

Committee:	Governance Audit and Performance Committee	Date:
		Thursday, 22 October 2020
Title:	Community Governance Review 2021	
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Summary

1. There is a need to progress a Community Governance Review of parish boundaries and electoral arrangements following a decision of the Council in 2013 to do so. The next step is for the Governance, Audit and Performance Committee to agree a timetable and terms of reference.

Recommendation

2. To approve:

the terms of reference and timetable of a district-wide community governance review of parishes, as set out in Appendix A. This to include the scheduling of an extraordinary meeting of the committee (if necessary) to enable the review to be concluded before publication of the revised register of electors on 1st December 2021;

Financial Implications

3. There are no financial implications other than officer time and some printing costs.

Background Papers

4. The following papers were referred to in the preparation of this report and are publicly available or available for inspection from the author of the report:
 - Minutes of Council 23 February 2013;
 - The Local Government Boundary Commission for England guidance “Guidance on community governance reviews”;
 - The Local Government and Public Involvement in Health Act 2007;
 - The Uttlesford (Electoral Changes) Order 2014;
 - Minutes of the Governance Audit and Performance Committee 15 November 2018.

Impact

5.

Communication/Consultation	Consultation with statutory consultees, the public and all parish and town councils within the district will take place.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	Any alterations to parish boundaries may have an impact on ward boundaries.
Workforce/Workplace	None

Situation

6. The Council has received a request from three parish councils to carry out a Community Governance Review in relation to a parish boundary adjustment between the parishes of Great and Little Chesterford due to housing development. The two parish councils have jointly expressed this. The other request is from Chrishall Parish Council to reduce its representation from nine members to seven or even five.
7. At its meeting on 23 February 2013, the recommendation of the then Democratic and Electoral Services Manager was that the review should not commence immediately because of the potential uncertainty and confusion that carrying out a Community Governance Review might create if proceeding at the same time with the further electoral review. Accordingly, the Council decided to conduct the community governance review at a future date.
8. The further electoral review conducted by the Local Government Boundary Commission for England led to the Uttlesford (Electoral Changes) Order 2014. Other priorities and insufficient officer capacity meant that there has been no practical opportunity, until now, to progress the review. However, a localised review took place in 2018 ahead of the parish council elections in 2019 in response to housing development in Little Easton parish for the Woodlands Park development, which was transferred to the Great Dunmow parish. At the same time the number of parish councillors for the North Ward of Great Dunmow parish was increased by two. Also the parish of Aythorpe Roding had its number of councillors increased by one.
9. The proposal is that a full review takes place after the May 2021 elections and be concluded for any parish boundary changes to be reflected in the revised register of electors which must be published on 1 December 2021. Any revised electoral arrangements will come into effect at the first ordinary elections to the parish council following the Reorganisation Order. It is important that such orders should be made sufficiently far in advance to allow preparations for the

conduct of those elections to be made. The next scheduled ordinary elections are in May 2023.

10. There is a duty on the Council, as a “principal authority” under the relevant legislation to have regard to the need to secure that any community governance for the area under review reflects the identities and interests of the local community in that area, and that it is effective and convenient.
11. The next steps are to publish a timetable and the terms of reference of the community governance review for all parish councils within Uttlesford.
12. The suggested terms of reference for a community governance review in 2021 and the proposed timetable and consultation process, are set out in Appendix A.
13. Uttlesford District Council as the principal council has the power to make an Order affecting parish boundaries and parish electoral arrangements. The Council does not have the power to change district ward, county electoral division boundaries, or electoral arrangements for these administrative levels. However, if an Order is made by the Council to alter the parish ward boundary, then the Local Government Boundary Commission for England (LGBCE) would consider making, by means of a Consequential Changes Order, an alteration to the district wards and county divisions affected. Changes made by virtue of an Order under the community governance review would take effect at the next ordinary election of parish councillors. It is possible that changes made by a Consequential Order may be made during the same timescale.

Risk Analysis

14.

Risk	Likelihood	Impact	Mitigating actions
2 That identities and interests of the local community in the area are not reflected, and that community governance is not effective or convenient	2	2	To conduct a full district-wide community governance review in ample time to take effect at the ordinary local elections in May 2023.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

APPENDIX A

Terms of reference

- To review the community governance arrangements for all parish councils to ensure they reflect the identities and interests of the local community in that area, and whether it is effective and convenient including its appropriate member representation.
- To consider parish warding or de-warding, as appropriate.
- To consider ward and electoral division boundary changes consequential upon any parish boundary change made, as a matter then to be referred to the Local Government Boundary Commission for England.

Consultation on the terms of reference

The requirement is to consult the local government electors in the area under review, and others which have an interest in the review. Consultees will therefore include:

- Local government electors
- Parish councils
- Essex County Council
- Ward Councillors
- Local residents' associations
- Essex Association of Local Councils

Community Governance Review Timetable

Dates may alter due to matters requiring direct consultation or research resulting from submissions. Any such alteration of the timetable will be authorised by the Governance, Audit and Performance Committee and notification published of any alteration of date or extension of the timetable.

Stage	Activity	Date
Initial report to Governance, Audit and Performance Committee	Agreement of terms of reference and timetable to start review	22 October 2020
Commencement	Publication of terms of reference and timetable	1 June 2021
Stage 1 Consultation	Identification of known matters regarding parish councils to be publicised and initial submissions invited.	1 June – 30 July 2021

Stage	Activity	Date
Consideration of submissions received	Representations to be collated and investigated; recommendations to Committee to be prepared.	2 August – 3 September 2021
Further report to Governance, Audit and Performance Committee	Agreement on recommendations.	TBC October 2021
Stage 2 Consultation	Publication of recommendations for further representations to be received on such recommendations.	TBC October – 30 October 2021
Decision of Committee	Agreement on recommendations for implementation on 1 December 2021.	TBC November 2021
Order made	Publication of Order and request made to Local Government Boundary Commission for consequential order to district ward and county electoral division boundaries, as appropriate.	November 2021 – exact date TBC
Publication of revised register	Publication of revised register incorporating revised parish boundaries (if any).	1 December 2021
Implementation of changes to district ward and county electoral division boundaries (if any)	Consequential Changes Order to be made by the Local Government Boundary Commission (if required)	Date TBC