

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: 6 March 2017

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

Recommendation:

1. To 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.

Purpose of Report

1. To invite the committee to agree to undertake a second stage consultation on retaining 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 20 October 2016 the committee agreed to undertake a community governance review (CGR) of Cholsey Parish Council in response to a request from the parish council to reduce the number of parish councillors from 13 to 12 in response to a reduction in the electorate number as a result of Winterbrook transferring from Cholsey into Wallingford.

Initial consultation

4. The purpose of the first stage consultation was to seek views on the number of parish councillors for Cholsey Parish Council. The consultation took place between November 2016 and 31 January 2017. Only one response was received from Cholsey Parish Council itself which, in light of housing growth in the village (particularly at the former Fairmile Hospital site), no longer supports a reduction in the number of parish councillors.

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 Cholsey is currently 3,034.
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 no more than 11 parish councillors for a parish the size of Cholsey. However, as set out in paragraph seven above, 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. This suggests there is 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 and local amenity groups. No other changes have been suggested or recommended during the initial consultation stage. Officers therefore recommend that a second stage consultation is undertaken proposing no change to the current size of Cholsey Parish Council.

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. Where the changes impact on arrangements put in place by the LGBCE's reviews of the electoral arrangements for Oxfordshire County Council and South Oxfordshire District Council, the council will need the LGBCE's consent before making an 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 number of the size of Cholsey Parish Council. In light of the response to the consultation and the evidence that the current allocation of parish councillors to elector is reasonable, the committee is invited to agree to undertake a second stage consultation on retaining 13 parish councillors for Cholsey Parish Council.

Background Papers

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