



**REPORT TO:** Civic Affairs Committee 3 November 2020  
**LEAD OFFICER:** Jeff Membery, Head of Transformation  
**LEAD CABINET MEMBER:** Cllr Bill Handley

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

### **Executive Summary**

1. To consider a request from Foxtton Parish Council to increase the council size from 9 to 10 Parish Councillors.

### **Key Decision**

2. No

### **Recommendations**

3. It is recommended that the Civic Affairs Committee:
  - (a) agrees the request from Foxtton Parish Council for a Community Governance Review to increase the number of Parish Councillors from 9 to 10; and
  - (b) agrees, with or without amendments, the draft terms of reference (Appendix B); and
  - (c) agrees for staff to agree a timetable in consultation with Foxtton Parish Council.

### **Reasons for Recommendations**

4. Foxtton Parish Council has requested a Community Governance Review to increase the number of Parish Councillors for the reasons set out in their request (Appendix A) which are summarised as follows;
  - Foxtton has had an increase in housing over the last 10 years of over 60 new properties. This increase in residents naturally adds to the potential of requests to the Parish Council on many diverse matters.

- The current workload of the Parish Council is increasing and they need to allow the workload to be spread over a larger base.
- The Parish Council may see an increase in the number of planning applications.
- There is an ever-increasing number of consultations which they are expected to summarise for parishioners and respond to.
- The number of emails each councillor receives is increasing.
- It is not unusual for two councillors to be away at any one time leaving the remaining councillors at meetings.
- Spreading the workload more evenly between more people would mean it becomes less of a burden and would help to keep all councillors motivated in the service of the community.

## Details

5. A request has been received from Foxton Parish Council that the number of councillors on the Parish Council be increased from 9 to 10.
6. The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) provided 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 arrangement for new and/or exiting parishes. Section 93 of the 2007 Act allows principal councils to decide how to undertake such a review, provided 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. Section 93 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 Principal Council must have regard to the need to secure that community governance is effective and convenient.
7. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a community governance review.
8. Terms of reference would need to be published as soon as practicable following approval by the committee. The community governance review process should be concluded within 12 months of publication of the terms of reference.
9. There is no legislative guidance regarding the number of Parish Councillors per given number of electors, other than that the number of Parish Councillors for each council shall not be less than five.
10. In 1988 the National Association of Local Councils (NALC) 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:

<b>Electors</b>	<b>Councillors</b>	<b>Electors</b>	<b>Councillors</b>
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>.

11. 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.

<b>Electors</b>	<b>Councillors</b>
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

12. Foxton has 1033 electors (October 2020). The electorate is not forecast to significantly increase or decrease over the next five years.

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

13. Any changes to the size of a Parish Council would normally take effect at the next scheduled election of the parish. The next scheduled parish elections in South Cambs will be held in May 2022.

## **Options**

14. The Committee could agree or disagree to commence a Community Governance Review of the parish of Foxton to increase the number of Parish Councillors from 9 to 10.

15. Should the Committee agree to commence a Community Governance Review of the parish of Foxton, they could:

- a) Agree, with or without amendments, the draft terms of reference (Appendix B); and
- b) Agree for officers to agree a timetable in consultation with Foxton Parish Council or set a timetable.

## **Implications**

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

## **Financial**

17. There are no financial costs to the Council. The cost for Parish Council elections falls to the parish.

## **Legal**

18. By section 82 the 2007 Act Councils have a discretionary power to undertake a Community Governance Review.

Section 93 the 2007 Act states the following duties of a Council in undertaking a review:

“(1) The principal council must comply with the duties in this section when undertaking a community governance review.

(2) But, subject to those duties, it is for the principal council to decide how to undertake the review.

- (3) The principal council must consult the following—
- (a) the local government electors for the area under review;
  - (b) any other person or body (including a local authority) which appears to the principal council to have an interest in the review.
- (4) The principal council must have regard to the need to secure that community governance within the area under review—
- (a) reflects the identities and interests of the community in that area, and
  - (b) is effective and convenient.
- (5) In deciding what recommendations to make, the principal council must take into account any other arrangements (apart from those relating to parishes and their institutions)—
- (a) that have already been made, or
  - (b) that could be made,
- for the purposes of community representation or community engagement in respect of the area under review.
- (6) The principal council must take into account any representations received in connection with the review.
- (7) As soon as practicable after making any recommendations, the principal council must—
- (a) publish the recommendations; and
  - (b) take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of those recommendations.
- (8) The principal council must conclude the review within the period of 12 months starting with the day on which the council receives the community governance petition or community governance application.”

These duties are reflected within the Terms of Reference agreed by Committee prior to commencement and must be considered in making a decision.

Section 100(1) of the 2007 Act empowered the Secretary of State to issue guidance as to the carrying out of Community Governance Review's. By section 100(4) of the Act, the Council is obliged to have regard to any such guidance issued.

The currently relevant Guidance was published the DCLG in March 2010 (“the Guidance”).

## **Staffing**

19. Staff will be required to carry out the review. The time will be spent consulting interested parties, taking account of any representations received and report back to the Committee.

## **Risks/Opportunities**

20. Undertaking a Community Governance Review will give Foxtton residents the opportunity to engage with local democracy and determine how they wish to be represented in future. Failure to engage effectively with local communities may render the consultation results open to challenge.

## **Equality and Diversity**

21. The Council will work with Foxtton Parish Council to identify and consult with interested parties. There will be provision for collection of paper submissions and they will also be accepted online and by post.

## **Consultation responses**

22. The Chair and Clerk of Foxtton Parish Council and the local member have been made aware of this report.

## **Alignment with Council Priority Areas**

### **A modern and caring Council**

23. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages and establish successful and sustainable new communities.

## **Appendices**

Appendix A: Foxtton Parish Council's request  
Appendix B: Terms of Reference (Draft)

## **Report Author:**

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