



## **REPORT of DIRECTOR OF RESOURCES**

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**to  
COUNCIL  
13 SEPTEMBER 2018**

### **LITTLE TOTHAM PARISH COUNCIL - COMMUNITY GOVERNANCE REVIEW**

#### **1. PURPOSE OF THE REPORT**

- 1.1 To consider and determine the outcome of the Community Governance Review of electoral arrangements for Little Totham Parish Council in the light of the recent public consultation.

#### **2. RECOMMENDATIONS**

- (i) That the Council considers the outcome of this Community Governance Review;
- (ii) That subject to the Council being satisfied that the request meets the law and associated Guidance with respect to the object of achieving effective and convenient community governance, it authorises the making of a Re-organisation of Community Governance Order under the Local Government and Public Involvement in Health Act 2007 to increase the membership of Little Totham Parish Council from five to seven Councillors, to be effective from the next ordinary elections in May 2019.

#### **3. SUMMARY OF KEY ISSUES**

- 3.1 Following a request by the Parish Council to increase its membership from five to seven, the Council at its meeting on 8 February 2018 resolved to instigate a Community Governance Review. For Members' information, the Community Governance Review document published for consultation is at **APPENDIX 1**.
- 3.2 As previously reported, a change to increase the number of Parish Councillors can only be brought about as a result of a Community Governance Review under the Local Government and Public Involvement in Health Act 2007 undertaken by the District Council.
- 3.3 The Guidance on Community Governance Reviews says that the Government has made clear its commitment to parish councils. It recognises the role such councils can play in terms of community empowerment at the local level. The 2007 Act provisions are intended to improve the development and coordination of support for citizens and community groups so that they can make the best use of empowerment opportunities.

3.4 As for the Review itself, while the law and Guidance is not specific on how the views of the electors of the area in question should be sought, the view was taken by Officers that the following steps would be sufficient and proportionate to publicise the consultation:

- The District Council's website;
- The Parish Council's website;
- The Parish Council's Facebook page;
- Coverage in a village newsletter delivered to each household;
- Posters displayed in various local places, e.g. noticeboard, pub.

In addition, the District Ward Members were notified, as was Essex County Council (required by law).

3.5 The Review Terms of Reference were published on 18 June 2018 and the Review consultation itself was published on 29 June 2018 with a closing date of 24 August 2018 for comments. A total of 12 local residents have written supporting the Parish Council's request. No new or dissenting issues have been raised.

3.6 This Council is required to ensure that the community governance within the area under review will be reflective of the identities and interests of the community in that area; and be effective and convenient. Section 95 of the 2007 Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish, and any change in that number likely to occur in the next five years. In this respect, Little Totham is not in a too dissimilar position to that of six other Parish Councils and the three joint Parish Councils which also operate with five Councillors.

3.7 Although the legislative position has not changed since 1972, there appears now to be wider acknowledgement of the difficulties Parish Councils may encounter working with the legal minimum of five Councillors. There has been no assessment of relative responsibilities and workload since each case must be looked at on its own merits. Although the Parish Council confirmed that it was considering co-option of a person in a non-decision-making capacity to assist, there has to be a level of confidence that the good indication of community interest and involvement in Parish Council activity is likely to be maintained at least in terms of people seeking to fill additional seats.

3.8 Provided that the Council is satisfied that the Parish Council's request is sound in the context of the law and associated Guidance on this subject as described in paragraph 3.6, it may agree to proceed to make a Re-organisation Order to increase the membership of the Parish Council with a view to this becoming effective at the next ordinary elections in May 2019.

#### **4. IMPACT ON CORPORATE GOALS**

4.1 The undertaking of a Community Governance Review is in part a matter of compliance with the law and is also linked to the Corporate Goal of aiming to be an organisation that delivers good quality cost effective and valued services in a transparent way.

## 5. IMPLICATIONS

- (i) **Impact on Customers** – This may have an indirect benefit on customers in the sense that the electors of Little Totham are residents of the District and an increase in the size of the Parish Council may be of benefit to or enhance democratic representation.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

### Background Papers:

Letter from Little Totham Parish Council.

Government guidance on Community Governance Reviews.

Emailed responses to the Review publicity and consultation

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