

Allerdale Borough Council

Council – 7 March 2018

Community Governance Reviews

The Reason for the Decision:	A number of parish councils have formally requested that this Council carries out a Community Governance Review of their respective areas
Summary of options considered:	To agree to undertake the reviews on the terms requested and to set up a Working Group to manage the process.
Recommendations:	<ol style="list-style-type: none">1. That Council agrees to carry out the Community Governance Reviews of the following parish areas:<ul style="list-style-type: none">• Broughton• Embleton• Keswick• Winscales2. That the Terms of Reference for the Community Governance Reviews, as set out at Appendix A to the report, are agreed.3. That the Terms of Reference for the current Workington Community Governance Review are amended as set out at Appendix B to the report to include an option to consider proposals for the Winscales parish area.4. That a Community Governance Review Working Party consisting of the Allerdale councillors for the parish areas of Broughton, Embleton, Keswick and Winscales be established to co-ordinate the reviews and to make final recommendations to Council.
Financial / Resource Implications	There will be some financial implications associated with the public engagement work and with the cost of holding a number of working group meetings. The

cost will be dependant on the type and extent of the engagement. There will also be a resource pressure on the Electoral Services team in carrying out the reviews.

Legal / Governance Implications	Implications for electoral administration of the parish
Community Safety Implications	None
Health and Safety and Risk Management Implications	None
Equality Duty considered / Impact Assessment completed	N/A
Wards Affected:	Broughton St Bridget's, Crummock, Keswick and Harrington
Is this a Key Decision:	Yes
Portfolio Holder:	Councillor Joan Ellis
Lead Officer	Lindsay Tomlinson Electoral Services Manager Tel: 01900 878657 lindsay.tomlinson@alldale.gov.uk

Report Implications

Community Safety	N	Financial	Y
Legal	Y	Partnership	N
Social Inclusion	N	Asset Management	N
Equality Duty	N	Health and Safety	N
Employment (internal)	Y	Employment (external to the Council)	N

Background Papers

- Local Government and Public Involvement in Health Act 2007
- LGBCE Guidance on Community Governance Reviews
- LGBCE Final recommendations for new local government electoral arrangements for Allerdale Borough Council

1.0 Introduction

1.1 Section 100 of the Local Government and Public Involvement in Health Act 2007 (The Act) sets out the process by which Principal Authorities such as Allerdale Borough Council can carry out a Community Governance Review (CGR) of parish arrangements within its area.

1.2 CGRs can cover such issues as

- changing boundaries of existing parishes,
- reviewing ward boundaries within a parish, and ward names
- setting up a new parish in an unparished area
- the electoral arrangements of a current or new parish (for example council size, electoral cycle)
- the grouping or de-grouping of parishes

2.0 Request for Community Governance Review of Parish areas

2.1 Members of the Cumbria Association of Local Councils (CALC) had some time ago discussed with officers at Allerdale the potential for reviews of some parish areas. It was agreed that this would be considered at the end of the Allerdale review by the Local Government Boundary Commission for England.

2.2 Representatives from CALC met with with Allerdale's Head of Governance, Electoral Services Manager and Parish Liaison officer in January 2018 and asked that all parishes in the area be contacted to request if any of them felt that they needed a review of their electoral arrangements.

2.3 Four parish councils have formally resolved to request a CGR:

- Broughton Parish Council would like a review of council size as they feel the current number of 12 is not sustainable and they are unable to attract interest in candidates to stand for empty seats
- Embleton Parish Council is currently warded – Embleton, Setmurthy and Wythop wards. The parish does not feel that this arrangement works well for them as it provides some administrative issues. They are of the opinion that a parish council of that size does not need to be warded.
- Keswick Town Council would like a review of council boundaries, focussing on the current boundary with the line of the A66 northern bypass incorporating part of Underskiddaw Parish and to include part of St Johns Castlerigg and Wythburn Parish (12 properties at Lonscale View).
- Winscales Parish Council have indicated that all but one of their six remaining members will be resigning with effect from 31 March 2017. The council has a relatively low electorate and apparently struggles to fill its 7 seats. It has asked for a review with an open remit, and has included a suggestion that the Winscales parish area be subsumed within the Workington parish area. This clearly will have an impact on

the current Workington CGR and will need to be considered by the Working Group currently looking at that review. It is therefore that the terms of reference for the Workington CGR, as approved by Council on 15 November 2017 be amended to include the option of looking at including the parish area of Winscales within the Workington parish area. Amended Terms of Reference are set out at Appendix B.

- 2.4 There is no set formula for determining the optimum number of councillors representing the electorate in their area, however the Electoral Commission makes it clear that in order to ensure everyone's vote is equal, elector to councillor ratios should be "as equal as they can be" across the electoral area.
- 2.5 Where CGRs are commenced by council resolution (as opposed to petition) there is no time limit on the length of the review, but any changes agreed by Council must be implemented at the next ordinary parish council elections in May 2019.
- 2.6 The main focus of the work of the CGRs will be in connection with planning and delivering the consultation events across the affected areas. From the outcome of those events and consultation with the relevant parish councils and other key stakeholders, draft Reorganisation Orders will be prepared. It is suggested that this work should be carried out by a working group comprising the eight elected members from the Allerdale Borough Council wards covering the parishes involved in the reviews (Broughton St Bridget's, Crummock, Keswick and Harrington) supported by the Electoral Services team and with input from the Communications team. As Allerdale Borough Council is the responsible body for the CGRs then the working group must comprise Allerdale Borough Councillors. The relevant parish councils will be consultees during the process and as such will be invited to send representatives to the working group meetings.
- 2.7 The working group will not have any delegated decision making powers beyond agreeing the programme of consultation, the timetables for the reviews and making final recommendations to Council..
- 2.8 Council must agree the Terms of Reference of any CGR before it commences; draft Terms of Reference for all of the reviews are set out at Appendix A.

3.0 Polling Districts and Polling Scheme

- 3.1 As previously reported to Council in November 2017, the LGBCE review of Allerdale will require a full review of the authority's polling districts and polling scheme prior to the May 2019 Borough Council elections. Where possible, co-terminosity of polling districts will be sought across the various administrative boundaries so as to help the logistical process of administering elections at all levels and ensure clarity for electors.

3.2 A review of the polling scheme will aim to ensure as far as possible that each new polling district has an appropriate polling place and polling station.

4.0 Finance/Resource Implications

4.1 The duty to carry out a Community Governance Review and to bear the associated costs rests with Allerdale Borough Council as the principal authority. The costs will mainly arise from the public consultation events and from the running of working group meetings. There will be an inevitable impact on the Electoral Services team as a consequence of managing the reviews, particularly during the busy household canvass period.

5.0 Legal Implications and Risks

5.1 The procedure for conducting a Community Governance Review is set out in legislation. Appropriate guidance and advice will be sought at all stages to ensure compliance with the statutory requirements.

6.0 Recommendations

6.1 That Council agrees to carry out the Community Governance Reviews of the following parish areas:

- Broughton
- Embleton
- Keswick
- Winscales

6.2 That the Terms of Reference for the Community Governance Reviews, as set out at Appendix A to the report, are agreed.

6.3 That the Terms of Reference for the current Workington Community Governance Review are amended as set out at Appendix B to the report to include an option to consider proposals for the Winscales parish area.

6.4 That a Community Governance Review Working Party consisting of the Allerdale councillors for the parish areas of Broughton, Embleton, Keswick and Winscales be established to co-ordinate the reviews and to make final recommendations to Council.

Appendices:

Appendix A Draft Terms of Reference for the Community Governance Reviews
Appendix B Revised Terms of Reference for the Workington Community Governance Review

Lindsay Tomlinson
Electoral Services Manager