

Committee:	Governance, Audit and Performance Committee	Date:	Thursday, 26 July 2018
Title:	Community Governance Review 2018		
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Summary

1. There is a need to progress a community governance review of parish boundaries and electoral arrangements in relation to the parishes of Little Easton and the Dunmow North ward of Great Dunmow, following a decision of the Council in 2013 to do so. A formal request in relation to the electoral arrangements at the parish of Aythorpe Roding has also been received. The next step is for the Governance, Audit and Performance Committee to agree a timetable and terms of reference to enable a review of community governance to address these requests.

Recommendation

2. To approve the terms of reference and timetable of a limited community governance review as set out in Appendices 1 and 2, including scheduling of an extraordinary meeting of the committee to enable the review to be concluded before publication of the revised register of electors.

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 by the author in the preparation of this report and are available for inspection from the author of the report. The following papers were referred to by the author in the preparation of this report and are publicly available or available for inspection from the author of the report.
 - Requests submitted to the Council from the parish councils referred to above
 - Minutes of Council 23 February 2013
 - The Local Government Boundary Commission for England (LGBCE) guidance "Guidance on community governance reviews"
 - The Local Government and Public Involvement in Health Act 2007
 - The Uttlesford (Electoral Changes) Order 2014

Impact

5.

Communication/Consultation	Consultation will take place with statutory consultees, Essex Association of Local Councils, the public and the parish councils of Great Dunmow and Little Easton and Aythorpe Roding.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	Thaxted and the Eastons, Great Dunmow, High Easter & The Rodings
Workforce/Workplace	None

Situation

6. The Council has received a request from three parish councils to carry out a community governance review. Two requests are from parish councils which adjoin each other, Little Easton and Great Dunmow, which have requested a parish boundary adjustment to a section of their shared border. A further unrelated request has been received from the parish council of Aythorpe Roding, in relation to increasing the number of its parish councillors to address problems with holding meetings which are quorate.
7. In further detail, dealing first with the two parish councils of Little Easton and Great Dunmow, these parish councils have each expressed an aspiration that the parish boundary should be altered so that the area to which the request related would be transferred from one parish to the other. The area in question is the development referred to as "sector 4", part of the Woodland Park development. Sector 4 is in the parish of Little Easton, situated, on its South-East side, next to the border of Great Dunmow North parish ward. It falls within the district ward of Thaxted & The Eastons, and within the county division of Thaxted.
8. The view of the parish councils concerned is that occupiers of houses at the sector 4 site would have an affinity with the town of Dunmow, being geographically close to it. Little Easton Parish Council has expressed the view

that parishioners of Little Easton would wish the parish to retain its rural character. Whilst there is no obligation to consider the request under the legislation, since the request was not submitted as a petition under s. 80 of the Local Government and Public Involvement in Health Act 2007, the Council took the view that it would agree to progress the review. Advice from the LGBCE is that parish boundary changes should be kept up to date, as they form the building blocks for the other administrative levels of government.

9. At its meeting on 23 February 2013, in response to a request from the parish councils of Little Easton Parish Council and Great Dunmow, the Council decided to conduct a community governance review into the boundary anomaly caused by the development of sector 4. 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 in relation to the request of Little Easton Parish Council at a future date.
10. The further electoral review conducted by the Local Government Boundary Commission for England led to The Uttlesford (Electoral Changes) Order 2014. Lack of resources has meant that, in relation to the boundary review affecting Little Easton and Great Dunmow, there has been no practical opportunity until now, to progress the review. However, there is now an opportunity to conduct the community governance review over the next four months. The time is constrained by the fact that any boundary change would need to be reflected in the revised register of electors which must be published on 1 December each year. 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 2 May 2019.
11. The request from Aythorpe Roding Parish Council for a review of electoral arrangements was submitted by the Parish Clerk by email on 3 June 2017. The Parish Council currently has 5 councillors, and wishes to increase the number by one or two. The reason given for the request was that new developments had increased the electorate and that the number of parish councillors causes problems with arranging meetings which are quorate. The number of meetings held during any year is six. The parish clerk reports that during the previous year one meeting was inquorate and during the current year one meeting which would otherwise have been inquorate has had to be re-arranged. The clerk is aware of at least one person who would be interested in becoming a parish councillor. She reports that the view of the Parish Council is that at least one additional councillor is desirable because there has been development at a number of locations in the parish, which has increased the population. The electorate is currently 207 electors, and has increased by 9 since 2017. The Council has not yet agreed to conduct a community governance review. The Committee is therefore asked to consider whether to agree to this request, and if it does consider it appropriate to conduct the review, whether to include it in the terms of reference for the

community governance review already agreed to be conducted in respect of Little Easton Parish Council and Great Dunmow North ward of Great Dunmow parish council.

12. 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.
13. The next steps are to publish a timetable for consultation and terms of reference for consideration of the boundaries and electoral arrangements at Little Easton parish and Great Dunmow North parish ward, and for consideration of the electoral arrangements at Aythorpe Roding. The public and specifically the parishes in the relevant areas will be consulted. Other stakeholders to be notified will include Essex County Council, Essex Association of Local Councils, relevant district ward members and any identified community groups. The terms of reference of the community governance review will be published to the parish councils concerned. It is proposed that any additional suggestions which may come forward in relation to other parish boundaries or electoral arrangements are considered as part of a later district-wide review, between 2019 and 2023, which would be a significant project requiring planning for resources.
14. The suggested terms of reference for a community governance review in 2018 are set out at Appendix A. The suggested timetable and consultation process is set out at Appendix B.
15. The principal council can only make an order affecting parish boundaries and parish electoral arrangements. The Council therefore does not have the power to change district ward or 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. Although if the LGBCE should for any reason not make a consequential order before the May 2019 elections, resulting in a period during which the parish and district or county boundaries were not synchronised, arrangements would be put in place to enable electors, if any are in occupation in Sector 4 at the time of those elections, to participate in all local elections at which they would be entitled to vote. The LGBCE is aware of the suggested terms of reference and timetable and has indicated that there is no reason not to proceed.

16.

Risk Analysis

17.

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 limited community governance review in time to take effect for the ordinary local elections in May 2019.

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

1. To review whether the community governance for the specified area under review, described at paragraph 2 below, and identified on the accompanying map, reflects the identities and interests of the local community in that area, and whether it is effective and convenient. The area of focus of the review will primarily be whether the area of the existing parishes of Little Easton and Great Dunmow North ward should be altered, and to make recommendations as to related alterations to the boundaries of the District Council's electoral areas, and the County electoral divisions. Consideration will be given to whether to modify the parish boundary so that the area would instead be situated in the Great Dunmow North ward of the parish of Great Dunmow.
2. The specific area for the consideration of a boundary review is the development known as Sector 4 at the Woodlands Park development at Great Dunmow which is located in the parish of Little Easton, and shown in brown on the attached map (the parish boundary being marked in green).
3. To consider the governance of altered parishes, having regard to the need for community governance within the area under review to reflect the identities and interests of the community of that area to ensure the governance is effective and convenient.
4. To consider parish warding.
5. 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.
6. To consider electoral arrangements in the parish of Aythorpe Roding.

APPENDIX B

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
- The Parish Councils named in the report
- Essex County Council
- Essex Association of Local Councils
- Relevant district ward councillors
- Local residents' associations, where relevant

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	26 July 2018
Commencement	Publication of terms of reference and timetable	30 July 2018
Stage 1 Consultation	Initial submissions invited.	30 July – 31 August 2018
Consideration of submissions received	Representations to be collated and investigated; recommendations to Committee to be prepared.	3 September – 21 September 2018
Further report to	Agreement on	9 October 2018

STAGE	ACTIVITY	DATE
Governance, Audit and Performance Committee	recommendations	(extraordinary meeting before Council)
Stage 2 Consultation	Publication of recommendations for further representations to be received on such recommendations.	15 October – 26 October 2018
Decision of Committee	Agreement on recommendations for implementation on 1 December 2018.	15 November 2018
Order made	Publication of order and request made to Local Government Boundary Commission for consequential order to district ward boundaries if any affected.	16 November 2018
Implementation of changes to district ward and county electoral division boundaries (this stage is not part of the community governance review), as it would be within the remit of the LGBCE	Consequential changes order to be made by Boundary Commission	To be notified by the LGBCE