

11. Final Recommendation of the Community Governance Review of South Cadbury Parish Council

Lead Officer: Ian Clarke, Legal and Corporate Services
Contact Details: ian.clarke@southsomerset.gov.uk or (01935) 462184

Purpose of the Report

To report the outcome of the final 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 agree to publish them;
2. agree that the final recommendation 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 seven and amend the name of the Parish Council to South Cadbury and Sutton Montis Parish Council".
3. agree to draw up a Reorganisation Order to give effect to these recommendations

4. agree to contact the statutory agencies to effect the requested alteration to increase the number of Parish Councillors to seven and amend the name of the Parish Council to South Cadbury and Sutton Montis Parish Council.

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. The results of the first public consultation were presented to District Executive and Council in January 2012 and the second consultation was presented to District Executive on 1st March 2012.

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 seven 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.

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 seven	97	12
Change the name of the Parish Council	103	5

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 was: "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 seven and amend the name of the Parish Council to South Cadbury and Sutton Montis Parish Council".

Further Consultation

A second short consultation on this draft recommendation was undertaken in the parishes from 20th January to 10th February 2012. As the majority of the previous consultation responses were in favour of the original proposal, this further consultation

was conducted through the SSDC website and posters in both Parishes. No further public responses were received and so the draft is now our final recommendation.

Conclusion

When confirmed by Council, South Somerset District Council will draw up a Reorganisation Order to give effect to these decisions. The following organisations will also be informed that the order has been made:

- a) the Secretary of State for Communities and Local Government
- b) the Electoral Commission
- c) the Office of National Statistics
- d) the Director General of the Ordnance Survey
- e) Somerset County Council.

New or revised parish electoral arrangements come into force at ordinary parish elections, rather than parish by-elections, so they usually have to wait until the next scheduled parish elections (next due in May 2015). They can come into force sooner only if the terms of office of sitting parish councillors are cut so that earlier parish elections may be held. South Cadbury Parish Council has indicated that they would like to do this and so a by-election may be held in May 2012 to elect seven Councillors.

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.

The second consultation (as required) on the draft recommendations was conducted at minimum cost through the SSDC Website and posters in the villages. The cost was less than £10.

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.

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 reflect 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
Report to District Executive – Jan 2012 and March 2012
Report to Council – Jan 2012*