



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
**COUNCIL
12 SEPTEMBER 2019**

**PARISH OF HEYBRIDGE – BASIN WARD – COMMUNITY GOVERNANCE
REVIEW**

1. PURPOSE OF THE REPORT

- 1.1 To further update the Council on arrangements for implementation of the outcome of the above Review and to agree matters to be the subject of a Reorganisation Order.

2. RECOMMENDATIONS

- (i) That the Council approves the proposed Re-organisation of Community Governance Order under the Local Government and Public Involvement in Health Act 2007 to give effect to the agreed outcome of this Community Governance Review;
- (ii) That should Heybridge Parish Council wish to retain a membership of 12 Councillors it is advised that this will require a separate election consequent upon implementation of these proposals, the cost of which will be an expense attributable to the Parish Council;
- (iii) That the Director of Strategy, Performance and Governance is authorised to continue and conclude discussions with Heybridge Parish Council and representatives of the Local Referendum Group as required in relation to all necessary administrative matters and including the transfer of land and property;
- (iv) The council agrees to make £16,115 available from reserves to fund the operational costs of delivery to be borne by the Council.

3. SUMMARY OF KEY ISSUES

- 3.1 The Council at its meeting on 14 February 2019 agreed to the principle that a new Civil Parish and Parish Council be created for the area currently forming the Basin Ward of the Parish of Heybridge (see **APPENDIX A**) and administered by Heybridge Parish Council. For background information, a plan of the area the subject of the Review and which will form the area of the proposed new Parish is attached.

- 3.2 Following a report to the meeting of the Council in June, the following matters were agreed for inclusion in the proposed Reorganisation Order:
- That the number of Councillors for the new Parish Council should be seven;
 - That the name of the new Council should be Heybridge Basin Parish Council;
 - An effective date of 1 April 2020 for implementation, with the new Parish Councillors being elected in early May 2020.
- 3.3 There were two outstanding matters. First, the resulting membership of Heybridge Parish Council. By virtue of this proposal the Parish Council would lose the one Councillor for the Basin Ward but has confirmed its wish to keep a membership of 12. This would mean a consequential by-election for one additional seat, the cost of which the Parish Council has agreed to bear. It is suggested that the one seat be added to the East Ward.
- 3.4 The second outstanding matter is the first precept which is to be included in the Reorganisation Order. As requested, the local referendum group have provided a draft budget for the new Parish Council in the sum of £21,374. Officers consider this is reasonable and comprehensive, save for the inclusion of a sum to meet the cost of the first election of the new Parish Council, which is a Parish expense. It is suggested that the sum of £3,000 should be sufficient. The election will take place on 7 May 2020 which is also polling day for the Police and Crime Commissioner election, and therefore if contested certain election costs will be shared and therefore reduced.
- 3.5 The Parish Council has subsequently confirmed its wish to retain 12 Members which if included in the Reorganisation Order would require a separate election to fill that one additional seat (effectively replacing the seat lost when the Basin Ward is removed). The cost of this election would be an expense attributable to Heybridge Parish Council.
- 3.6 The other matter for the Re-organisation Order is arrangements for the transfer of land and property from Heybridge Parish Council to the new Parish Council. In the main, this involves Daisy Meadow Car Park, Parish amenity lighting and some grounds maintenance. Despite the effective date of 1 April 2020, clearly the new Parish Council will not be in a position to take up its new responsibilities until Councillors have been elected, taken office, and held their first annual meeting. At the meeting of the Steering Group set up to discuss the various arrangements it was agreed that transfer of property should take place around mid-May 2020, with the new Parish Council reimbursing Heybridge Parish Council for the period from 1 April 2020.
- 3.7 As previously mentioned, it will fall to the District Council to oversee any financial and administrative arrangements that are necessary during the interim period, including the appointment of a Clerk (interim at least), set up insurance, provide a Code of Conduct, and convene the first annual meeting.
- 3.8 The draft Re-organisation Order is attached at **APPENDIX B** for consideration and approval.
- 3.9 As was drawn to the attention of the Council previously, there are financial implications to the Council from having agreed to proceed with this proposal, namely

the upgrading of the Council Tax database and billing system. The cost of £16,115 to update our databases is recommended to be allocated from reserves.

4. IMPACT ON STRATEGIC THEMES

- 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 Heybridge Basin are residents of the District and the creation of a separate Parish and Parish Council for that settlement will provide a better reflection of the identities and interests of the community in that area, and would result in more effective and convenient community governance..
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – Whilst there has been a mitigation to risk based on delaying the implementation to the start of a financial year, there are inherent risks associated with a system upgrade and reconfiguration, and also the fundamental IT database of the Council, which will require testing and mitigations to avoid any incorrect billing and benefits allocation which could result.
- (iv) **Impact on Resources (financial)** – The existing system for administering Council Tax will require an upgrade and re-configuration. The estimated cost is £16,115 which the Council will have to bear now it has decided to approve the Petition proposal.
- (v) **Impact on Resources (human)** – The Future Model structure means a reduction in the specialist resources that would normally support this system work. This adds a further risk around the capacity of the Council to support the work. Resources required include Finance, Council tax and ICT.
- (vi) **Impact on the Environment** – None.

Background Papers:

Petition from local government electors for Heybridge Basin.
Government guidance on Community Governance Reviews.

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