

REPORT FROM: CORPORATE DIRECTOR

TO: COUNCIL

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COMMUNITY GOVERNANCE REVIEW

PURPOSE OF REPORT:

To consider undertaking a community governance review.

RECOMMENDATIONS

- (1) That a Community Governance Review be undertaken to look at the parishing of the Borough including the number and areas of town and parish councils, and their electoral arrangements including warding and numbers of councils.
- (2) That parish and town councils and Lancashire County Council be asked for their views as to what specific issues should be included.
- (3) That the Corporate Working Group and the Corporate Director be authorised to take forward the review, reporting back to the Council as appropriate.

REASON FOR RECOMMENDATIONS

To ensure that the Borough continues to have a fully parished Borough providing an effective and convenient tier of local government, serving its communities.

1. At its meeting on 11th November the Governance Working Group recommended to the Council

“ That a Community Governance Review be undertaken to look at the parishing of the Borough including the number and areas of town and parish councils, and their electoral arrangements including warding and numbers of councils.”

2. In making this recommendation the Working Group had in mind that it is now nine years since the Borough became fully parished with the creation of Colne and Nelson town councils. A review would look at how well things are working and whether any changes are needed. It would also be timely with the current consideration of the number of

Borough councillors and the frequency of Borough elections; and also the impact of the recent electoral review of Lancashire County Council.

3. The overall objectives should be improved local democracy, greater community engagement and better local service delivery.
4. The legislation on Community Governance Reviews is contained in the Local Government and Public Involvement in Health Act 2007. They are carried out by the Borough Council which in large part decides the outcome and then implements it.
5. The Department of Communities and Local Government has issued detailed guidance on how to go about it which is at <http://www.communities.gov.uk/publications/localgovernment/guidancecommunitygovernance2010>
6. In carrying out a review the Council is under a legal duty to have regard to the need to secure that the community governance of the area reflects the identities and interests of local communities and that it is effective and convenient. In doing so it should consider the impact on community cohesion and factors like size, population and boundaries.
7. A review can potentially be wide and consider e.g.
 - The creation of a parish
 - The name of a parish
 - The splitting of a parish
 - The alteration of parish boundaries
 - The abolition of a parish
 - The grouping of parishes
 - The dissolution of a parish council
 - Changes to the electoral arrangements of a parish council (including number of councillors and wards)
8. The Council will need to publish formal terms of reference for the review. It is suggested that the Governance Working Group draws these up following an initial informal consultation with all town and parish councils and Lancashire County Council as to what specific issues they consider should be included. The Working Group would then take forward the review reporting to full Council as appropriate.
9. When conducting the formal review the Council will need to carry out a consultation exercise giving electors, the County Council, town and parish councils and such other bodies as it considers appropriate the opportunity to make representations.
10. The review will conclude with the publication of the Council's recommendations which must be within 12 months of its commencement. The Council will then make a legal Order implementing any changes.
11. The Council has full authority to make an Order on all aspects of the review except where the Local Government Boundary Commission has within the last five years made an Order affecting parishes following an electoral review carried out by it. This would be the case with the changes to parish wards as a result of the recent Lancashire County Council electoral review. The Council would need the approval of the Commission to make changes to those.

IMPLICATIONS

- Policy:** The Council's policy is to have a fully parished Borough providing an effective and convenient tier of local government serving its communities.
- Financial:** None arising directly from the report.
- Legal:** The Council has power to undertake and implement the outcome of the review under the Local Government and Public Involvement in Health Act 2007.
- Risk Management:** None arising directly from the report.
- Health and Safety:** None arising directly from the report.
- Sustainability:** None arising directly from the report.
- Community Safety:** None arising directly from the report.
- Equality and Diversity:** None arising directly from the report.