Review of Community Governance arrangements within Stanion Parish

SYNOPSIS BOX
A review under the Local Government and Public Involvement in Health Act 2007.

1. Relevant Background Details
Corby Borough Council has received a valid petition from registered electors in the area known as “Little Stanion” requesting the creation of a new parish. In summary, the request would require the existing Stanion Parish to be sub-divided. In addition it was being requested that areas not currently within the boundary of Stanion Parish to be included as part of any new arrangements.

The process and procedure for the creation, amendment or deletion of a parish is known as conducting a Community Governance Review. The Review process is prescribed by legislation (see Legal Implications below).

2. Report
Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish a Terms of Reference document for a Community Governance Review (Appendix A). This sets out:

- How the Review will be conducted
- Expected timescales
- What the Review will focus on
- What the key considerations should be
- Factual electoral and parish information

What is a Community Governance Review (CGR)?
A Review is a review of the whole or part of the district to consider one or more of the following:

- Parish areas – creating, merging, altering or abolishing parishes
- The naming of parishes and the style of new parishes
- The electoral arrangements for parishes (the ordinary year of elections; council size; the number of electors to be elected to the council; parish warding)
- Grouping parishes under a common parish council or de-grouping parishes
- Consequential matters – e.g. the effect on existing parishes; dealing with parish assets; resolving issues relating to employees of existing parishes; setting a precept for a new Council; setting a date for the first elections and the subsequent electoral cycle.

The Review will look at all options for future parish governance arrangements. These will include:

- Creating a new parish with the boundaries as defined in Appendix C;
- Creating a new parish with the boundaries based on a variation of Appendix C;
- Keeping the status quo and keeping the current parish boundary; and
- Any other arrangements which come out of the consultation process.
The Council is required to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and
- Is effective and convenient.

In doing so the Review is required to take into account:

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

**Why are we undertaking a Community Governance Review?**

There are two ways that a Community Governance Review can be triggered. The principal authority i.e. Corby Borough Council can determine to undertake a Review of all or part of its area OR the principal authority receives a valid petition. For a petition to be valid it must meet certain conditions:

- The petition must be signed by the requisite number of local electors;
- The petition should define the area to which the review relates; and
- The petition must specify one or more recommendations for review.

Corby Borough Council received a petition submitted by registered electors of the area known as “Little Stanion” on 5th September 2016. This was received by the Democratic Services Manager on behalf of the Council.

Following the validation process, the Democratic Services Manager confirmed that the petition was valid for purpose, in that for an area with between 500 and 2,500 local electors, the petition had to be signed by at least 250 of them. The petition included 271 valid signatures.

**Who will undertake the Community Governance Review?**

The Democratic Services Manager on behalf of the Council, and under the direction of the Chief Executive, will undertake the Review with the assistance of colleagues as required. This will include:

- Formulation of a draft timetable for the Review (see Appendix A);
- Formulation of a Terms of Reference (included within this report) for Full Council approval;
- Liaison with the lead petitioners;
- Liaison with all statutory bodies as required;
- Compilation and execution of a Consultation Plan and development of a Communications Strategy;
- Ensuring that all statutory requirements under the relevant legislation are adhered to;
- Compile and assess responses to consultation;
- Prepare and publish draft proposals (once agreed by Council through One Corby Policy Committee);
- Prepare and publish final proposals (once agreed by Council through One Corby Policy Committee);
- Prepare a final report and draft Reorganisation Order (if required) to be determined by Full Council.

**How the Council proposes to conduct consultations during the Review?**

Before making any recommendations or publishing final proposals, the Council will take full account of the views of local people. The Council will comply with the statutory consultative requirements by:
• Consulting local government electors for the area under review; it is the Council’s intention to include Attainers (16 & 17 year olds) who are on the Electoral Roll within any consultation;
• Consulting any other person or body which appears to the Council to have an interest in the review; this will include Stanion Parish Council and neighbouring parish councils, elected representatives e.g. MEP, MP, County Councillor(s), Borough Councillor(s);
• Notifying and consulting the County Council and Kettering Borough Council;
• Taking into account any representations received in connection with the review.

Information relating to the Review will be available on the Council’s website (Electoral Services pages) and key documents will be available for inspection at The Cube, George Street, Corby and sent to Stanion Parish Council and the residents group in Little Stanion known as LSVA.

When taking account of written representations the Council is bound to have regard to the need to secure that community governance within the area under review reflects the identities and interests of the community in that area and is effective and convenient.

The Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the Review are informed of the recommendations and the reasons behind them.

**Electorate Forecasts**

In considering the electoral arrangements of the area within the terms of reference the Council is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the Review commences.

The Council has used the August Register of Electors 2016 to provide existing local electorate figures. Electorate forecasts will be prepared using all available information.

<table>
<thead>
<tr>
<th>Polling District</th>
<th>Registered Electorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stanion Parish – Stanion Village only</td>
<td>777</td>
</tr>
<tr>
<td>CSCB</td>
<td></td>
</tr>
<tr>
<td>Stanion Parish – “Little Stanion” only</td>
<td>1,115</td>
</tr>
<tr>
<td>CSCC</td>
<td></td>
</tr>
</tbody>
</table>

The current total electorate for Stanion Parish is 1,892. There are 9 parish councillors elected on a 4-year cycle (to coincide with Borough elections).

3. **Options to be considered (if any)**

As a valid petition has been received the Council is required to undertake a Review in line with the request received. Under statute the Council is required to have completed the Review within a period of 12 months from commencement.

The Council does have the ability to consider undertaking a review of other areas as part of this project. Officers are not recommending this at this time.
4. Issues to be taken into account:-

**Policy Priorities**

None specific.

**Financial**

There will be ancillary costs associated with the Review process. These will namely cover the consultation process, stationary, postage etc. These costs are chargeable to Corby Borough Council and will be met in the first part by Democratic Services. Whilst there is no current budget provision for this exercise it is hoped that costs will be met from existing budgets. Any overspend would be reported to Members as part of the cyclical budget monitoring process. All costs should be contained within the 2016/2017 financial year.

**Risk**

None specific at this time. The Council needs to have completed the Review process within a 12-month period. Whilst there will be some financial implication for the Council this will be minimal and hopefully be contained within existing budget provision.

**Legal**

In undertaking the Review, the Council will be proceeding under Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and The Electoral Commission in April 2008.

The Council is required to have regard to Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. Updated guidance was published in March 2010 and has been considered when drawing up the Terms of Reference (TOR).

**Performance Information, Best Value, Sustainability, Community Safety**

None specific to this matter.

**Human Rights & Equalities**

The process to be followed is laid down in statute and guidance issued by the Government. This will be followed. Every attempt will be taken to engage all registered electors in the process through a Consultation Strategy to be developed by officers.

5. Conclusion

Full Council are requested to approve the Terms of Reference for the Community Governance Review of the area known as “Little Stanion” within Stanion Parish.

6. Recommendation

That Full Council:

i) Approve the timetable and terms of reference for the Community Governance Review included within the report;

ii) Approve delegation to the Democratic Services Manager to undertake the Review subject to statutory requirements;

iii) Approve delegation to the One Corby Policy Committee authority to act on behalf of Full Council where an elected member decision is required, excluding determination of the final report and draft Reorganisation Order if required; and

iv) Request that the Democratic Services Manager keep all elected members updated on the progress of the Review.
Background Papers
Legislation & guidance as detailed within the report.

External Consultations
None.

List of Appendices
Appendix A – draft Terms of Reference.
Appendix B – Flowchart illustrating process to be followed.
Appendix C – Extract from petitioners submission (map).

Officer to Contact
Paul Goult (Democratic Services Manager) ext 4013
Review of Community Governance Arrangements within Stanion Parish, specifically the area known as “Little Stanion”

Request for a Review

Corby Borough Council has received a request from residents of the area known as “Little Stanion”, supported by a petition, requesting the creation of an independent parish council for the said area, which currently is part of Stanion Parish. The proposal submitted by the petitioners also encompasses areas not currently within the current Stanion Parish.

The Legal Framework

In undertaking the Review, the Council will be proceeding under Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and The Electoral Commission in April 2008. Also relevant are the following regulations which govern, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

The Council is required to have regard to Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. Updated guidance was published in March 2010 and has been considered when drawing up the Terms of Reference (TOR).

The Terms of Reference Document

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The Democratic Services Manager on behalf of the Council, and under the direction of the Chief Executive, will undertake the Review with the assistance of colleagues as required.

This will include:

- Formulation of a timetable;
- Formulation of a Terms of Reference for Full Council approval;
- Liaison with the lead petitioners;
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How the Council proposes to conduct consultations during the Review?

Before making any recommendations or publishing final proposals, the Council will take full account of the views of local people. The Council will comply with the statutory consultative requirements by:

• Consulting local government electors for the area under review; it is the Council’s intention to include Attainers who are on the Electoral Roll within any consultation;
• Consulting any other person or body which appears to the Council to have an interest in the review; this will include Stanion Parish Council and neighbouring parish councils, elected representatives e.g. MEP, MP, County Councillor(s), Borough Councillor(s);
• Notifying and consulting the County Council;
• Taking into account any representations received in connection with the review.

Information relating to the Review will be available on the Council’s website (Electoral Services pages) and key documents will be available for inspection at The Cube, George Street, Corby and sent to Stanion Parish Council and the Little Stanion resident’s group LSVA.

When taking account of written representations the Council is bound to have regard to the need to secure that community governance within the area under review reflects the identities and interests of the community in that area and is effective and convenient.

The Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the Review are informed of the recommendations and the reasons behind them.

A timetable for the Community Governance Review (CGR)

A Review must, by statute, be concluded within a 12-month period from the day on which the Community Governance Review starts. A Review starts when the Council publishes its Terms of Reference (TOR) and concludes when the Council publishes the recommendations made in the Review.
The following is the review timetable.

<table>
<thead>
<tr>
<th>Action</th>
<th>Timetable</th>
<th>Outline of Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terms of Reference (TOR) are published</td>
<td>Start Date 14(^{th}) October 2016</td>
<td>Council publishes TOR and notifies stakeholders, clearly defining extent of Review</td>
</tr>
<tr>
<td>Introductory Stage – submissions are invited</td>
<td>Two month period mid-November 2016 to mid-January 2017</td>
<td>Council invites proposals from stakeholders on future arrangements under TOR</td>
</tr>
<tr>
<td>Draft Proposals are prepared</td>
<td>By end of February 2017</td>
<td>Draft Proposals to be considered by One Corby Policy Committee</td>
</tr>
<tr>
<td>Draft Proposals are published</td>
<td>Early March 2017 (after 7(^{th}) March 2017)</td>
<td>Council publishes Draft Proposals and notifies stakeholders</td>
</tr>
<tr>
<td>Consultation</td>
<td>Two month period March &amp; April 2017</td>
<td>Consultation with stakeholders</td>
</tr>
<tr>
<td>Final Proposals are prepared</td>
<td>By end of May 2017</td>
<td>Result of consultation considered and Final Proposals published</td>
</tr>
<tr>
<td>Final Recommendations are published</td>
<td>June/July 2017</td>
<td>Full Council consider Final Recommendations and decide on the extent to which the Council will give effect to them.</td>
</tr>
<tr>
<td>Council publishes the reorganisation order</td>
<td>Thereafter</td>
<td>Council publishes a reorganisation order and requests The Electoral Commission to approve any consequential changes.</td>
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</table>

PLEASE NOTE this is an estimated timeframe and whilst the Council will endeavour to keep to the dates any changes will be published on the Council’s website.

There are two consultation periods included within the proposed timetable. Dependent upon the responses received, officers may determine to extend the consultation period(s) in order to maximise public engagement with the process.

**Electorate Forecasts**

In considering the electoral arrangements of the area within the terms of reference the Council is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the Review commences.

The Council has used the August Register of Electors 2016 to provide existing local electorate figures. Electorate forecasts will be prepared using all available information.
The present structure of Stanion Parish Council and their Electoral Arrangements.

Justification for Review – a valid petition was received on 5th September 2016 requesting a new parish council be created covering the area known as “Little Stanion” from part of the existing Stanion Parish, part of the current Weldon Parish and adjoining unparished areas. The proposed area submitted by petitioners also included part of Kettering Borough; this is outside of the jurisdiction of this Authority and this area only will be deemed invalid.

<table>
<thead>
<tr>
<th>Polling District</th>
<th>Houses</th>
<th>Electors</th>
<th>Parish Wards</th>
<th>District</th>
<th>County</th>
<th>UKPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSCB Stanion</td>
<td>433</td>
<td>777</td>
<td>N/A</td>
<td>Stanion &amp; Corby Village</td>
<td>Corby Rural</td>
<td>Corby</td>
</tr>
<tr>
<td>CSCC Little Stanion</td>
<td>733</td>
<td>1115</td>
<td>N/A</td>
<td>Stanion &amp; Corby Village</td>
<td>Corby Rural</td>
<td>Corby</td>
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</table>

The current total electorate for Stanion Parish is 1,892. There are 9 parish councillors elected on a 4-year cycle (to coincide with Borough elections). The last elections were held in May 2015.

Parishes

The Council wishes to ensure that electors should be able to identify clearly with the parish in which they are resident. It considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representatives and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity; the feeling of local community and the wishes of local inhabitants are primary considerations in this Review.

The Council is anxious to balance carefully the considerations of changes that have happened over time, through population shifts or additional development for example, and that have lead to a different community identity with historic traditions in its area.

The Council notes the government’s Guidance that community cohesion should be taken into account in this Review.

Electoral Arrangements

What does “Electoral Arrangements” mean?

An important part of our Review will comprise giving consideration to “Electoral Arrangements”. The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
• The number of councillors to be elected to the council;
• The division (or not) of the parish into wards for the purpose of electing councillors;
• The number and boundaries of any such wards;
• The number of councillors to be elected for any such ward; and
• The name of any such ward.

Ordinary year of election

The Local Government Act 1972 states that ordinary election of parish councils shall take place in 1976 and every fourth year thereafter (i.e. 2007, 2011, 2015, 2019 etc). However, the government has indicated that it would want the parish electoral cycle to coincide with the cycle for the district council, so the costs of elections can be shared.

If the Review finds that it is appropriate to create posts for parish councillors then these will come into effect no later than at the next ordinary day of election on the 2nd May 2019.

What considerations cover the number of parish councillors?

Number of Parish Council Guidelines

<table>
<thead>
<tr>
<th>Electors</th>
<th>Councillors</th>
<th>Electors</th>
<th>Councillors</th>
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<tbody>
<tr>
<td>Up to 900</td>
<td>7</td>
<td>10,400</td>
<td>17</td>
</tr>
<tr>
<td>1,400</td>
<td>8</td>
<td>11,900</td>
<td>18</td>
</tr>
<tr>
<td>2,000</td>
<td>9</td>
<td>13,500</td>
<td>19</td>
</tr>
<tr>
<td>2,700</td>
<td>10</td>
<td>15,200</td>
<td>20</td>
</tr>
<tr>
<td>3,500</td>
<td>11</td>
<td>17,000</td>
<td>21</td>
</tr>
<tr>
<td>4,400</td>
<td>12</td>
<td>18,900</td>
<td>22</td>
</tr>
<tr>
<td>5,400</td>
<td>13</td>
<td>20,900</td>
<td>23</td>
</tr>
<tr>
<td>6,500</td>
<td>14</td>
<td>23,000</td>
<td>24</td>
</tr>
<tr>
<td>7,700</td>
<td>15</td>
<td>45,000</td>
<td>25</td>
</tr>
<tr>
<td>9,000</td>
<td>16</td>
<td></td>
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</table>

The government’s guidance is that “each area should be considered on its own merits, having regard to its population, geography and the pattern of communities,” and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter.

By law, the Council must have regard to the following factors when considering the number of councillors to be elected for the parish:

• The number of local government electors for the parish; and
• Any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

Parish Warding

There is a requirement that in considering whether a parish should be divided into wards for the purposes of elections of the parish council the Council should consider the following:
- Whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and
- Whether it is desirable that any area or areas of the parish should be separately represented on the parish council.

The government’s guidance is that “the warding of parishes in largely rural areas that are based predominately on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some overspill into the parish”.

The Council will be mindful of all this guidance, noting further that “each case should be considered on its merits and on the basis of the information and evidence provided during the course of the review.”

The Council notes that warding arrangements should be clearly and readily understood by and should have relevance for the electorate of the parish; they should reflect clear physical and social differences within a parish; one parish but comprising different parts.

The Council recognises that ward elections should have merit; not only should they meet the two tests laid down above, but they should also be in the interests of effective and convenient local government. They should not be wasteful of a parish’s resources.

**District Warding and County Division Boundaries**

Normally the issues arising from a Review would not require any alterations to the boundaries of District Wards or County Divisions.

The Local Government Boundary Commission for England is responsible for deciding whether boundary changes of this nature should be made and will require that the Council has consulted on any such recommendations. If the need for changes becomes apparent during the course of this review the Council will endeavour to incorporate them within the consultation at the earliest opportunity.

Based upon the submission of the petitioners, there is an area indicated on their proposal which currently falls within Weldon Parish. Weldon Parish Council will be fully consulted on this matter and their views taken into consideration. It should be noted that the area in question does not include any residential development. If this area were to be incorporated into a new parish or into the existing Stanion Parish this would require the District Ward boundary to be amended.

In addition, based upon the submission of the petitioners, there is an area indicated which falls within Kettering Borough. This is outside of the jurisdiction of this Authority.

Nothing submitted by the petitioners would impact on the current County Division of Corby Rural or the UK Parliamentary Constituency of Corby.
Reorganisation of Community Governance Order and Commencement

The Review will be completed when Full Council adopt the Reorganisation of Community Governance Order. Copies of the Order, the map(s) that show the effects of the Order in detail, and the document(s) which set out the reason for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at:

Corby Borough Council Offices
The Cube
George Street
Corby. Northamptonshire
NN17 1QG

The information will be uploaded onto the Council's website www.corby.gov and provided to statutory stakeholders as required.

It is proposed that the Order will take effect for financial and administrative purposes on 1st April 2019.

The electoral arrangements for a new or existing parish council will come into force at the next elections to the parish council, which will be on 2nd May 2019.

Consequential Matters

General Principles

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities; or
- Provisions for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

In these matters, the Council will follow all appropriate regulations and statutory provisions.

How to contact us

Should you wish to submit a written representation regarding this Review please address to:

Paul Goult
Democratic Services
Corby Borough Council
The Cube
George Street, Corby. Northamptonshire. NN171QG
Alternatively your submission may be emailed to: paul.goult@corby.gov.uk

Date of Publication

13th October 2016