

**Public**  
**Key Decision - No**

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Community Governance Review – Holme Parish Council

**Meeting/Date:** Corporate Governance Committee – 2nd October 2019

**Executive Portfolio:** Councillor G J Bull, Executive Leader

**Report by:** Elections and Democratic Services Manager

**Ward(s) affected:** Stilton, Folksworth and Washingley

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### **Executive Summary:**

The purpose of this report is to consider a request from Holme Parish Council to increase the size from 7 to 9 parish councillors.

### **Recommendation(s):**

It is recommended that the Committee –

- (a) agrees the request from Holme Parish Council for a Community Governance Review to increase the number of parish councillors from 7 to 9;
- (b) agrees, with or without amendments, the draft terms of reference of the review as detailed in Appendix A; and
- (c) authorises the Elections and Democratic Services Manager to agree a timetable in consultation with Holme Parish Council.

## **1. PURPOSE OF THE REPORT**

- 1.1 A request has been received from Holme Parish Council to increase the council size from 7 to 9 parish councillors.

## **2. BACKGROUND**

- 2.1 The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether or not to make changes to parish boundaries or size and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing parishes.
- 2.2 Section 93 of the 2007 Act allows principal councils to decide how to undertake such a review, provided they comply with the duties in the Act which apply to council’s undertaking reviews. If, following a review, the Council decides that changes should be made to the electoral arrangements they may make an Order giving effect to these changes.
- 2.3 Section 95 of the Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish and any change in that number likely to occur in the next five years.
- 2.4 The Community Governance Review process, once commenced must be concluded within 12 months of the publication of the terms of reference.

## **3. REQUEST FROM HOLME PARISH COUNCIL**

- 3.1 The Parish Council have provided the following background to support their request to increase the size of the Parish Council to 9 members and approved their request at a meeting of the Parish Council on 16th July 2019 –
- Population of Holme increasing rapidly, with 44 new homes either recently built or with planning permission, representing almost an increase of 20% of population; and
  - A larger Parish Council with a larger budget brings added pressures and responsibility to allow for greater sharing of responsibilities and encourage new members without losing the experience and skills of the existing members.

## **4. OPTIONS**

- 4.1 The current electorate of Holme is 505 (September 2019) and the existing number of parish councillors is 7.
- 4.2 The Council notes that the number of parish councillors for each parish council shall not be less than five. In practice there is a wide variation of council size between parish councils. Currently no statutory requirement regarding the ratio of electors to councillors for parishes of different

electorate sizes exists. The Department for Communities and Local Government reports that, nationally, local councils with the following electorates have, typically, the number of councillors outlined below –

- Less than 500 – between 5 and 8 councillors;
- Between 501 and 2,500 – between 6 and 12; and
- Between 2,501 and 10,000 – between 9 and 16 councillors.

4.3 In dealing with a request the following guidelines, which are based on recommendations from the National Association of Local Councils, should also be considered but each area should be considered on its own merits.

<b>Electors</b>	<b>Councillors</b>	<b>Electors</b>	<b>Councillors</b>
Up to 900	<b>7</b>	10,400	<b>17</b>
1,400	<b>8</b>	11,900	<b>18</b>
2,000	<b>9</b>	13,500	<b>19</b>
2,700	<b>10</b>	15,200	<b>20</b>
3,500	<b>11</b>	17,000	<b>21</b>
4,400	<b>12</b>	18,900	<b>22</b>
5,400	<b>13</b>	20,900	<b>23</b>
6,500	<b>14</b>	23,000	<b>24</b>
7,700	<b>15</b>	45,000	<b>25</b>
9,000	<b>16</b>		

4.4 Prior to a review of parish arrangements in Huntingdonshire in 2008, Holme Parish Council consisted of 9 parish councillors, but following the implementation of the new scale of parish council representation an Order was made on 28th February 2008 to decrease the number of parish councillors from 9 to 7. This was in accordance with the new local scale as the electorate for the parish was significantly lower than the electorate ratio required for a parish council of 9 members.

4.5 In order to consider increasing the size of the parish council, a Community Governance Review needs to be undertaken. Although the statutory provisions must be complied with, the Council must consult with local people and take account of any representations made.

## **5. CONSULTATION AND TIMETABLE FOR IMPLEMENTATION**

5.1 Following publication of the Notice of Community Governance Review and Terms of Reference, electors will have two months from the date of publication of the consultation to return their views. It is hoped that the final report will be presented to Council in February 2020.

5.2 As the suggested change is minor, it is proposed to ensure completion of the review within a shorter period to enable an Order to be made to allow for the potential increase to take effect from May 2020 to enable an election to be combined with the Police and Crime Commissioner election.

## **6. LEGAL IMPLICATIONS**

6.1 Details have been included in the report.

## **7. RESOURCE IMPLICATIONS**

7.1 The request for a community governance review would only warrant a 'light touch' as the request has been made by the Parish Council and the proposal will incur no direct cost to the electorate.

7.2 As the change is minor, it should be possible to do this by posters and leaflets within the parish and adverts on the District Council and Holme websites, rather than the usual method of sending a consultation leaflet to every registered elector.

## **8. REASONS FOR THE RECOMMENDED DECISIONS**

8.1 To enable a community governance review to be undertaken to consider increasing the size of Holme Parish Council

## **9. LIST OF APPENDICES INCLUDED**

Appendix A – Notice of Community Governance Review and Terms of Reference of the Community Governance Review of the Parish Electoral Arrangements of Holme.

## **10. BACKGROUND PAPERS**

[Local Government and Public Involvement in Health Act 2007](#)  
[Communities and Local Government Guidance on Community Governance Reviews March 2010](#)

Request from Holme Parish Council dated 18th July 2019

## **CONTACT OFFICER**

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**Huntingdonshire District Council**

**Notice of Community Governance Review**

**Local Government and Public Involvement in Health Act 2007**

The Council has commenced a Community Governance Review in response to a request from Holme Parish Council to increase the number of councillors from seven to nine. The purpose of the review is to enable the Council to consider what changes are needed to the parish arrangements.

The Council is now conducting the first stage of the review process and is inviting residents and interested organisations to submit their views on the above issue.

The Council has published its Terms of Reference document for the review and a copy can be obtained by contacting the Elections and Democratic Services Team as shown below or viewed at the Council offices. It can also be viewed on the [District Council's website](#) or the [parish website](#).

**How to contact us.**

Should you wish to submit a written representation regarding this review please address it to:

Elections and Democratic Services  
Huntingdonshire District Council  
Pathfinder House  
St Mary's Street  
Huntingdon  
Cambs  
PE29 3TN

Alternatively your submission may be emailed to:  
[democratic.services@huntingdonshire.gov.uk](mailto:democratic.services@huntingdonshire.gov.uk)

The deadline for submissions is 14 November 2019.

# HUNTINGDONSHIRE DISTRICT COUNCIL

## COMMUNITY GOVERNANCE REVIEW OF HOLME 2019

### TERMS OF REFERENCE

#### INTRODUCTION

##### **Aim of the review**

Following the receipt of a request from Holme Parish Council, Huntingdonshire District Council has agreed to undertake a Community Governance Review (CGR) of Holme.

The request for the CGR was submitted in accordance with the Local Government and Public Involvement in Health Act 2007 and proposes to increase the number of parish councillors from 7 (seven) to 9 (nine).

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 Electoral Commission in April 2008. Also the following Regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (S12008/625); Local Government Finance (New Parishes) Regulations 2008 (S12008/626).

This Council is required to have regard to Guidance on Community Governance Reviews issued by the Department for Communities and Local Government and Local Government Boundary Commission for England. This guidance was published in March 2010 and it has been considered when drawing up the Terms of Reference (TOR).

These terms of reference will set out the matters on which the review is to focus.

##### **What is a Community Governance Review (CGR)?**

A CGR is a review of the whole or part of the district 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 elections; 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.

The Council is required to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and
- Is effective and convenient.

In doing so the CGR is required to take into account:

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

### **Why undertake a Community Governance Review?**

The CGR is to be undertaken due to the receipt of a request from the existing Parish Council. The District Council, although not required to carry out a review, has decided that a review should be carried out in the interest of local electors to ensure the community governance arrangements for the area reflects the identities and interests of the area and are effective and convenient.

The government has emphasised that recommendations made in CGR ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

The recommendation within the request is to increase the number of parish councillors from 7 (seven) to 9 (nine). The existing Parish Council has put forward the following reasons for the request

- Population of Holme increasing rapidly, with 44 new homes either recently built or with planning permission, representing almost an increase of 20% of population; and
- A larger Parish Council with a larger budget brings added pressures and responsibility to allow for greater sharing of responsibilities and encourage new members without losing the experience and skills of the existing members.

### **Who will undertake the CGR?**

As the principal authority, the District Council is responsible for undertaking any CGR within its electoral area.

The Council will approve the final recommendations before a Community Governance Order is made.

### **Consultation**

#### **How the Council proposes to conduct consultations during the Review?**

Before making any recommendations or publishing final proposals, the District Council will take full account of the views of local people. The District Council will comply with the statutory consultative requirements by:

- Consulting local government electors for the area under review;
- Consulting any other person or body (including a local authority), which appears to the District Council to have an interest in the review;
- Notifying and consulting the County Council; and
- Taking into account any representations received in connection with the review.

Information relating to the CGR will be available on the Council's website and key documents will be on deposit at the District Council's Offices, Pathfinder House, St Mary's Street, Huntingdon, Cambs PE29 3TN.

When taking account of written representations the District Council is bound to have regard to the need to secure that community governance within the area under review:

- Reflects the identities and interests of the community in that area; and
- Is effective and convenient.

The District Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the CGR are informed of the recommendations and the reasons behind them.

The District Council will notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

### **Timetable for the CGR**

A CGR must, by statute, be concluded within a twelve month period from the day on which the CGR starts. A CGR starts when the District Council publishes its Terms of Reference and concludes when the District Council publishes the recommendations made in the CGR.

The following is the review timetable: <b>Action</b>	<b>Timetable</b>	<b>Outline of Action</b>
Terms of Reference (TOR) are published.	3 October 2019	District Council publishes TOR and notifies stakeholders, clearly defining extent of CGR.
Introductory stage – submissions are invited.	14 November 2019	District Council invites submissions from stakeholders on future arrangements under TOR.
Consideration of submissions received – recommendations are prepared	November 2019	



Recommendations are published concluding the review	Corporate Governance Committee	Recommendations to be considered by Corporate Governance Committee on 22 January 2020.
Final recommendations are published – concluding the review	January/February 2020	
Council resolves to make a Reorganisation Order	26 February 2020	The Council meet to consider final recommendations and decide on the extent to which the Council will give effect to them.
Order made	Thereafter	Council publishes the Reorganisation Order.

### **Electoral Forecasts**

In considering the electoral arrangement of the parish stated within this Terms of Reference the District Council 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.

The District Council has used the Register of Electors 2018 published on 1 December 2018 (September 2019 update) to provide existing local government figures.

Electorate forecasts will be prepared using all available information.

### **The Present Structure of Holme Parish Council and Their Electoral Arrangements**

#### **Present Structure of parish governance in the area to be reviewed.**

<b>Parish</b>	<b>Number of Councillors</b>	<b>Electorate</b>
Holme	7	505

### **Parishes**

The Council wishes to ensure that electors should be able to identify clearly with the parish in which they are resident. It considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representatives and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity; the feeling of local community and the wishes of local inhabitants are primary considerations in this Review.

## **Electoral Arrangements**

### **What does 'Electoral Arrangements' mean?**

An important part of our Review will comprise giving consideration to 'Electoral Arrangements'. The terms cover 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 name of any such ward.

### **Ordinary year of election**

The Local Government Act 1972 states that ordinary election of parish councils shall take place in 1976, 1979 and every fourth year thereafter (i.e. 2011, 2015, 2019 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. The Council at its meeting on 22nd February 2017 agreed to set the date of ordinary elections for all Town and Parish Councils as 2018 and every four years thereafter.

If the Review finds that it is appropriate to create a new post for a parish councillor then this will come into effect from May (combined with elections to the Police and Crime Commissioner on 7 May 2020).

### **A council for a parish**

The legislation lays down the different duties that the Council has with regard to the creation of a council for a parish.

- Where the number of electors is 1,000 or more – a parish council must be created;
- Where the number of electors is 151-999 – a parish council may be created, with a parish meeting being the alternative form of governance;
- Where the number of electors is 150 or fewer – a parish council is not created.

### **What considerations cover the number of parish councillors?**

The government has advised, and this Council concurs that "it is an important demographic principle that each person's vote should be of equal weight so far as possible, having regard to other legitimated competing factors, when it comes to the elections of councillors. Likewise, the Council notes that 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. However, in dealing with a request the following guidelines, which are based on recommendations from the national Association of Local Councils, should also be considered.

### **Number of Parish Councillors Guidelines**

<b>Electors</b>	<b>Councillors</b>	<b>Electors</b>	<b>Councillors</b>
Up to 900	<b>7</b>	10,400	<b>17</b>
1,400	<b>8</b>	11,900	<b>18</b>
2,000	<b>9</b>	13,500	<b>19</b>
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7,700	<b>15</b>	45,000	<b>25</b>
9,000	<b>16</b>		

The government's guidance is that "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.

By law, the 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.

### **Reorganisation of Community Governance Order and Commencement**

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) (where necessary) that show the effects of the order in detail, and the document(s) which set out the reason for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council Offices and published on the Council's website.

In accordance with the Guidance issued by the Government the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000. These maps will be deposited with the Secretary of State at the Department of Communities and Local Government and at the Council's office at The Council House, South Street, Atherstone, Warwickshire CV9 1DE. Prints will also be supplied, in accordance with the regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Electoral Commission.

It is proposed that the Order will take effect for financial and administrative purposes on 1 April 2020.

If agreed any amendments to the electoral arrangements will come into force at the next scheduled elections (combined with elections to the Police and Crime Commissioner on 7 May 2020).

## **Consequential Matters**

### **General Principles**

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.

### **How to contact us**

Should you wish to submit a written representation regarding this review, please address to:

Elections and Democratic Services  
Huntingdonshire District Council  
Pathfinder House  
St Mary's Street  
Huntingdon  
Cambs  
PE29 3TN

Alternatively your submission may be emailed to:

[democratic.services@huntingdonshire.gov.uk](mailto:democratic.services@huntingdonshire.gov.uk)

Should you require any further information or need clarification on the review process, please contact:

Lisa Jablonska  
Elections and Democratic Services Manager  
Telephone: 01480 388004  
Email: [lisa.jablonska@huntingdonshire.gov.uk](mailto:lisa.jablonska@huntingdonshire.gov.uk)

These Terms of Reference will be published on the [District Council website](#) and will be available for inspection at the District Council's offices at Pathfinder House, St Mary's Street, Huntingdon, Cambs PE29 3TN

Notices advertising this Community Governance Review and the availability of the Terms of Reference will also be posted within the Parish of Holme.

### **Date of Publication**

3 October 2019