

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	17 May 2022
Subject:	Community Governance Review 2021/22– Final Recommendations
Report of:	Community Governance Review Working Group
Corporate Lead:	Corporate Director
Lead Member:	Lead Member for Corporate Governance
Number of Appendices:	One

Executive Summary:

At its meeting on 2 June 2021, the Executive Committee resolved to carry out a Boroughwide Community Governance Review and agreed that a Working Group of seven Members would be formed to undertake the detailed work and make a final recommendation to Council.

The draft recommendations of the Working Group were considered and endorsed by the Executive Committee at its meeting on 5 January 2022 and, following further consultation, Members are now asked to agree the final recommendations which have been put forward by the Working Group.

Recommendation:

That Council RESOLVES to:

- 1. approve the final recommendations in relation to each Parish/Town Council within the Borough of Tewkesbury as set out at Appendix 1;**
- 2. authorise the Corporate Director to:**
 - a. request the Local Government Boundary Commission for England (LGBCE) to make related alteration orders to change Borough Wards and County Divisions to reflect the changes made to Parish Boundaries including those Parishes protected as part of the last review forming part of the Tewkesbury (Electoral Changes) Order 2018; and**
 - b. subject to receiving the necessary consents from the Local Government Boundary Commission for England, make a Reorganisation of Community Governance Order to implement the changes agreed by Council.**

Reasons for Recommendation:

It is nearly 20 years since the last Parish Review was undertaken and changes as a result of the Tewkesbury (Electoral Changes) Order 2018, together with extensive development in the Borough, necessitate a review, to ensure that the arrangements meet the needs of the community.

Resource Implications:

There are no financial implications arising directly from this report. The separation of Wormington from Dumbleton to become a Parish Meeting will require additional officer support but it is anticipated that this can be achieved within existing officer resource.

Legal Implications:

The review follows a statutory process which includes consultation at each stage.

Risk Management Implications:

In order for the changes to be implemented in time for the Borough and Parish elections in May 2023, the LGBCE need to receive requests for protected Parishes and consequential Borough and County changes in June. Any changes to the final recommendations of the Working Group will require further consultation and will result in this deadline not being met.

Performance Management Follow-up:

Following approval of the final recommendations, they will, subject to approval by the LGBCE as appropriate, be implemented by the making of a Community Governance Order.

Environmental Implications:

Not applicable.

1.0 INTRODUCTION/BACKGROUND

- 1.1** Community Governance Reviews provide the opportunity for Principal Councils to review and make changes to community governance within their areas and enables strong, clearly defined boundaries to be put into place, which reflect local identities and facilitate effective and convenient local government. The guidance on Community Governance Reviews states that it is good practice for a Principal Council to consider conducting a review every 10-15 years as well as in circumstances where there has been significant new housing development.
- 1.2** The last full review of Parish arrangements took place in 2002/03 following the Borough of Tewkesbury (Electoral Changes) Order 2001 which had the effect of creating a number of anomalies between Borough and Parish Wards.
- 1.3** At the time of the last review, the relevant legislation was contained within the Local Government and Rating Act 1997 and the power to implement a review rested with the then Office of the Deputy Prime Minister. The Local Government and Public Involvement in Health Act 2007 devolved the power to take decisions about matters such as the creation of Parishes and their electoral arrangements to local authorities.

1.4 Councils have the responsibility to undertake Community Governance Reviews and are able to decide whether to give effect to recommendations made in those reviews save that any consequential recommendations for related alterations to the electoral areas of Principal Councils require approval of, and implementation by, the LGBCE. In addition, any Parish electoral arrangements that had previously been included in an LGBCE review are protected and require the consent of the LGBCE before any Order implementing changes can be made. For Tewkesbury Borough this affects changes in the Parishes of Bishop's Cleeve, Brockworth, Churchdown and Tewkesbury. Any proposed changes to those four areas would require consent from the LGBCE before any order implementing the outcome of the Community Governance Review could be made. If consent is granted by the Commission, the Council can then request an alteration to deal with any consequential impact on Borough Wards. In relation to consequential changes to Borough Ward boundaries, the Commission would wish to see that specific consultation had been undertaken on Ward/Division boundaries as well as the Parish boundaries themselves. The Commission can only accept or reject all of the requested related alterations. Accordingly, if there are changes to Ward boundaries which are likely to have a significant impact on the electoral equality of the affected Borough Wards, the Commission may not support these.

2.0 THE PROCESS

2.1 At its meeting on 2 June 2021, the Executive Committee agreed to commence a Boroughwide Community Governance Review and to establish a Working Group of seven Members to undertake the detailed work.

2.2 The membership of the Community Governance Review Working Group is set out below:

Councillor Blackwell
Councillor Bocking (Chair)
Councillor Gore
Councillor Jordan
Councillor Murphy
Councillor Ockelton
Councillor Sztymiak

2.3 There is a requirement to consult both those local government electors in the area under review, and other bodies which appear to have an interest in the review such as the County Council and existing Parish Councils. Any representations received must be taken into account as part of the review.

The steps undertaken in this case included:

- Interested parties were informed of the Review, its subject matter and time limit for making representations.
- All representations were considered.
- The Working Group prepared draft recommendations for approval by the Executive Committee for consultation.

2.4 Notification of the Community Governance Review and the initial consultation period for submission of representations/comments was provided to the following persons/organisations:

- MPs, County and Borough Councillors.
- Political Parties.
- Parish Clerks/Parish Meeting Chairs.
- Gloucestershire County Council.
- Gloucestershire Association of Parish and Town Councils (GAPTC).
- Two members of the public, following previous communication.
- Tewkesbury Borough Council's Community Development Officers.
- Website and social media.

2.5 The initial consultation stage took place between 15 June 2021 and 15 September 2021. During that period, 23 submissions were received from Parish/Town Councils and Parish Meetings within Tewkesbury Borough; one submission was received from a Parish Council from within Cheltenham Borough; one submission was received from another organisation and 19 from members of the public/local residents. These were considered by the Working Group at its meeting on 19 November 2021. At that meeting, the Working Group was also advised of the Council's scale of representation, existing Parish Ward electorate figures (as at the June 2021 electoral register) and maps which highlighted the submission proposals where possible. At that meeting, Members were also provided with the Council approved maps which had been prepared for the Borough Boundary Review 2017/18 and were included within the submission made to the LGBCE. Whilst they did not contain any electorate, the LGBCE had indicated the areas were outside of its remit and could therefore not make any decision on them; as such, these could be considered by the Working Group as part of the Community Governance Review should it so wish.

2.6 Following the initial consultation stage of the review, and subsequent analysis of submissions received to the initial consultation, the Working Group prepared its draft recommendations at its meeting on 9 December 2021 and those were endorsed by the Council's Executive Committee at its meeting on 5 January 2022.

2.7 Notification of the draft recommendations and details of the consultation period for submissions to be made on those draft recommendations was provided to the following persons/organisations:

- MPs, County and Borough Councillors.
- Political Parties.
- Parish Clerks/Parish Meeting Chairs.
- Gloucestershire County Council.
- Gloucestershire Association of Parish and Town Councils (GAPTC).
- Persons who made submissions during the initial consultation period.
- Website and social media.
- Article in Tewkesbury Borough News sent to all households.

2.8 The Working Group met again on 26 January 2022 to agree its final draft report which was consulted upon from 3 February to 31 March 2022.

2.9 The Working Group met on 29 April 2022 to consider the submissions from the consultation and determine its final recommendations for Council consideration. The Working Group was advised that 10 submissions had been received from Parish/Town Councils/Parish Meetings; and 68 from members of the public, local residents and organisations. A petition with 135 signatories had also been received. Members considered the draft recommendations against the submissions received and agreed the final recommendations as attached to the report at Appendix 1.

3.0 CONCLUSION AND NEXT STEPS

3.1 This has proved to be a major and beneficial exercise addressing a number of Parish matters that have been under discussion for many years. By formally considering the issues and reaching decisions in line with the Guidance, the Council has met the expectations laid down in the Local Government and Public Involvement in Health Act 2007.

3.2 As advised previously, the LGBCE has indicated that, to achieve implementation by May 2023 (to coincide with the next Borough and Parish elections), the Commission needs the Council's recommendations in June 2022. If those timescales are not met, the changes will not be implemented in time for the 2023 elections and will either have to wait until 2027 or take place on the new boundaries outside of the normal election cycle.

3.3 Once the final recommendations have been approved, there are several steps that the Council must take in order to implement the recommendations. These include depositing copies of the reorganisation order which needs to be drawn up to give effect to the decisions. It must also publish maps and set out the reasons for the decisions taken as part of the review. A number of organisations will also need to be informed that the order has been made including:

- a) the Director General of Ordnance Survey; and
- e) any other principal council whose area the order relates to (in this case, Gloucestershire County Council).

3.4 All residents whose property has been affected by a Parish boundary change will be notified in writing.

3.5 If the consequential alterations are agreed by the LGBCE, the proposals will come into force at the May 2023 Borough and Parish Council elections and will apply to the electoral register published on the 1 December 2022.

4.0 OTHER OPTIONS CONSIDERED

4.1 All options considered were consulted upon with a variety of parties including all Members both at the initial and draft recommendation stage. Any additions, changes etc. would be subject to further consultation and could not be included as part of this review.

5.0 CONSULTATION

5.1 As set out in the body of the report.

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

6.1 None.

7.0 RELEVANT GOVERNMENT POLICIES

7.1 None.

8.0 RESOURCE IMPLICATIONS (Human/Property)

8.1 None.

9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

9.1 None.

10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

10.1 None.

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 Executive Committee – 2 June 2021.
Executive Committee – 5 January 2022.

Background Papers: The Local Government Boundary Commission for England – Guidance on Community Governance Reviews.

The Local Government and Public Involvement in Health Act 2007.

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Appendices: 1. Parish Boundary Review – Final Recommendations Report.