

Report to: Cabinet



Date of Meeting 14 July 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Broadhembury Parish Council – Community Governance Review

Report summary:

A request has been received from Broadhembury Parish Council requesting that the Council undertake a community governance review under section 80 of the Local Government and Public Involvement in Health Act 2007. The purpose of the review would be to assess whether the approved number of parish councillors for the parish should increase from nine to twelve.

The Parish Council has provided a statement of reasons for its request which is appendix A.

If approved and ultimately implemented the councillor/elector ratio would increase from circa 1 to 64 to 1 to 48. This would be a very high ratio but is justified by the Parish Council on the grounds of improving its effectiveness.

This report asks for the authorisation of Council to carry out the review

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- That the Council undertake a Community Governance Review of Broadhembury Parish Council with a view to establishing whether there should be an increase in the number of parish councillors from 9 to 12.
- That the Terms of Reference be agreed, including the timetable and arrangements for public consultation.
- That further reports will be brought to Cabinet in order that decisions may be made in respect of draft proposals and final recommendations of the Review.

Reason for recommendation:

a) In accordance with the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007; the principal legal framework within which councils must undertake these reviews.

b) Alternative Options

To not take any action and continue with the current membership

c) Risk Considerations

That objections are raised to the principle of increasing the number of parish councillors

d) Policy and Budgetary Considerations

To be dealt with within current budgets.

e) Date for Review of Decision

N/A.

Officer: Mark William, CEO

mwilliams@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information

[Local Government and Public Involvement in Health Act 2007 Communities and Local](#)

[Communities - Guidance on community governance reviews March 2010](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
 - Outstanding Homes and Communities
 - Outstanding Economic Growth, Productivity, and Prosperity
 - Outstanding Council and Council Services
-

Report in full

1 Introduction to Community Governance Reviews

1.1 A Community Governance Review is a review of the whole or part of a district to consider one or more of the following:

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style (i.e. whether to call it a town council or village council etc.) of new parishes;
- the electoral arrangements for parishes – the ordinary year of election, the size of the council, the number of councillors to be elected and parish warding;

- grouping parishes under a common parish council, or de-grouping parishes.

1.2 Under the legislation the District Council must aim to ensure that community governance in the area under review:-

- reflects the identities and interests of the community in that area
- is effective and convenient
- takes into account any other arrangements for the purpose of community representation or community engagement.

1.3 When considering this, the Council should take into account a number of factors, including:

- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of any new local community or parish.

A review involves the following stages:

- (1) Setting terms of reference of the review (if Cabinet recommends a review, suggested terms of reference are set out in Appendix 1);
- (2) Publicising the terms of reference (for the purposes of the Act, the review formally commences when the terms of reference are published);
- (3) Undertaking consultations with the local government electors for the area and any other person or body (including relevant Parish Councils) who appear to have an interest in the review;
- (4) Considering representations;
- (5) Preparing and publishing draft proposals;
- (6) Undertaking consultation on the draft proposals;
- (7) Considering representations;
- (8) Publishing recommendations;
- (9) Making an order to bring into effect any decisions arising from the review;
- (10) A review must be concluded within 12 months of the publication of the terms of reference.

1.4 When undertaking a CGR a principal council must have regard to guidance issued by the Secretary of State and the Electoral Commission. However, subject to this, it is for the Council to decide how to undertake the review.

1.5 A copy of the request for the review is available for inspection and a copy is included in the report summary. The request is clear and reasoned.

Financial implications:

The review will be undertaken by existing staff resources. There will be additional costs for consultation, mainly postage but this is expected to be minimal and can be met within existing budgets.

Legal implications:

The legal implications are detailed in the report.