

# **Draft Proposals of the Community Governance Review of Lopen Parish Council**

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*Assistant Director: Ian Clarke, Legal and Corporate Services*

## **Purpose of the Report**

To report the outcome of the initial public consultation (Community Governance Review) which has taken place in the parish of Lopen on the proposal to increase the number of Parish Councillors (under the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007).

## **Public Interest**

A Community Governance Review is a review of the whole or part of a district to consider one or more of the following:

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

The Local Government and Public Involvement in Health Act, 2007, sets down the principal legal framework within which councils must undertake these reviews.

A valid request was received from Lopen Parish Council in May 2014, requesting that the District Council conduct a consultation (Community Governance Review) of all the electors and local interested groups to ask if they would be agreeable to increase the number of Parish Councillors from five to seven. Initial consultation within the parish has now taken place and this report details the outcome of that consultation.

## **Recommendations**

That Council:

1. note the results of the consultation;
2. note that the significant majority of the valid responses received are in favour of the proposal by Lopen Parish Council and therefore the draft recommendation for further consultation be: "To accept the majority vote from the people of Lopen and to agree to increase the number of Parish Councillors to seven".
3. agree to publish the results of the consultation;
4. note that a further period of consultation on the results of the initial consultation responses will take place;
5. note that a further report will be brought to Council in order that a decision may be made in respect of the final recommendations of the Review.

## Background

Council at its meeting held on 17<sup>th</sup> July 2014 (Minute 29 refers) approved the commencement of a Community Governance Review for the parish of Lopen following the receipt of a valid request from the Parish Council.

## Proposal

In their request, the Parish Council gave the following reasons to support their request to increase the size of the Parish Council to seven members:-

- Apart from relatively brief casual vacancy periods (mainly due to house moving) the Council has maintained a full quota of members since 2007.
- At the 2007 elections, a local election was held as there were more candidates than vacancies.
- Whilst the 2011 elections did not trigger an election, the single remaining vacancy was filled through co-option near immediately after the election.
- Applications to fill a recent casual vacancy (as a result of a Councillor house move) was oversubscribed.
- The National Association of Local Councils promotes a minimum Council size of 7 irrespective of the local population size.
- A larger pool of Councillors is more likely to represent a more accurate local view.
- With only 5 members and a quorum of three, it can be difficult to arrange a quorate meeting especially during the holiday seasons.
- Quite often members live close to each other and this can cause difficulties maintaining a quorum when common interests are involved. Increasing the council size will reduce such occurrences.
- More workload is being passed on to Parish Councils and “many hands make light work”.

## Consultation

The initial consultation period was held from 4<sup>th</sup> August to 15<sup>th</sup> September 2014. Consultation leaflets were delivered to all registered electors within the two Parishes (a total of 203 people) together with the Ward Members, Member of Parliament, Somerset Association of Local Councils, Somerset County Council, and the Police. Public comments were also invited by e-mail.

A total of 66 responses were received (33% of the total electorate). The responses were as follows:-

<b>Proposal</b>	<b>In favour</b>	<b>Against</b>
Increase Parish Councillors from five to seven	57	9

Part of the consultation leaflet asked for any comments on the proposals and 10 varied responses were received. They were broadly supportive of the proposals, however, several raised the point that five Parish Councillors had managed very well in the past and questioned the need for two extra.

Having taken into account all consultation responses made during the first stage of consultation, and having regard to the need to ensure that Community Governance

within the area reflects the identities and interests of the Community, and is effective and convenient, the draft recommendation of officers is: "To accept the majority vote from the people of Lopen and to agree to increase the number of Parish Councillors to seven".

### **Community Governance Review Timetable**

The draft recommendation of the Council on the outcome of the review will be published by 7<sup>th</sup> November 2014, followed by the commencement of a further 4 week period of consultation closing on 5<sup>th</sup> December 2014. Representations received on the draft recommendation will be submitted for consideration by South Somerset District Council at its meetings of District Executive on 8<sup>th</sup> January and full Council on 22<sup>nd</sup> January 2015 when the final decision on the review will be taken.

### **Financial Implications**

The cost of producing the consultation leaflets (210) and distributing by second class post was £213. There has been a cost in staff time in the production of the consultation leaflets and the analysis of the responses and these costs have been absorbed within existing budgets.

Given the majority support for the proposal, it is anticipated that the second consultation (as required) on the draft recommendations will be conducted at minimum cost through the SSDC Website, local press and posters. This cost is likely to be less than £50.

There is no specific budget for Community Governance Reviews and all costs have been absorbed within the existing Democratic Services budget for 2014/15. Additionally, there is no power to re-charge the cost of the review to any other Council, except by agreement. This is because the statutory power to conduct the review rests with this Council.

### **Corporate Priority Implications**

None at the current time.

### **Carbon Emissions and Climate Change Implications**

None at the current time.

### **Equality and Diversity Implications**

All local government electors within the parish of Lopen have been consulted on the proposal and their views considered as part of the consultation process. 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.

### **Background Papers**

Local Government and Public Involvement in Health Act 2007  
The Electoral Commission Guidance on Community Governance Reviews, April 2008  
Terms of Reference of the Community Governance Review of the Parish Arrangements for Lopen as agreed by Council on 17<sup>th</sup> July 2014.  
Consultation responses provided by local residents.