

Democratic Renewal Working Party



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Community Governance Review – Terms of Reference	
Report No:	DRW/SE/15/001 [to be completed by Democratic Services]	
Report to and date/s:	Democratic Renewal Working Party	17 June 2015
Portfolio holder:	Not applicable – Electoral matters are not an executive function	
Lead officer:	Alex Wilson Director Tel: 01284 757695 Email: alex.wilson@westsuffolk.gov.uk	
Purpose of report:	As recommendation.	
Recommendation:	It is <u>RECOMMENDED</u> that the Working Party considers further proposals for matters to be included in the agreed Community Governance Review for St Edmundsbury so that final terms of reference can be proposed to full Council in July	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	

Consultation:	<ul style="list-style-type: none"> Initial terms of reference and the process for conducting the review were agreed by full Council in December 2014. As agreed, 'light touch' consultation was carried out between January and March 2015 on additional matters to be included in the review via letter to stakeholders (elected representatives, other councils and agencies, residents' organisations, etc) whom were encouraged to publicise the consultation as they saw fit in their areas – see http://www.westsuffolk.gov.uk/community/upload/CGR-letter-2.pdf. The main consultation for the review will be carried out in two phases after the terms of reference are agreed during the remainder of 2015/16. 		
Alternative option(s):	<ul style="list-style-type: none"> The Council has already agreed to carry out the review. Not carrying out a CGR at this time would mean that the chance to examine the impact of new growth on parish governance before the construction of new homes was missed. A CGR is also a crucial first stage for any future reviews of the Borough or County Council's governance arrangements. 		
Implications:			
Are there any new financial implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any new staffing implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any ICT implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any legal and/or policy implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> Council is following statutory process. 		
Are there any equality implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Risk/opportunity assessment:			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Matters which local communities want included in the CGR are missed	Medium	Consult on terms of reference	Low
Ward(s) affected:	All Wards		
Background papers: (all background papers are to be published on the website and a link included)	DRWP Report November 2014 https://democracy.westsuffolk.gov.uk/ieListDocuments.aspx?CIId=180&MeetingId=510 Council Report December 2014 https://democracy.westsuffolk.gov.uk/documents/s4994/Schedule%20of%20Referrals%20from%20Cabinet%20and%20Democratic%20Renewal%20Working%20Party.pdf		
Documents attached:	Appendix A - Agreed or Potential matters for inclusion in terms of reference of CGR		

1. Key issues and reasons for recommendation(s)

1.1 Background

- 1.1.1 Community governance reviews (CGRs) provide the opportunity for principal councils to review and make changes to community governance within their areas. It can be helpful to undertake community governance reviews in circumstances such as where there have been or will be changes in population, or in reaction to specific or local new issues. Changes can range from the creation of new parishes through to minor boundary adjustments or alteration of the number of parish councillors.
- 1.1.2 The Borough Council agreed in December 2014 to carry out a CGR in 2015/16 so that consideration can be given as to whether or not major strategic growth sites arising from Vision 2031 in Haverhill and Bury St Edmunds should lead to changes in the *external* boundaries of those two town councils. The issues in relation to this matter were set out in the paper to the last meeting of the Working Party (see Background papers above). In conjunction with this issue, the Council also agreed to carry out a CGR formally proposed by Cllr Beckwith, namely whether or not a new parish should be created for Moreton Hall in Bury St Edmunds.
- 1.1.3 Ahead of the review, which will not start until the late summer/autumn, the Borough Council has no adopted position on any of these issues, since each specific matter must be considered on its own merits in accordance with the guidance of the Local Government Boundary Commission for England. At this stage of the process, the only matter under consideration is the *terms of reference* of the review, which is the subject of this report.
- 1.1.4 The last Borough-wide CGR was carried out in 2010. However, since a CGR would already be taking place to consider the above issues, this Working Party also proposed (and full Council agreed) that all parishes in the Borough be given the chance to identify new issues in their local area which might benefit from a CGR, and should be included within the terms of reference. Accordingly, a targeted consultation with stakeholders was carried out in the first quarter of 2015, as detailed at the start of this report.

1.2 Terms of reference for community governance reviews

- 1.2.1 Under the legislation, the Borough Council must determine the terms of reference under which a CGR is to be undertaken. The terms of reference must be published and specify both the area under review and the matters on which the CGR will focus. If any modifications are made to the terms of reference later, these must also be published.
- 1.2.2 Ultimately, the recommendations made in a CGR ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services. The Borough Council is therefore expected to use its own local knowledge to frame suitable terms of reference, which should be appropriate to local people and their circumstances, and reflect the specific needs of their communities. However, the national guidance is also clear that the views of local people should be reflected in the terms of reference where these are known, particularly where they may have already expressed views about what form of community governance they would like for their area.

1.2.3 On the basis of the above, it is suggested that the terms of reference for this CGR be framed using the following sources of information:

- (a) The Borough Council's own local knowledge, specifically:
 - i. matters raised with it by Borough Councillors;
 - ii. major changes in population it anticipates through Vision 2031;
 - iii. issues it has identified through the compilation of the electoral register and/or administration of the 2015 local elections; and
- (b) matters raised directly by the local community or partners during the recent consultation on the terms of reference.

1.3 **Results of Consultation and Draft Terms of Reference**

1.3.1 Agreed or potential items for inclusion in the terms of reference are summarised in Appendix A to this report. In relation to growth sites, these are described using the adopted Vision 2031 title to avoid ambiguity, although it should be stressed that this convention does not pre-suppose any view on the outcome of the CGR.

1.3.2 Where applicable, maps will be displayed at the meeting to assist the Working Party. For most of the new issues raised, the affected areas and boundaries can also be identified on the ward maps on the Borough Council's website at http://www.westsuffolk.gov.uk/Council/Voting_and_Elections/wardmaps.cfm.

1.3.3 The Working Party must consider whether, based on the information in Appendix A, and its own local knowledge, the Council has sufficient reason to believe that a CGR is justified in relation to each additional issue raised. If the Working Party does not believe a review is justified then it should provide reasons accordingly.

1.3.4 As the building blocks for Borough Council wards and County Council divisions, changes to parishes and parish/town council wards can have an impact on other tiers of local representation. Therefore, the Borough Council will need to give consideration to any consequential effects in carrying out the CGR, particularly in relation to wards within Bury St Edmunds and Haverhill. It may also be that the detail of the warding arrangements for both the town councils and, if applicable, some rural parishes will need to be considered subsequently as part of a review of the Borough Council's own electoral arrangements, so that the two matters can be looked at concurrently. This matter is referenced in items 26-28 of Appendix A.

1.4 **Next steps**

1.4.1 The recommendations of the Working Party will be referred to full Council in July and, if adopted, the terms of reference will be published and initial consultation will take place over the late summer and into autumn, in the manner agreed by the Working Party and full Council in 2014. Based on the outcome of that process, draft recommendations will be developed for final consultation in 2016.