



DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF GOVERNANCE	COUNCIL	12 OCTOBER 2022	8
COMMUNITY GOVERNANCE REVIEW			

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.

A community governance review was recently undertaken, with terms of reference comprising the whole of the council's district with a focus on the unparished areas of Lytham and Ansdell. The review recommends establishing parish councils for each of the unparished areas of Ansdell and Lytham and making four minor boundary adjustments affecting existing parishes.

Following approval at Finance and Democracy Committee on 23rd June 2022, Council is asked to adopt the recommendations of the community governance review.

RECOMMENDATIONS

1. To adopt and implement the recommendations of the community governance review as set out in pages 33-36 of the review report.
2. To approve the order establishing the new parishes of Ansdell and Lytham includes the provisions for interim councillors and anticipated precepts set out in this report.

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 a 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 go ahead with the remaining recommendations.

Finance & Democracy Committee, 28 September 2020: Recommended a community governance review be undertaken of the whole district with a focus on the unparished areas of Lytham and Ansdell and areas of high development.

Council, 19 October 2020: Commissioned the review with an amended indicative timetable to take into account the Local Government Boundary Commission for England's electoral review of the council.

Finance and Democracy Committee, 23 June 2022:

1. To note the recommendations of the community governance review as set out in pages 33-36 of the review report for adoption and further consideration by full council.
2. To arrange a Member Briefing on the matter to allow full consideration of the impact of this review prior to a future Council meeting.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

REPORT

BACKGROUND

1. On 28 September 2020 the Finance and Democracy Committee recommended that a review be undertaken of the pattern of community governance across the borough, and in doing so asked that initial attention be given to the unparished areas and areas undergoing significant growth.
2. As Fylde was then undergoing a Local Government Boundary Commission review of borough electoral arrangements, Council agreed on 19 October 2020 that the timetable for the community governance review would be moved back, so that the review started on completion of the Boundary Commission review. Because of this change in timetabling, the community governance review considered the whole of the borough in tandem, rather than reporting in tranches.
3. A community governance review is a review of the pattern of parishes and parish councils in the whole or part of a district. The legal framework for reviews is set out in part 4 of the Local Government and Public Involvement in Health Act 2007. The terms of reference for the review in Fylde were to consider whether to create a parish council or councils to cover the unparished area of the district, and to recommend changes to boundaries of existing parishes having regard to the government guidance that reviews should *“put in place strong boundaries, tied to firm ground detail, and remove anomalous parish boundaries”*.

THE REVIEW PROCESS

4. The review has so far consisted of four stages: initiation, stakeholder consultation, community consultation, and writing the report and recommendations. The final stage, if any or all the recommendations are accepted, would be implementation.
5. Initiation was the process of considering what proposed changes should be taken forward for consultation. This drew on the unimplemented recommendations of an earlier community governance review which reported in 2010.
6. Stakeholder consultation was by direct engagement with parish councils and borough councillors whose wards would be affected by proposed changes. Community consultation was by an online questionnaire¹ which was publicised through social media and other council communications channels.
7. The report sets out the proposals details the consultation responses and makes recommendations. It is appended to this report. The recommendations are the establishment of new parish councils for Lytham and Ansdell and four other minor boundary changes. None of the other changes affects more than one household. In summary, the recommendations made by the review the review are:

- [Proposal A1](#): A new parish council for Ansdell.

¹ It was also possible to reply to the consultation by post or email, but no responses were received through those channels.

- [Proposal BW3](#): A boundary change between Bryning with Warton and Westby with Plumpton.
 - [Proposal E1](#): A boundary change between Elswick and Little Eccleston with Larbreck.
 - [Proposal L1](#): A new parish council for Lytham.
 - [Proposal RW1](#): A boundary change between Ribby with Wrea and Westby with Plumpton.
 - [Proposal WP4](#): A boundary change between Westby with Plumpton and the presently unparished area.
8. Following deliberation by the Finance and Democracy Committee, Council is now asked to consider the formal recommendations made in pages 33 to 36 of the review report.

IMPLEMENTATION

9. If the Council accepts the recommendations in the review report, they would be implemented by an order made by the council. The order would be based on the relevant parts of the [model community governance reorganisation order](#) published by the Government.
10. The order would provide for the two new parishes to come into existence on 1 April 2023, and for elections to be held on 4 May 2023 and then every fourth year. This is the same pattern of elections as for other parish councils in the borough. In the short period between the councils coming into existence and the newly elected councillors coming into office, the order would provide for the borough councillors for the area covered by each new parish to be interim councillors².
11. The order would not automatically transfer any property or assets to the new parish councils, except for allotments. Any property or asset transfer would need to be negotiated and agreed between the borough council and the parish council concerned, after parish councillors have been elected.
12. District councils and parish councils are both allotment authorities. But a district council cannot exercise its powers as an allotment authority in an area that has a parish council³. Consequently, responsibility for the allotments at Mythop Road and Moss Hall Lane would transfer⁴ to the new Lytham and Ansdell parish councils when the new councils are established.

FINANCIAL PROVISION

13. Parish councils are financed by a parish precept, which is collected by the borough council as part of the council tax in the relevant parish area. The parish council decides on the amount of the precept. Because any new parish councils would not be in existence in time to decide on their precepts for 2023-24, legislation⁵ provides for the borough council to anticipate a precept.
14. The amount of the anticipated precept would be set out in the order establishing the new parish councils. The council tax calculation for each newly-parished area would treat the anticipated precept as if it were a precept issued by the new parish council. Detailed regulations provide for the transfer of the “precepted” funds to the new parish council, for the parish council to issue a precept by October (2023) of an amount not more than the anticipated precept, and for consequential adjustments.
15. It is suggested that the anticipated precepts for the new parish councils recommended by the review be as follows:
- Ansdell: £27.12 per Band D equivalent property
 - Lytham: £27.12 per Band D equivalent property

The figures above are based on the Band D parish precept of £23.58 set by St Annes on the Sea Town Council for 2022-23, increased by 15% to allow for inflation and the costs of setting up a new structure..

The actual total precept for each of the new parishes can only be established once the tax base for the 2023/24 financial year has been confirmed in December 2022. Based on the current tax base of the whole currently unparished area of Lytham and Ansdell for the current year (2022/23) of 7,663 and the suggested precept of

² The borough councillors for the wards of Clifton and St Johns would be the interim councillors for Lytham Parish Council and the borough councillors for the wards of Park, Fairhaven and Ansdell would be the interim councillors for Ansdell Parish Council.

³ See paragraph 9 of schedule 29 to the Local Government Act 1972

⁴ In practice, the borough council would continue to manage the allotments on behalf of the parish councils until the parish councils put in place their own arrangements.

⁵ See the Local Government Finance (New Parishes) (England) Regulations 2008

£27.12 per Band D equivalent property, the total precept for both parishes combined is ESTIMATED at £207,821.

In the absence of actual tax base data for the two new areas 2023/24, the following table shows an INDICATIVE ESTIMATE of the total precept receivable by each of the two new parishes pro rata to the respective populations of Lytham and Ansdell:

- Ansdell indicative estimated precept: £95,936
- Lytham indicative estimated precept: £111,868

It should be noted that the two new parish precepts identified above will be charged **in addition to** the existing charges which are levied in these areas, including the FBC borough wide council tax charge and the FBC Special Expenses charge (which is charged primarily to pay for the costs of maintaining parks and opens spaces owned by FBC across the area of Lytham, Ansdell and St Annes).

CONCLUSION

16. The community governance review recommends the establishment of new parish councils in Lytham and Ansdell, along with four minor adjustments in the boundaries of existing parishes. The committee is asked to endorse those recommendations and the consequential matters set out under “implementation” and “finance” above for actioning by the council.

IMPLICATIONS	
Finance	The financial provisions including the mechanism for anticipating and charging precepts for the newly established parish councils are set out in the body of the report. The new precepts will be charged in addition to existing council tax and special expenses charged in Lytham and Ansdell. There may be some software costs associated with setting up the new parishes in the council tax system and allocating the relevant properties to their respective new parishes. It is anticipated that these costs can be met from existing budget provision.
Legal	The legal provisions governing community governance reviews are contained in the Local Government and Public Involvement in Health Act 2007.
Community Safety	None arising directly from this report.
Human Rights and Equalities	There are no direct human rights or equalities implications.
Sustainability and Environmental Impact	New parish councils will be able to contribute to achieving environmental sustainability at a local and community level.
Health & Safety and Risk Management	No implications.

LEAD AUTHOR	CONTACT DETAILS	DATE
Ian Curtis	ian.curtis@fylde.gov.uk & Tel 01253 658506	23 May 2022

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Community governance review report	May 2022	Appended

Community questionnaire responses	Open March – April 2022	Town Hall, Lytham St Annes
Community governance reviews: Guidance and model reorganisation order	Updated 2010	www.gov.uk/government/publications/community-governance-reviews-guidance

Attached documents

Community Governance Review