



## Council 29 January 2018

### Petition for Community Governance Review of arrangements within Duddington with Fineshade Parish Council.

#### Purpose of report

To inform councillors of the background to the petition and the proposed programme for the review.

#### Appendices

Appendix A - Map of proposed new Parish area within the existing parish council boundary  
Appendix B – Flowchart of Community Governance Review Process.

#### 1.0 Background

- 1.1 East Northamptonshire Council has received a valid petition from registered electors in the Fineshade area of the District requesting the separation of their area and formation of a new Parish meeting. This request would require the existing Duddington with Fineshade Parish to be subdivided in accordance with the map in Appendix A.
- 1.2 The request petition was signed by 86% of the electors in the Fineshade area within the Map. The proposed new Parish Meeting would comprise 7 properties with a current electorate of 14, although two properties are currently undergoing development/renovation and the electorate is expected to increase slightly as a result. (The total electorate for Duddington with Fineshade Parish council is currently 162.) The background for the request, as stated by the petitioners, can be summarised as;
- the geographic separation of this area from the main community of Duddington (2.5 miles) and the community at Top Lodge (1.5 miles)
  - lack of local provision of facilities in the Fineshade area by the Parish Council
  - a significant and increasing contribution to the precept of the existing Parish Council by the properties in the proposed new parish
  - a strong and sense of local community within the proposed new area, separate to that growing of the other communities
  - Closer identification with Wakerly with Barrowden (rather than Duddington) as the relevant War Memorial is at Wakerly and the names of Fineshade soldiers are recorded at Borrowden Church.
- 1.3 The process for the creation, amendment or deletion of a parish is known as a Community Governance Review and is set out in Section 81 of the Local Government and Public Involvement in Health Act 2007. This requires this Council to publish Terms of Reference for the review which cover:
- How the Review will be conducted
  - Expected Timescales
  - What the Review will focus on
  - What the key considerations will be
  - Factual electoral and parish information
- 1.4 The council is required to complete the review within 12 months. The council does have the ability to consider undertaking a review of other areas at the same time. As a wide ranging review was undertaken in 2013/14 this is not recommended at this

time. However it is possible that this paper may trigger other requests for changes in which case it may be considered appropriate by this council to include these within the same Terms of Reference. (Community Governance Reviews can be commenced either as result of receipt of a valid petition or by the determination of this council).

## **2.0 Next Steps**

- 2.1 The review will look at all options for future parish governance arrangements within the Duddington with Fineshade Parish area. These will include:
- Creating a new parish with the boundaries as defined in the map in Appendix A
  - Creating a new Parish with the boundaries based on a variation of Appendix A
  - Keeping the status quo and the current parish boundary
  - Any other arrangements which come out of the consultation process.

Please note that the size of the proposed separate parish is such that it is not possible for them to form a new Parish Council but it is possible for a new Parish Meeting to be formed, with precepting ability.

- 2.2 The council is required to ensure that the 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 Review is required to take into account the impact of community governance on community cohesion and the size, population and boundaries.

- 2.3 A flowchart outlining the key stages in the process can be found at Appendix B. It should be noted that there are two stages for consultation with affected residents and other stakeholders. It is anticipated that these will take place in the Spring and Summer 2018 respectively with the final report being agreed by this Council in October 2018. A fuller timetable will be published in the Terms of Reference.

- 2.4 The Council will comply with the statutory consultative requirements by:
- Consulting with local government electors for the Duddington with Fineshade Parish area. It is proposed to include Attainers (16 and 17 year olds) who are on the Electoral Roll in any consultation;
  - Consult with any other person or body which appears to have an interest in the review. This will include Duddington with Fineshade Parish Council, neighbouring Parish Councils, ward councillors from the affected and neighbouring wards, and other elected representatives such as MPs, MEPs, County Councillor and PCC;
  - Notifying and consulting the County Council and Corby Borough Council; and
  - Taking into account any representations received in connection with the review.

- 2.5 In order to undertake the Review a Review Panel will need to be appointed to consider the consultation responses and prepare a draft and final report for consideration by this council. The composition of this Panel will be included in the Terms of Reference to be agreed at the next Council meeting.

## **3.0 Equality and diversity issues**

- 3.1 The process to be followed is laid down in legislation, supplemented by guidance. Every attempt will be made to engage all registered electors in the process through a Consultation Strategy to be developed and considered by the Review Panel. A full EIA will be produced as part of the review.

#### 4.0 Legal Implications

4.1 The process for the conduct of the Review is defined in Part 4 of the Local Government and Public Involvement in Health Act 2007 and the relevant parts of the Local Government Act 1972, together with the related guidance. These will be reflected in the Terms of Reference.

#### 5.0 Risk Management

5.1 There are no known new risks arising from the information contained in this report.

#### 6.0 Resource and Financial Implications

6.1 There will be resource implications in terms of staff time in undertaking this review but it is anticipated that any additional financial implications for consultation activity will be met from existing budgets.

#### 7.0 Constitutional Implications

7.1 There are no proposed changes to the Constitution as a result of this report.

#### 8.0 Customer Service Implications

8.1 There are no specific customer services implications arising from this report at this stage.

#### 9.0 Corporate outcomes

9.1 The work reported here contributes to the corporate outcome of Effective Community Leadership by responding to a request for consideration of a change to Parish arrangements in part of its district.

#### 10.0 Recommendation

10.1 The Council is asked to note this report and consider if it wishes to actively promote the opportunity for a review of parish arrangements in other parts of the District.

*(Reason: To ensure Councillors are aware of this process in relation to the requested review and consider if the scope of the review should be widened.)*

|   |   |           |  |           |  |
|---|---|-----------|--|-----------|--|
| <b>Legal</b>                                  | Power: <b>Local Government and Public Involvement in Health Act 2007, Local Government Act 1972</b> |           |  |           |  |
|   | Other considerations:   |           |  |           |  |
| <b>Background Papers:</b> Petition for Review |   |           |  |           |  |
| <b>Person Originating Report:</b>             | Sharn Matthews, Monitoring Officer,<br>☎ 01832 742108, ✉ smatthews@east-northamptonshire.gov.uk     |           |  |           |  |
| <b>Date:</b> 16/1/18                          |   |           |  |           |  |
| <b>CFO</b>                                    |   | <b>MO</b> |  | <b>CX</b> |  |



**Flowchart of Community Governance Review Process**

