
GENERAL PURPOSES COMMITTEE

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Wednesday, 19th October, 2022 at 10.00 am

MEMBERSHIP

Councillors

S Arif	-	Gipton and Harehills;
D Blackburn	-	Farnley and Wortley;
Amanda Carter	-	Calverley and Farsley;
D Cohen	-	Alwoodley;
D Coupar	-	Temple Newsam;
S Golton	-	Rothwell;
H Hayden	-	Temple Newsam;
A Khan	-	Burmantofts and Richmond Hill;
W Kidger	-	Morley South;
J Lennox	-	Cross Gates and Whinmoor;
J Lewis (Chair)	-	Kippax and Methley;
J Pryor	-	Headingley and Hyde Park;
F Venner	-	Kirkstall;

Please do not attend the meeting in person if you have symptoms of Covid-19 and please follow current public health advice to avoid passing the virus onto other people.

To remotely observe this meeting, please click on the 'View the Meeting Recording' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

[Council and democracy \(leeds.gov.uk\)](https://leeds.gov.uk)

Agenda compiled by:
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LEEDS LS1 1UR
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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an appeal the press and public will be excluded).</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>	
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence from the meeting.</p>	
6			<p>MINUTES OF THE LAST MEETING</p> <p>To receive and approve the minutes of the meeting held on 11 July 2022.</p>	5 - 6
7	Wetherby		<p>PROPOSED COMMUNITY GOVERNANCE REVIEW OF THORP ARCH PARISH COUNCIL</p> <p>The report of the Chief Officer, Elections and Regulatory informs Members of a request to increase the number of Parish Councillors for Thorp Arch Parish Council. The Council must consider this request and decide whether a Community Governance Review should take place with a view to increasing the number of councillors from 5 to 6</p>	7 - 24
8			<p>TO INFORM GENERAL PURPOSES COMMITTEE OF THE USE BY THE MONITORING OFFICER AND HER DEPUTIES OF HER POWER UNDER ARTICLE 15 15.2.3</p> <p>The report of the City Solicitor recommends that General Purposes Committee notes the use of the powers of the Monitoring Officer</p>	25 - 28

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p>DATE AND TIME OF NEXT MEETING</p> <p>Wednesday, 14 December 2022 at 10.00 a.m.</p> <p>THIRD PARTY RECORDING</p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. 	

GENERAL PURPOSES COMMITTEE

MONDAY, 11TH JULY, 2022

PRESENT: Councillor J Lewis in the Chair

Councillors D Blackburn, Amanda Carter,
D Cohen, D Coupar, S Golton, H Hayden,
A Khan, J Lennox, J Pryor and F Venner

1 Appeals against refusal of inspection of documents

There were no appeals against the refusal of inspection of documents.

2 Exempt Information - possible exclusion of the press and public

There were no resolutions to exclude the public.

3 Late items

There were no late items.

4 Declaration of Interests

There were no declarations of interest.

5 Minutes of the last meeting

RESOLVED – That the minutes of the meeting held on the 16 May 2022 be approved as a correct record.

6 Amendments to Article 17 of the Constitution, Health and Wellbeing Board Terms of Reference and Council Procedure Rules

The report of the Director of Adults and Health recommended amendments to Article 17 of the Constitution, The Health and Wellbeing Board Terms of Reference and Council Procedure Rules to reflect the changes in the health and care system of England as set out in The Health and Care Act 2022 legislation (which came into effect from the 1 July 2022).

Wasim Feroze, Strategy Partnership Development Manager, Adults and Health presented the report.

The Committee was informed of proposed changes to the Health and Wellbeing Board membership and that the former Chair of the Health and Wellbeing Board, Rebecca Charlwood, had been appointed as Independent Chair to the Leeds Committee of the Integrated Care Board.

RESOLVED –

- (a) That the proposed amendments to Article 17 of the Constitution, The Health and Wellbeing Board Terms of Reference and Council Procedure Rules as set out in the appendices to the report be noted.

(b) That it be recommended to Full Council that it approves the proposed amendments outlined in the report.

7 Date and Time of Next Meeting

The next scheduled meeting of General Purposes Committee is Thursday, 19 October 2022 at 11.00 a.m.

Proposed Community Governance Review of Thorp Arch Parish Council

Date: 19 October 2022

Report of: Chief Officer, Elections and Regulatory

Report to: General Purposes Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the City's and council's ambitions

- A request to increase the number of Parish Councillors for Thorp Arch Parish Council has been received.
- The Council must consider this request and decide whether a Community Governance Review should take place with a view to increasing the number of councillors from 5 to 6.

Recommendations

- a) Members of General Purposes Committee take a decision on whether a Community Governance Review of Thorp Arch Parish Council should be undertaken.
- b) Should the decision be taken to undertake a Community Governance Review, to approve the terms of reference and timetable for the review (Appendix A).

Why is the proposal being put forward?

- 1 On 12 July 2022, the Council received a request from Thorp Arch Parish Council, to increase the number of Parish Councillors from 5 to 6 (Appendix B).
- 2 Thorp Arch Parish Council sits within the Wetherby Ward of Leeds City Council, polling district WYD. A map can be found at Appendix C to this report.
- 3 The electorate of the Parish is currently 682, across 499 properties.
- 4 A large development within the Parish boundaries will see an additional 145 properties and an estimated 200 additional electors added to the Thorp Arch Parish Council register.
- 5 By way of comparison, neighbouring Walton Parish Council has an electorate of 173, represented by 7 Parish Councillors (24 electors per Councillor), and Clifford Parish Council has an electorate of 1414 represented by 9 Parish Councillors (147 electors per Councillor).
- 6 Guidance from the National Association of Local Councils on the number of Parish Councillors can be found at Appendix D.
- 7 An estimated electorate of approximately 900 shared between the proposed 6 Parish Councillors equates to 150 electors per Councillor.
- 8 The request was supported by all 5 of the existing Parish Councillors, who agreed to formally request an increase at their meeting of 11 April 2022.
- 9 Further support has been received by the 3 Leeds City Council Wetherby Ward Councillors, in which the Parish Council falls (Appendix E).
- 10 Under the requirements of the Local Government and Public Involvement in Health Act, the Council must now decide whether to proceed with a Community Governance Review.
- 11 If the Committee decide the Council should undertake a review, this will commence on 20 October 2022, and conclude in sufficient time for the new arrangements to take effect at the Parish Council elections to be held on 4 May 2023.
- 12 As was the case at previous Community Governance Reviews, representations made during the consultation period outlined in Appendix A will be first be considered at the Councils Electoral Working Group (EWG) who are experienced in this role. EWG will make recommendations to General Purposes Committee for their consideration.
- 13 If the Committee do not approve the undertaking of a review, the Parish Council may opt to reapply, and do so by petition signed by a designated percentage of the electorate, which would then automatically trigger a review to take place.
- 14 Draft terms of reference for the review, if approved, are attached at Appendix A to this report, which includes a timetable for the review process.

What impact will this proposal have?

Wards Affected: Wetherby

Have ward members been consulted? Yes No

- 15 Ward members have confirmed their support of a review. See Appendix E to this report.

What consultation and engagement has taken place?

16 Consultation will be undertaken if a review is approved. Please see the terms of reference and timetable contained within Appendix A to this report.

What are the resource implications?

17 There are minimal resource implications for Electoral Services. There is no cost to the Service to undertake this review.

What are the legal implications?

18 The Council must consider whether to undertake a review in accordance with the Local Government and Public Involvement in Health Act.

19 Should a review take place, this will be conducted in accordance with the relevant regulations contained within the same Act.

What are the key risks and how are they being managed?

20 That the Parish Council does not have sufficient Councillors to represent their electorate.

Does this proposal support the council's 3 Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

21 Not applicable - no proposal is being made at this time.

Options, timescales and measuring success

a) What other options were considered?

22 Not applicable.

b) How will success be measured?

23 Not applicable.

c) What is the timetable for implementation?

24 A timetable can be found at Appendix A to this report. Any new arrangements would be effective for the 4 May 2023 all out parish council elections.

Appendices

25 Appendix A – Terms of Reference including timetable

26 Appendix B – Request for a Community Governance Review from Thorp Arch Parish Council

27 Appendix C – Map of the Thorp Arch Parish Council area

28 Appendix D – Guidance from NALC on parish councillor numbers

29 Appendix E – Letter of support from Wetherby Ward Councillors

Background papers

30 None.

Community Governance Review of Thorp Arch Parish Council

TERMS OF REFERENCE

Context

Leeds City Council has resolved to undertake a Community Governance Review of Thorp Arch Parish Council.

Legal Framework

In undertaking the Review, the Council will be guided by

- Part 4 of the Local Government and Public Involvement in Health Act 2007
- the relevant parts of the Local Government Act 1972
- Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010

and the following regulations which guide consequential matters arising from the Review:

- Local Government (Parishes and Parish Councils) (England) Regulations 2008
- Local Government Finance (New Parishes) Regulations 2008

[The 2007 Act has transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.]

Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish its Terms of Reference in a Review.

Publication of terms of reference

This document is being published:

- At www.leeds.gov.uk/elections
- At the Electoral Services Office, Civic Hall, Leeds LS1 1UR
- A copy is being sent to Thorp Arch Parish Council for display on the parish noticeboard

What is a Community Governance Review?

A Community Governance Review is the process used to consider parish arrangements. It is a review of the whole or part of the district area to consider one or more of the following:

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style of new parishes;
- the electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding), and
- grouping parishes under a common parish council or de-grouping parishes.

In the case of this review, it is to consider the electoral arrangements, namely the number of Councillors.

Reason for the review

Why is the Council undertaking a Community Governance Review at this time?

The reason for the review is:

- A request from the Parish Council to increase the number of Parish Councillors from 5 to 6, due to a change in population resulting in a higher electorate within the Parish area.

Present structure of Thorp Arch Parish Council

Thorp Arch Parish Council is an unwarded parish. The current number of parish councillors is 5.

All parishes have elections every four years, the next being in May 2023.

Electorate forecasts

The Council has used the Register of Electors of September 2022, providing the existing electorate figures for Thorp Arch Parish Council. The number of registered electors for the parish on that register is 682.

An electorate forecast, following the development of additional housing within the parish council area within the next five years, predicts an electorate of 900.

What considerations cover the number of parish councillors?

Leeds City Council notes the number of parish councillors for each parish council shall not be less than five. There is no maximum number. There are no rules relating to the allocations of councillors.

The government's guidance is "each area should be considered on its own merits, having regard to its population, geography and the pattern of communities," and therefore the Council is prepared to pay particular attention to:

- existing levels of representation,

- the broad pattern of existing council sizes which have stood the test of time and
- the take-up of seats at elections in its consideration of this matter.

The Aston Business School found the following levels of representation which may be used as a guide:

Electorate	Councillor Allocation
less than 500	5 – 8
501 – 2,500	6 – 12
2,501 – 10,000	9 – 16
10,001 – 20,000	13 – 27
greater than 20,000	13 – 31

In parishes where there has been a history of uncontested elections and/or the need to co-opt members to fill vacancies, the Council will consider whether the present levels of representation are appropriate or whether there is a “democratic surplus” in a parish.

By law, the principal council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- the number of local government electors for the parish;
- any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

Parish governance in our area

Leeds City Council believes parish councils play an important role in terms of community empowerment at local level.

The Council wants to ensure parish governance in our district continues to be robust, representative and enabled to meet the challenges that lie before it.

Furthermore, it wants to ensure there is clarity and transparency to the areas Parish Councils represent.

It wants to ensure that the electoral arrangements of parishes – the warding arrangements and the allocations of councillors – are appropriate, equitable and readily understood by their electorate.

Who undertakes the review?

Leeds City Council is statutorily responsible for carrying out the review.

The conduct of the review will be overseen by the Council's Electoral Working Group.

Formal decisions on the recommendations arising from the review will be made by General Purposes Committee and Full Council in accordance with the Council's constitution.

Officer contact details for the review are:

Susanna Benton
Head of Electoral Services
0113 3784771
susanna.benton@leeds.gov.uk

Consultation

The Council has drawn up and now publishes this Terms of Reference document. This document lays out the aims of the review, the legislation that guides it and some of the policies the Council considers important in the review.

A timetable for the review can be found at Appendix A to this document.

The Council will consult by:

- Writing to Thorp Arch Parish Council
- Writing to all Parish Councils within and adjoining the Community Governance Review area
- Publicising the review at www.leeds.gov.uk/elections
- General press releases

In accordance with the Act, representations received in connection with the Review will be considered, and steps will be taken to notify consultees of the outcome of the Review. This will be done by:

- Online at www.leeds.gov.uk/elections
- General press releases
- Personal communication

Completion of the review

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order.

Any financial and administrative provisions of the reorganisation order will be come into force on 1 April 2023.

The electoral arrangements for a new or existing parish council will come into force on 4 May 2023.

How to contact us

If you have any questions about the Community Governance Review, please contact:

Susanna Benton
Head of Electoral Services
0113 3784771
susanna.benton@leeds.gov.uk

Date of publication: 20 October 2022

Community Governance Review of Thorp Arch Parish Council **TIMETABLE**

Date	Task
12 July 2022	Request Received by Chief Executive
19 October 2022	Report to General Purposes Committee Terms of Reference and Timetable for Review to be approved
20 October 2022	Council to publish Terms of Reference
21 October 2022	Consultation begins with representations invited
25 November 2022	Closing date for representations (five-week consultation period)
December 2022	Elections Working Group consider representations on proposals and recommend final proposals to General Purposes Committee
January 2023	General Purposes Committee consider recommendations from Elections Working Group and agree final recommendations for Full Council
February 2023	Full Council to approve final proposals and Reorganisation of Community Governance Order. Council publishes decision, reasons for decision, and informs persons interested.
4 May 2023	Election of new Parish councillor (if contested) (to coincide with Leeds City Council Elections and all-out Parish/Town Council elections)



Clerk to the Council:
Tina Wormley
Tel: 0113 289 3624
Email: clerk@thorp-arch.org.uk

Chairman:
Cllr Nicola Midgley

11th July 2022



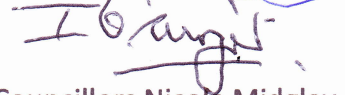

Dear Mr Riordan

Thorp Arch Parish Council request that you undertake a community governance review on the number of councillors in the parish.

We currently have 5 councillors and there are additional homes being built within the parish – 26 have been completed for over a year and a further 119 will be completed by August 2022 with many new residents already having moved in.

Our neighbouring parish of Walton is much smaller and they have 7 councillors. We request an increase of 1 which we would hope to fill from the new housing developments. This request has been discussed at our meeting of 11th April 2022 and all the councillors agree to this request.

Yours sincerely

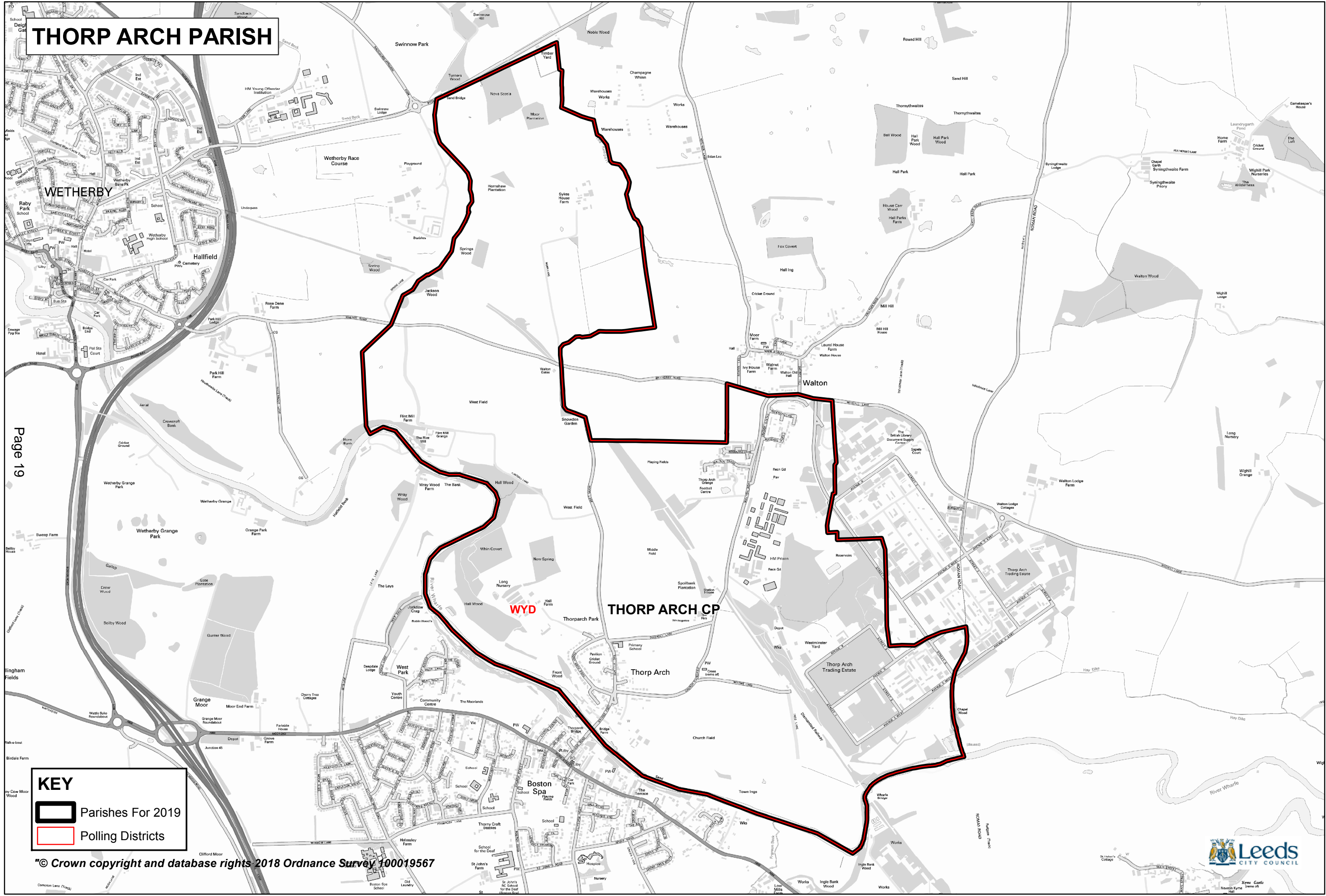




Councillors Nicola Midgley, Steve O'Loughlin, Ian Grainger, Amy Surtees, David Hartley

Thorp Arch Parish Council



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THORP ARCH PARISH



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KEY

-  Parishes For 2019
-  Polling Districts

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Guidance on councillor numbers

National Association of Local Councils (NALC)

NALC published guidance in 1988 on the suggested number of parish councillors to be allocated depending on the size of the population being represented.¹ NALC recommended a council of no more than the legal minimum of five members is inconveniently small and it considers the practical minimum should be seven. It considered local council business does not usually require a large body of councillors, and business convenience makes it appropriate to suggest the practical maximum should be 25. The point that “the conduct of parish council business does not usually require a large body of councillors” is reiterated by the government.²

Within those minimum and maximum limits, the following allocations were recommended by NALC:

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	over 23,000	25
9,000	16		

However, in rural authorities with sparsity of population, even this table may not be appropriate.

¹ Paragraphs 154 and 155, [DCLG and LGBCE Guidance on community governance reviews](#); NALC, Circular 1126 / 1988

² Paragraph 157, [DCLG and LGBCE Guidance on community governance reviews](#)

Aston Business School

The Aston Business School also conducted research that was published in 1992 showing the then levels of representation.³ It is likely these levels have not greatly changed in the intervening years.

Electors	Councillors
< 500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27
> 20,000	13-31

³ Tricker, M. et.al., *Roles and Activities of Parish and Town Councils in England* (London, HMSO, 1993)



Mrs S Benton
via email

**Conservative Councillors for
Wetherby Ward**
2nd Floor East
Civic Hall
Leeds LS1 1UR

Tel: 0113 378 8557
Reference: LR/AL/NH/
Date: 18 July 2022

To whom it may concern,

As the Leeds City Councillors for the Wetherby Ward, we are in support of the proposal to add an additional member to Thorp Arch Parish Council.

Housing development in Thorp Arch and across the Ward has seen significant additional numbers of people coming to the area. It is only right, therefore, the number of Parish Councillors reflects this additional increase.

Thorp Arch has a very low number of Councillors in comparison to other parishes, and an increase is much needed.

Yours sincerely

Councillor Linda Richards
linda.richards@leeds.gov.uk

Councillor Alan Lamb
alan.lamb@leeds.gov.uk

Councillor Norma Harrington
norma.harrington@leeds.gov.uk

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Subject: To inform General Purposes Committee of the use by the Monitoring Officer and her Deputies of her power under Article 15 15.2.3

Date: 10 October 2022

Report of: City Solicitor

Report to: General Purposes Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

Following the adoption of an amended Article 15 by Full Council on 26th May 2022 this report updates General Purposes Committee of the use of the powers under Article 15.2.3 of the Constitution by the Monitoring Officer on 2 occasions since the Committee last sat:

1. On 15 July 2022 to re-align 2 scrutiny functions to correct a historic inconsistency on alignments; and
2. On 26 September 2022 to further update Article 15 following a decision of Executive Board on 27 July 2022 to delegate future changes to the Protocol for the Roles of Members and Officers in Decision Making to the Monitoring Officer.

Recommendations

- a) General Purposes Committee notes the use of the powers of the Monitoring Officer.

What is this report about?

1. Article 15 contains a power for the Monitoring Officer to update the Constitution under 15.2.3:
 - as a result of legislative change or decisions of the Council or Executive to enable him/her to maintain it up to date;
 - for the purposes of clarification only; or
 - where the Monitoring Officer is of the opinion such changes are de minimus and required for administrative or updating purposes only and for which there is unanimous agreement between the Leader of each political group.
 - or to Part 5(d) Protocol for the Roles of Members and Officers in Decision Making in consultation with the Leader of the Council, Opposition Members of Executive Board and the Chief Officer Financial Services.

2. This report updates General Purposes Committee as to the use of the above power by the Monitoring Officer.
3. The Constitution has been amended twice using Article 15.2.3 on 15 July 2022 and 27 September 2022.
4. First, on 15 July 2022 it was used to re-align 2 scrutiny functions to correct a historic inconsistency on alignments with the decision published on the same date under reference D55501.
5. Second, on 26 September 2022, to further update Article 15 following a decision of Executive Board on 27 July 2022 to delegate future changes to the Protocol for the Roles of Members and Officers in Decision Making to the Monitoring Officer published on 27 September 2022 under reference D55637.

What impact will this proposal have?

1. The updating of the Constitution ensures that it is lawful, fit for purpose and reflective of current practices.

How does this proposal impact the three pillars of the Best City Ambition?

- Health and Wellbeing
 Inclusive Growth
 Zero Carbon

What consultation and engagement has taken place?

Wards affected: n/a

Have ward members been consulted? Yes No

1. Prior to each amendment the required consultation was undertaken.

What are the resource implications?

2. None

What are the key risks and how are they being managed?

3. The key risk is that the Constitution is not kept up to date and this could result in a successful legal challenge. This risk is managed by ensuring that the Constitution is regularly reviewed and updated as necessary.

What are the legal implications?

4. Amendments to the Constitution are required from time to time to ensure that it is fit for purpose and up to date. The legal implications are that there is a risk of a successful legal challenge if the Constitution is not kept up to date.

Options, timescales and measuring success

What other options were considered?

5. None

How will success be measured?

6. N/A this report is for information.

What is the timetable and who will be responsible for implementation?

7. N/A as the report is for information.

Appendices

8. None

Background papers

D 55501 [Council and democracy \(leeds.gov.uk\)](https://leeds.gov.uk)

D55637 [Council and democracy \(leeds.gov.uk\)](https://leeds.gov.uk)

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