

COUNCIL

DATE	17 th December 2020
REPORT OF	Councillor Shreeve, Portfolio Holder for Finance and Resources
RESPONSIBLE OFFICER	Rob Walsh, Chief Executive and Electoral Registration Officer
SUBJECT	Barnoldby le Beck Parish Council Community Governance Review 2020
STATUS	Open
FORWARD PLAN REF NO.	Not Applicable

CONTRIBUTION TO OUR AIMS

The Council has two clear strategic priorities – stronger economy and stronger communities. Within that second priority, the proposed change to the representation levels on Barnoldby le Beck Parish Council will have an impact on local democracy within that parish.

EXECUTIVE SUMMARY

Barnoldby le Beck Parish Council has requested that North East Lincolnshire Council conducts a community governance review with regard to increasing the number of councillors on the parish council from five to six. This report asks for the authorisation of Council to carry out that review.

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 of new parishes (i.e., whether to call it a parish council or village council, etc.).
- The electoral arrangements for parishes – the ordinary year of election, the size of the council and parish warding.
- Grouping parishes under a common parish council, or de-grouping parishes.

This review will only consider the electoral arrangements for Barnoldby le Beck Parish Council and not the other issues listed above.

The Local Government and Public Involvement in Health Act 2007 sets out the principal legal framework within which councils must undertake these reviews. All reviews must be completed within a period of one year from the commencement of the review.

RECOMMENDATIONS

1. To approve the request to undertake a community governance review of Barnoldby le Beck Parish Council.

2. To approve the terms of reference and timetable for the review – as set out in Appendix 1.
3. To authorise the Electoral Registration Officer to consult on the proposals in accordance with legislation.
4. To reserve the final decision on the outcome of the review for Full Council in accordance with legislation.

REASONS FOR DECISION

North East Lincolnshire Council has received a request to increase the number of parish councillors at Barnoldby le Beck Parish Council and must respond to this request.

A community governance review will enable the Council to review the current arrangements and seek the views of local residents and stakeholders on the request.

1. BACKGROUND AND ISSUES

- 1.1 The Local Government and Public Involvement in Health Act 2007 devolved 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, through a process called a community governance review.
- 1.2 When undertaking such reviews, Councils must ensure that community governance in the area under review reflects the identities and interests of the community in that area and is effective and convenient. It is important that recommendations made through a community governance review should bring about improved community engagement, more cohesive communities, better local democracy, and result in more effective and convenient delivery of local services.

Request from Barnoldby le Beck Parish Council

- 1.3 The Council has received a request from Barnoldby le Beck Parish Council to increase the number of parish councillors from five to six.
- 1.4 The rationale behind this request is the anticipated increase in electorate in the parish due to the proposed development at Bradley Road. An outline planning application for in excess of 60 houses has already been agreed on this land. The parish council believes that an increase in the number of parish councillors will allow these new residents to be better represented.

Terms of Reference and Timetable for the Review

- 1.5 The Local Government and Public Involvement in Health Act 2007, together with guidance produced by the Local Government Boundary Commission for England, sets out the criteria under which such reviews may be undertaken.

- 1.6 The terms of reference and timetable for the review (see appendix 1) sets out the background to the review; provides more details on how the changes will affect the electorate in Barnoldby le Beck; explains how the consultation will be undertaken; and sets out the timetable for the review.

2. RISKS AND OPPORTUNITIES

- 2.1 There are no direct risks or opportunities associated with this report.

3. OTHER OPTIONS CONSIDERED

- 3.1 The Council can choose to refuse to conduct the Community Governance Review, albeit it will need to explain its reasons for doing so to the Parish Council.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1 The review requires the local authority to consult with appropriate stakeholders as set out in regulations and allow sufficient time for consultation (two periods of consultation are required). The proposed process for consultation is set out in Appendix 1.

5. FINANCIAL CONSIDERATIONS

- 5.1 There will be minimal financial costs involved in undertaking the review, which will include postage costs and stationery. These costs will be met from within existing budgets.

6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no climate change or environmental implications arising from the recommendations in this report.

7. CONSULTATION WITH SCRUTINY

- 7.1 Not applicable at the moment. By law, it is the responsibility of Council to determine whether or not to instigate the community governance review. However, the proposals can be considered by the appropriate scrutiny panel at a future date if that is felt beneficial.

8. FINANCIAL IMPLICATIONS

- 8.1 As outlined in section 5, there are no significant additional costs as a result of the review and these costs will be met from within existing budgets.

9. LEGAL IMPLICATIONS

- 9.1 The review will be conducted having regard to the Local Government and Public Involvement in Health Act 2007 and Localism Act 2011, plus associated guidance.

10. HUMAN RESOURCES IMPLICATIONS

10.1 The work will be undertaken by officers by way of normal business.

11. WARD IMPLICATIONS

11.1 The proposals contained within this report will, if agreed, affect Barnoldby le Beck Parish Council which is located within Wolds Ward.

12. BACKGROUND PAPERS

- The Local Government Act 1972
- The Local Government and Public Health Act 2007
- The Localism Act 2011

13. CONTACT OFFICERS

Stephen McGrath - Team Manager (Elections) (01472 323737)
Helen Isaacs - Director for Communities (01472 326127)

Councillor Stan Shreeve
Portfolio Holder for Finance and Resources

Local Government and Public Involvement in Health Act 2007

Parish of Barnoldby le Beck – Community Governance Review

Terms of Reference

Introduction

On 17th December 2020, North East Lincolnshire Council resolved to undertake a community governance review covering the parish of Barnoldby le Beck. The parish council has requested that the number of parish councillors be increased from five to six in view of impending development on Bradley Road which will create in excess of 60 new properties.

At the request of the parish council, the community governance review will consider the electoral arrangements for the parish of Barnoldby le Beck. It will seek views and consider the following:-

- the ordinary year of election
- council size (the number of councillors to be elected to the parish council)
- parish warding (if felt appropriate, to decide the number and boundaries of any such Wards, number of Councillors to be elected and the name of any such Ward).

Terms of Reference Document

Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish a Terms of Reference document for a Community Governance Review. This document is published to meet that requirement.

The document will be published on the Council's website (www.nelincs.gov.uk) and will also be available to view at the Council offices (Municipal Offices, Town Hall Square, Grimsby, DN31 1HU).

What is a Community Governance Review?

A Community Governance Review is a legal process whereby Councils can create parish councils; review and change parish boundaries; and, in extreme cases, abolish parish councils.

North East Lincolnshire Council must ensure that community governance in the area under review reflects the identities and interests of the community in that area and is effective and convenient. It is important that recommendations made through a community governance review should bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

This means making sure that electors and other interested groups have a say in how local services are delivered in their area. Electors and interested parties will be notified of the proposals by way of a public notice and their feedback will be sought.

A community governance review can consider one or more of the following options:-

- Creating, merging, altering or abolishing parishes.
- The naming of parishes; the style of new parishes; and the creation of parish councils.
- The electoral arrangements for parishes (for instance, the ordinary year of election, council size, the number of councillors to be elected to the council and parish warding).
- Grouping areas under a common parish council or de-grouping parishes.
- Other types of local arrangements.

For the Barnoldby le Beck Parish Council community governance review, it will only consider:

- the ordinary year of election
- council size (the number of councillors to be elected to the council)
- parish warding (if felt appropriate, to decide the number and boundaries of any such Wards, number of Councillors to be elected and the name of any such Ward).

Legislation/Guidance Covering Community Governance Reviews

Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 devolves the power to take decisions about matters such as the creation of town/parishes and their electoral arrangements from the Secretary of State and the Electoral Commission to local government and local communities in England.

The review will be conducted under Sections 79 to 102 of the Local Government and Public Involvement in Health Act 2007 and have regard to Guidance on Community Governance Reviews issued in accordance with section 100(4) of this Act by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010.

The full text of the 2007 Act can be accessed at:
www.opsi.gov.uk/acts2007/ukpga_20070028_en_1

Principal councils are also required to have regard to guidance on undertaking Community Governance Reviews. The guidance can be accessed at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf

Who will undertake the Review?

Full Council at North East Lincolnshire Council will be responsible for undertaking the review. The consultation process will be led by the Elections Team at North East Lincolnshire Council.

At each stage of the review, Full Council will consider any feedback received as part of the consultation process, and then make a final decision on whether or not to change the number of Councillors on Barnoldby le Beck Parish Council.

Why is the Council undertaking a review?

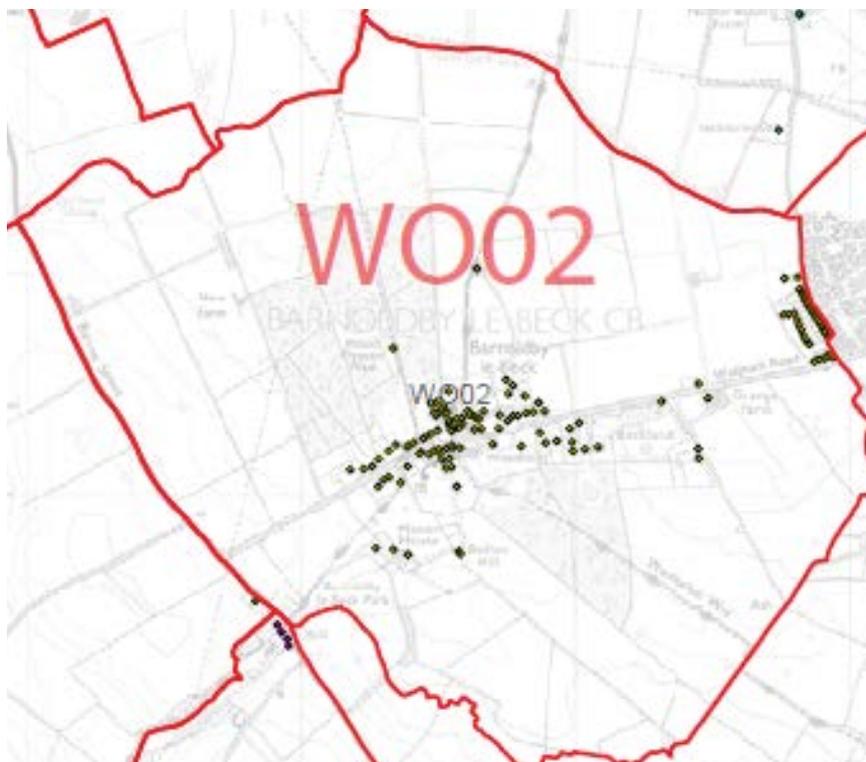
The Council recognises that the development of strong, sustainable communities depends on residents' active participation in decision making and making a positive contribution to improving the place where they live. The Council is therefore committed to engaging effectively with the communities it serves and to enabling local people to participate meaningfully in decisions that affect their lives, where all people feel able to take an active part in influencing service delivery.

North East Lincolnshire Council has received a request from Barnoldby le Beck Parish Council to increase the membership from five to six parish councillors. There are no proposed amendments to the parish boundaries as part of this review.

The rationale behind this request is due to anticipated development on land at Bradley Road. An outline planning application for 66 houses has already been agreed on this land. The parish council believes that an increase in the number of parish councillors will allow these new residents to be better represented.

Area under Review

The area under review is the parish of Barnoldby le Beck.



The Ordinary Year of Election

The Local Government Act 1972 states that the ordinary election of parish councils shall take place in 1975, 1979 and every fourth year thereafter (i.e., 2019, 2023, etc.). The Government, however, has indicated that it wants a parish council electoral cycle to coincide with the cycle for the District Council so that the costs can be shared. If this does not coincide, then the parish council has to pick up the entire cost of any election.

If the review finds that it is appropriate to increase the number of Parish Councillors, it will need to determine the ordinary year of election. The next scheduled date of parish council elections in North East Lincolnshire is May 2023.

Parish Council Requirements

Legislation sets out the following limits for a parish council

- Where the number of electors is 1,000 or more – a parish council must be created
- Where the number of electors is 151-999, a parish council may be created, with a parish meeting being an alternative form of governance
- Where the number of electors is 150 or fewer, a parish council should not generally be created

With effect from the new electoral register published on 1st December 2020, Barnoldby le Beck has 299 electors living in 148 properties. With five current parish councillors, this equates to a ratio of nearly 60 electors per parish councillor.

The proposed development, if approved, will provide in excess of 60 new properties. If they only have one resident living in each property, it will maintain the current Parish Councillor to elector ratio with an additional parish councillor. However, if more than one resident lives in each property, then this ratio will increase.

What considerations cover the number of Parish Councillors?

Whilst the number of councillors for each parish council must not be less than five, there is no maximum number. By law, the Council must have regard to the following factors when considering the number of Councillors to be elected for each 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 the review starts
- The Council will also have regard to the National Association of Local Council recommendations set out in the table below.

Electors	Councillors	Electors	Councillors
Up to 900	5-7	Up to 10,400	17
Up to 1,400	8	Up to 11,900	18
Up to 2,000	9	Up to 13,500	19
Up to 2,700	10	Up to 15,200	20

Up to 3,500	11	Up to 17,000	21
Up to 4,400	12	Up to 18,900	22
Up to 5,400	13	Up to 20,900	23
Up to 6,500	14	Up to 23,000	24
Up to 7,700	15	Up to 45,000	25
Up to 9,000	16		

Parish Warding

Parishes can be split into Wards for the purposes of electing Councillors. This should be considered in any circumstances which make a single election of Councillors impractical or inconvenient, or where it might be desirable for some areas to be separately represented.

The Government's advice is that "the Warding of parishes in largely rural areas that are based predominantly on a single centrally-located village may not be justified or required. Conversely, warding maybe appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edge of towns, there has been some urban overspill into the parish".

Consultation Process

As part of this review, the Council intends to consult with electors in Barnoldby le Beck; North East Lincolnshire Council Ward Councillors; Barnoldby le Beck Parish Council; and other interested stakeholders. In addition, North East Lincolnshire Council will be pleased to receive comments from any person or body that wishes to make representations during the review.

The consultation responses will be published on the North East Lincolnshire Council website and will be available for inspection at Municipal Offices, Town Hall Square, Grimsby.

The Council intends to clearly publish all decisions taken during the review, give reasons for taking such decisions and to conduct the process transparently so that local people and local stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reason why those decisions were made.

Community Governance Review Timetable

Stage	What happens	Date/Timescale
Commencement of the review Stage 1	Publication of terms of reference Consultation period Submissions are invited	First consultation period - 6 weeks (during January to February 2021)

Stage 2	Consideration of submissions Draft recommendations prepared and published	Council will consider submissions and make draft recommendations at a meeting in March 2021 Second consultation period – 8 weeks (during April to June 2021)
Stage 3	Full Council Decision	July 2021

Feedback

Responses to the consultation may be made in the following ways:

- Completing online survey on: www.nelincs.gov.uk
- By email to: elections@nelincs.gov.uk
- In writing to: Elections Team, North East Lincolnshire Council, Municipal Offices, Town Hall Square, Grimsby, DN31 1HU.