



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

**to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
9 MARCH 2023**

**NORTH FAMBRIDGE PARISH COUNCIL – REQUEST TO REVIEW ELECTORAL
ARRANGEMENTS**

1. PURPOSE OF THE REPORT

- 1.1 To receive and consider a request from North Fambridge Parish Council for a review of its electoral arrangements in terms of the size of its membership.

2. RECOMMENDATION

That the request of North Fambridge Parish Council to instigate a Community Governance Review be agreed.

3. SUMMARY OF KEY ISSUES

- 3.1 The Parish Council has resolved to request the District Council to carry out a review to enable its present membership to be increased from five to seven Councillors. The Parish Council has based its request on the growing size of the village. By increasing its membership it feels that this will potentially improve diversity and provide the opportunity for a younger demographic. It observes that certain existing Councillors are now unable to carry out some of the physical duties arising from the Parish Council's responsibilities, and that an enlarged membership will assist in the distribution of responsibilities and work.
- 3.2 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. A Review may be instigated by resolution of the District Council itself or on petition from local electors. In the case of North Fambridge, a petition would need to be signed by at least 37.5% of the total current electorate.
- 3.3 The District Council therefore needs to consider the request and must have regard to Government advice on Community Governance Reviews. It is not known whether the Parish Council has canvassed the views of local electors as to the size of its membership, and further information has been sought on this. It is noted that at the last election in 2019 there was the exact number of candidates to fill the five seats.
- 3.4 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.

3.5 The Guidance adds that in the interests of effective governance, the principal council should consider the benefits of undertaking a review of the whole of its area in one go, rather than carrying out small scale reviews in a piecemeal fashion of two or three areas. However, it is recognised that a full-scale review will not always be warranted, particularly where a review of the whole area or a significant part of the principal council's area has been carried out within the last few years. Occasionally, it may be appropriate to carry out a smaller review, for example, to adjust minor parish boundary anomalies. When a similar request for another Parish Council was previously considered in 2018 the Council decided that a full-scale review was not merited.

3.6 Officer comments on this request are as follows:

- a) It is acknowledged that the membership size has been set at the minimum legal level along with some other Parish Councils, and that this has been so since 1974. The District Council may therefore wish to broaden the scope of any review to include these although each area must be considered on its own merits.
- b) Operating at the legal minimum membership need not be an issue in itself, although there will on occasions be the potential threat to a quorum for meetings.
- c) With regard to sharing workloads and responsibilities, this is something that can of course fluctuate over time. It is always open to a Parish Council to co-opt or bring in other persons to assist, albeit in a non decision-making capacity.
- d) If a Community Governance Review is undertaken, it will not be concluded to take effect in time for the forthcoming ordinary elections in May 2023, and any increase in membership approved will need to be the subject of a later by-election with the Parish Council being expected to bear the cost. The May elections does however provide an opportunity for new candidates to come forward.
- e) The National and Essex Associations of Local Councils recommend that the minimum number of Parish Councillors should be seven.

3.7 Any such review, which would be at a cost to the District Council, would involve publicity and local consultation. Members will be 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 that context, the housing trajectory associated with the Local Development Plan proposes an increase of 123 dwellings which if and when built is likely to increase the village population of 870 (at the 2021 Census) to something approaching 1200.

4. CONCLUSION

4.1 It is concluded that there is merit in undertaking a Community Governance Review for the Parish of North Fambridge as requested by the Parish Council.

5. IMPACT ON STRATEGIC THEMES

5.1 The undertaking of a Community Governance Review is in part a matter of compliance with the law and is also linked to the Strategic Theme of supporting

communities, underpinned by the relevant Core Values for delivery of the Council's Corporate Plan.

6. IMPLICATIONS

- (i) **Impact on Customers** – This may have an indirect benefit on customers in the sense that the electors of North Farnbridge are residents of the District and an increase in the size of the Parish Council may be of benefit to or enhance democratic representation.
- (i) **Impact on Equalities** – Not Applicable (N/A).
- (ii) **Impact on Risk** – N/A.
- (iii) **Impact on Resources (financial)** – minimal, with the District Council bearing the cost of the order-making, publication of notices etc .
- (iv) **Impact on Resources (human)** – none other than Officer time to process the Review procedures.
- (v) **Impact on the Environment** – N/A.
- (vi) **Impact on Strengthening Communities** – N/A.

Background Papers: None

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