

REPORT TO: Civic Affairs Committee

4 September 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Community Governance Review – Milton Parish Council

Purpose

1. To consider the draft terms of reference, including timetable for the Community Governance review commenced following a request from Milton Parish Council to decrease the number of parish councillors from 15 to 12.

Recommendations

2. It is recommended that the Committee:
 - (a) Agree, with or without amendments, the draft terms of reference and timetable (Appendix A).

Reasons for Recommendation

3. Milton Parish Council has requested a Community Governance Review to reduce its numbers from 15 to 12. In line with NALCs recommendations a parish the size of Milton would have between 10 and 11 councillors. The parish council has been consulted on the draft timeline. The terms of reference are in line with national guidance.

Background

4. On the 26 June the Committee agreed for a Community Governance Review to be conducted following a 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.
5. 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.
6. 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.

7. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a Community Governance Review.
8. The Community Governance Review process, once commenced, should be concluded within 12 months of the publication of the terms of reference.
9. The current electorate for Milton is 3,367 (May 2018) and the existing number of parish councillors is 15. The electorate is forecast to increase to 3,518 by 2023/2
10. In line with NALCs recommendations a parish the size of Milton would have between 10 and 11 councillors.¹
11. 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.
12. 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.

Considerations

13. The timetable for the review has been drafted in consultation with Milton Parish Council. It ensures that the review is completed at the earliest opportunity and within twelve months of publication of the Terms of Reference, which is a requirement of the process.
14. The Terms of Reference have been drafted in accordance with the Department of Communities and Local Government and Local Government Boundary Commission for England - Guidance on Community Governance Reviews (April 2010).

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

Options

15. The Committee could agree, with or without amendments, the draft terms of reference, including a timetable for the review (Appendix A).

Implications

16. 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

17. 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.)

Staffing

18. Staff time will be required to carry out the review, however, this is likely to be minimal given the nature of the review. The time will be spent consulting interested parties, taking account of any representations received and reporting back to the Committee. This can be carried out within existing resources.

Equality and Diversity

19. The Council will work with Milton Parish Council to identify and consult with interested parties.

Effect on Strategic Aims

20. 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.

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