council.

7. UPDATE ON CODE OF CONDUCT COMPLAINTS

The Committee **NOTED** this report.

8. DATE OF NEXT MEETING

It was noted that the next meeting would be held on Tuesday 4 December at 10am.

The Meeting ended at 10.25 a.m.

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Agenda Item 4

REPORT TO: Civic Affairs Committee

4 December 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Community Governance Review – Barrington Parish Council

Purpose

1. To consider submissions received in relation to the community governance review of Barrington Parish and make a decision on whether to agree or disagree an increase in Parish Councillors for Barrington Parish Council.

Recommendations

2. That Civic Affairs Committee could:
 - (a) Agree to the request from Barrington Parish Council to increase the number of parish councillors from 9 to 13.
 - (b) Decide no change to the number of parish councillors from 9.
 - (c) Agree to amend the number of parish councillors to an alternative number.
3. If the Committee decides to change the number of Parish Councillors they could:
 - (a) Agree to implement any change from the next scheduled election in May 2022, or
 - (b) Agree to implement any change on the 1st Thursday in May in any year earlier (to be funded by the parish council).
 - (c) Agree to implement any change from the next scheduled election in May 2022, or on the 1st Thursday in May in any year earlier (to be funded by the parish council) should the Parish Council nominate to do so.

Reasons for Recommendations

4. Barrington Parish Council has requested a Community Governance Review to increase its numbers from 9 to 13.

Background

5. On 26 January a request was received from Barrington Parish Council to increase the number of councillors. On 26 June the Civic Affairs Committee agreed for a Community Governance Review to be conducted following this request that the number of councillors on the Parish Council be increased from 9 to 13 from Barrington Parish Council. The Committee agreed the terms of reference and timetable for undertaking the review.
6. The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether or not to make any changes to parish boundaries or size, and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing

parishes. Section 93 of the 2007 Act allows principal councils to decide how to undertake such a review, provided that they comply with the duties in the Act which apply to councils undertaking reviews. If, following a review, the Council decides that changes should be made to the electoral arrangements they may make an Order giving effect to the changes.

7. Section 95 of the 2007 Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish, and any change in that number likely to occur in the next five years.
8. The Terms of Reference for this review were published on 31 August 2018 and submissions were invited between 31 August and 31 October 2018.
9. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a Community Governance Review.

Considerations

10. The Council must have regard to the following factors when considering the number of councillors to be elected for a 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.
11. The current electorate for Barrington is 850 (Sept 2018) and the existing number of parish councillors is 9. The electorate is forecast to increase to 1,248 by 2022/3.
12. In line with NALCs recommendations a parish the size of Barrington would have between 7 and 8 councillors.¹ Whereas in line with Aston Business School recommendations Barrington would have between 6 and 12 councillors²
13. The number of parish councillors for each parish council cannot be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. The National Association of Local Councils (NALC) has suggested that the minimum number of councillors for up to 900 electors should be seven and the maximum 25 for electors over 23,000. Within the minimum and maximum limits, the following allocations are recommended by NALC:

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

¹ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

² How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.73

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	over 23,000	25
9,000	16		

NALC goes on to say that this table may, however, not be appropriate in rural authorities with sparsity of population³

14. The Aston Business School conducted research that was published in 1992 which showed the then levels of representation. According to the Association of Electoral Administrators, it is likely that these levels of representation have not greatly changed in the intervening years.

Electors	Councillors
Less than 500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27
Over 20,000	13-31

15. The table below shows the number of parish councillor seats compared to the size of electorate, for parishes in the district, with a similar electorate size. This indicates that parishes in South Cambridgeshire have higher numbers of councillor seats than NALCs recommendations.

Parish	Electorate (Sept 18)	Councillors
Balsham	1269	9
Barrington	850	9
Barton	691	9
Bourn	749	9
Caldecote	1296	9
Coton	701	9
Fowlmere	969	9
Foxton	1018	9
Great Abington	707	7

³ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

Guilden Morden	772	9
Harston	1361	11
Haslingfield	1233	11
Hauxton	721	9
Landbeach	723	9
Oakington & Westwick	1188	9
Orwell	884	9
Steeple Morden	917	9

16. The current relevant Guidance was published by the DCLG in March 2010. This Guidance must be considered as a whole, but sections 153 - 157 are highlighted as being particularly relevant:

153 Council size is the term used to describe the number of councillors to be elected to the whole council. The 1972 Act, as amended, specifies that each parish council must have at least five councillors; there is no maximum number. There are no rules relating to the allocation of those councillors between parish wards but each parish ward, and each parish grouped under a common parish council, must have at least one parish councillor.

154 In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Research by the Aston Business School Parish and Town Councils in England (HMSO, 1992), found that the typical parish council representing less than 500 people had between five and eight councillors; those between 501 and 2,500 had six to 12 councillors; and those between 2,501 and 10,000 had nine to 16 councillors. Most parish councils with a population of between 10,001 and 20,000 had between 13 and 27 councillors, while almost all councils representing a population of over 20,000 had between 13 and 31 councillors.

155 The LGBCE has no reason to believe that this pattern of council size to population has altered significantly since the research was conducted. Although not an exact match, it broadly reflects the council size range set out in the National Association of Local Councils Circular 1126; the Circular suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

156 In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, it should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government.

157 Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. In addition, historically many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget

and planned or actual level of service provision may also be important factors in reaching conclusions on council size.

17. In its request to the Council, Barrington Parish Council states that Barrington currently is a village of 469 households and is due a further 220 houses which will be developed on the site of the former Cemex cement works. With this development and the associated works within the S106 agreement, the volume and workload for Parish Councillors will grow with the new and ongoing development. There are a number of specific projects planned that will require Parish Councillor involvement.
18. Should members decide to change the number of parish councillors they will then need to determine when the change takes effect. One option would be to allow the Parish Council to decide whether to hold an election earlier than May 2022. If members choose this option the Parish Council would need to inform the District Council before 31 January 2019 to allow time to make the Order. If the Parish Council fail to respond by that date officers are recommending that the default date will be May 2022 as recommended in the guidance. If elections take place before May 2021 then sitting councillors' term of office will be cut and all councillors elected on that date will serve a shortened term to bring the parish elections back into schedule alongside District Council elections in 2022. If elections are held in May 2021 then the first term of office could be extended to bring Parish elections back in line in May 2026. As stated above the current relevant Guidance was published by the DCLG in March 2010. This Guidance must be considered as a whole, but sections 149 - 152 are highlighted as being particularly relevant to any decision:

149 Ordinary parish elections are held once every four years with all councillors being elected at the same time. The standard parish electoral cycle is for elections in 2011, 2015 and every four years after 2015, but parish elections may be held in other years so that they can coincide with elections in associated district or London borough wards or county divisions and share costs. For example, all London borough ward elections take place in 2010, 2014 and so on. We would therefore expect parish elections in London to take place in these years.

150 New or revised parish electoral arrangements come into force at ordinary parish elections, rather than parish by-elections, so they usually have to wait until the next scheduled parish elections. They can come into force sooner only if the terms of office of sitting parish councillors are cut so that earlier parish elections may be held for terms of office which depend on whether the parish is to return to its normal year of election.

151 For example, a parish that had elections in 2007 could wait until its next scheduled elections in 2011 for new parish wards to come into force. Alternatively, the new parish wards could have come into force at elections in 2009 if the terms of office of the councillors elected in 2007 were cut to two years. If the elections in 2009 were for two-year terms of office then the parish council could return to its normal electoral cycle in 2011.

152 Alternatively, if new or revised parish electoral arrangements are to be implemented in the third year of sitting councillors' term of office, provision can be made to cut short the term of office of existing councillors to three years. Elections could then take place with all councillors serving a five-year term of office, enabling the parish to return to its normal year of election.

Consultation Responses

19. The consultation was open for submissions for a period of two months (closed on the 31 October 2018). Sixteen responses were received in total, all online. The responses have been anonymised and attached to this report as Appendix A. The relevant District Councillor was also invited to comment. One response was received which has been included in Appendix A.

Options

20. The Committee could:
- (a) Agree to the request from Barrington Parish Council to increase the number of parish councillors from 9 to 13.
 - (b) Decide no change to the number of parish councillors from 9.
 - (c) Agree to amend the number of parish councillors to an alternative number.
21. If the Committee decides to change the number of Parish Councillors they could:
- (a) Agree to implement any change from the next scheduled election in May 2022, or
 - (b) Agree to implement any change on the 1st Thursday in May in any year earlier (to be funded by the parish council).
 - (c) Agree to implement any change from the next scheduled election in May 2022, or on the 1st Thursday in May in any year earlier (to be funded by the parish council) should the Parish Council nominate to do so.

Implications

22. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:

Legal

23. The draft terms of reference for a Community Governance Review of the parish of Barrington will consider the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, which reflects Part 4 of the Local Government and Public Involvement in Health Act 2007 and 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 Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625). (The 2007 Act transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

Consultation responses

23. As detailed in Section 19 and Appendix A of this report.

Effect on Strategic Aims

24. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages; helping to achieve our vision to deliver superb quality of life for our residents, and remain the best place to live, work, and study in the country.

Background Papers

Report to Civic Affairs Committee 26 June 2018

<http://scams.moderngov.co.uk/documents/s106167/CAC%20Barrington%20CGR%20Report%20120618%20v2.pdf>

Terms of Reference

<https://www.scams.gov.uk/media/12090/community-gov-review-barrington-terms-of-ref.pdf>

Report Author: Cecilia Murphy-Roads – Development Officer
Telephone: (01954) 713344

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Community Governance Review Barrington – Appendix A

Question: Do you think the number of Barrington Parish Councillors should increase from 9 to 13?

Reference	Postcode	Response	Comments
BKZKKVWD	CB22 7RP	Yes	Nil
BXTTLFDJ	CB22 7SF	YES	Nil
CTMJFVKM	CB22 7SE	Yes	Yes it should increase to take into account new residents coming on the new Cemex site.
DQXFJQQV	CB22 7RS	Yes	As the size of the village increases you need more councillors to represent all the village.
FRTQWVPJ	CB22 7RS	Yes	There is a need to recruit professionals to deal with the increase of residents at the new development and the resulting S106 agreement.
GRSHFNCK	CB22 7AA	YES	Nil
HDTHVWST	CB22 7RJ	Yes	Nil
HWDWXHZX	CB22 7SB	Yes	Nil
JFXPVMHC	CB22 7AA	Yes	To match the growing demands of a growing village

Community Governance Review Barrington – Appendix A

Question: Do you think the number of Barrington Parish Councillors should increase from 9 to 13?

NXLQDZFG	CB22 7RP	Yes	Nil
PRRPMHQZ	CB22 7RF	Yes	13 seems representative for the expected increase of residents
QMSTNDNM	CB22 7RJ	Yes	Nil
RCNMZDLQ	CB22 7RR	Yes	Nil
RWMLHKMZ	CB22 7AA	Yes	Nil
TXJRJKH	CB22 7SE	Yes	Nil
JTSMZDHT	CB22 7GA	No	Nil
District Councillor response via phone		Yes	Cllr Van de Weyer supports the proposed increase in parish councillors from nine. He believes that the local growth, development and S106 monies mean that it will be helpful to have more councillors.

Agenda Item 5

REPORT TO: Civic Affairs Committee

4 December 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Community Governance Review – Milton Parish Council

Purpose

1. To consider submissions received in relation to the community governance review of Milton Parish and make a decision on whether to agree or disagree an increase in Parish Councillors for Milton Parish Council.

Recommendations

2. That Civic Affairs Committee could:
 - (a) Agree to the request from Milton Parish Council to decrease of the number of parish councillors from 15 to 12.
 - (b) Decide no change to the number of parish councillors from 15.
 - (c) Agree to amend the number of parish councillors to an alternative number.
3. If the Committee decides to change the number of Parish Councillors they could:
 - (a) Agree to implement any change from the next scheduled election in May 2022, or
 - (b) Agree to implement any change on the 1st Thursday in May in any year earlier (to be funded by the parish council).
 - (c) Agree to implement any change from the next scheduled election in May 2022, or on the 1st Thursday in May in any year earlier (to be funded by the parish council) should the Parish Council nominate to do so.

Reasons for Recommendations

4. Milton Parish Council has requested a Community Governance Review to reduce its numbers from 15 to 12.

Background

5. On 22 May a request was received from Milton Parish Council to reduce the number of councillors. On 26 June the Committee agreed for a Community Governance Review to be conducted following this request from Milton Parish Council that the number of councillors on the Parish Council be decreased from 15 to 12 to enable meetings to be quorate with 4 councillors. On the 4 September the Committee agreed the terms of reference and timetable for undertaking the review.
6. The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether or not to make any changes to parish boundaries or size, and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing

parishes. Section 93 of the 2007 Act allows principal councils to decide how to undertake such a review, provided that they comply with the duties in the Act which apply to councils undertaking reviews. If, following a review, the Council decides that changes should be made to the electoral arrangements they may make an Order giving effect to the changes.

7. Section 95 of the 2007 Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish, and any change in that number likely to occur in the next five years.
8. The Terms of Reference for this review were published on 5 September 2018 and submissions were invited between 5 September 2018 to 5 November 2018.
9. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a Community Governance Review.

Considerations

10. The Council must have regard to the following factors when considering the number of councillors to be elected for a 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.
11. The current electorate for Milton is 3,370 (Sept 2018) and the existing number of parish councillors is 15. The electorate is forecast to increase to 3,518 by 2022/3.
12. In line with NALCs recommendations a parish the size of Milton would have between 10 and 11 councillors.¹ Whereas in line with Aston Business School recommendations Milton would have between 9 and 16 councillors.²
13. The number of parish councillors for each parish council cannot be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. The National Association of Local Councils (NALC) has suggested that the minimum number of councillors for up to 900 electors should be seven and the maximum 25 for electors over 23,000. Within the minimum and maximum limits, the following allocations are recommended by NALC:

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

¹ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

² How to undertake a Community Governance Review (CGR). Association of Electoral Administrators 2016. P43. 2.73

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	over 23,000	25
9,000	16		

NALC goes on to say that this table may, however, not be appropriate in rural authorities with sparsity of population³

14. The Aston Business School conducted research that was published in 1992 which showed the then levels of representation. According to the Association of Electoral Administrators, it is likely that these levels of representation have not greatly changed in the intervening years.

Electors	Councillors
Less than 500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27
Over 20,000	13-31

15. The table below shows the number of parish councillor seats compared to the size of electorate, for parishes in the district, with a similar electorate size. This indicates that parishes in South Cambridgeshire have higher numbers of councillor seats than NALCs recommendations.

Parish	Electorate (Sept 2018)	Council Size
Bar Hill	3099	13
Fulbourn	3801	15
Gamlingay	2944	15
Girton	3405	15
Great Shelford	3486	15
Linton	3505	15
Melbourn	3668	15
Milton	3370	15
Papworth Everard	2805	13
Waterbeach	3619	15
Willingham	3221	15

³ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

16. The current relevant Guidance was published by the DCLG in March 2010. This Guidance must be considered as a whole, but sections 153 - 157 are highlighted as being particularly relevant:

153 Council size is the term used to describe the number of councillors to be elected to the whole council. The 1972 Act, as amended, specifies that each parish council must have at least five councillors; there is no maximum number. There are no rules relating to the allocation of those councillors between parish wards but each parish ward, and each parish grouped under a common parish council, must have at least one parish councillor.

154 In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Research by the Aston Business School Parish and Town Councils in England (HMSO, 1992), found that the typical parish council representing less than 500 people had between five and eight councillors; those between 501 and 2,500 had six to 12 councillors; and those between 2,501 and 10,000 had nine to 16 councillors. Most parish councils with a population of between 10,001 and 20,000 had between 13 and 27 councillors, while almost all councils representing a population of over 20,000 had between 13 and 31 councillors.

155 The LGBCE has no reason to believe that this pattern of council size to population has altered significantly since the research was conducted. Although not an exact match, it broadly reflects the council size range set out in the National Association of Local Councils Circular 1126; the Circular suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

156 In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, it should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government.

157 Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. In addition, historically many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size.

17. In its request to the Council, Milton Parish Council states that
- (a) At their meeting on 8 May 2018 they agreed to request that the number of councillors be reduced from 15 to 12.
 - (b) The reason for this is they have struggled for the past few years to attract people to join the council, despite regular advertising, and now find that after the election this year that they only have eight councillors and do not believe they can attract seven more.

- (c) They are concerned of not being quorate for meetings. Related to this, two of their Councillors are District Councillors and one is also a County Councillor, and may on occasion not be able to attend parish meetings or part of the meetings due to commitments elsewhere.
- (d) If they are successful in the request to reduce numbers they will still need to find more willing volunteers to join the parish council. They are disappointed with the situation but can see no other option if they are to continue to be able to make decisions.

18. Should members decide to change the number of parish councillors they will then need to determine when the change takes effect. One option would be to allow the Parish Council to decide whether to hold an election earlier than May 2022. If members choose this option the Parish Council would need to inform the District Council before 31 January 2019 to allow time to make the Order. If the Parish Council fail to respond by that date officers are recommending that the default date will be May 2022 as recommended in the guidance. If elections take place before May 2021 then sitting councillors' term of office will be cut and all councillors elected on that date will serve a shortened term to bring the parish elections back into schedule alongside District Council elections in 2022. If elections are held in May 2021 then the first term of office could be extended to bring Parish elections back in line in May 2026. As stated above the current relevant Guidance was published by the DCLG in March 2010. This Guidance must be considered as a whole, but sections 149 - 152 are highlighted as being particularly relevant to any decision:

149 Ordinary parish elections are held once every four years with all councillors being elected at the same time. The standard parish electoral cycle is for elections in 2011, 2015 and every four years after 2015, but parish elections may be held in other years so that they can coincide with elections in associated district or London borough wards or county divisions and share costs. For example, all London borough ward elections take place in 2010, 2014 and so on. We would therefore expect parish elections in London to take place in these years.

150 New or revised parish electoral arrangements come into force at ordinary parish elections, rather than parish by-elections, so they usually have to wait until the next scheduled parish elections. They can come into force sooner only if the terms of office of sitting parish councillors are cut so that earlier parish elections may be held for terms of office which depend on whether the parish is to return to its normal year of election.

151 For example, a parish that had elections in 2007 could wait until its next scheduled elections in 2011 for new parish wards to come into force. Alternatively, the new parish wards could have come into force at elections in 2009 if the terms of office of the councillors elected in 2007 were cut to two years. If the elections in 2009 were for two-year terms of office then the parish council could return to its normal electoral cycle in 2011.

152 Alternatively, if new or revised parish electoral arrangements are to be implemented in the third year of sitting councillors' term of office, provision can be made to cut short the term of office of existing councillors to three years. Elections could then

take place with all councillors serving a five-year term of office, enabling the parish to return to its normal year of election.

Consultation Responses

19. The consultation was open for submissions for a period of two months (closed on the 5 November 2018). Four responses were received in total, three online and one via email. The responses have been anonymised and are attached to this report as Appendix A. The relevant District Councillors were also invited to comment and one response was received which has been included in the total at Appendix A.

Options

20. The Committee could:
- a. Agree to the request from Milton Parish Council to decrease of the number of parish councillors from 15 to 12.
 - b. Decide no change to the number of parish councillors from 15.
 - c. Agree to amend the number of parish councillors to an alternative number.
21. If the Committee decides to change the number of Parish Councillors they could:
- (a) Agree to implement any change from the next scheduled election in May 2022, or
 - (b) Agree to implement any change on the 1st Thursday in May in any year earlier (to be funded by the parish council).
 - (c) Agree to implement any change from the next scheduled election in May 2022, or on the 1st Thursday in May in any year earlier (to be funded by the parish council) should the Parish Council nominate to do so.

Implications

22. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Legal

23. The draft terms of reference for a Community Governance Review of the parish of Milton will consider the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, which reflects Part 4 of the Local Government and Public Involvement in Health Act 2007 and 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 Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625). (The 2007 Act transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

Consultation responses

23. As detailed in Section 19 and Appendix A of this report.

Effect on Strategic Aims

24. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages; helping to achieve our vision to deliver superb quality of life for our residents, and remain the best place to live, work, and study in the country.

Background Papers

Report to Civic Affairs Committee p 17-22, 26 June 2018

<http://scambs.moderngov.co.uk/documents/g7276/Public%20reports%20pack%20Tuesday%2026-Jun-2018%2010.00%20Civic%20Affairs%20Committee.pdf?T=10>

Report to Civic Affairs Committee p 5-12, 4 September 2018

<http://scambs.moderngov.co.uk/documents/g7277/Public%20reports%20pack%20Tuesday%2004-Sep-2018%2010.00%20Civic%20Affairs%20Committee.pdf?T=10>

Report Author: Elizabeth Davy – Development Officer
Telephone: (01954) 713111

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Community Governance Review for Milton – Appendix A

Question: Do you think the number of Milton Parish Councillors should decrease from 15 to 12?

Reference	Parish	Postcode	Response	Comments
RQPBLFDM	Milton	CB24 6ZL	Yes	Nil.
SXVWJXQC	Milton	CB24 6AW	Yes	Because of the problems of finding people willing to be councillors, and the recommended number of councillors for a village of this size.
ZNHQKWDF	Milton	CB24 6AB	Yes	Seems an eminently sensible move.
District Councillor response received via email from Cllr Hazel Smith.	Milton	CB24 6AQ	Yes	I fully support the reduction to 12 councillors. We do struggle to get a quorum particularly in the summer and 12 will give us enough headroom to recruit more councillors in the next few years.

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Agenda Item 6

REPORT TO: Civic Affairs Committee

4 December 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Community Governance Review – Stapleford Parish Council

Purpose

1. To consider submissions received in relation to the community governance review of Stapleford Parish and make a decision on whether to agree or disagree an increase in parish councillors for Stapleford Parish Council.

Recommendations

2. That Civic Affairs Committee could:
 - (a) Agree to the request from Stapleford Parish Council to increase of the number of parish councillors from 9 to 11.
 - (b) Decide no change to the number of parish councillors from 9.
 - (c) Agree to amend the number of parish councillors to an alternative number.
3. If the Committee decides to change the number of parish councillors they could:
 - (a) Agree to implement any change from the next scheduled election in May 2022, or
 - (b) Agree to implement any change on the 1st Thursday in May in any year earlier (to be funded by the parish council).
 - (c) Agree to implement any change from the next scheduled election in May 2022, or on the 1st Thursday in May in any year earlier (to be funded by the parish council) should the Parish Council nominate to do so.

Reasons for Recommendations

4. Stapleford Parish Council has requested a Community Governance Review to increase its numbers from 9 to 11.

Background

5. On 22 August a request was received from Stapleford Parish Council to increase the number of councillors from 9 to 11. On 4 September the Committee agreed for a Community Governance Review to be conducted following this request and agreed the terms of reference and timetable for undertaking the review.
6. The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether or not to make any changes to parish boundaries or size, and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing parishes. Section 93 of the 2007 Act allows principal councils to decide how to undertake such a review, provided that they comply with the duties in the Act which apply to councils undertaking reviews. If, following a review, the Council decides that

changes should be made to the electoral arrangements they may make an Order giving effect to the changes.

7. Section 95 of the 2007 Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish, and any change in that number likely to occur in the next five years.
8. The Terms of Reference for this review were published on 31 August 2018 and submissions were invited between 12 September 2018 and 12 November 2018.
9. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a Community Governance Review.

Considerations

10. The Council must have regard to the following factors when considering the number of councillors to be elected for a 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.
11. The current electorate for Stapleford is 1572 (Sept 2018) and the existing number of parish councillors is 9. The electorate is not forecast to significantly increase or decrease over the next five years.
12. In line with NALC's recommendations a parish the size of Stapleford would have between 8 and 9 councillors.¹ Whereas in line with Aston Business School recommendations Stapleford would have between 6 and 12 councillors.²
13. The number of parish councillors for each parish council cannot be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. The National Association of Local Councils (NALC) has suggested that the minimum number of councillors for up to 900 electors should be seven and the maximum 25 for electors over 23,000. Within the minimum and maximum limits, the following allocations are recommended by NALC:

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

¹ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

² How to undertake a Community Governance Review (CGR). Association of Electoral Administrators 2016. P43. 2.73

4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	over 23,000	25
9,000	16		

NALC goes on to say that this table may, however, not be appropriate in rural authorities with sparsity of population³

14. The Aston Business School conducted research that was published in 1992 which showed the then levels of representation. According to the Association of Electoral Administrators, it is likely that these levels of representation have not greatly changed in the intervening years.

Electors	Councillors
Less than 500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27
Over 20,000	13-31

15. The table below shows the number of parish councillor seats compared to the size of electorate, for parishes in the district, with a similar electorate size. It can be seen that several parishes in South Cambridgeshire of similar size to Stapleford have higher numbers of councillor seats than NALC's recommendations.

Parish	Electorate (Sept 18)	Councillors
Foxton	1018	9
Oakington & Westwick	1188	9
Haslingfield	1233	11
Balsham	1269	9
Caldecote	1296	9
Harston	1361	11
Whittlesford	1445	11
Duxford	1473	11
Meldreth	1496	9
Stapleford	1572	9
Orchard Park	1730	9
Comberton	1866	13
Swavesey	1900	11

³ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

16. The current relevant Guidance was published by the DCLG in March 2010. This Guidance must be considered as a whole, but sections 153 - 157 are highlighted as being particularly relevant:

153 Council size is the term used to describe the number of councillors to be elected to the whole council. The 1972 Act, as amended, specifies that each parish council must have at least five councillors; there is no maximum number. There are no rules relating to the allocation of those councillors between parish wards but each parish ward, and each parish grouped under a common parish council, must have at least one parish councillor.

154 In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Research by the Aston Business School Parish and Town Councils in England (HMSO, 1992), found that the typical parish council representing less than 500 people had between five and eight councillors; those between 501 and 2,500 had six to 12 councillors; and those between 2,501 and 10,000 had nine to 16 councillors. Most parish councils with a population of between 10,001 and 20,000 had between 13 and 27 councillors, while almost all councils representing a population of over 20,000 had between 13 and 31 councillors.

155 The LGBCE has no reason to believe that this pattern of council size to population has altered significantly since the research was conducted. Although not an exact match, it broadly reflects the council size range set out in the National Association of Local Councils Circular 1126; the Circular suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

156 In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, it should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government.

157 Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. In addition, historically many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size.

17. In its request to the Council, Stapleford Parish Council states that
"The Council feels that there are unprecedented challenges on planning and infrastructure to tackle in the future. Although only 5 people stood at the recent election, after a drive by the Council, 7 applicants came forward with 5 completing the selection process. This does show that there is interest but we need to capitalise and meet the future. Council is of the opinion that this can only be realised by a larger number of members because of several facets:

- The parish has grown in size raising overall demands
- The work for the volunteers who are councillors has increased over the last decade and it needs additional councillors to offset and share this work

- Councillors receive no remuneration and so it is not fair to ask them to put in any more free time but for it to be shared; SPC meets monthly showing how seriously it views its accountability to the electorate
- The demands on a PC are such as a myriad of skill sets are required and this means more people - financial acumen, leadership skills, planning awareness, legal knowledge
- The council has a vision for the future and needs the people to manage it - S106 developments, additional physical resources for cultural pursuits
- There are so many consultation groups that we need councillors to attend them as the debates have impacts on the village infrastructure;
- The work on our neighbourhood plan and the impact means that we need more councillors to support the electorate and the community.
- Having 11 councillors will facilitate a better approach to governance and decision making through committee work.

18. Should members decide to change the number of parish councillors they will then need to determine when the change takes effect. One option would be to allow the Parish Council to decide whether to hold an election earlier than May 2022. If members choose this option the Parish Council would need to inform the District Council before 31 January 2019 to allow time to make the Order. If the Parish Council fail to respond by that date officers are recommending that the default date will be May 2022 as recommended in the guidance. If elections take place before May 2021 then sitting councillors' term of office will be cut and all councillors elected on that date will serve a shortened term to bring the parish elections back into schedule alongside District Council elections in 2022. If elections are held in May 2021 then the first term of office could be extended to bring Parish elections back in line in May 2026. As stated above the current relevant Guidance was published by the DCLG in March 2010. This Guidance must be considered as a whole, but sections 149 - 152 are highlighted as being particularly relevant to any decision:

149 Ordinary parish elections are held once every four years with all councillors being elected at the same time. The standard parish electoral cycle is for elections in 2011, 2015 and every four years after 2015, but parish elections may be held in other years so that they can coincide with elections in associated district or London borough wards or county divisions and share costs. For example, all London borough ward elections take place in 2010, 2014 and so on. We would therefore expect parish elections in London to take place in these years.

150 New or revised parish electoral arrangements come into force at ordinary parish elections, rather than parish by-elections, so they usually have to wait until the next scheduled parish elections. They can come into force sooner only if the terms of office of sitting parish councillors are cut so that earlier parish elections may be held for terms of office which depend on whether the parish is to return to its normal year of election.

151 For example, a parish that had elections in 2007 could wait until its next scheduled elections in 2011 for new parish wards to come into force. Alternatively, the new parish wards could have come into force at elections in 2009 if the terms of office of the councillors elected in 2007 were cut to two years. If the elections in 2009 were for two-year terms of office then the parish council could return to its normal electoral cycle in 2011.

152 Alternatively, if new or revised parish electoral arrangements are to be implemented in the third year of sitting councillors' term of office, provision can be made to cut short the term of office of existing councillors to three years. Elections could then take place with all councillors serving a five-year term of office, enabling the parish to return to its normal year of election.

Consultation Responses

19. The consultation was open for submissions for a period of two months (closed on the 12 November 2018). Ten responses were received in total, all online. The responses have been anonymised and are attached to this report as Appendix A. The relevant District Councillors were also invited to comment and one response was received which has been included in the total at Appendix A.

Options

20. The Committee could:
- a. Agree to the request from Stapleford Parish Council to increase of the number of parish councillors from 9 to 11.
 - b. Decide no change to the number of parish councillors from 9.
 - c. Agree to amend the number of parish councillors to an alternative number.
21. If the Committee decides to change the number of Parish Councillors they could:
- (a) Agree to implement any change from the next scheduled election in May 2022, or
 - (b) Agree to implement any change on the 1st Thursday in May in any year earlier (to be funded by the parish council).
 - (c) Agree to implement any change from the next scheduled election in May 2022, or on the 1st Thursday in May in any year earlier (to be funded by the parish council) should the Parish Council nominate to do so.

Implications

22. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Legal

23. The terms of reference for a Community Governance Review of the parish of Stapleford considered the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, which reflects Part 4 of the Local Government and Public Involvement in Health Act 2007 and 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 Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625). (The 2007 Act transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

Consultation responses

23. As detailed in Section 19 and Appendix A of this report.

Effect on Strategic Aims

24. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages; helping to achieve our vision to deliver superb quality of life for our residents, and remain the best place to live, work, and study in the country.

Background Papers

Report to Civic Affairs Committee, 4 September 2018

<http://scams.moderngov.co.uk/documents/g7277/Public%20reports%20pack%20Tuesday%2004-Sep-2018%2010.00%20Civic%20Affairs%20Committee.pdf?T=10>

Terms of Reference for Stapleford Community Governance Review

<http://www.scams.gov.uk/media/12155/community-gov-review-stapleford-terms-of-ref.pdf>

Report Author: Siobhan Mellon – Development Officer
Telephone: (01954) 713395

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Community Governance Review Stapleford – Appendix A

Question: Do you think the number of Stapleford Parish Councillors should increase from 9 to 11?

Reference	Postcode	Response	Comments
FDGQWGDZ	CB22 5DX	YES	I agree that the number of Councillors should be increased, but have three conditions: <ul style="list-style-type: none"> • The 'gene pool' of members of the parish council is increased • The transparency and accountability of the actions of the council is improved • The parish council agrees to follow best practice in governance arrangements as agreed by the majority of other councils
HKTBCJMT	CB22 5BQ	YES	The current chair has been in post too long, and his manner is a major factor putting off others to come forward to serve. He should stand down.
HNDZFVTS	CB22 5DU	NO	Stapleford Parish Council has struggled to find 9 councillors over the years and indeed following the last elections the spouses of two members were co-opted to make up the numbers. The Parish Council is, sadly, a club that nobody wants to join. It is unrepresentative of the village as a whole, being predominantly elderly (and I write as someone in their 60s), and also very conservative (with a small c). A sensible route would seem to be a merger with Great Shelford – at least two Stapleford councillors are also members of Great Shelford PC. Stapleford is contiguous with Great Shelford and it is where we go to the GP, library, for shopping, cafes, recreation ground, railway station and many social events. It is one geographical entity. Having two parish councils represents a waste of time and money in my view. We need to move on.
JXGTKQVW	CB22 5DR	YES	The workload is too heavy for 9 councillors. We have had some difficulty recruiting; if people knew the responsibilities would be shared

Community Governance Review Stapleford – Appendix A

Question: Do you think the number of Stapleford Parish Councillors should increase from 9 to 11?

			more widely they might be more willing to stand.
LTMXWPNG	CB22 5BZ	YES	None
MBKPVSQJ	CB22 5DT	YES	None
TPSNBTTD	CB22 5BX	YES	None
VLJMZNXF	CB22 5BZ	YES	None
WRKMDZJT	CB22 5DT	YES	None
WWLRNRBM	CB22 5DS	YES	None
District Councillor response received via email from Cllr Nick Sample		YES	I see this as essentially an organisational issue for Stapleford PC. I have no problem with the proposed increase in numbers from 9 to 11.

Agenda Item 7



South
Cambridgeshire
District Council

Report To: Civic Affairs Committee
Lead Officer: Monitoring Officer

4th December 2018

Update on Code of Conduct complaints

Purpose

1. To update the Civic Affairs Committee on complaints cases regarding alleged breaches of the Code of Conduct.

Recommendations

2. That the Civic Affairs Committee **note** the progress of any outstanding complaints and the conclusion of cases resolved since the last meeting.

Considerations

3. Progress since the last meeting in relation to Code of Conduct complaints is set out in the below table:

Matter Number	District/Parish Council	Allegation/complaint	outcome
014318	Great Shelford Parish Council	Allegations that a Cllr breached the following parts of the code of conduct; You must – 3.5 use your position as a Member in the public interest and not for personal advantage & 3.7.3 exercise your own independent judgement, taking decisions for good and substantial reasons by – stating the reasons for your decisions where those reasons are not otherwise apparent It is alleged that the Cllr	Hearing held and determined there was no breach of the Parish Council's Code of Conduct. Decision notice attached.

		failed to declare a “nondisclosable pecuniary interest or non-pecuniary interest” in the item	
15157	SCDC	Allegations from the complainant that a member made public comments that he found offensive and against the council’s equality policies.	Matter On-going

Implications

4. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, there are no significant implications.

Background Papers

CONSTITUTION – CODE OF CONDUCT/Code of Conduct Complaints Procedure

Report Author: Rory McKenna – Deputy Monitoring Officer
Telephone: (01223) 457194

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
CODE OF CONDUCT HEARING**

31 October 2018

**HEARING INTO A COMPLAINT MADE BY THE DORA LEVANTI-ROWE ABOUT THE
CONDUCT OF PARISH COUNCILLOR CHARLES NIGHTINGALE**

PRESENT:

Panel: Councillor Douglas de Lacey (Chairman)
Councillor Mark Howell
Councillor Aidan Van de Weyer

Legal Advisor: Rory McKenna

Independent Person: Grant Osbourn

Investigator: Stephen Pearson (Freeths)

Also Present: Charles Nightingale
Theodora Levanti-Rowe
Patrick Adams, Democratic Services Officer

BACKGROUND

On 31 May 2018, Mrs Theodora Levanti-Rowe, acting in her capacity as a member of the public, made a complaint in relation to an alleged breach of the Code of Conduct by Cllr Charles Nightingale in his capacity as a member of Great Shelford Parish Council. The complaint related to his supposed failing to declare an interest in a planning application put before the Planning Committee of the Parish Council on the 4 April 2018 and the voting which took place in relation to that application.

The basis of the complaint:

- Cllr Nightingale failed to declare an interest in planning application S/1041/18/FL when it came before the Planning Committee of the Parish Council on the 4 April 2018 and voted on the decision.
- Cllr Nightingale used his position as a District Councillor before the meeting to request a review of the planning application by South Cambridgeshire District Council's Planning Committee.
- Cllr Nightingale did not declare clearly his reasons for his decisions and the reasons were not otherwise apparent.
- Cllr Nightingale failed, at a meeting of the Parish Council on the 16 May 2018 to respond to questions of the complainant's husband related to his objections to the planning application or to engage with him at the meeting.

REPRESENTATIONS

The Panel heard representations from Mrs Levanti-Rowe, Parish Councillor Charlie Nightingale and the Investigator Stephen Pearson, based on the written report.

DECISION

The Panel decided that there had been **NO BREACH** of Great Shelford Parish Council's Code of Conduct.

REASONS:

Was it necessary for Parish Councillor Charlie Nightingale to make a declaration of interest?

The Panel considered that due to the longstanding association between Councillor Nightingale and Mrs Moore and the fact that she was the applicant's neighbour, it was necessary for Councillor Nightingale to declare a non-pecuniary interest. The Panel did not think it was necessary for Councillor Nightingale to publicly declare that he planned to ask the Chairman of the District Council's Planning Committee to refer the planning application to that Committee.

Did Councillor Nightingale declare his non pecuniary interest satisfactorily?

The Panel considered that Councillor Nightingale believed that he had declared his interest satisfactorily and that if the Chairman, who was also taking the minutes of this meeting, was unclear then he should have asked for clarification.

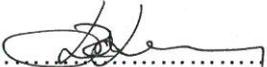
Did Councillor Nightingale vote at the meeting on 4 April?

Having looked at the evidence, the Panel noted that only Councillor Mike Nettleton believed that Councillor Nightingale had voted at the meeting. Councillor Nightingale declared that he did not vote and this was supported by the statements made by Councillor Fane and the applicant Mr Rowe. The Panel therefore concluded that Councillor Nightingale did not vote at the meeting.

Did Councillor Nightingale breach the code when he declined to answer Mr Rowe's request for an explanation to his opposition to the Rowe's planning application and his decision to refer it to the District Council's Planning Committee?

The Panel stated that it was unfortunate that Councillor Nightingale had not responded to Mr Rowe's question. However, the Panel accepted that Councillor Nightingale had explained why he had opposed the application at earlier meetings and that his decision to refer the application to the District Council's Planning Committee was taken as a District Councillor. Councillor Nightingale was no longer a District Councillor when Mr Rowe asked his question at the annual Parish meeting on 16 May. Therefore the Panel concluded that Councillor Nightingale had not breached the Code of Conduct.

Signed:


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Councillor Douglas de Lacey, Chairman of the Code of Conduct Hearing Panel

Dated: 6 November 2018

South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambridge, CB23 6EA