

GENERAL PURPOSES COMMITTEE

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Thursday, 23rd October, 2014 at 10.00 am

MEMBERSHIP

Councillors

D Blackburn	Farnley and Wortley;
J Blake	Middleton Park;
S Golton	Rothwell;
P Gruen	Cross Gates and Whinmoor;
G Latty	Guiseley and Rawdon;
J Lewis	Kippax and Methley;
A Lowe	Armley;
E Nash	City and Hunslet;
J Procter	Wetherby;
M Rafique	Chapel Allerton;
S Varley	Morley South;
K Wakefield (Chair)	Kippax and Methley;

Agenda compiled by:
Governance Services
Civic Hall
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 DISCLOSABLE PECUNIARY AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2000 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence from the meeting.</p>	
6			<p>MINUTES 29TH AUGUST 2014</p> <p>To receive the minutes of the meeting held on 29th August 2014</p>	1 - 2
7			<p>COMMUNITY GOVERNANCE REVIEW FOR THE CREATION OF A TOWN COUNCIL FOR GUISELEY</p> <p>To receive a report of the Head of Licensing and Registration. Following receipt of a valid petition to request that a Community Governance Review be undertaken to establish a Town Council for Guiseley, the report requests that a decision be taken as to whether such a review be undertaken. In the event of a decision to undertake a review, the report also seeks approval to the terms of reference, timetable and process for that review.</p>	3 - 18

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			<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> <p>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.</p> <p>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.</p>	

GENERAL PURPOSES COMMITTEE

FRIDAY, 29TH AUGUST, 2014

PRESENT: Councillor K Wakefield in the Chair

Councillors J Blake, P Gruen, G Latty,
J Lewis, A Lowe, E Nash, J Procter,
M Rafique and S Varley

Apologies Councillors D Blackburn

8 Appeals against refusal of inspection of documents

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

9 Exempt Information - possible exclusion of the press and public

There were no items identified where it was considered necessary to exclude the press or public from the meeting due to the confidential nature of the business to be considered.

10 Late items

There were no late items

11 Declaration of Disclosable Pecuniary and Other Interests

There were no declarations of disclosable pecuniary interests.

12 Apologies for absence

Apologies for absence were received from Councillor D Blackburn.

13 Minutes 29th July 2014

RESOLVED – That the minutes of the previous meeting held on 29th July 2014, were accepted as a true and correct record.

14 The Openness of Local Government Bodies Regulations 2014 - Constitutional Amendments

The City Solicitor submitted a report setting out amendments that she had made to the Council's Constitution to reflect new legislative requirements arising from the Openness of Local Government Bodies Regulations 2014

RESOLVED –

Draft minutes to be approved at the meeting
to be held on Thursday, 23rd October, 2014

- (i) To note the amendments to Article 13 of the Constitution, as set out in Appendix A of the submitted report, and also the amendments to the Access and Information Procedure Rules as set out in Appendix B.
- (ii) To note that the City Solicitor, in consultation with group leaders, had reviewed the protocol for third party recording of Committee meetings against the requirements set out in the Openness of Local Government Bodies Regulations 2014, and that no amendments are necessary

15 Polling District Review

The Head of Licensing and Registration submitted a report which requested the Committee to consider initial proposals for the polling district review and to agree the initial proposals to be published on 5th September 2014 for the second consultation period of the review.

RESOLVED –

- a) To note the summary of representations as set out in Appendix A (which had cross-party support by parties who expressed a view) and approve that each case be confirmed as an initial proposal;
- b) To note the summary of representations as set out in Appendix B (which had been rejected by all parties) and to not approve as initial proposals;
- c) To note the summary of representations as set out in Appendix C (where all parties who expressed a view did not agree) and to not approve as initial proposals;
- d) To approve the revised timetable at Appendix E which had been amended to change the dates of the second consultation period from 29th August – 26th September to 5th September – 3rd October; and
- e) To note that the initial proposals agreed today will be published for further consultation from 5th September to 3rd October 2014 and will return to General Purposes Committee in November 2014 to agree on the authority's final proposals.

Report of Head of Licensing and Registration

Report to General Purposes Committee

Date: 23 October 2014

Subject: Community Governance Review for the creation of a Town Council for Guiseley

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
Guiseley & Rawdon		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. The Council received a petition from electors in polling districts from the Guiseley & Rawdon ward on 29 August asking for the creation of a new Town Council for Guiseley.
2. The petition has been validated by Electoral Services staff and meets the requirements of the Local Government and Public Involvement in Health Act 2007.
3. The Council concluded a full review of Parish and Town Council arrangements in November 2013. Legislation states that the duty on the Council to carry out a Community Governance Review upon receipt of a valid petition does not apply if the Council has concluded a Community Governance Review within the last two years although they still have the power to undertake another review should they so wish.
4. This report outlines the options available to the Council and the process and timetable for undertaking a Community Governance Review should this be agreed to.

Recommendations

5. That General Purposes Committee considers the petition from electors in the Guiseley and Rawdon ward to establish a Town Council for Guiseley and decide whether or not to undertake a Community Governance Review, and in the event of a decision to conduct a review;
6. To consider and approve the terms of reference, process and timetable set out in Appendix B.

1 Purpose of this report

- 1.1 Following receipt of a valid petition to request that a Community Governance Review be undertaken to establish a Town Council for Guiseley, this report requests that a decision be taken as to whether such a review be undertaken.
- 1.2 In the event of a decision to undertake a review, this report also seeks approval to the terms of reference, timetable and process for that review.

2 Background information

- 2.1 The Council received a valid petition from electors in polling districts from the Guiseley & Rawdon ward on 29 August.
- 2.2 The petition was submitted in accordance with the Local Government and Public Involvement in Health Act 2007 (the Act).
- 2.3 The Council concluded a Community Governance Review of all Parish and Town Council arrangements in November 2013. The duty on the Council to carry out a review on receipt of a valid petition is therefore removed.
- 2.4 The Council can, however, choose to undertake the review if it so wishes.
- 2.5 The area covered by the review has 11,039 local Government electors and as such would need any petition to be signed by at least 1,104 of those electors in accordance with the Act¹. The petition has been signed by 1,179 local government electors in the area affected by the review.
- 2.6 The petition defines on a map and in words the area to which the review is to relate. A map was submitted with the petition and the geographical area is defined as that currently known as Guiseley.
- 2.7 The recommendation within the petition is to create a new Town Council called Guiseley to serve the community. The petitioners put forward that the needs of the different communities would be best served by creating a separate Town Council for Guiseley. A copy of the map illustrating the boundaries of the proposed new Town Council is attached as Appendix A.
- 2.8 A community governance review must in any event, make recommendations as to what new parish or parishes (if any) should be constituted in the area under review. If the review recommends that a new parish should be constituted, the review must also make recommendations as to the name of the new parish, whether or not the new parish should have a parish council, and whether or not the new parish should have one of the alternative styles (e.g. a Town Council as requested in the petition).

¹ Section 80 (3) (c) - If the petition area has more than 2500 local government electors, the petition must be signed by at least 10% of the electors

- 2.9 However, where a new parish has 1,000 or more local government electors, the review must recommend that the parish should have a council. This petition requests the use of one of the alternative styles (i.e. Town Council status).
- 2.10 The Council has the power to undertake a community governance review of the whole or part of its area other than in response to a valid community governance petition. As a result, the Council could commence a separate review of a wider area than the petition area if it so wished, and could then make recommendations as to new parishes, the aggregation of parishes, or the alteration or abolition of parishes in a wider part of its area.

3 Main issues

- 3.1 When a valid petition is received the Act says the Council is under a duty to carry out a Community Governance Review. However, the duty to conduct a review does not apply if:
- a) the Council has concluded a Community Governance Review within the last two years which in its opinion covered the whole or a significant part of the area of the petition; or
 - b) The Council is currently conducting a review of the whole, or a significant part of the area to which the petition relates.
- 3.2. Should the Council decide to undertake a review, the stages of the review are as follows: -
- Petition validated (the petition has already been validated by Electoral Services)
 - Terms of reference for the review agreed
 - Council consults widely with local people on proposal
 - Council takes into account any representations received
 - Council makes recommendations whether a new parish should be implemented
 - Council publishes its decision
 - Interim governance arrangements agreed and precept set
 - Election held (the timetable for the review has been set so the elections to any new Town Council can coincide with the all-out Parish and Town Council elections due to be held on 7 May 2015)
- 3.3 The first stage of the Review as prescribed by the Act is to establish the terms of reference which will set out the matters on which the review is to focus. Draft terms of reference are attached as Appendix B to the report. This document includes a timetable for the review. It is proposed that the results of the consultation and recommendations in terms of draft proposals be reported to General Purposes Committee who will make final proposals to be agreed by Full Council.

- 3.4 When undertaking a Community Governance Review the Council must have regard to guidance issued by the Secretary of State and the Electoral Commission. The stages outlined above take account of the requirements of the legislation and the available guidance. However, subject to this, it is for the Council to decide how to undertake the review. In deciding what recommendations to make, the Council must take into account any other arrangements (apart from those relating to parishes) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review.
- 3.5 In order for any required election to take place jointly with the all-out Parish and Town Council elections on 7 May 2015, this review would need to be finalised by no later than February 2015 to be able to make the necessary changes to the registers before publication on 1 April. Also, it should be noted that the last date for publication of Notice of Election for a parish election to take place on 7 May is 2 April, after this date the election could not take place on 7 May. This makes the timetable outlined in Appendix B critical with no contingency for slippage.
- 3.6 Involvement of Elections Working Group (EWG) – During previous polling district reviews, General Purposes Committee has asked EWG to act as a dedicated Working Group for those reviews, recommending proposals to General Purposes Committee for their consideration. It should be noted that the EWG has an extensive knowledge of electoral procedures and is the main consultation forum for officers and Members to discuss electoral issues.
- 3.7 It is proposed that EWG coordinate representations for this Community Governance Review in a similar manner, considering representations made by the public or other stakeholders, and be used as a vessel to discuss any representations submitted. The views of EWG will presented to General Purposes Committee for their consideration, together with details of representations made as described in 4.1 below and the Committee will then determine the recommendations to be made in respect of the Community Governance Review.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 All local government electors for the area under review and any other person or body who appears to have an interest in the review will be consulted on the proposal and their representations will be taken into account as part of the review. The council must have regard to the need to secure that the community governance arrangements for the area reflects the identities and interests of the community in the area and are effective and convenient.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An equality screening document has been completed for this review and has concluded that the consultation arrangements will help ensure all people affected by the review are given an opportunity to comment which will address any equality, diversity, cohesion or integration issues raised.

4.3 Council policies and City Priorities

- 4.3.1 This review does not affect the council's budget and policy framework, although reviewing local electors' needs does support the council's aims to be the best city for communities, and in particular the four year priority to increase a sense of belonging that builds cohesive and harmonious communities.

4.4 Resources and value for money

- 4.4.1 No additional human resources are required to carry out the review.
- 4.4.2 There is no budget to carry out Community Governance Reviews so the cost of this review will have to be met from within existing budget. The cost of carrying out this review is estimated at £2,000. This is mainly costs from printing and publishing Notices in local press.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Under the Constitution, the Council has delegated authority to the Chief Executive to discharge the following Council (non executive) functions namely: -

“ ...

- (k) Functions relating to community governance
- (i) Duties relating to community governance reviews
- (ii) Functions relating to community governance petitions
- (iii) Functions relating to terms of reference of review
- (iv) Power to undertake a community governance review
- (v) Duties when undertaking review
- (vi) Duty to publicise outcome of review
- (vii) Duty to send two copies of order to Secretary of State and Electoral Commission.”

- 4.5.2 If the Chief Executive chooses not to exercise that delegated authority, he may refer the matter to General Purposes Committee, who have authority: -
“to consider and determine Council (non executive) functions delegated to a Director where the Director has decided not to exercise the delegated authority and has referred the matter to the committee.”
- 4.5.3 There is no provision similar to that regarding executive functions that allows the relevant Executive Member to require the “Director” to not exercise the delegated authority but to take a matter to Executive Board.
- 4.5.4 However, the Chief Executive has the opportunity to consult with the relevant Member(s), before deciding whether to exercise his delegated authority or alternatively himself choose to refer the matter to General Purposes Committee.

- 4.5.5 Therefore any community governance review under the existing constitutional provisions can be determined by the Chief Executive, or he has the alternative to refer the matter to General Purposes Committee, who themselves make final recommendations to Full Council.
- 4.5.6 The Chief Executive has chosen to refer this matter to General Purposes Committee.
- 4.5.7 However, General Purposes Committee alone has the delegated authority to make recommendations for the final proposals for any Community Governance Review to Full Council. This is not delegated to the Chief Executive.

4.6 Risk Management

- 4.6.1 There is always a risk of challenge to the decision. There is no right to appeal as such, although if local electors disagreed with the final recommendations they could lobby the full Council not to give effect to them, or a decision by full Council could be challenged by way of judicial review on the usual principles.

5 Conclusions

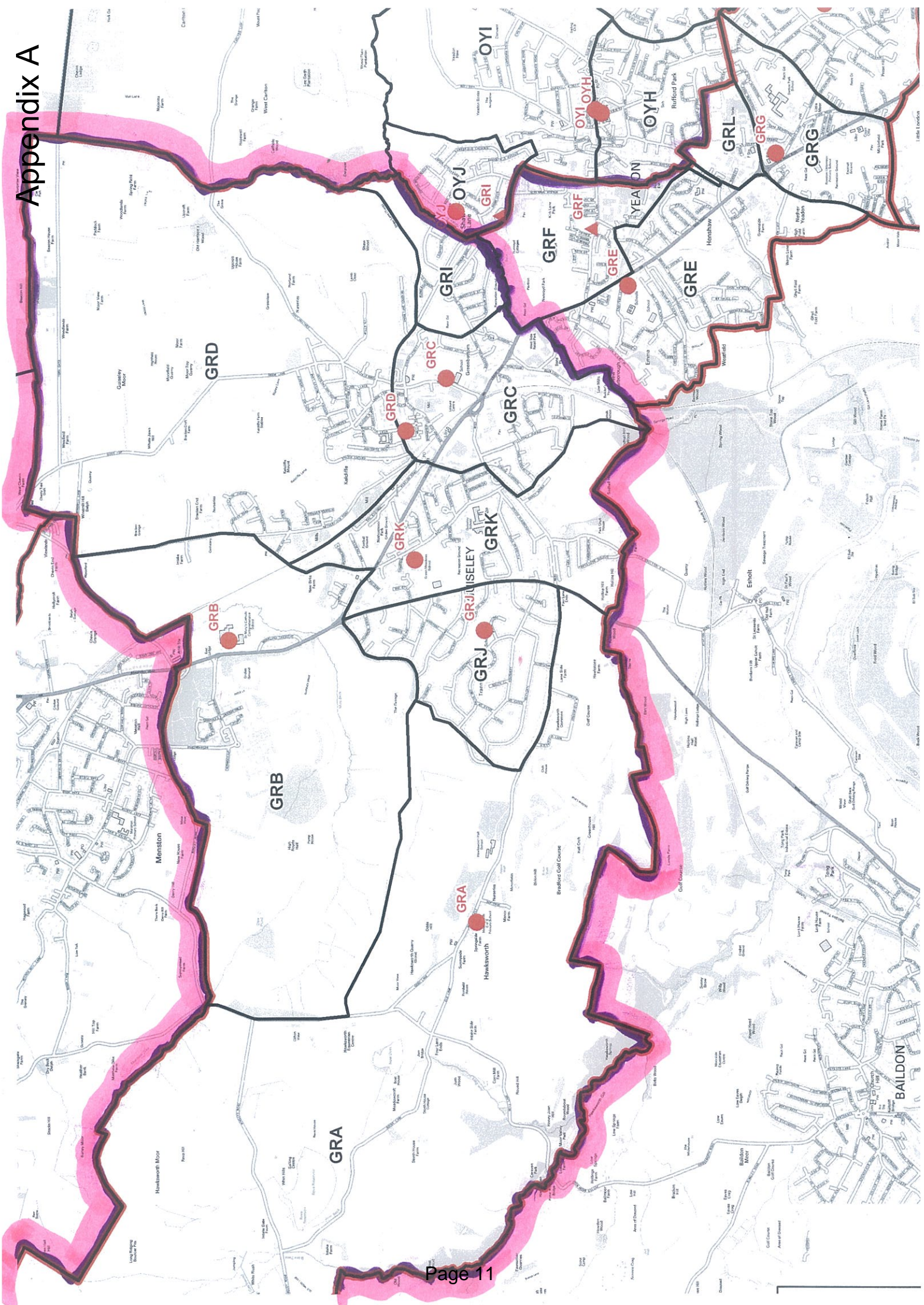
- 5.1 That a validated petition from electors in the area has been received and that the Council must now decide whether to carry out a Community Governance Review for the creation of a Town Council for Guiseley.

6 Recommendations

- 6.1 That the General Purposes Committee considers the petition from electors in the Guiseley and Rawdon ward to establish a Town Council for Guiseley and decide whether or not to undertake a Community Governance Review, and, in the event of a decision to conduct a review being made,
- 6.2 To consider and approve that the terms of reference, process and timetable set out in Appendix B.

7 Background documents

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Community Governance Review Petition for the creation of Guiseley Town Council



Draft Terms of Reference

For Consideration by General Purposes Committee

Review of Parishes and Related Matters Local Government and Public Involvement in Health Act 2007

Introduction

Following the receipt of a petition, Leeds City Council (the Council) will undertake a Community Governance Review of Guiseley – polling districts GRA, GRB, GRC, GRD, GRI, GRJ and GRK.

The Petition for the Community Governance Review was submitted in accordance with the Local Government and Public Involvement in Health Act 2007 and proposes the establishment of “Guiseley” Town Council.

In undertaking the review, the Council will be guided by the relevant parts of the Local Government Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972 and Guidance on Community Governance Reviews issued by the Department of Communities and Local Government and the Electoral Commission. These terms of reference will set out the matters on which the review is to focus.

Why is the Council Undertaking the Review?

The Review is to be undertaken due to the receipt of a valid petition from electors in the area subject to the review. The petition meets the following conditions of Section 80 of the Local Government and Public Involvement in Health Act 2007:

- (3) The petition must be signed as follows:
 - (a) If the petition area has fewer than 500 local government electors, the petition must be signed by at least 50% of the electors.
 - (b) If the petition area has between 500 and 2500 local government electors, the petition must be signed by at least 250 of the electors;
 - (c) If the petition area has more than 2500 local government electors, the petition must be signed by at least 10% of the electors.
- (4) The petition must:
 - (a) define the area to which the review is to relate (whether on a map or otherwise); and
 - (b) specify one or more recommendations which the petitioners wish a community governance review to consider making.
- (5) If the specified recommendations include the constitution of a new parish, the petition must define the area of the new parish (whether on a map or otherwise).
- (6) If the specified recommendations include the alteration of the area of an existing parish, the petition must define the area of the parish as it would be after alterations (whether on a map or otherwise).

The area subject to the review has 11,039 local government electors and as such would need to be signed by at least 1,104 of those electors. The petition has been signed by 1,179 local government electors within the petition area.

The petition defines on a map and in words the area to which the review is to relate. A map was submitted with the petition and the geographical area is defined as that currently known as Guiseley.

The recommendation within the petition is to create a new Town Council called Guiseley to serve the community. The petitioners put forward that the needs of the different communities would be best served by creating a separate Town Council for the area of Guiseley.

As the petition was found to be valid the Council will undertake a Review in accordance with the Local Government and Public Involvement in Health Act 2007.

A copy of the submissions put forward by local government electors are available for inspection at the address below and the map defining the area of the new parish is attached as an appendix to these terms of reference.

What will the Review consider?

The Review is to consider the creation of a new Town Council. The review will need to consider the name for the Town Council and the electoral arrangements including the number of Councillors to be elected and any warding arrangements.

The review must make recommendations as to what new Town Council (if any) should be constituted in the area under review.

In relation to the council's electoral arrangements, the review must consider whether to recommend that the Town Council should, or should not, be divided into wards for the purpose of electing councillors. For these purposes, the Council must consider whether the number, or distribution, of the local government electors for the Town Council would make a single election of councillors impracticable or inconvenient, and whether it is desirable that any area or areas of the Town Council should be separately represented on the council. In deciding to recommend that a Town Council should be divided into wards, the Council must have regard to certain factors when considering the size and boundaries of the wards, and the number of councillors to be elected for each ward. These factors are the number of local government electors for the Town Council, any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years from the start of the review, the desirability of fixing boundaries which are, and will remain, easily identifiable, and any local ties which will be broken by the fixing of any particular boundaries. In deciding to recommend that a Town Council should not be divided into wards, the Council must have regard to certain factors when considering the number of councillors to be elected for the Town Council. These factors are the number of local government electors for the parish, and any change in that number which is likely to occur in the period of five years from the start of the review.

In deciding what recommendations to make, the Council must take into account any other arrangements (apart from those relating to Town Councils) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review.

All local government electors for the area under review and any other person or body who appears to have an interest in the review will be consulted on the proposal and their representations will be taken into account as part of the review.

The Council must have regard to the need to secure that the community governance arrangements for the area reflects the identities and interests of the community in the area and are effective and convenient.

Parish Governance within the District

The Council wants to ensure that there is clarity and transparency to the areas that Town Councils represent and that the electoral arrangements are appropriate, equitable and readily understood by the electorate.

In their White Paper, Strong and Prosperous Communities, the Government emphasised that “Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.”

Who undertakes the Review?

Community Governance Reviews are the responsibility of the Head of Licensing and Registration who will report representations received during the review period along with draft and final recommendations. The Council’s General Purposes Committee will determine the recommendations to be made to full Council in relation to the Review.

How the Council proposes to conduct consultations during the Review?

In arriving at its recommendations in a review, the Council will need to take account of the views of local people. The Local Government and Public Involvement in Health Act 2007 requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review (for instance the local Member of Parliament and ward councillors) and to take the representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007.

The Council will consult in an appropriate manner within the review area ensuring that those affected are given the opportunity to respond. In accordance with the Local Government and Public Involvement in Health Act 2007, representations received in connection with the Review will be taken into account, and consultees will be informed of the outcome of the Review.

Any decisions made and the reasons for those decisions will be published following the review. The mechanism for this will be through the Council’s website, issuing press releases, personal communications where appropriate and through notices in libraries in the area affected by the review.

How to contact us or make a representation

Contact details at the Council for the duration of the review are as follows. Any representations should also be sent to this address. Representations should include the full name and contact details for the person or organisation making the representation: -

Susanna Benton
Electoral Services Manager
susanna.benton@leeds.gov.uk
0113 2476727

Electoral Services
Level 2, Town Hall
The Headrow
Leeds LS1 3AD

A timetable for the Review

Date	Task
29 August 2014	Request Received by Chief Executive
23 October 2014	Report to General Purposes Committee Terms of Reference and Timetable for Review to be approved
24 October 2014	Council to publish Terms of Reference
24 October 2014	Consultation begins with representations invited
28 November 2014	Closing date for representations (five week consultation period)
December 2014	Elections Working Group consider representations on proposals and recommend final proposals to General Purposes Committee
January 2015	General Purposes Committee consider recommendations from Elections Working Group and agree final recommendations for Full Council
February 2015	Full Council to approve final proposals and Reorganisation of Community Governance Order. Council publishes decision, reasons for decision, and informs persons interested.
February 2015	Additional parish councillors established if necessary and interim governance arrangements put in place
7 May 2015	Elections of new Parish councillors (to coincide with Parliamentary Election, Leeds City Council Elections and all-out Parish/Town Council elections)

Please note the timetable is subject to minor alteration although the Review must be completed within 12 months of the publication of the terms of reference

Electorate Forecasts

The latest Register of Electors published on 1 August 2014 shows the following numbers of electors within the area subject to the Review: 11,039

When the Council comes to consider the electoral arrangements of the parishes in its area, it is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts.

Viability of any new Parish

The Council recognises that parishes should be viable and should possess a precept that enables them to actively and effectively promote the well-being of their residents and to contribute to the real provision of services in their areas in an economic and efficient manner. The Council is committed to ensuring that the Review leads to parishes that are based on areas which reflect community identity and interest and which are viable as an administrative unit.

Names and styles of any new parishes

The Council will endeavour to reflect existing local or historic place-names, and will give a strong presumption in favour of names proposed in the petition and by local interested parties

Electoral arrangements

An important part of our Review will comprise giving consideration to 'Electoral Arrangements'. The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward; and
- The name of any such ward.

The Local Government Act 1972 states that ordinary election of parish councillors shall take place in 1976, 1979 and every fourth year thereafter (i.e. 2015, 2019, 2023 etc) However, the government has indicated that it would want the parish electoral cycle to coincide with the cycle for the district council, so that the costs of elections can be shared. If the Review finds that it will be appropriate to hold an election for parish councillors, for a newly formed parish, at an earlier date than the next scheduled ordinary elections, the terms of office of any newly elected parish councillors will be so reduced as to enable the electoral cycle to revert to the normal cycle in the district at the next ordinary elections.

The Council notes that the number of parish councillors for each parish council shall not be less than five. There is no maximum number and there are no rules relating to the allocation of councillors.

Government guidance is that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities.

The Council must have regard to the following factors when considering the number of councillors to be elected for a 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.

The Council wishes to ensure that the allocation of councillors to parishes is broadly equitable across the District, while acknowledging that local circumstances may occasionally merit variation.

The Council appreciates that there are different demands and consequently different levels of representation between the urban and rural parishes in the district.

Reorganisation of community governance orders and commencement

When the Review has been completed the Council may make a Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the order in detail, and the document(s) which set out the reasons for the decisions that the Council has taken will be deposited at the Council's offices, on the website and in local libraries within the area affected by this review.

Consequential Matters

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.

In particular, the Council notes that the Regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the proper officer of the Council as an appropriate proportion.

Furthermore, the Council notes the Regulations regarding the establishment of a precept for a new parish and their requirements. Parish Councils have the power to raise revenue to help meet their spending requirements by issuing a 'Precept'. This is the total amount to be raised through the Council Tax from all the dwellings within the defined Parish area.

Each Parish Council set their own level of precept and let the principal council know each year. Typically this is to cover costs associated with the running and administration of the parish, such as the Clerks wages etc, as well as any local projects.

Date of publication of terms of reference (Subject to agreement by General Purposes Committee)

John Mulcahy
Deputy Electoral Registration Officer
24 October 2014