

Agenda



Contact Officer: Matthew Gaskin, Trainee Democratic and Electoral Services Officer

Tel: 01235 422527

E-mail: matthew.gaskin@southoxon.gov.uk

Date: 30 June 2017

Website: www.southoxon.gov.uk

A MEETING OF THE

Community Governance and Electoral Issues Committee

WILL BE HELD ON MONDAY 10 JULY 2017 AT 6.30 PM

MEETING ROOM 1, 135 EASTERN AVENUE, MILTON PARK, MILTON, ABINGDON, OXFORDSHIRE, OX14 4SB

Members of the Committee:

Ian White (Chairman)

Charles Bailey
Steve Connel

Anthony Dearlove
Will Hall

David Turner

Substitutes

Anna Badcock
Joan Bland

Stefan Gawrysiak
Toby Newman

John Walsh

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1 Apologies for absence

To record apologies for absence and the attendance of substitute members.

2 Declarations of interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

3 Minutes (Pages 3 - 4)

To adopt and sign as a correct record the Community Governance and Electoral Issues Committee minutes of the meeting held on 6 March 2017 – **attached**.

4 Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

5 Public participation

To receive any questions or statements from members of the public that have registered to speak.

6 Community Governance Review - review of the size of Cholsey Parish Council (Pages 5 - 7)

To consider a report on the review of the size of Cholsey Parish Council – report **attached**.

7 Community Governance Review - review of the size of Kidmore End Parish Council (Pages 9 - 12)

To consider a report on the review of the size of Kidmore End Parish Council – report **attached**.

MARGARET REED

Head of Legal and Democratic Services

Minutes



Listening Learning Leading

OF A MEETING OF THE

Community Governance and Electoral Issues Committee

HELD AT 6.30 PM ON MONDAY 6 MARCH 2017

MEETING ROOM 1, 135 EASTERN AVENUE, MILTON PARK

Present

David Nimmo-Smith (Chairman), Charles Bailey, Anthony Dearlove, Paul Harrison and Bill Service.

Officers

Lesley Blue, Steven Corrigan and Matthew Gaskin.

20 Apologies for absence

Apologies for absence were submitted on behalf of Margaret Davies.

21 Minutes

RESOLVED: to approve the minutes of the meeting held on 20 October 2016 as a correct record and agree that the Chairman signs them as such.

22 Declarations of interest

None.

23 Urgent business and chairman's announcements

None.

24 Public participation

No members of the public had registered to speak.

25 Community Governance Review - review of the size of Cholsey Parish Council

The committee considered the report of the head of legal and democratic services on whether to agree to undertake a second stage consultation proposing no change to the current number of parish councillors for Cholsey Parish Council.

The committee had agreed at its meeting on 20 October 2016 to undertake a community governance review of Cholsey Parish Council. This was in response to a request from the parish council to reduce the number of parish councillors from 13 to 12. This was due to a reduction in the electorate number as a result of Winterbrook transferring from Cholsey to Wallingford. Only one response was received from Cholsey Parish Council in response to the initial consultation. In light of housing growth in the village and slight population growth, the parish council no longer supported a reduction in the number of parish councillors.

The committee considered and supported the officer's recommendation that a second stage consultation be carried out on retaining the number of parish councillors for Cholsey Parish Council at 13.

RESOLVED: to

1. agree to undertake a second stage consultation proposing no change to the current number of parish councillors for Cholsey Parish Council;
2. to authorise the head of legal and democratic services to undertake the consultation.

26 Community Governance Review - request from Kidmore End Parish Council

The committee considered a request from Kidmore End Parish Council to reduce its parish councillors from 12 to 10.

Kidmore End Parish Council had written to the council outlining the rarity of the maximum of 12 councillors being in place at any one time. The average number of councillors each month since May 2011 is 10.4. Based on this, the parish council had put forward a request to reduce the maximum number of parish councillors to 10.

The officer confirmed that the population of Kidmore End was small and that there were frequently vacancies for parish councillors.

The committee considered the report and recommended that a community governance review (CGR) of Kidmore End Parish Council be undertaken.

RESOLVED: to

1. undertake a community governance review of Kidmore End Parish Council;
2. authorise the head of legal and democratic services to draft and publish the terms of reference for the review.

The meeting closed at 6.35 pm

Chairman

Date

Community Governance and Electoral Issues Committee

Report of Head of Legal and Democratic Services

Author: Steven Corrigan

Telephone: 01235 422526

Textphone: 18001 01235 422526

E-mail: steven.corrigan@southandvale.gov.uk

To: COMMUNITY GOVERNANCE AND ELECTORAL ISSUES COMMITTEE

DATE: 10 July 2017

Community Governance Review – review of the size of Cholsey Parish Council

Recommendation:

To retain the number of parish councillors at 13 for Cholsey Parish Council.

Purpose of Report

1. To invite the committee to agree to retain the number of parish councillors for Cholsey at 13.

Strategic Objectives

2. Community governance reviews contribute to the council's strategic objective of building thriving communities.

Background

3. At its meeting on 6 March 2017 the committee agreed to undertake a second stage consultation proposing no change to the current number of parish councillors for Cholsey Parish Council and to authorise the head of legal and democratic services to undertake the consultation.

Consultation

4. A second stage consultation process commenced in April 2017 and concluded on 30 June 2017. An information item inviting consultation responses was included in the April edition of "Cholsey Village Voice" (Cholsey Parish Council's newsletter). The council did not receive any consultation responses to the proposal to retain the number of parish councillors at 13.

Size of parish councils

5. At its meeting in March the committee noted that National Association of Local Councils (NALC) guidance suggests a parish council size of no more than 11 parish councillors for a parish the size of Cholsey. However, the committee also noted there is a wide variation in council size and the current Cholsey Parish Council allocation reflects the range reported as typical by the Aston Business School. In addition, whilst Cholsey Parish Council has not had contested elections in either 2011 or 2015 it has not carried vacancies which suggests an interest locally in standing as a parish councillor. The parish council is active dealing with major projects, planning applications, a neighbourhood plan, managing local facilities, local amenity groups and will experience population increase over the next five years. In addition officers are of the view that any reduction in the number of parish councillors, even to the NALC figure, should attract the support of the parish council if there is no other evidence (for example parish councillor vacancies) to justify a reduction. Officers therefore recommend that no change is made to the current size of Cholsey Parish Council.

Financial Implications

6. Under the Local Government and Public Involvement in Health Act 2007, local authorities have responsibility for undertaking community governance reviews. The process is prescribed and involves officer time and other associated costs, such as postage and printing. These costs have been met from within existing budgets.

Legal Implications

7. The Community Governance and Electoral Issues Committee has delegated authority to deal with all matters relating to parish community governance reviews.
8. This community governance review was undertaken in accordance with the requirements laid down in the Local Government and Public Involvement in Health Act 2007 and the joint guidance on community governance reviews published by the Communities and Local Government Department and LGBCE in 2010.

Risks

9. There is a risk that someone could challenge the outcome of the review item through judicial review. Council officers have mitigated against this by ensuring that at all times the council follows the requirements laid down in the 2007 Act and guidance.

Conclusion

10. The council has completed the community governance review of the size of Cholsey Parish Council. In light of the responses to the two stage consultation and the evidence that the current allocation of parish councillors to elector is reasonable, the committee is invited to agree to retain 13 parish councillors for Cholsey Parish Council.

Background Papers

- Report (agenda item 6) to Community Governance and Electoral Issues Committee on 20 October 2016
- Report (agenda item 6) to Community Governance and Electoral Issues Committee on 6 March 2017

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Community Governance and Electoral Issues Committee

Report of Head of Legal and Democratic Services

Author: Steven Corrigan

Telephone: 01235 422526

Textphone: 18001 01235 422526

E-mail: steven.corrigan@southandvale.gov.uk

To: COMMUNITY GOVERNANCE AND ELECTORAL ISSUES COMMITTEE

DATE: 10 July 2017

Community Governance Review – review of the size of Kidmore End Parish Council

Recommendation:

1. To agree to undertake a second stage consultation proposing a reduction in the number of parish councillors for Kidmore End Parish Council from 12 to 10.
2. To authorise the head of legal and democratic services to undertake the consultation.

Purpose of Report

1. To invite the committee to agree to undertake a second stage consultation on a proposal to reduce the number of parish councillors for Kidmore End from 12 to 10.

Strategic Objectives

2. Community governance reviews contribute to the council's strategic objective of building thriving communities.

Background

3. At its meeting on 6 March 2017 the committee agreed to undertake a community governance review (CGR) of Kidmore End Parish Council in response to a request from the parish council to reduce the number of parish councillors from 12 to 10 to address the reduced electorate that had existed since 1977 when the boundary of the parish was changed as a result of the transfer of properties to Reading

Borough Council. To date no governance review had been undertaken to address this change.

Initial consultation

4. The purpose of the first stage consultation was to seek views on the number of parish councillors for Kidmore End Parish Council. The consultation took place between April 2017 and 30 June 2017. Only one response was received from Kidmore End Parish Council itself attached as an appendix to this report.

Size of parish councils

5. When considering the number of councillors to be elected for a parish the council must have regard to the number of local government electors for the parish and any change to that number that is likely to occur within five years of the date on which the terms of reference were published. The number of registered electors for the parish of Kidmore End is currently 1048 and is not expected to alter significantly during the next five years.
6. Joint guidance issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England in 2010 provides further information on community governance reviews and the factors influencing size and membership of parish councils. On size, the guidance says:

“154. In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Research by the Aston Business School Parish and Town Councils in England (HMSO, 1992), found that the typical parish council representing less than 500 people had between five and eight councillors; those between 501 and 2,500 had six to 12 councillors; and those between 2,501 and 10,000 had nine to 16 councillors. Most parish councils with a population of between 10,001 and 20,000 had between 13 and 27 councillors, while almost all councils representing a population of over 20,000 had between 13 and 31 councillors.

155. The LGBCE has no reason to believe that this pattern of council size to population has altered significantly since the research was conducted. Although not an exact match, it broadly reflects the council size range set out in the National Association of Local Councils Circular 1126; the Circular suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

156. In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, it should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government.

157. Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. In addition, historically many parish councils, particularly smaller ones, have found difficulty

in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size.”

7. The National Association of Local Councils Circular 1126 recommends:

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	45,000	25
9,000	16		

8. The above table suggests a parish council size of 8 parish councillors for a parish the size of Kidmore End. However, as set out in paragraph six above, there is a wide variation in council size. The request from Kidmore End Parish Council for 10 parish councillors reflects the range reported as typical by the Aston Business School. In addition, Kidmore End Parish Council has been able to attract upto 10 parish councillors. This suggests there is interest locally in standing as a parish councillor. In addition officers are of the view that any reduction in the number of parish councillors, even to the NALC figure, should attract the support of the parish council if there is no other evidence (for example parish councillor vacancies) to justify a reduction.

Financial Implications

9. Under the Local Government and Public Involvement in Health Act 2007, local authorities have responsibility for undertaking community governance reviews. The process is prescribed and involves officer time and other associated costs, such as postage and printing. These costs will be met from within existing budgets.

Legal Implications

10. The Community Governance and Electoral Issues Committee has delegated authority to deal with all matters relating to parish community governance reviews.

11. All community governance reviews will be undertaken in accordance with the requirements laid down in the Local Government and Public Involvement in Health Act 2007 and the joint guidance on community governance reviews published by the Communities and Local Government Department and LGBCE in 2010.

12. The council will implement any changes by making a reorganisation of community governance order.

Risks

13. There is a risk that someone could challenge the outcome of a particular review item through judicial review. Council officers will mitigate against this by ensuring that at all times the council follows the requirements laid down in the 2007 Act and guidance.

Conclusion

14. The council has completed the initial consultation stage of a community governance review of the size of Kidmore End Parish Council. In light of the response to the consultation and the evidence that an allocation of 10 parish councillors is reasonable and sustainable, the committee is invited to agree to undertake a second stage consultation on reducing the number of parish councillors from 12 to 10 for Kidmore End Parish Council.

Background Papers

Report (agenda item 7) to Community Governance and Electoral Issues Committee on 6 March 2017