

**REPORT TO:** Civic Affairs Committee

26 June 2018

**LEAD OFFICER:** Head of Sustainable Communities and Wellbeing

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## **Community Governance Review – Milton Parish Council**

### **Purpose**

1. To consider 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) agrees the request from Milton Parish Council for a Community Governance Review to decrease the number of parish councillors from 15 to 12; and
  - (b) agrees for staff to agree a timetable, to be included within the terms of reference, in consultation with Milton Parish Council.

### **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.
4. Should Civic Affairs Committee agree to commence the Community Governance Review process, draft terms of reference, including a timeline, will be brought to the next meeting. It is suggested that the timetable for a review is agreed in consultation with the Milton Parish Council.

### **Background**

5. A request has been received 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.
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. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a Community Governance Review.
9. The Community Governance Review process, once commenced, should be concluded within 12 months of the publication of the terms of reference.

### Considerations

10. 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 2023/24.
11. 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
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 population<sup>1</sup>.

12. In line with NALCs recommendations a parish the size of Milton would have between 10 and 11 councillors.

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

13. 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.
14. 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.
15. Should the Committee agree to commence a Community Governance Review, draft terms of reference for the review, which would include a timetable agreed with the parish council, will be brought to the next Committee meeting for approval.

### **Options**

16. The Committee could agree or disagree to commence a Community Governance Review of the parish of Milton to decrease the number of parish councillors from 15.
17. Should the Committee agree to commence a Community Governance Review of the parish of Milton, they could:
- (a) agree for staff to agree a timetable in consultation with Milton Parish Council;  
or
  - (b) set a timetable for the review.

### **Implications**

18. 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**

19. 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***

20. 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***

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

***Effect on Strategic Aims***

22. 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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