



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

9th July 2018

Agenda Status: Public

Directorate: Chief Executive

Report Title	Community Governance Review
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1. Purpose

- 1.1 The purpose of this Report is for Full Council to consider establishing a community governance review Cross Party Working Group to oversee a community governance review of the unparished areas of the Borough of Northampton.

2. Recommendations

Full Council is recommended to:

- 2.1 Agree that a community governance review under Part 4 of the Local Government and Public Involvement in Health Act 2007 be undertaken in respect of the unparished areas of the Borough of Northampton (shown as the unshaded areas on the map at Appendix 1).
- 2.2 Agree to the establishment of a Cross Party Working Group (the 'Working Group') comprised of six Members of the Council to:
- a) consider the requirements of the community governance review process under the Local Government and Public Involvement in Health Act 2007 and statutory guidance, and to make recommendations to Full Council regarding the Terms of Reference for the review and the process to be followed including the public consultation element;
 - b) as part of the community governance review process, produce proposals for Council's consideration at future meetings in relation to community governance arrangements in the unparished area of the Borough of Northampton; and

- c) consider all further connected and ancillary matters arising from a community governance review of the unparished areas of the Borough of Northampton.
- 2.3 Make appointments to the Working Group proposed in paragraph 2.2 so that it is comprised of three Conservative Members, two Labour Members and one Liberal Democrat Member of the Council.
- 2.4 Delegate authority to the Chief Executive in consultation with the proposed Working Group to enter into any necessary contracts or agreements connected with the work of the Working Group as set out in paragraph 2.2.
- 2.5 Agree to delegate a budget of up to £30,000 to undertake any specialist activity associated with undertaking a community governance review.

3. Issues and Choices

3.1 Report Background

- 3.1.1 At its meeting on 4th June 2018, Full Council considered the issue of local government reorganisation in Northampton. This discussion followed the Best Value Inspector's Report issued in relation to Northamptonshire County Council, which suggested the creation of unitary authorities in Northamptonshire, and the Secretary of State's subsequent invitation to each local authority in the County to submit a proposal for a single tier of local government in Northamptonshire.
- 3.1.2 The report that Full Council considered on 4th June 2018 stated that consideration would need to be given to whether Northampton Borough Council undertake a community governance review ('CGR') to look at the potential for creating a parish council for the town of Northampton, as part of the consideration of the future of all tiers of local government locally. The report explained that a parish council can, if it so determines, once created be known as a town Council which can elect a Mayor annually.
- 3.1.3 A CGR is a process conducted pursuant to provisions in Part 4 of the Local Government and Public Involvement in Health Act 2007 ('LGPIHA 2007'). CGRs enable principal councils to review and make changes to community governance within their area. A CGR process considers matters such as the creation of new parishes and the establishment of parish councils, and other matters such as making changes to parish boundaries and electoral arrangements.
- 3.1.4 At present, there are ten parish councils surrounding the periphery of the Borough but a large proportion of the overall Borough remains unparished. The map of the Borough at Appendix 1 shows the existing parish councils as shaded areas. The remainder of the area is unparished. It is recommended that this area, being the entire unparished area, is the subject of a community CGR.
- 3.1.5 The creation of a town council (which is a parish council) in Northampton could be one of the issues that the CGR process considers. Undertaking a review of

the entire unparished area would give the Council the scope to consider the identities and interests of the communities in that area and whether the creation of one or more parish councils within that area would be effective in community governance terms.

- 3.1.6 In order to formally commence a CGR, in accordance with section 81 of the LGPIHA 2007, the Council would need to publish the Terms of Reference on which the review is to be undertaken. The Terms of Reference would set out how the review would be conducted, the expected timescales, its focus and other key considerations.
- 3.1.7 It would be for the Council to decide how to conduct the review, but there are certain duties that it must comply with including the following:
- Consultation – local government electors for the area under review and any other person or body which appears to the Council to have an interest in the review must be consulted.
 - The requirement to have regard to the need to secure that community governance within the area under review:
 - a) reflects the identities and interests of the community in that area; and
 - b) is effective and convenient.

Further, in deciding what recommendations to make, the Council must take into account any other arrangements (apart from those relating to parishes and their institutions) that a) have already been made, or b) could be made, for the purposes of community representation or community engagement in respect of the area under review.

- 3.1.8 When conducting a CGR, a principal council is required to have regard to guidance issued by the Secretary of State. The document, *Guidance on Community Governance Reviews* issued by the Secretary of State and the Local Government Boundary Commission for England was published in March 2010.
- 3.1.9 The CGR process results in final recommendations being made by the Council following consideration of representations made during public consultation. Any final recommendations agreed by the Council are published and Members subsequently decide to what extent to give effect to the recommendations. Any final recommendations which are accepted are given effect through the making of Reorganisation Order by the Council. This is a formal legal order which effects the change in community governance arrangements.
- 3.1.10 This is a summary only of the main aspects of the Community Governance Review. The process will need to be considered in further detail by a future meeting of Full Council.

3.2 Decision details

- 3.2.1 Full Council is asked to agree that a community governance review under Part 4 of the LGPIHA 2007 be undertaken in respect of the unparished areas of the Borough of Northampton (shown as the unshaded areas on the map at Appendix 1). It should be noted that a CGR commences when Terms of Reference for the review are approved and published.
- 3.2.2 This report to Full Council seeks to start the process by recommending the establishment of a Cross Party Working Group. The Working Group would not have any decision making powers and would only make recommendations. It is recommended that the Working Group carry out the following activities:
- a) consider the requirements of the CGR process under the LGPIHA 2007 and statutory guidance, and make recommendations to Full Council regarding the Terms of Reference for the review and the process to be followed including the public consultation element;
 - b) as part of the CGR process, produce proposals for Council's consideration at future meetings in relation to community governance arrangements in the unparished area of the Borough of Northampton; and
 - c) consider all further connected and ancillary matters arising from a community governance review of the unparished areas of the Borough of Northampton.
- 3.2.3 The suggested composition of the Working Group is set out at paragraph 2.3.
- 3.2.4 Conducting a CGR process and carrying out the necessary consultation over a wide geographical area is a significant undertaking. Establishing a Councillor Working Group that is supported by Officers would assist in ensuring that a robust process is set up and that the process itself is run effectively.
- 3.2.5 In terms of next steps, if the Working Group is established as recommended in this report, the Working Group would need to meet to consider the CGR and to formulate draft Terms of Reference for consideration by Full Council.
- 3.2.6 It is likely that the Working Group will require some external and/or specialist support in addition to the support that Officers will provide. Full Council is therefore recommended to delegate authority to the Chief Executive in consultation with the proposed Working Group to enter into any necessary contracts or agreements connected with the work of the Working Group. It is proposed a small working budget of £30,000 that can be drawn from, is established.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 There is no specific policy reference for this report. However, the proposals in this report are supportive of the Council's Corporate Plan Priority, "Love Northampton" which is for, "Northampton to have a great community spirit,

with people actively participating in local democracy, taking pride in Northampton, its environment and its communities”.

4.2 Resources and Risk

4.2.1 At this stage, in establishing a Working Group, there are no identified risks. However, a full analysis of risks will be undertaken upon the formal commencement of the CGR.

4.2.2 The Working Group will be supported by Officers. This report has recommended that a budget of £30,000 be made available to undertake any specialist activity in connection with a CGR. This will be resourced from the MTFP Cashflow Reserve.

4.3 Legal

4.3.1 The legal framework for conducting CGRs is referenced in the body of this report.

4.4 Equality

4.4.1 There are no equality implications arising directly from this report. However, upon the formal commencement of a CGR process, equalities issues will need to be considered in detail at all stages, in particular when conducting public consultation and when formulating recommendations. Community impact assessments would be carried out at relevant stages of the process.

4.5 Other Implications

4.5.1 None.

5. Background Papers

5.1 None

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