

Council – 19th January 2012

11. Draft Proposals of the Community Governance Review of South Cadbury Parish Council

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Purpose of the Report

To report the outcome of the initial public consultation (Community Governance Review) which has taken place in the parishes of South Cadbury and Sutton Montis on the proposal to increase the number of Parish Councillors and amend the name of the Parish Council (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 South Cadbury Parish Council in May 2011, 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 and amend the name of the Parish Council to include the village of Sutton Montis. Initial consultation within the parishes has now taken place and this report details the outcome of that consultation.

Recommendation(s)

That Council:

1. note the results of the consultation;
2. note that the majority of the valid responses received were in favour of the original proposals by South Cadbury Parish Council and therefore the draft recommendation for further consultation be: "To accept the majority vote from the people of South Cadbury and Sutton Montis and to agree to increase the number of Parish Councillors to 7 and amend the name of the Parish Council to South Cadbury and Sutton Montis Parish Council".
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 21 July 2011 (Minute 31 refers) approved the commencement of a Community Governance Review for the parish of South Cadbury following the receipt of a valid request from the Parish Council.

Proposal

In their request, the Parish Council stated that they currently had 5 members and, due to holidays, sickness and declarations of interest, they often only had 3 members at their meetings. The electoral roll had increased slightly in recent years and it was now felt sensible to increase the size of the Parish Council to 7 members.

Following a meeting with members of the Parish Council, it was subsequently agreed to propose the Parish Council name be amended at the same time, to officially recognise the Parish of Sutton Montis in the title.

The Parish Council also considered amending the parish boundary to encompass a property close to the boundary but currently in the parish of Corton Denham, however, Corton Denham Parish Council were not in favour of the proposal and so it was abandoned.

Consultation

The initial consultation period was held from 11th November to 2nd December 2011. Consultation leaflets were delivered to all registered electors within the two Parishes (a total of 251 people) together with the Ward Member, Member of Parliament, Member of the European Parliament, Somerset Association of Local Councils, Somerset County Council, and the Police. Public comments were also invited by e-mail.

A total of 110 responses were received (42% of the total electorate), of which 1 was treated as non-valid as the respondent was not on the electoral register. The responses were as follows:-

Proposal	In favour	Against
Increase Parish Councillors to 7	97	12
Change the name of the Parish Council	103	5

Part of the consultation leaflet asked for any comments on the proposals and 13 varied responses were received. They were all broadly supportive of the proposals, however, several comments raised the point that each village should be equally represented on the Parish Council if possible and those already on the Parish Council should be more committed to attend meetings. A further comment suggested that the increase in the number of Councillors could potentially increase the Council Tax for the Parish if they were paid an allowance or expenses, however, the Parish Council's current policy is not to pay expenses or an allowance to its Councillors, unless by prior agreement.

It is noted that the Constitution of South Cadbury Parish Council already states that at least two Parish Councillors should come from the village of Stoke Trister and two from the village of South Cadbury.

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 South Cadbury and Sutton Montis and to agree to increase the number of Parish Councillors to 7 and amend the name of the Parish Council to South Cadbury and Sutton Montis Parish Council".

This report was also considered by the District Executive on 5th January 2012 where the recommendations were unanimously approved by its Members.

Community Governance Review Timetable

The draft recommendation of the Council on the outcome of the review will be published by 20th January 2012, followed by the commencement of a further 3 week period of consultation closing on 10th February 2012. Representations received on the draft recommendation will be submitted for consideration by South Somerset District Council at its meetings of District Executive on 1st March and full Council on 15th March 2012 when the final decision on the review will be taken.

Financial Implications

The cost of producing the consultation leaflets (260) 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 2011/12. 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

15. Increase to 65% by 2010 the people who feel engaged in and can influence decisions that affect their communities.
18. Eighty percent of residents and businesses satisfied with the quality of the local natural and built environment by 2012.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None at the current time.

Equality and Diversity Implications

All local government electors within the parish of South Cadbury 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 South Cadbury as agreed by Council on 21st July 2011
Responses provided by local residents
District Executive Report and Minutes – January 2012