

## COMMUNITY GOVERNANCE REVIEW

### Electoral Arrangements Committee – 27 October 2011

Report of the: Deputy Chief Executive & Director of Corporate Resources

Also to be considered by: Council – 29 November 2011

Status: For Decision

Key Decision: No

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**Executive Summary:** Government and Electoral Commission guidance recommends that district councils review the boundaries and electoral arrangements of parishes every 10-15 years. The previous review was completed in 1999. A review must conclude within 12 months of its commencement.

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**Portfolio Holder** Cllr. Mrs Bracken

**Head of Service** Head of Legal – Mrs Christine Nuttall

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#### **Recommendation to Electoral Arrangements Committee:**

That it be recommended to Council that:

- (a) a community governance review be undertaken;
  - (b) the terms of reference (see Appendix) be adopted; and
  - (c) the timetable for the review, outlined in paragraph 5, be adopted.
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**Reason for recommendations:** It is timely to conduct a review now in accordance with Government and Electoral Commission guidance. The suggested timetable meets the requirement of completing a review within 12 months of its commencement.

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#### **Introduction**

- 1 The Local Government and Public Involvement in Health Act (LGPIH) 2007 devolved the power to take decisions relating to the creation or abolition of parishes, the boundaries of parishes and the electoral arrangements of parish councils from the Secretary of State and the Electoral Commission to principal councils. With effect from February 2008, district councils have had the responsibility for undertaking community governance reviews (formerly known as parish reviews) and have been able to decide whether to give effect to

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recommendations made in those reviews. In making that decision, councils need to take account of the views of local people.

- 2 Councils are required to have regard to guidance issued by the Secretary of State and the Electoral Commission. Guidance suggests that it is good practice for a principal council to consider conducting a review every 10-15 years. In Sevenoaks, the last review was completed in 1999 and so it is timely to conduct a fresh review. There is an opportunity now, ahead of any scheduled elections, to conduct this review and have any recommendations implemented at the next full parish council elections in May 2015. If any recommendations by the District Council to change parish boundaries affect also the boundaries of District wards or Kent County Council electoral divisions, the Electoral Commission will give effect to those changes.

**The Sevenoaks District Council Approach**

- 3 At previous parish reviews, the District Council has taken the view that it is for local people or local groups to suggest changes to the existing set-up. The District Council does not initiate changes but must, ultimately, decide upon any conflicting proposals. It has always placed great store upon proposals having the fullest backing of the local community and neighbouring parishes that may be affected. It will be expected therefore that any submissions to the District Council, which must be in writing, will state what consultations have been held with affected persons or groups and the outcome of those consultations.

**Actions**

- 3 The LGPIH requires the District Council to draw up terms of reference for a community governance review. The review begins when the District Council publishes the terms of reference. The suggested terms are attached as the Appendix.
- 4 The District Council must ensure that interested persons or groups have the opportunity to input to the review and the following actions will be undertaken:
  - Display notice at the Council Offices in Sevenoaks and Swanley
  - Article on the District Council website
  - Article in In Shape
  - Local news release
  - Letter to all parish councils within the Sevenoaks District
  - Letter to other known community groups within the Sevenoaks District
  - Letter to Sevenoaks District Councillors and to Kent County Councillors representing electoral divisions within the Sevenoaks District Council area
  - Letter to Kent County Council



Legal, Human Rights etc.

8. There are no legal or human rights implications in this report.

Resource (non-financial)

9. Staff input will be required to co-ordinate submissions and present them to Members at future meetings of the Electoral Arrangements Committee.

**Conclusions**

10. In accordance with Government guidance, a community governance review is due. There is an opportunity to conduct a review before the next scheduled major election (Police and Crime Commissioners on 15<sup>th</sup> November 2012) and plenty of time to implement the outcome ahead of the next full parish council elections in 2015.

**Risk Assessment Statement**

11. District Councils are expected to carry out community governance reviews every 10-15 years. If the opportunity is not taken now, staff resources may not be available until 2018, the next year of no scheduled elections.

**Background Papers:**

Local Government and Public Involvement in Health Act 2007

The Local Government Act 1972

Guidance on community governance reviews (published jointly by the Department for Communities and Local Government and the Electoral Commission) – April 2008

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