

## **COUNCIL**

<b>DATE</b>	29 <sup>th</sup> July 2021
<b>REPORT OF</b>	Councillor Shreeve, Deputy Leader and Portfolio Holder for Finance, Resources and Assets
<b>RESPONSIBLE OFFICER</b>	Rob Walsh, Chief Executive and Electoral Registration Officer
<b>SUBJECT</b>	Barnoldby Le Beck Parish Council Community Governance Review 2020
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	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**

The purpose of this report is to update Members on the community governance review of Barnoldby Le Beck parish following the request from the Parish Council to increase the size of its membership from five to six parish councillors.

The report sets out the feedback received to the second consultation period (appendix one) and makes a number of recommendations regarding completing the community governance review.

### **RECOMMENDATIONS**

1. To receive and note the responses received to the second consultation period, as set out in Appendix 1.
2. That in the interests of effective and convenient local government and having taken into consideration the representations received:
  - The number of parish councillors on Barnoldby Le Beck Parish Council be increased from five to six.
  - That the change take effect from the next parish council elections in May 2023 to coincide with the rest of the parish council elections in North East Lincolnshire.
  - That the parish council remain unwarded.
3. To authorise the Assistant Director of Law, Governance and Assets to make a reorganisation of community governance order to implement the changes agreed by Council.

## REASONS FOR DECISION

Following the second consultation period, Members are asked to consider and note the responses received in Appendix 1.

Based on the feedback, it is clear that there is no objection to the increase in parish council membership. Given the relatively small size of the parish council, there is no need to create Wards within the parish council – this view is supported by the parish council.

The Parish Council has confirmed that they are happy to wait until May 2023 to increase the membership of the parish council. Any elections held in May 2022 would have been for one year only, and the parish council would be responsible for any additional cost of the elections if they were held.

### 1. BACKGROUND AND ISSUES

- 1.1 At Council on 17<sup>th</sup> December 2020, Members agreed to undertake a community governance review of Barnoldby Le Beck Parish Council. The review was agreed following a request from the Parish Council which sought an increase of one in the number of parish councillors, from five to six.
- 1.2 To justify their request, the parish council points out that has been approximately 10 dwellings built in the past 5 years and there is possibility of a further 82 dwellings on land at Bradley Road if the planning application is approved. An outline planning application has already been approved for 66 houses on this site.
- 1.3 The parish council believes that an increase in the number of parish councillors will allow these new residents to be better represented.
- 1.4 The parish of Barnoldby Le Beck currently has an electorate of 298 (electoral register published on 1<sup>st</sup> March 2021).

### Timetable of the Review and Progress to Date

- 1.5 The Barnoldby Le Beck community governance review began on 17<sup>th</sup> December 2020 with the publication and agreement of Council for the terms of reference setting out the aims, process and timetable for the review.
- 1.6 The first period of public consultation began on 18<sup>th</sup> January 2021. A letter was sent to every household in Barnoldby Le Beck and other key stakeholders (e.g. Ward Councillors, MPs, political parties and interested groups) were invited to make initial submissions on the Parish Council's proposal. In addition, a dedicated webpage about the review was included on North East Lincolnshire Council's website, and a link to this webpage was included on Barnoldby Le Beck's Parish Council webpage.
- 1.7 The Council then published its draft recommendations, and a second period of public consultation ran from 14<sup>th</sup> May until 9<sup>th</sup> July 2021. The comments received back are in Appendix 1.

## Criteria for Making Recommendations

- 1.8 Section 93 of the Local Involvement in Public Health Act 2007 requires principal councils to ensure that community governance within the area under review will be:-
- Reflective of the identities and interests of the community in that area; and
  - Effective and convenient.
- 1.9 The Local Government Boundary Commission for England guidance states that when considering these criteria, councils should consider various factors including the impact of community governance arrangements on community cohesion; and the size, population and boundaries of a local community or parish.

## Parish Council Size

- 1.10 The Local Government Act 1972 (as amended) specifies that each parish council must have at least five parish councillors. There is no maximum number; no requirement in legislation that the number of parish councillors should be proportional to electorate size and no legislative guidance on the ideal number of parish councillors.
- 1.11 The Local Government Boundary Commission for England's guidance is that "each area should be considered on its own merits, having regard to its population, geography and pattern of communities. Nevertheless, having regard to the current powers of parish councils, the Principal Council should consider the broad pattern of existing parish council sizes. This pattern seems to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government. Principal Councils should also bear in mind that the conduct of parish council business does not usually require a large body of parish councillors.
- 1.12 The statutory guidance goes on to state: "In addition, historically, many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size".
- 1.13 Although there is no statutory guidance on the number of parish councillors to be allocated, the National Association of Local Councils (NALC) has published recommendations on the matter. NALC circular 1126 (1988) recommends that a council of no more than the legal minimum of five is inconveniently small and the practical number should be seven, to apply to any parish council with up to 900 electors. Further recommendations were made for parishes with larger electorates, up to a maximum of 25 councillors where the electorate exceeds 23,000.

1.14 The Aston Business School also published research in 1992 which showed actual levels of representation at that time as follows:

Electors	Councillors	Electors	Councillors
Up to 500	5 - 8	10,001 to 20,000	13 - 27
501 to 2,500	6 - 12	Over 20,001	13 - 31
2,501 to 10,000	9 - 16		

### Responses to the Consultation

1.15 The responses to the consultation are set out in Appendix 1.

1.16 All respondents were either supportive or had no objections to the proposed increase in the number of parish councillors.

### Issues for Consideration

#### (a) The Number of Parish Councillors to be Elected

1.17 Barnoldby Le Beck Parish Council currently has five parish councillors. The number of electors and parish councillors across North East Lincolnshire is as follows:-

Parish Council	Number of Electors (as of 1 <sup>st</sup> March 2021)	Number of Parish Councillors
Ashby cum Fenby	198	6
Barnoldby Le Beck	298	5
Bradley	198	6
Brigsley	297	7
Great Coates	1,148	9
Habrough	522	7
Healing	2,410	10
Humberston	5,045	12
Irby Upon Humber	111	5
Laceby	2,642	10
New Waltham	4,437	15
Stallingborough	1,067	9
Waltham	5,122	15

1.18 The proposed increase in number of parish councillors would make Barnoldby Le Beck consistent with the parishes of Ashby cum Fenby, Bradley and Brigsley, which have less electors but more parish councillors.

1.19 In considering the number of councillors to be elected for each parish and the number of electors they represent, the council will, as required by the 2007 Act, have regard to the current number of electors; and any change in that number which is likely to occur in the next five years. In the past few years, development in the village has remained extremely low. However, outlined planning permission has been granted for 60+ houses on land at Bradley Road. If approved, this could increase the electorate by at least 90+ residents.

1.20 Whilst there is no duty to ensure electoral equality between parishes, the Local Government Boundary Commission for England believes that it is not in the interest of effective and convenient local government, either for voters or councillors, to have significant differences in representation.

(b) Warding

1.21 The Council must consider whether a parish should be divided into Wards for the purposes of elections to the parish council. Furthermore, it must also consider the number and boundaries of parish Wards, taking account of population distribution and community identity and interests in the area.

1.22 Regarding whether a parish should be divided into Wards, the 2007 Act requires the Council to consider whether:-

- The number, or distribution of the local government electors for the parish would make a single election of Councillors impracticable or inconvenient; and
- It is desirable that any area or areas of the parish should be separately represented.

1.23 Barnoldby Le Beck Parish Council is currently unwarded and it is not suggested that the forecast change in the electorate or the proposed increase of one in the size of the parish council give rise to any need for this to change. This view is supported by Barnoldby Le Beck Parish Council who confirm that they wish the parish council to remain unwarded.

(c) Year of Election

1.24 All Town and Parish Council elections are held in the same electoral cycle in North East Lincolnshire. The next parish council elections are due in May 2023.

1.25 The Parish Council has written to confirm that they are happy for the elections to be held in May 2023 as they would not incur any potential parish council election recharges if elections were held in May 2022 (e.g. ballot papers, etc).

## 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). Two periods of consultation have now been held in accordance with the terms of reference which were agreed by Council on 17 December 2020.

## **5. FINANCIAL CONSIDERATIONS**

- 5.1 There will be minimal financial costs involved in undertaking the review, which will include postage costs and stationery (letters sent to all residents). 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 By law, it is the responsibility of Council to determine 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 on the community governance review 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**

Barnoldby Le Beck Community Governance Review - Report to Council on 17<sup>th</sup> December 2020

Barnoldby Le Beck Community Governance Review - Report to Council on 18<sup>th</sup> March 2021

Legislation:

- 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 – Assistant Chief Executive (01472 326127)

**Councillor Stan Shreeve**  
**Deputy Leader and Portfolio Holder for Finance, Resources and Assets**

**Responses from Public Consultation – Barnoldby Le Beck**

Consultees were asked for their views on the following proposals, which were agreed at the last meeting of Council:

- To increase the number of parish councillors from five to six
- To implement the change with effect from the next parish council elections in May 2023 to coincide with the rest of the parish council elections in North East Lincolnshire.
- That the parish council remain unwarded.

<b>Respondent</b>	<b>Comment</b>
Barnoldby Le Beck Parish Council	I have spoken to the Chair and due to the possible risk of the Parish Council funding the additional cost of holding the election in 2022, which they do not have sufficient funds for, the Chair has confirmed to wait until 2023 as you have suggested.
Ward Councillor	<ol style="list-style-type: none"> <li>1. Future and current development is increasing the electorate and the number of youngsters in the village. Decisions will need to be made at Parish level on the requirements of a younger resident demographic. Increasing the number of Councillors should get a better cross section of the community to make better, relevant decisions.</li> <li>2. Implementation should be as soon as practicable. It is reasonable for this to coincide with Parish Elections in 2023, unless it can be done sooner. Sooner would be my preference. This would enable the Parish to be ahead of the needs of the inevitable growth of village population as local employment increases and particularly well-paid workers will see Barnoldby le Beck as an aspirational place to live and bring up their children.</li> <li>3. There is no reason to change the Warding of the Parish.</li> </ol>
Ward Councillor	I agree with [Ward Councillor's first name] comments above.
ERNLLCA	<ol style="list-style-type: none"> <li>1. ERNLLCA supports the proposal</li> <li>2. ERNLLCA supports the parish council's position in asking for the election to be held in 2022 if it is willing to pay for the election costs. We understand the council's desire to move forward.</li> <li>3. ERNLLCA supports this proposal.</li> </ol>
Political Party	[Political Party Name] agrees with the three recommendations made.
MP	I agree with all of the recommendations.
MP	I have no objections and am pleased to support the recommendations.

In addition, the Elections Team did receive an email from one household regarding a planning application in the parish of Barnoldby Le Beck.