

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	FINANCE AND DEMOCRACY COMMITTEE	28 SEPTEMBER 2020	5
<b>COMMUNITY GOVERNANCE REVIEW</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

Legislation allows the council to review the pattern of community governance in its area. A review can recommend the establishment or abolition of parish councils, re-align boundaries between them and change the number of parish councillors.

Lancashire County Council and other authorities have put forward proposals for the reorganisation of local government in Lancashire based on a small number of unitary authorities. The possibility of a move to unitary government at the principal council level makes it an appropriate time to revisit the pattern of community governance in Fylde.

The committee is asked to recommend to the council whether to undertake a community governance review and agree the basis of the terms of reference and an indicative timetable for any review.

### RECOMMENDATIONS

1. Recommend that the council undertakes a community governance review.
2. Recommend that the terms of reference of the review comprise a review of community governance in the whole of the council's district.
3. Adopt the indicative review timetable in paragraph 14

### SUMMARY OF PREVIOUS DECISIONS

Community Outlook Overview and Scrutiny Committee, 14 May 2009: received a report recommending a community governance review of the whole of the council's district. Recommended that a review be not carried out.

Council, 27 July 2009: Commissioned review of the whole of the council's district.

Council, 26 July 2010: Received the review; deferred consideration until further consultation had taken place.

Council, 27 September 2010: Accepted the recommendation of the review to increase the council size of St Annes on the Sea Town Council; declined to proceed with the remaining recommendations.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	√
Working with all partners ( <b>Vibrant Economy</b> )	√
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	

## REPORT

### BACKGROUND

1. The Fylde district contains fifteen parish councils. The largest of these is St Annes-on-the-Sea, with a population of 26,9351. The smallest is Greenhalgh-with-Thistleton, with 421. The entire district is covered by parish councils, except for Lytham and Ansdell.
2. There was no parish council in St Annes-on-the-Sea until 2005, when the present council was established following a petition by local residents. Apart from this, the number of parish councils and their boundaries has remained unchanged since local government reorganisation in 1974.
3. The formation and abolition of parishes, changes to their boundaries and adjustments to council size (the number of councillors who comprise a parish council) can only happen following a community governance review. Community governance reviews are scoped, carried out and implemented by district councils. When carrying out a review, the district council has to consult local government electors and others who appear to it to have an interest in the review. It should follow guidance on reviews<sup>2</sup> issued by the Ministry for Housing and Local Government.

### WHY CARRY OUT A REVIEW?

4. Successive governments have seen dynamic and confident parish councils as being important to the agenda of community empowerment. They are also seen as a key element in building cohesive communities. However, to fulfil these roles, the structure of parish councils needs to reflect present-day patterns of living, working and community identity.
5. The guidance says, *“it would be good practice for a principal council to consider conducting a review every 10-15 years”*. It continues, *“In the interests of effective governance, the principal council should consider the benefits of undertaking a review of the whole of its area in one go, rather than carrying out small scale reviews in a piecemeal fashion of two or three areas”*.<sup>3</sup>
6. Fylde’s most recent community governance review was carried out in 2009-10, though most of its recommendations were not accepted. It is therefore timely to programme another review.
7. Additionally, moves to replace the present structure of principal councils across Lancashire are gaining traction, with the county council and some other councils having submitted proposals to the Government. Those proposals and most other suggestions for reform envisage a pattern of unitary authorities covering much larger footprints than the present district councils. (for example, the present areas of Blackpool, Fylde, Lancaster, Ribble Valley and Wyre). These larger authorities are likely to leave a vacuum in community governance in areas without a parish council. A review would be able to consider whether a new parish council or councils should be formed to cover the presently unparished areas of Fylde.
8. According to the guidance, a review also *“offers an opportunity to put in place strong, clearly-defined boundaries, tied to firm ground features, and remove the many anomalous parish boundaries that exist...”*.<sup>4</sup>

<sup>1</sup> Office of National Statistics, mid-2017 population estimates

<sup>2</sup> “Guidance on Community Governance Reviews”, available at [www.gov.uk/government/publications/community-governance-reviews-guidance](http://www.gov.uk/government/publications/community-governance-reviews-guidance).

<sup>3</sup> Guidance, paragraphs 26-7

<sup>4</sup> Guidance, paragraph 16.

Although a review could recommend that an area that presently has a parish council should become unparished, the guidance states that *“it would be undesirable to see existing parishes abolished with the area becoming unparished with no community governance arrangements in place”*.<sup>5</sup>

9. Although a review does not directly affect district council warding or county council electoral divisions, parish boundaries are used as the building blocks for changes to these units. This is another reason why parish council boundaries should reflect present-day population distribution and identity.

#### WHAT CAN A REVIEW DO?

10. A review can make recommendations relating to any or all of the following, depending on its terms of reference:

- the creation of a parish
- the name of a parish
- the alteration of boundaries of existing parishes
- the abolition of a parish
- the dissolution of a parish council
- changes to the electoral arrangements of a parish council
- Whether a parish should be grouped under a common parish council or de-grouped.

#### WHAT HAPPENS IN A REVIEW?

11. The key decision to be made at the start of a review is on its terms of reference. If the committee agrees to recommend that the council carry out a review, there are two suggested alternative bases for the terms of reference:

- A review of community governance in the whole of the council's district
- A review of community governance in the unparished area of the council's district (Lytham and Ansdell)

The first of these alternatives is recommended as it most closely follows the guidance

12. Within its terms of reference, a review should secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.<sup>6</sup>
13. The review process has to include consultation. This must include consultation with local government electors and others that appear to the principal council to have an interest in the review. These would include the county council, existing parish councils, local businesses, and local public and voluntary organisations - such as schools or health bodies. The council must take into account any representations it receives.<sup>7</sup>

#### WHEN SHOULD THE REVIEW TAKE PLACE?

14. A review should take a maximum of twelve months to complete. The council should aim for the recommendations of a review to be implemented in time for the parish council elections in May 2022. The following timetable would achieve this:

**September 2020:** Finance & Democracy Committee considers officers' report recommending a review be undertaken, and the basis of its terms of reference.

**October 2020:** Full council accepts the recommendation of the committee to undertake the review, and adopts the terms of reference.

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<sup>5</sup> Guidance, paragraph 117.

<sup>6</sup> Guidance, paragraph 33.

<sup>7</sup> Guidance, paragraph 34.

**November 2020 – May 2021:** Review conducted.

**June 2021:** Draft recommendations of review reported to committee for recommendation to council

**July 2021:** Full council considers report of committee and confirms (or otherwise) the draft recommendations of the review. Gives authority to publish the agreed recommendations.

**July 2021:** Committee decides whether to recommend to council to confirm the review recommendations.

**October 2021:** Council confirms (or otherwise) the recommendations and gives formal authority to make the order.

**Post October 2021:** Order made and published (including anticipated precept for any new parish council), any recommendations to the Electoral Commission made.

**May 2022:** Parish council elections.

#### DECISIONS FOR THE COMMITTEE

15. The committee is asked to recommend to the full council:

- Whether there should be a community governance review;
- If so, which of the alternatives in paragraph 11 should form the basis of the terms of reference; and
- To adopt the indicative timetable in paragraph 14

IMPLICATIONS	
Finance	Any review would need to be carried out internally using existing Council resources and not involve any additional expenditure.
Legal	The powers to carry out a review are contained in the Local Government and Involvement in Health Act 2007 as explained in the body of the report.
Community Safety	Empowered and confident parish councils will be able to play a significant role in improving community safety and combating the fear of crime.
Human Rights and Equalities	Any review would need to have regard to community cohesion.
Sustainability and Environmental Impact	The cohesiveness of communities and enhancement of community identity are key elements of sustainability and will be important considerations in any review.
Health & Safety and Risk Management	None

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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Guidance on Community	March 2010	<a href="http://www.gov.uk/government/publications/community-">www.gov.uk/government/publications/community-</a>

Governance Reviews		governance-reviews-guidance
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Appendix to Item 12