

## BABERGH DISTRICT COUNCIL

<b>TO:</b> COUNCIL	<b>REPORT NUMBER:</b> <b>BC/21/39</b>
<b>FROM:</b> Leader of the Council	<b>DATE OF MEETING:</b> 2 March 2022
<b>OFFICER:</b> Emily Yule – Assistant Director for Law & Governance	<b>KEY DECISION REF NO.</b> N/A

### COMMUNITY GOVERNANCE REVIEW 2022

#### 1. PURPOSE OF REPORT

- 1.1 The Council is asked to consider whether to allow a Community Governance Review (CGR) to take place.
- 1.2 If a review is to be carried out, to delegate the review to the Community Governance Review Working Group (CGRWG) consisting of Councillors Zac Norman and Lee Parker and report its recommendations to the Council.
- 1.3 If a review is to be carried out to approve the attached Terms of Reference.

#### 2. OPTIONS CONSIDERED

- 2.1 The Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government published in 2010 recommends that principal councils should undertake a Review of its area every 10-15 years.
- 2.2 For some areas of the District, a Review has not been undertaken for a considerable time. It is deemed appropriate to undertake a Review of all parishes within the Babergh District to ensure that there are appropriate local governance arrangements in place throughout the District.

#### 3. RECOMMENDATIONS

- 3.1 That a Community Governance Review be undertaken and the terms of reference at appendix A be agreed.
- 3.2 That the Community Governance Review Working Group is tasked with conducting the review.
- 3.3 That the Community Governance Review Working Group be required to report its findings and recommendations to the full Council for decision.

## **4. KEY INFORMATION**

- 4.1 A community governance review is a legal process that provides an opportunity for principal councils to review and make changes to community governance within their areas. It involves consulting those living in the area and other interested parties and making sure they have a say in how their local communities are represented.
- 4.2 The Review can consider one or more of the following options:
  - 4.2.1 Creating, merging, altering or abolishing parishes.
  - 4.2.2 The naming of parishes and the style of new parishes and the creation of town councils.
  - 4.2.3 The electoral arrangements for parishes (for instance, the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding).
  - 4.2.4 Grouping parishes under a common parish council or de-grouping parishes.
  - 4.2.5 Consider other types of local arrangements, including parish meetings.
- 4.3 The Review cannot:
  - 4.3.1 Change the number of councillors on Babergh District Council.
  - 4.3.2 Change the amount of money that a parish council raises through your council tax (known as 'precept').

## **5 LINKS TO CORPORATE PLAN**

- 5.1 The Review is linked to the Communities outcomes in the Corporate Plan as an effective Community Governance Structure enables communities to be "engaged in decision making"

## **6 FINANCIAL IMPLICATIONS**

- 6.1 The costs of conducting a CGR must be borne by the District Council however there are limited financial implications associated with this review. The only actual costs of the review are the expenses incurred by undertaking public consultation, i.e., printing and postage. However, officer time will be needed to support the review, estimated at ten full days over the 12-month period. Although the number of hours may increase depending on the outcome of the first consultation. This will be allocated from existing team resources.

## **7 LEGAL IMPLICATIONS**

- 7.1 Failure to conduct this review correctly could result in the Council breaching its statutory duties under the Local Government and Public Involvement in Health Act 2007. If, at the conclusion of the review, the Council decides to alter any parish boundary or electoral arrangements a Community Governance Order will need to be made to effect the change. This order will be drafted by the Council's legal team.

## 8 RISK MANAGEMENT

8.1 This report is not linked with any of the Council's Corporate/Significant Business Risks.

Risk Description	Likelihood	Impact	Mitigation Measures
If the Council does not undertake the review it could be in breach of its statutory responsibilities.	1 – Highly Unlikely	2 – Noticeable	Report to Council recommends that the review is agreed.
If the review uses inaccurate or incorrect assumptions or electorate projections the recommendations may not be future-proofed or fit for purpose.	2 – Unlikely	2 – Noticeable	The first stage of the review is a desktop exercise to gather and test relevant data.
If the review does not take into account, the views of local communities they may become disengaged and disappointed with the Council.	2 – Unlikely	2 – Noticeable	The terms of reference sets out the proposals for consultation. The Council must demonstrate how it has taken into account the views of consultees.

## 9 CONSULTATIONS

9.1 Formal communication will be sent to all Parish and Town Council, Parish Meetings and Community Groups explaining the review and asking for submissions. The District Council is also required to undertake two rounds of consultation during the review as outlined in the terms of reference.

## 10 EQUALITY ANALYSIS

10.1 The CGRWG will consider any equality impacts when formulating its recommendations. A full Equality Impact Assessment will be undertaken, and presented to Council, if any of the protected grounds may be affected as a result of the CGRWG's final recommendations.

## 11 ENVIRONMENTAL IMPLICATIONS

11.1 There are no Environmental Implications.

## 12 APPENDICES

Title	Location
(a) Terms of Reference	Attached

## 13 REPORT AUTHOR

Edward McCreadie, Corporate Manager - Electoral Services and Land Charges