

Allerdale Borough Council

Council – 5 December 2018

### **Community Governance Reviews - Parish Councils**

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<b>The Reason for the Decision:</b>	To consider the recommendations of the Parish Community Governance Review Working Group following reviews of four parish areas.
<b>Summary of options considered:</b>	To approve the draft Reorganisation Orders for Broughton Parish Council, Embleton Parish Council and Keswick Town Council and to note the proposal for Winscales Parish Council.
<b>Recommendations:</b>	<ol style="list-style-type: none"><li>1. That Council approves the Reorganisation Order for Broughton Parish Council, to take effect at the ordinary parish council elections in May 2019 and which will have the effect of amending the council size from 13 to 10.</li><li>2. That Council approves the Reorganisation Order for Embleton Parish Council, to take effect at the ordinary parish council elections in May 2019 and which will have the effect of unwarding the parish area.</li><li>3. That Council approves the Reorganisation Order for Keswick Town Council, to take effect at the ordinary parish council elections in May 2019 and which will have the effect of amending the parish boundary as detailed in the map attached to the Order.</li><li>4. That no changes be made in respect of Winscales Parish Council.</li></ol>
<b>Financial / Resource Implications</b>	None
<b>Legal / Governance Implications</b>	Implications for electoral administration of the parish

<b>Community Safety Implications</b>	None
<b>Health and Safety and Risk Management Implications</b>	None
<b>Equality Duty considered / Impact Assessment completed</b>	N/A
<b>Wards Affected:</b>	Broughton St Bridget's, Crummock, Keswick and Harrington
<b>Is this a Key Decision:</b>	Yes
<b>Portfolio Holder:</b>	Councillor Joan Ellis
<b>Lead Officer</b>	Lindsay Tomlinson Electoral Services Manager  lindsay.tomlinson@allerdale.gov.uk

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### 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
- Parish CGR Working Group reports and minutes

### 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 In early 2018, following discussions with the Cumbria Association of Local Councils, all parish councils in the Allerdale area were contacted and asked if they wished to have a community governance review ahead of the ordinary

council elections in May 2019. Four parish councils responded to request a CGR:

- Broughton Parish Council asked for a review of council size
- Embleton Parish Council asked that the parish be unwarded.
- Keswick Town Council requested a review of council boundaries
- Winscales Parish Council asked for a general review following the resignation of all but one of their seven members

1.3 Allerdale Borough Council at its meeting on 7 March 2018 agreed to carry out the four requested Community Governance Reviews and approved the Terms of Reference for each. A Working Group was established comprising the Allerdale Borough Councillors who represented the four relevant wards.

1.4 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.

1.5 The Parish CGR Working Group met monthly from April 2018 and the main focus of its work was in connection with planning and delivering the statutory consultation processes across the affected areas. The Working Group formed its recommendations from the outcome of those events and consultation with the relevant parish councils.

## **2.0 Broughton**

2.1 Broughton Parish Council had requested a review as they felt the current number of councillors (13) was not sustainable and they were unable to attract interest in candidates putting themselves forward for election or co-option.

2.2 The Working Group ran a single stage consultation process for Broughton via an online and paper questionnaire. Local residents, statutory consultees and other stakeholders were asked for their views on the proposed reduction in council size.

2.3 From the outcome of the consultation the Working group concluded that there was strong support for the proposal and recommended that the council size be reduced from 13 to 10.

2.4 The Draft Reorganisation Order for Broughton is attached at Appendix A.

## **3.0 Embleton**

3.1 Currently the Embleton parish area is divided into three wards; Embleton, Setmurthy and Wythop. This arrangement presents some administrative challenges and the size of the overall electorate is relatively small. Embleton parish ward has 253 registered electors whereas Setmurthy has only 87 and Wythop 34.

- 3.2 The Working Group ran a single stage consultation process for Embleton via an online and paper questionnaire, consulting with local residents, statutory consultees and stakeholders.
- 3.3 The overwhelming majority of consultees supported the proposal that the parish should be unwarded so that electors could be equally represented by all parish councillors.
- 3.4 The Draft Reorganisation Order for Embleton is attached at Appendix B.

#### **4.0 Keswick**

- 4.1 Keswick Town Council had requested a review of the parish boundary, focussing on land north of the current boundary with the line of the A66 northern bypass. The proposal was to incorporate part of Underskiddaw Parish and part of St John's, Castlerigg and Wythburn Parish into the Keswick parish area.
- 4.2 The Working Group carried out a single stage consultation process with electors, statutory consultees and stakeholders via an online and paper questionnaire and also wrote directly to those properties affected by the proposal.
- 4.3 The majority of the responses to the consultation supported the proposal, with those directly affected stating that they identified more with Keswick than with the parish area they were currently in.
- 4.4 The Draft Reorganisation Order for Keswick is attached at Appendix C and includes a plan of the areas affected by the proposal.

#### **5.0 Winscales**

- 5.1 Winscales parish council had requested a review following the resignation of five of its six remaining councillors; there was already a vacant seat that had not been co-opted to. The clerk had also recently resigned and a new interim clerk was appointed in May 2018.
- 5.2 In requesting the review, the parish council suggested that the parish could be dissolved and subsumed into the Workington town council area.
- 5.3 The quorum for a parish council is three voting members. Because of the number of resignations received in March 2018 the council was no longer quorate, therefore in accordance with section 91 of the Local Government Act 1972 Allerdale Borough Council nominated six of its members to act as temporary members of the parish council.
- 5.4 Councillors Harrington, Osborn, Fryer, Hansen, Heaslip and Holliday took up their seats as temporary members in July 2018. Councillor Harrington has since been formally co-opted as a permanent member onto the parish council along with another permanent co-optee.

- 5.5 The parish council now has three permanent members and has been actively promoting the work of the council and seeking additional co-opted members.
- 5.6 The Working Group carried out a two stage consultation process, via a questionnaire and by writing directly to all households in the parish, on the future of Winscales parish council. The results of the stage 1 process showed a consensus within the parish and from statutory consultees that the preferred option was to maintain Winscales as a separate parish council.
- 5.7 Stage 2 of the consultation process asked consultees if they agreed with the proposal to retain Winscales Parish Council and if so, whether the size of the council should be reduced from 7 members. The majority of responses agreed that the parish council be retained and with the same number of councillors, because of the risk of inquorate meetings if there were fewer members.
- 5.8 The proposal of the Working Group is therefore that no changes should be made to Winscales Parish Council at this stage.

## **6.0 Finance/Resource Implications**

- 6.1 There are no significant costs arising from the implementation of the amendments to the three parish councils subject to Reorganisation Orders.

## **7.0 Legal Implications and Risks**

- 7.1 The procedure for conducting a Community Governance Review is set out in legislation and all statutory requirements have been complied with.

## **8.0 Recommendations**

1. That Council approves the Reorganisation Order for Broughton Parish Council, to take effect at the normal parish council elections in May 2019 and which will have the effect of amending the council size from 13 to 10.
2. That Council approves the Reorganisation Order for Embleton Parish Council, to take effect at the normal parish council elections in May 2019 and which will have the effect of unwarding the parish area.
3. That Council approves the Reorganisation Order for Keswick Town Council, to take effect at the normal parish council elections in May 2019 and which will have the effect of amending the parish boundary as detailed in the map attached to the Order.
4. That no changes be made in respect of Winscales Parish Council.

## **Appendices:**

Appendix A Draft Reorganisation Order - Broughton

Appendix B Draft Reorganisation Order – Embleton  
Appendix C Draft Reorganisation Order – Keswick

**Lindsay Tomlinson**  
**Electoral Services Manager**