



REPORT FROM: CORPORATE DIRECTOR

TO: COUNCIL

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COMMUNITY GOVERNANCE REVIEW

PURPOSE OF REPORT:

To agree the decisions and recommendations to be made from the Council's Community Governance Review.

RECOMMENDATIONS

- (1) That no further action be taken in respect of Nelson parish.
- (2) That the approval of the Boundary Commission be sought for the recommended changes for Brierfield and Colne parishes; and that if approval is forthcoming the necessary Order be made.
- (3) That an Order be made abolishing the Bracewell and Brogden parish and amending the boundary of Barnoldswick parish and its Craven ward to take in the area.
- (4) That the Boundary Commission be asked to make an Order altering the boundary between the Craven and Earby Borough wards as described in the report: and that subject to it agreeing to do so the Council make an Order making the same alteration to the boundary between Salterforth and Barnoldswick parishes.

REASON FOR RECOMMENDATIONS

To conclude the Community Governance Review and 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 15th December 2016 the Council resolved to undertake a Community Governance Review to look at the parishing of the Borough including the number and areas of town and parish councils, and their electoral arrangements including wards and numbers of councillors. It authorised the all party Member Governance Working Group to take forward the review and present proposals to the Council.

2. The Review is timely with the current consideration of the number of Borough councillors and the frequency of Borough elections (see report elsewhere on this agenda). It was also possible to look at the impact on parish wards of the outcome of the 2015/2016 electoral review of Lancashire County Council.
3. The overall objectives of a Review should be improved local democracy, greater community engagement and better local service delivery.
4. The legislation on Community Governance Reviews is the Local Government and Public Involvement in Health Act 2007. They are carried out by the Borough Council which in large part makes the decisions and then implements them.
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 and making its recommendations 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. Following initial informal consultation with Lancashire County Council and all the town and parish councils in the Borough the Governance Working Group defined the terms of the Review as follows:
 - To examine the desirability of any further changes to the wards and numbers of councillors of Nelson, Brierfield and Colne parishes following the 2015/16 Boundary Commission periodic review of Lancashire County Council
 - To examine the future of the Bracewell and Brogden parish meeting
 - To examine part of the boundary between Barnoldswick and Salterforth parishes, and consequent on this the boundary between the Craven and Earby borough wards.
8. The remainder of the report looks at each of these in detail.

Nelson, Brierfield and Colne

9. The new wards for Nelson, Brierfield and Colne parishes arise from the 2015/16 Boundary Commission periodic electoral review of Lancashire County Council. The Commission made changes to the electoral divisions in Pendle. As a consequence of this it was required by law to make certain changes to the wards in the parish areas in those divisions.
10. The law says that if a parish is to be divided between different divisions it must also be divided into parish wards so that each parish ward lies wholly within a single division. The Commission has made a Statutory Order implementing the changes which will come into effect at the next parish elections in May 2019.

11. Generally speaking, on a Community Governance Review the Council has the power to make changes to parish wards. The exception to this is where the Boundary Commission has made an Order changing parish wards within the last five years as is the case here. The Boundary Commission would need to approve any changes the Council now wanted to make.
12. The Council would need to make a compelling case for such changes. The Commission would continue to apply the criterion that a parish ward must be wholly within an electoral division which would appear to limit the scope for changes.
13. In the case of **Nelson** the wards, numbers of councillors and councillor: elector ratios as implemented by the Commission's Order are shown in the following table:

| Ward | Councillors | Electorate (June 2018) | Electors Per Cllr |
|--------------|-------------|---------------------------|----------------------|
| Bradley | 5 | 4629 | 926 |
| Clover Hill | 4 | 3635 | 909 |
| Marsden East | 2 | 1179 | 590 |
| Marsden West | 2 | 1427 | 714 |
| Southfield | 5 | 4002 | 800 |
| Walverden | 3 | 2663 | 888 |
| Whitefield | 3 | 2875 | 958 |
| | 24 | | |

14. The wards have the same boundaries as the present Borough Council wards. Marsden East and Marsden West together make up the Borough Marsden ward.
15. The view of the Governance Working Group is that experience since the creation of the Nelson parish in 2008 shows that 24 councillors has proved to be too many with a number of vacancies occurring. It also feels that it would be less confusing for electors if the numbers of councillors reflected the numbers of councillors in the Borough wards (15) and that this would make for more effective and convenient local government. It therefore recommends a reduction of 9 councillors in wards as shown in the following table:

| Ward | Councillors | Electorate (June 2018) | Electors Per Cllr |
|--------------|-------------|---------------------------|----------------------|
| Bradley | 3 | 4629 | 1543 |
| Clover Hill | 3 | 3635 | 1212 |
| Marsden East | 1 | 1179 | 1179 |
| Marsden West | 1 | 1427 | 1427 |
| Southfield | 3 | 4002 | 1334 |
| Walverden | 2 | 2663 | 1332 |
| Whitefield | 2 | 2875 | 1438 |
| | 15 | | |

16. Nelson Town Council was consulted on this proposal and has objected to it. It considers that the number of councillors should remain at 24 or as a reluctant alternative that it be reduced to 18.

17. As the Town Council is opposed to the Council's proposed reduction to 15 there does not appear to be a compelling case to put to the Commission for the change. Their alternative proposal for a reduction to 18 does not give any detail as to how the councillors would be distributed across the wards. In any event a reduction to 18 would not remove the suggested confusion with the number of Borough councillors. In the circumstances **it is recommended that no further action be taken on the proposal.**
18. The Town Council also makes a separate representation regarding the Clover Hill, Marsden East and Marsden West wards. It considers that because of the size of its electorate, Clover Hill should revert to 5 councillors (the position before the Boundary Commission review) with Marsden East and Marsden West having 3 councillors between them. Presumably this would be two in Marsden West as it has the higher electorate and one in Marsden East.
19. The table at paragraph 13 above shows the electorates of the wards. Whilst Clover Hill is significantly larger than Marsden East and Marsden West combined it is also significantly smaller than Bradley and Southfield which have five. It would also mean that Marsden East would have a councillor: elector ratio of 1:1179, significantly higher than the other wards. There does not appear therefore to be a compelling case for this suggested change.
20. **It is recommended that this proposal not be pursued.**
21. In the case of **Brierfield** the wards, numbers of councillors and councillor: elector ratios as implemented by the Commission's Order are shown in the following table:

| Ward | Polling Districts | Councillors | Electorate (June 2018) | Electors Per Cllr |
|---------|-------------------|-------------|------------------------|-------------------|
| Central | RB | 2 | 1304 | 652 |
| East | BS BT | 2 | 792 | 396 |
| North | BR | 3 | 1632 | 544 |
| South | RA2 | 3 | 1374 | 458 |
| West | BQ | 3 | 1305 | 435 |
| | | 13 | | |

22. The Brierfield parish has traditionally had three wards. The Governance Working Group is of the view that it would be less confusing to electors whilst retaining effective and convenient local government to continue this pattern by combining the East and South wards and the Central and North wards as shown in the following table. The total number of councillors would remain the same.

| Ward | Polling Districts | Councillors | Electorate (June 2018) | Electors Per Cllr |
|-----------------|-------------------|-------------|------------------------|-------------------|
| South & East | RA2 BS BT | 5 | 2166 | 433 |
| North & Central | BR RB | 5 | 2936 | 587 |
| West | BQ | 3 | 1305 | 435 |
| | | 13 | | |

23. Brierfield Town Council was consulted on this proposal and supports it.

24. It is recommended that the approval of the Boundary Commission be sought for this change.

25. In the case of **Colne** the wards, numbers of councillors and councillor: elector ratios as implemented by the Commission's Order are shown in the following table:

| Ward | Polling Districts | Councillors | Electorate (June 2018) | Electors Per Cllr |
|----------------|-------------------|-------------|------------------------|-------------------|
| Castle Road | FD2 | 1 | 158 | 158 |
| Central | HP, HQ | 3 | 2584 | 861 |
| Horsfield | HO | 1 | 1154 | 1154 |
| Lidgett | BG, BI | 2 | 1320 | 660 |
| Vivary Bridge | VA, VB | 5 | 4249 | 850 |
| Waterside East | WF | 1 | 897 | 897 |
| Waterside West | WD, WE | 4 | 2869 | 717 |
| | | 17 | | |

26. The Governance Working Group considered that introducing the new wards Castle Road and Central is confusing to electors especially as there is currently a parish ward called Horsfield and also a Borough ward called Horsfield which includes these areas. It proposed that the Horsfield ward be combined with Castle Road and re-named Horsfield North with 2 councillors; and that the Central ward be re-named Horsfield South with 2 councillors. The overall number of councillors would be reduced from 17 to 16 as follows:

| Ward | Polling Districts | Councillors | Electorate (June 2018) | Electors Per Cllr |
|-----------------|-------------------|-------------|------------------------|-------------------|
| Horsfield North | FD2, HO | 2 | 1312 | 656 |
| Horsfield South | HP, HQ | 2 | 2584 | 1292 |
| Lidgett | BG, BI | 2 | 1320 | 660 |
| Vivary Bridge | VA, VB | 5 | 4249 | 850 |
| Waterside East | WF | 1 | 897 | 897 |
| Waterside West | WD, WE | 4 | 2869 | 717 |
| | | 16 | | |

27. Colne Town Council was consulted on this and accepted it in principle but considered that Horsfield North should have two councillors and Horsfield South three, and that the total number of councillors continue to be seventeen.

28. If Horsfield South were to have three councillors the councillor: elector ratio would be 861 which is much more in line with the other wards.

29. It is recommended that the approval of the Boundary Commission be sought for this change as varied by Colne Town Council.

Bracewell and Brogden parish

30. The parish has a parish meeting but no parish council and it had been suggested that the parish meeting has become moribund.
31. The parish adjoins the Barnoldswick parish which has an active and ambitious town council providing a wide range of services. The Governance Working Group's view is to abolish the parish and combine it with the Craven ward of the Barnoldswick parish. The proposal would mean that all of Pendle has a parish or town council.
32. All 94 properties in the parish and Barnoldswick Town Council were consulted on the proposal and three responses were received. The Town Council and one household supported the proposal.
33. The other household put forward an alternative proposal as follows:

"The Church used to accept the Bracewell parish boundary as West Field (now Robinson Fold), the ginnel next to the Vicarage, Gledstone View and everything down to Gisburn Road from this. It would be better to break this part of Barnoldswick off and add it to Bracewell and Brogden parish. This would make an area with over 300 houses and with current planning permissions this area is going to grow to nearer 400."
34. Members may feel that the better course is not to break off part of a well- established town council and add it to a parish which does not currently have a parish council.
35. **It is recommended that the Council makes an Order abolishing the Bracewell and Brogden parish and amending the boundary of the Barnoldswick parish and its Craven ward to take in the area.**

Barnoldswick/Salterforth boundary

36. The Dales View Park has grown significantly in recent years and the properties straddle the boundary between the two parishes. The Governance Working Group considers that the boundary should be altered so that the whole of the Park is within Salterforth parish. The new boundary would follow Lister Well Road to its junction with Manchester Road rather than passing through Dales View Park.
37. This affects the 21 properties north of the boundary and the owner/occupiers were consulted on the proposal. Two responses were received, both in favour.
38. Barnoldswick Town Council and Salterforth parish council were also consulted and support the proposal.
39. The boundary at this point is also the boundary between the Craven and Earby Borough wards and the Governance Working Group proposes that the Council request the Boundary Commission to alter the boundary similarly so that the whole of the Dales View Park is within the Earby ward. Having two boundary lines would be confusing and inconvenient for electors.
40. The Commission would want to be satisfied as to the consultation undertaken and the impact on borough ward electoral equality. Mention should be made that Earby ward is currently the ward with the highest departure from the Borough average as regards electoral equality (+20.49%) and this proposal would slightly exacerbate that. The Commission would also wish to see a 5 year elector forecast.

41. The Commission would however consider the request on its merits and there would appear to a strong community identity argument. It would also need time to consider the request. The Council would want the change to the parish boundary and the change to the ward boundary to occur simultaneously and in time for the borough and parish elections in May 2019.
42. **It is recommended that the Boundary Commission be asked to make an Order altering the boundary between the Craven and Earby Borough wards as described in the report: and that subject to it agreeing to do so the Council make an Order making the same alteration to the boundary between Salterforth and Barnoldswick parishes.**

Conclusion

43. All the recommendations above have been the subject of appropriate consultation with the town and parish councils concerned and residents affected. It is highly desirable that the changes are fully implemented in time for the Borough and parish elections in May next year. Realistically this means having them in place by early February.

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.