

BABERGH DISTRICT COUNCIL

TO: COUNCIL	REPORT NUMBER: BC/23/21
FROM: Community Governance Review Working Group	DATE OF MEETING: 24 October 2023
OFFICER: Ifty Ali - Interim Director Law and Governance & Monitoring Officer	KEY DECISION REF NO. N/A

COMMUNITY GOVERNANCE REVIEWS 2022/23

1. PURPOSE OF REPORT

- 1.1 The Council is asked to approve the draft recommendations of the Community Governance Review Working Group.

2. OPTIONS CONSIDERED

- 2.1 In March 2022 the Council agreed to conduct a Community Governance Review of the Parish and Town Councils in the District as well as the Parish areas that do not have an elected Parish Council.
- 2.2 Stage one was completed at the beginning of 2023 and now proceeding to Stage two.
- 2.3 The Council delegated consideration of the CGR to the Community Governance Review Working Group which is comprised of Cllr Liz Malvisi, Cllr Jane Carruthers, Cllr Margaret Maybury and Cllr Lee Parker.
- 2.4 The review invited the Town Council affected, together with the relevant County and District Councillors and Members of Parliament, to make further and updated submissions to the review in order to prepare the draft recommendations.

3. PARTIAL SUBMISSION WITHDRAWAL EFFECT

- 3.1 During the review there were submissions from Sudbury Town Council for boundary changes that would have also affected the District Ward and County Division Boundaries and associated Electoral Arrangements. Those submissions and request relating to the amalgamation of wards have been withdrawn. There is therefore no longer a need for further consultation on the proposed changes as there are no implications to the LGBCE protected boundaries.

Recommendations

1. That the draft recommendations, as set out in Appendix A be approved.
2. That the Monitoring Officer be authorised to complete the CGR process and any required Orders.

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:
- change the number of councillors on Babergh Council
 - change the amount of money that a parish council raises through 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.

7 LEGAL IMPLICATIONS

- 7.1 Failure to agree the recommendations 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 draft recommendations for review are 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 second stage of the review is a desktop exercise to gather and test relevant data (notably the 5 year land supply 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 considered the views of consultees.

9 CONSULTATIONS/CONSENT

9.1 Formal communication will be sent to all Parish and Town Councils affected. Updated submissions have been sought. The District Council has also sought the views of the relevant County and District Councillors, and MPs, in regard to the draft recommendations. There were no responses to consultation received apart from the submissions from Sudbury Town Council.

10 EQUALITY ANALYSIS

10.1 The CGRWG have considered any equality impacts when formulating their draft 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) Recommendations	Attached

Recommendations

Name of Parish/Town Council	Number of Members	Number of Electors	Issue/Recommendations/ Reasons for Recommendation
Sudbury Town Council	16	8225	<p>ISSUE 1</p> <p>Sudbury Town Council proposed Sudbury South has 3 councillors for 1,295 electors for the councillor number to be reduced from 3 to 2 and that Sudbury South West that currently has 2 councillors be increased to 3 for 2,005 electors.</p> <p>Recommendation:</p> <ol style="list-style-type: none"> 1. Council is asked to agree the request for the number of councillors in Sudbury South to be reduced from 3 to 2 and that Sudbury South West be increased from 2 to 3. 2. Any Community Governance Order so made to take effect from the next elections in 2027. <p>Reasons:</p> <ol style="list-style-type: none"> 1.The ratio of number of electors to councillors is improved and in line with best practice. 2. The overall number of councillors at Sudbury Town Council remains the same. 3. Should the Community Governance Order have immediate effect that would require a councillor in Sudbury South to stand down and a requirement for an election to the additional councillor number in Sudbury South West. If the effective date is in 2027 then the change can be dealt with as part of the normal electoral cycle.