

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

COMMUNITY GOVERNANCE REVIEW

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider undertaking a Community Governance Review of Parish Councils in North Lincolnshire.
- 1.2 To consider and approve the draft Terms of Reference of the review in appendix 1, and
- 1.3 To authorise the Governance Scrutiny Panel to carry out the review and submit its recommendations to Council within required statutory timescales.

2. BACKGROUND INFORMATION

- 2.1 Part 4 of the Local Government and Public Involvement in Health Act 2007 (the 2007 Act), relevant parts of the Local Government Act 1972 and guidance issued in 2010 by the Department of Communities and Local Government and the Local Government Boundary Commission for England allow for, place a responsibility on and guide principal councils on undertaking Community Governance Reviews (CGR) of parishes (town/parish councils) within their district boundary.
- 2.2 The 2007 Act enables principal councils to carry out a review of the whole or part of the district to consider one or more of the following –
 - Creating, merging altering or abolishing parishes
 - The naming of parishes and the style of any new parishes
 - The electoral arrangements for parishes ie. the ordinary year of election, council size, the number of councillors to be elected to the council and parish warding,
 - Grouping of parishes under a common parish council or de-grouping parishesA CGR must –
 - Reflect the identities and interests of the communities in that area, and be effective and convenient.

Consequently, a CGR must take into account –

- The impact of community governance arrangements on community cohesion and
- The size, population and boundaries of a local community or parish

2.3 A CGR provides an opportunity for principal councils to review and make changes to community governance in their areas. Such reviews can be undertaken when there have been changes in population for example, or in response to specific, or local issues to ensure that the community governance in the area continues to be effective and convenient and reflects the identities and interests of the communities involved.

2.4 Following the implementation of the recommendations of the CGR carried out for North Lincolnshire Town Councils in May 2019, a number of parish councils have liaised, and expressed preferences with the Council regarding their electoral arrangements, numbers of councillors and community representation. Also, following the recent periodic electoral review of North Lincolnshire and implementation of its recommendations in May 2023 it is appropriate and timely to consider undertaking a CGR of these arrangements, apply a consistent approach and enhance the opportunity for democratic elections by conducting a review of parish councils across North Lincolnshire. The proposed terms of reference of the CGR are attached as appendix 1.

2.5 During a CGR the council will need to consult local people and take account of any representations received in connection with the review. Before making any recommendations or publishing final proposals, the council will take account of the views of local people in the parishes and will comply with the statutory consultative requirements by –

- Consulting local government electors in the parishes;
- Consulting any other person or body (including other relevant local authorities and parish councils) which appear to the council to have an interest in the review;
- Taking into account any representations received in connection with the review;
- Notifying consultees of the outcome of the review, and
- Publishing all decisions taken (on the council's website) and reasons for such decisions (information on stages of the review will also be published).

2.6 A CGR must, by statute be completed within 12 months from the day on which it commences. The CGR begins when the council publishes its agreed terms of reference and concludes when it publishes the recommendations made in the review. The proposed terms of reference of the review are attached as appendix 1, which specifies the parish areas under review and all matters on which the review is to focus, including consultation.

- 2.7 The council will consider published recommendations following the CGR on those matters defined by its terms of reference. The recommendations must take account of any representations received during consultations and be supported by evidence. The council will then publish its decision and its reasons for taking the decision. A Community Governance Order will then be made to give effect to the decision, and relevant government offices and organisations informed. Any changes will come into effect on a date specified within the CGR's recommendations.
- 2.8 It is proposed that, following a delegation from Council, that the Governance Scrutiny Panel carry out the review as a committee of the Council and make recommendations back to council for its consideration and decision in accordance with statutory requirements and timescales. This will provide cross-party participation and ensure that the review is robust and transparent. (The panel may wish to consider adding non-voting co-opted members if required at any stage of the review).

3. OPTIONS FOR CONSIDERATION

- 3.1 To approve and carry out the proposed CGR of parish councils as set out in the terms of reference in appendix 1.
- 3.2 Not carry out the proposed CGR.

4. ANALYSIS OF OPTIONS

- 4.1 With reference to paragraph 2.4, it is appropriate and in accordance with statutory guidance and good practice to undertake a review of electoral arrangements as part of the community governance of those parishes, and also apply a consistent approach across similar sized parishes within a principal council's boundary. It is also good practice to consider and bring about improved community engagement, better local democracy and ensure electors across the parishes are treated equitably and fairly.
- 4.2 A preliminary examination of the ratios of number of councillors to electorate of the parish councils suggests a variance with some of the current thresholds stated within statutory guidance which can be addressed within a CGR. Similarly, several parish councils have not held contested elections for significant periods of time.
- 4.3 Not carrying out a CGR does not comply with good practice suggested within statutory guidance.
- 4.4 The CGR is also appropriate and timely, has not been significantly affected by, but provides an opportunity to apply consistencies taking into consideration following the recent periodic electoral review of North

Lincolnshire and the implementation of its recommendations in May 2023.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 Carrying out the CGR will be met from within existing budgets, although significant additional officer time, together with potential associated printing and postal costs are likely.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 CGRs can improve community engagement and representation and enhance local democracy and the opportunity for democratic elections.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

6.1 An integrated assessment is not required for this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

7.1 Comprehensive consultation required during the CGR will be carried out in accordance with statutory guidance referred to in paragraph 2.5.

7.2 There are no known conflicts of interest. Any member involved in the CGR who is also a member of a parish council is advised to consider declaring a personal interest prior to consideration of such business at meetings.

9. RECOMMENDATIONS

8.1 That the proposed Community Governance Review as outlined in paragraphs 2.4 and 3.1 above be carried out;

8.2 That the proposed terms of reference of the review as detailed in appendix 1, be approved and published, and

8.3 That the Governance Scrutiny Panel be authorised to carry out the review and make recommendations to the Council for its consideration and decision in accordance with statutory requirements and timescales.

DIRECTOR: OUTCOMES

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Background Papers used in the preparation of this report - Guidance issued in 2010 by the Department of Communities and Local Government and the Local Government Boundary Commission for England.