

WEST NORTHAMPTONSHIRE COUNCIL DEMOCRACY & STANDARDS COMMITTEE

25 January 2024

Report by the Democracy and Standards Committee

Report Title **West Northamptonshire Community Governance Review:
Update**

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List of Approvers

Monitoring Officer	Catherine Whitehead	12/01/2024
Chief Finance Officer (S.151)	Martin Henry	05/01/2024
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List of Appendices

None

1. Purpose of Report

- 1.1. This report updates the Committee on progress with the Community Governance Review (CGR) of parish arrangements within West Northamptonshire and invites the Committee to consider the decision making process that will follow the conclusion of the first stage consultation.

2. Recommendations

- 2.1 It is recommended that the Committee:

- a) Notes the update on the Community Governance Review of parishes in West Northamptonshire and endorses the proposed decision making process to be followed at the conclusion of the first stage of the formal consultation.

3. Reason for Recommendations

- 3.1 The CGR is undertaken within a statutory framework. The Council is required to consult and must take decisions at the conclusion of each phase of the consultation as to how to proceed.
- 3.2 At the end of the first stage of the formal consultation, the Council must determine which proposals received during the consultation are viable and should be worked up into detailed proposals to proceed to the second stage of the consultation. The second stage may, depending on the nature of the proposals, involve consultation with individual households so care must be taken to ensure proposals consulted on during that stage are viable.
- 3.3 Consulting on proposals that are impossible to deliver (such as changes to the Council's external boundaries) or are not supported by any evidence is not likely to represent an effective use of the Council's resources. Should the committee not take such decisions, it will be left of officers to decide on these matters. This will limit the opportunity for councillor input until the final review is presented to Council for a decision in September 2024.
- 3.4 The intended outcome of the review is to ensure that community governance arrangements within West Northamptonshire are reflective of the identities and interests of communities and support efficient electoral processes.

4. Report Background

- 4.1 The Local Government and Public Involvement in Health Act 2007 (the Act) devolved powers to local authorities to review parish arrangements within their respective areas and agree changes. The Act created the title of community governance reviews to cover such activity.
- 4.2 A community governance review provides an opportunity for authorities to put in place strong, clearly defined boundaries and to remove any anomalous parish boundaries that exist. This can be the case where a boundary review has recently been undertaken, as is the case in West Northamptonshire, resulting in anomalies between council ward and parish boundaries. Statutory guidance issued by the Government emphasises the importance of undertaking reviews to address boundary anomalies when they arise.
- 4.3 When conducting the review, the Council must act in accordance with the requirements of the Act, the associated regulations and statutory guidance. The Council will need to consult and take account of any representations received in connection with the review. When undertaking the review, the Council must also have regard to the need to secure community governance arrangements that are effective and convenient and which reflect the identities and interests of the community in the area under review. In summary, the review should seek to ensure community governance:
 - a) reflects the identities and interests of the community in that area;
 - b) is effective and convenient, and

c) takes into account any non-parish, arrangements for the purposes of community representation or community engagement in the area (i.e., residents' associations).

- 4.4 The review will be conducted in accordance with the [Terms of Reference](#) as agreed by full Council at its meeting on 28 September 2023.
- 4.5 Ahead of commencing this review, all Parish and Town Councils were invited to tell the Council whether their parish areas should be included within the review. Along with the outcome of the recent Local Government Boundary Review in West Northamptonshire, this pre-review consultation has helped to determine the parish areas identified for inclusion.
- 4.6 Since then, officers have been working on the first stage of public consultation. Some of the activities undertaken during this stage of the CGR have included:
- 4.6.1 Attendance at the Larger Parishes Forum meeting in September to discuss plans for the consultation and listed to the views of parishes.
 - 4.6.2 Working with the Northamptonshire County Association of Local Councils (NCALC), delivering a briefing and question and answer session for parishes was delivered on 14 December. The session was well-attended, with over sixty delegates signing up.
 - 4.6.3 A similar briefing session for members of this Council was held on 20 December, attended by over twenty members.
 - 4.6.4 A dedicated webpage, with a Frequently Asked Questions section, has been created to support the consultation.
 - 4.6.5 Working with colleagues in the Communications Team, a dedicated consultation portal has been established to facilitate public engagement with the consultation. This has been promoted through the Council's usual communications channels.
 - 4.6.6 A dedicated email address to deal with CGR queries has been set up and is overseen by officers working on the review.
- 4.7 At the time of publication, the Council has received 71 complete responses to the survey, as well as 165 partial responses. This is in addition to a number of responses received via the dedicated email address for the review consultation as well as some paper documents. Feedback from the consultation and engagement function suggests this is satisfactory at this stage.
- 4.8 At the conclusion of the first stage consultation, officers supporting the review will draw up a consultation report to be considered by this committee. The committee will then be required to take a decision about which suggestions should be worked up into detailed proposals for the second stage consultation. It is important the Committee recognise the significance of the decision making required at the consultation of the first stage of consultation. The second stage consultation is not about simply putting suggestions received during the first stage out to consultation for a view; the Council is required to publish firm proposals for change, supported by evidence and compliant with the statutory framework applicable to reviews.

- 4.9 The committee must also be mindful of factors such as protected arrangements, whereby changes to (for example) parish wards made by the Local Government Boundary Commission for England are protected for a period of five years and may not be changed without their consent. Any proposals for such changes will need to be supported by a significant amount of evidence. The Committee will also wish to consider the Community Governance Review conducted by the Council’s predecessor authorities in recent years. Should any proposals for change conflict with changes previously put in place, or seek to put in places suggested changes previously rejected, the committee will wish to apply significant scrutiny to such proposals.
- 4.10 In order to facilitate the committee’s deliberations, officers will make a recommendation about each proposal. Proposals that are within the scope of the review and are supported by evidence that aligns with the statutory guidance (see 4.3) will be recommended for inclusion.
- 4.11 Proposals that are within scope but which lack evidence will be put to the committee to be considered on their merits. Officers will endeavour to provide background information on the likely viability of such proposals, such as whether they cut across arrangements put in place by the most recently completed CGRs in West Northamptonshire.
- 4.12 Proposals that are not viable, either because they cannot lawfully form part of a CGR or would cut across protected arrangements and are not likely to be accepted by the Local Government Boundary Commission for England, will be ruled out of further consultation.
- 4.13 It is anticipated that the consultation report will be ready for the committee to consider at their meeting on 11 March. Should the committee wish to undertake further consultation with local members, there will be time for this before the second stage consultation launches in late-April.

4.9 As a reminder, the timetable for the review is as follows:

Activity	Start date	End date
Pre-consultation with parish councils	July 2023	18 August 2023
Publication of Terms of Reference	29 September 2023	-
Research and information gathering, arranging local meetings if required	29 September 2023	28 November 2023
Initial consultation	28 November 2023	31 January 2024
Consideration of draft submissions received and preparation of draft recommendations	27 January 2024	26 April 2024
Draft recommendations published and consulted on	26 April 2024	25 July 2024
Consideration of consultation outcome	25 July 2024	24 Sept 2024
Council decision and publication of proposals	26 September 2024	-
Review of polling districts and places	30 September 2024	30 November 2024
Election with new arrangements in place	1 May 2025	-

5 Issues and Choices

- 5.5 The Council can choose to undertake a review at any time. However, the conclusion of the recent electoral review of the Council's own ward boundaries means it was cause difficulties in terms of electoral efficiency if a review were not undertaken prior to the next scheduled election for both parish and town councils and this authority, which will take place in May 2025.
- 5.6 The Council would be under a duty to carry out a community governance review if it received a valid community governance petition for the whole or part of the council's area. In accordance with the statutory guidance, the Council has sought to manage this by undertaking to conduct a review following the review of ward boundaries, which will allow the outcome of that review to be take into consideration.
- 5.7 Officers undertook initial consultation with parishes prior to the publication of the terms of reference for the review. This consultation, alongside the outcome of the recent boundary review, informed the terms of reference of the review.
- 5.8 Community Governance Reviews must be completed within 12 months, and the Council's proposed timeline follows this model. Due to the potential number of parish areas under review, it is suggested that the Council make the most of the 12-month allowance in order to conduct consultation and draw up recommendations.

6 Implications (including financial implications)

6.5 Resources and Financial

- 6.5.1 Costs associated with undertaking consultation will be met from existing budgets.

6.6 Legal

- 6.6.1 The powers and duties of the Council to conduct a community governance review flow from the Local Government and Public Involvement and Health Act 2007 and associated secondary legislation and statutory guidance. At the conclusion of the review, the Council will be required to publicise the outcome in accordance with this legislation.

6.7 Risk

- 6.7.1 There are no significant risks arising from the proposed recommendations in this report.

6.8 Consultation and Communications

- 6.8.1 The Council has made provision for periods of consultation within the review timetable. Consultation will be undertaken in line with the applicable statutory guidance.

6.8.2 Early consultation took place with parish and town councils within West Northamptonshire. This period of consultation, which ended on 18 August, was designed to inform the draft terms of reference and aid the Council with its preparations for the review.

6.9 Consideration by Overview and Scrutiny

6.9.1 None. A community governance review is a matter for the Council and, through delegation, the Democracy and Standards Committee.

6.10 Climate Impact

6.10.1 None specific. Climate implications do not form part of the statutory framework of CGRs, but any recommendations arising are unlikely to have significant climate impacts.

6.11 Community Impact

6.11.1 The outcome of the review will have an impact on communities in West Northamptonshire. The Council will undertake consultation on this impact prior to making final recommendations.

7 Background Papers

[Guidance on community governance reviews \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Report and minutes - Democracy and Standards Committee - 12 September 2023

Report and minutes – Full Council – 28 September 2023