



## Council

23 July 2018

### Community Governance Review for Duddington with Fineshade – Draft Recommendations for Consultation

#### Purpose of report:

To propose draft recommendations for parish arrangements in the parish of Duddington with Fineshade following the conclusion of the first stage of public consultation

#### Attachment

Appendix A – Map of proposed change to parish area from petitioners  
 Appendix B – Original Terms of Reference for the Review.

#### 1.0 Background

- 1.1 The receipt of a valid petition from a number of registered electors within the Fineshade area of the District requesting the separation of their area and formation of a new Parish Meeting was considered at the full council meeting of 29 January 2018. At its subsequent meeting of 26 February 2018 the Council approved a set of terms of reference and the formation of a review panel to consider the consultation responses, draft and final report prior to consideration by Council.
- 1.2 The request petition was signed by 86% of the electors in the proposed new parish area located within Fineshade. The proposed new Parish Meeting would comprise 7 properties with a current electorate of 14, although three 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.)
- 1.3 The review is a four stage process and Stage 1 (a period of open consultation) ended on 29 April 2018. Since then, officers have considered the proposals received. This paper sets out draft recommendations on proposed changes to parish arrangements together with a revised timetable for the latter stages of the review for consideration and approval by Council (see 1.5 and 1.6 below.) This revised timetable is necessary as the process of local government reorganisation and consultation, which has commenced within Northamptonshire since the terms of reference were approved, has impacted on the Council's member and officer resources and ability to resource and run a separate Review Panel. It has therefore been considered pertinent to consider the recommendations at each stage of the review at (full) Council.
- 1.5 Subject to approval by Council, it is proposed that there will then be a further 8 weeks of public consultation on the draft recommendations before final recommendations will be presented to Council for consideration on 15 October 2018.

- 1.6 The council is required to complete the review within 12 months of receipt of the petition i.e. by 22 November 2018.

Stage	Date	What happens	Timescale
Stage 3	Monday 30 July – Sunday 23 September	Draft recommendations are published and consulted upon	8 weeks
Stage 4	Monday 24 September – Friday 5 October	Consideration of submissions received and final recommendations are prepared	2 weeks
	Mon 15 October 2018	Final recommendations are considered by East Northamptonshire Council for endorsement	
	w/c 22 October 2018	Final recommendations are published - concluding the review	
	May 2019	Any changes as part of the review come into force at the parish and town council elections	

## 2.0 Submissions received

2.1 At the beginning of stage 1, we consulted with:

- all local government electors for the Duddington with Fineshade Parish area including attainers (16 and 17 year olds) who were on the Electoral Roll;
- any other person or body which appeared to have an interest in the review, including Duddington with Fineshade Parish Council, neighbouring Parish Councils, the ward councillor, and other elected representatives such as MPs, MEPs, County Councillor and PCC;
- the County Council and Corby Borough Council; and
- Taking into account any representations received in connection with the review.

2.2 We received submissions from the parish council, the original petitioners, six other Fineshade residents and two Duddington residents.

## 3.0 Proposals for change

3.1 Further submissions supporting boundary changes made by the original petitioners, supplementary to the original petition are summarised below:-

When we submitted our application to form a new parish it did not occur to us that the council may consider that we should be allowed to separate from Duddington but then be attached to another parish. We only became aware of this possibility after submitting our application.

Our application gives reasons why we wish to separate so it is not necessary to re-state them. However we do want to emphasize that we are a community in our own right. We are not a group of houses to be 'tagged' onto someone else parish.

We are a small community of only 6 homes with a population of 15 adults and 1 child. Three more properties due to be developed within our community will increase our population. Please note that the new owners of Bottom Lodge Farm support our

application. We would intend to work with all our neighbours while being a separate community.

Fineshade is now two separate areas. There is Top Lodge Fineshade NN173BB and Stamford Road Fineshade NN17 3BA. We are both Fineshade. We ask that the council consider the name of the new parish to be "Vale of Fineshade". We are in the valley and we are Fineshade.

#### 4.0 **Proposals for no change**

4.1 Submissions against boundary changes were made by Duddington with Fineshade Parish Council, six Fineshade residents and two Duddington residents, these are summarised below:-

#### 4.2 Duddington with Fineshade Parish Council

Strongly objects to the petition considering the proposals will

- contravene section 42 of the Guidance of Community Governance Review.
- Increase the precept to £8.5k.
- Mean the loss of council tax from the properties concerned would be met by the rest of the residents.
- split Fineshade ward and the community, with the remainder of the existing parish in danger of falling below required number of residents to form a Parish Council.
- mean lost benefits if became a Parish meeting instead of PC, also be unlikely able to raise a precept.
- As a result of Unitary developments mean a greater need for small authorities to maintain grass level links to communities and help deliver services for higher tier authorities.
- result in the failure of East Northamptonshire Council's aims of enabling Parish Council's to meet the opportunities arising from the Localism Act 2011, ensuring that Parish governance in the district continues to be robust and effectively representing developing communities.

It should be noted that ENC Officers do not believe that the proposals contravene the Act. Parish Meetings may raise a precept.

#### 4.3 Fineshade residents (non petitioners)

- See no reason for a boundary change and no desire to be part of a new parish meeting;
- Have lived in Fineshade for 50 years. See no need for the change
- It would divide Fineshade and undermine attempts to create a cohesive rural community. Would weaken both sides; stronger as one. Believes the motivation is monetary; to avoid paying the parish precept.
- It will break up the community. Documentation states that 86% of residents signed a 'leave' petition; this does not include Top Lodge or Duddington residents. Duddington could lose its Parish Council due to a reduction in the number of residents. Access to Top Lodge would be in the control of the six households in the AB postcode area. The shortfall for the precept will require increase in council tax those left; the minority voting to increase costs for the majority.
- Strongly object, have lived there for 53 years with no problems or complaints.

#### 4.4 Duddington residents

- Concerned that Duddington will be reduced to a Parish meeting as opposed to a PC. Have supported Fineshade (financially) re the forestry commission, and

include them in our activities.

- Concerns re resulting reduction in dwellings of the Parish, which would cause the Parish Council to cease to exist. Vital that both Fineshade and Duddington have a Parish Council that can deal with planning issues on behalf of both areas.

## 5.0 Issues to Consider

In considering proposals for changes to community governance in the parish, the Council has to take into account a number of criteria included within the statutory guidance on community governance reviews:

- **That community governance is reflective of the identities and interests of local communities**

There are competing interests between the petitioners who see their identity as separate to the wider area of Fineshade, and to that of Duddington with Fineshade Parish and the representations from the Parish Council and residents of both Fineshade and Duddington concerned by potential the breakup of the wider community.,.

- **That community governance is effective and convenient**

The population of Duddington with Fineshade is currently 162. If part of Fineshade separates from the remainder of the Parish, the successor parish areas would constitute 147 and 15 residents respectively. (This is taking into account that the petitioners having clearly expressed they do not wish to consider forming part of a neighbouring parish, which was an alternative option within the terms of reference.)

Statutory guidance advises that local communities should have access to good quality local services, ideally in one place. It also encourages the use of parish councils on the basis they viable in terms of providing at least some local services and easy to reach and accessible to local people.

- **The impact on community cohesion of community governance arrangements**

Setting up of parishes and parish councils offers the opportunity to strengthen community engagement and participation, generating a positive impact on community cohesion and bringing different groups of people to get on well together. The government's vision in terms of cohesion is for:-

- A shared future vision and sense of belonging
- A focus on what new and existing communities have in common, alongside a recognition of the value of diversity;
- A strong and positive relationship between people from different backgrounds.

Part of the responsibility of the principal council is to consider whether a recommendation made by petitioners will undermine community cohesion in any part of its area. As part of the responses to this stage of the consultation there have been a number of residents of the wider Fineshade ward expressing a wish for it not to be split in two and to continue as the current parish council.

Officers had considered if there were options for the proposed separate area to be joined with an adjacent parish council but the petitioners have submitted that this was not their intention in making their original proposal. As in addition

this would impact on the viability of the remaining Duddington with Fineshade Council, this option is therefore not being considered further.

- **Size, population and boundaries of a local community or parish**

The general rule is that a parish be based on an area which reflects community identity and interest and which is of a size which is viable as an administrative unit of local government.

Guidance in respect of Section 94 of the Local Government and Public Involvement in health Act 2007, paragraphs 153-157, states that where a parish has 150 or fewer local government electors and currently has a council or was part of a parish that had a council it is for the principal council to decide whether or not the parish has a council.

Where a parish had 150 or fewer local government electors and does not currently have a council the review must recommend that the parish should not have a council.

This Council would therefore have to seriously consider whether or not both the existing and proposed new Parish Council would be should the petitioners request be approved.

## 6.0 **Summary**

**The current arrangements in Duddington with Fineshade provide for parish services to 162 people. By separating into smaller parish areas, there is a significant risk of both successor parish meeting of 15 electors and parish council of 147 electors no longer being viable to deliver local services.**

**In considering the issues discussed above, it is recommended that no changes be made to the current boundaries and arrangements within the parish area as this would have a detrimental impact on residents within the existing parish arrangements' ability to deliver local services and the cohesiveness of the wider community.**

## 7.0 **Next steps**

7.1 Following the decisions made by the Panel at this meeting, the draft recommendations will be subject to an 8 week public consultation period, running from Monday 30 July to Sunday 26 August 2018. The draft recommendations will be publicised on the Council's website, in Nene Valley News. They will also be circulated to those originally consulted as part of stage 1 of the review (see 2.1 above). Officers will then review the further submissions received, consult with the district ward councillor representing the affected area, and make final recommendations which will be considered by Council at its meeting on 22 October 2018.

7.2 The final recommendations will be published. If changes are then proposed the Council must draw up a reorganisation order to give effect to the decisions. In addition if any of the final recommendations involve a change to either district wards or county electoral divisions, the Council must request the LGBCE to make changes to those boundaries to reflect the changes made at parish level.

7.3 If changes are recommended as part of the review, they would come into effect for the next parish council elections, currently scheduled for May 2019.

## 8.0 **Equality and Diversity Implications**

8.1 There are no equality and diversity implications arising from the proposals.

## 9.0 Legal Implications

9.1 The Council has conducted this Community Governance Review pursuant to powers in the Local Government and Public Involvement in Health Act 2007. In conducting the review, the Council must observe the statutory duties that apply when a review is being undertaken (as outlined in paragraph 2.3 of this report) and have regard to Guidance issued by the Department for Communities and Local Government and The Local Boundary Commission for England on Community Governance Reviews. In deciding what community governance arrangements should be recommended for implementation by Reorganisation Order, regard must be had to the need to ensure that community governance within the district of East Northamptonshire reflects the identities and interests of the community and is effective and convenient.

## 10.0 Risk Management

10.1 There are no significant risks arising from the proposed recommendations in this report.

## 11.0 Financial Implications

11.1 There is no additional budget for the review, so costs such as the production of hard copies of maps for the stages of public consultation and mail-outs are being found from existing budgets.

## 12.0 Corporate Outcomes

12.1 The corporate outcomes relevant to these draft recommendations are:


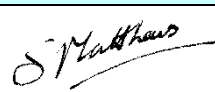
- Effective Partnership Working
- Strong Community Leadership
- Knowledge of Customers and Communities

## 13.0 Recommendation

13.1 The Council is asked to consider and agree:-

- a) the that it considers that no changes should be made to the parish arrangements for Duddington with Fineshade and that this proposal is consulted upon during Stage Three of the Community Governance Review;
- b) The revised timetable for the review.

*[Reason: to fulfil the Council's responsibility to undertake a community governance review]*

<b>Legal</b>	Power: Local Government & Public Involvement in Health Act 2007				
	Other considerations: Guidance on community governance reviews – Department for Communities & Local Government and The Local Government Boundary Commission for England				
<b>Background Papers:</b>					
<b>Person Originating Report:</b> Ben Smith, Democratic Services Manager, 01832 742113, bsmith@east-northamptonshire.gov.uk					
<b>Date: 5 July 2018</b>					
<b>CFO</b> 12.07.18		<b>MO</b> 12.07.18		<b>CX</b>	

(Committee Report Normal Rev. 22)





East  
Northamptonshire  
Council

# Community governance review



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Ordnance Survey 100019072

2018 Review of parish boundaries for Duddington with  
Fineshade



# REVIEW OF PARISHES AND RELATED MATTERS – LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

## TERMS OF REFERENCE

### INTRODUCTION

East Northamptonshire Council resolved at its full council meeting held on 29 January 2018 to undertake a review of community governance arrangements for the Duddington with Fineshade Parish Council area.

The Local Government and Public Involvement in Health Act 2007 provides for a principal council (such as East Northamptonshire Council) to conduct a community governance review (a review of parish arrangements) at any time and has a duty to carry out a community governance review if it receives a valid community governance petition for the whole or part of the council's area.

The Department for Communities and Local Government' Guidance on community governance reviews 2010 states that:-

*“...it would be good practice for a principal council to consider conducting a review every 10-15 years – except in the case of areas with very low populations when less frequent reviews may be adequate.”*

The last district wide review of parish arrangements was conducted relatively recently in 2013 and came into effect in 2014. The full Council agreed at its meeting of 29 January 2018 that there is not presently a need or demand to undertake a district-wide review, with no further requests having been received.

This Review will therefore focus on the Duddington with Fineshade Parish Council area only and take as its starting point 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. The petition requests that the existing Duddington with Fineshade Parish be subdivided into two new Parish areas in accordance with the map attached to these terms of reference in Appendix 1A.

Receipt of a valid petition requires the Council to undertake a Review in accordance with Section 83(2) of the 2007 Act. In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626). (The 2007 Act has transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

The Council is required to have regard to Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government and the Local Government Boundary Commission for England. This Guidance was published in March 2010. This has been carefully considered in drafting the Terms of Reference.

Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish its Terms of Reference in a Review. The publication of the Terms of Reference marks the start of the Review. These Terms of Reference are being published on the Council's website ([www.east-northamptonshire.gov.uk](http://www.east-northamptonshire.gov.uk)). For the purposes of public consultation, this link will be communicated to all Town and Parish Councils and an advert will be placed in Nene Valley News, a free community newspaper covering the district of East Northamptonshire, to bring it to the attention of any other interested parties. The government also expects the Terms of Reference to set out clearly the matters on which a Community Governance Review is to focus. This is done later in this document.

## **Why is the Council undertaking the Review?**

The Council has received requests from electors within the Parish area of Duddington with Fineshade to undertake a review of their electoral arrangements (including their boundary).

The request petition was signed by 86% of the electors in the Fineshade area identified within the Map, attached as Appendix 1A. The proposed new Parish Meeting would comprise 6 properties with a current electorate of 14 with one further registration awaiting further information from the elector , Three properties in the proposed new parish area 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 mile) by road.
- 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 proposed new Parish area falls within the Church Parish of Wakerley and Barrowden (as a result of which the relevant War Memorial is at Wakerly and the names of Fineshade soldiers are recorded at Borrowden Church.)

## **What is a Community Governance Review?**

It is a review of the whole or part of the district area to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and style of new parishes;
- The electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council; and parish warding); and
- Grouping parishes under a common parish council or de-grouping parishes.

## **Parish governance in our area**

The Council wants to ensure that parish governance in our district continues to be robust, representative and effectively representing communities as they develop. The potential activities of parish councils have been expanded through the provisions of the Localism Act 2011 and the Council is looking to enable parish councils to meet the opportunities that will arise as a result. Furthermore, it wants to ensure that there is clarity and transparency to the areas that parish councils represent and that the electoral arrangements of parishes are appropriate, equitable and understood by their electorate.

## **Who undertakes the Review?**

An officer working group has been established, led by the Democratic Services Manager, and will work with a Member Review Panel of three councillors to consider representations received during the review period and recommend to Council the final recommendations.

## CONSULTATION

### How we propose to conduct consultations during the Review

This document lays out the aims of the review, the legislation that guides it and some of the policies that the Council considers important in the review.

In coming to its Recommendations in a Review, the Council will need to take account the views of local people. The Act requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the Review and to take the representations that are received into account by judging them against the criteria in the Local Government and Public Health Act 2007.

The Council invites all households and interested parties in the Duddington with Fineshade parish area, including the parish council, to make initial submissions regarding its boundary and electoral arrangements within the district. The Council will also identify any other person or body who it feels may have an interest in the review and write to them inviting them to submit their views at both stages of consultation.

The Council will publish all decisions taken in the Review and the reasons for taking those decisions in the interests of transparency.

In accordance with the Act, representations received in connection with the Review will be taken into account and steps will be taken to notify consultees of the outcome of the Review (either individually or as part of a general communication of information). We will publish details of the Review at key stages on the Council's website, in the local community newspaper (Nene Valley News), general press releases and via the Council's Facebook and Twitter accounts. Key documents will be on deposit at each of the Council's offices in Thrapston, Rushden and Oundle. We will also notify Northamptonshire County Council and Corby Borough Council that the review is being undertaken.

The review timetable is shown below and indicates that the review starts with comments and proposals being invited from interested parties. These will be taken into account by the working group in formulating the draft recommendations. A further consultation will take place on the draft recommendations again inviting submissions and proposals. Any representations received will be considered by the working group in formulating the final recommendations, which will then be considered by East Northamptonshire's full council.

### How to contact us

You can contact us or give your views about the review in the following ways:

By email: [bsmith@east-northamptonshire.gov.uk](mailto:bsmith@east-northamptonshire.gov.uk)

By telephone: 01832 742113

By post: Democratic Services - Review of Parish Arrangements  
East Northamptonshire Council  
Cedar Drive  
Thrapston  
Northants  
NN14 4LZ

In person: By handing any correspondence into one of the Council's three offices:

Thrapston Customer Service Centre (see postal address)

Rushden Customer Service Centre  
Newton Road

Rushden  
Northants  
NN10 0PT

Oundle Customer Service Centre  
4 New Street  
Oundle  
Northants  
PE8 4ED

## The Review Timetable

Publication of this Terms of Reference formally begins the Review. The timetable for the Review is set out below:

Stage	Date	What happens	Timescale
Stage 1	Mon 5 February – Sun 29 April	Terms of reference are published and initial submissions are invited	12 weeks
Stage 2	Mon 30 April – Sun 3 June	Consideration of submissions received and draft recommendations prepared	5 weeks
Stage 3	Mon 4 June – Sun 26 August	Draft recommendations are published and consulted upon	12 weeks
Stage 4	Mon 27 August – Sun 30 September	Consideration of submissions received and final recommendations are prepared	5 weeks
	Mon 15 October 2018	Final recommendations are considered by East Northamptonshire Council for endorsement	
	w/c 22 October 2018	Final recommendations are published - concluding the review	
	May 2019	Any changes as part of the review come into force at the parish and town council elections	

Please note that this is an estimated timeframe and whilst we will endeavour to keep to the dates, any changes will be published on the Council's website.

Any submissions received outside of the public consultation periods will not be taken into account. Please note that the consultation stages of this review are public consultations. In the interests of openness and transparency, the Council will make available for public inspection full copies of all representations it takes into account as part of this review at the Council's office in Thrapston and on the Council's website. Please note that we cannot accept anonymous comments and therefore you will need to provide a contact name and address on any comments you submit. However personal details will be redacted before any publication.

You should be aware that your comments will be made available for other people to see. Under the terms of the Access to Information Act 1985, comments/correspondence are not considered to be confidential and will be scanned and posted on our website.

The Council believes that inclusive consultation is important and will therefore use a wide range of methods to encourage comments from as many residents as possible and every effort will be made to ensure the involvement of people who may be under-represented in consultation exercises.

## ELECTORATE FORECASTS

### The electorate and electorate forecasts for the parish

The Council has used the Register of Electors as of February 2018 providing the existing parish/parish

ward electorate figures.

When the Council comes to consider the electoral arrangements of the parishes in its area, it is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts. Electorate forecasts have been prepared using extant planning permissions and the Local Development Framework to project the five-year electorate forecast.

It is the government's guidance that these forecasts should be made available to all interested parties as early as possible in the review process so that they are available to all who may wish to make representations. These are presented below.

Parish or Town Council (unless otherwise specified)	Housing Stock (base 2018)	Electorate January 2018 (actual)	Electorate per household (average)	Projected housing growth (next 5 years)	Projected electorate growth (next 5 years)	Electorate 2023 (estimated)	% increase in electorate
Duddington	70	128	2	0	0	128	0
Fineshade	17	34	2	2	4	38	10.5

## THE PRESENT STRUCTURE OF THE PARISH AND ITS ELECTORAL ARRANGEMENTS

The Parish of Duddington with Fineshade is served by a single Parish Council which is made up of Parish Councillors who are local residents.

Parish Councillors serve a four year term. People on the electoral role can be co-opted on to the Parish Council if there are insufficient candidates at an election for all the seats to be filled or if a vacancy occurs during a four-year term.

There are currently nine members of the Parish Council and the next scheduled elections are in May 2019.

Further details of the Parish and its electoral arrangements can be found at:  
<http://www.duddingtonwithfineshadeparishcouncil.org.uk/>

## PARISH AREAS

### Introduction

The legislation requires that the Council must have regard to the need to secure that community governance within the area under review:

- Reflects the identities and interests of the community in that area; and
- Is effective and convenient; and
- Takes into account any other arrangements for the purposes of community representation or community engagement in the area

### Parishes

The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity.

### Boundaries

The Council considers that the boundaries between parishes will normally reflect the area between communities represented by areas of low population or pronounced physical barriers. These barriers will either be natural or man-made; they might include natural features such as rivers and marshland, or man-made features such as parks or major roads— those barriers that oblige the residents of an affected area to have little in common with the remainder of the parish to which they may have been allotted.

The Council considers that 'natural' settlements or settlements as they are defined in the Local Development Framework should not in normal circumstances be partitioned by parish boundaries.

The Council will endeavour to select boundaries that are and are likely to remain easily identifiable.

## **Viability**

The Council is anxious to ensure that parishes should be viable and should possess a precept (council tax base) that enables them to actively and effectively promote the wellbeing of their residents and to contribute to the real provision of services in their areas in an economic and efficient manner.

Some parishes are keen to participate in measures such as attaining Quality Parish status, or the development of neighbourhood plans. The Council sees these initiatives as important measures of effective, convenient and appropriate local government and will respect them in this Review.

The Council recognises that, in its rural area, a strong sense of community can prevail over an extensive but otherwise sparsely populated area. Parishes in these areas may have limited capacity to facilitate service provision and effective local government; even so, arrangements in these areas, when they accord with the wishes of the inhabitants of the parish, will at least represent convenient local government.

The Council is committed to ensuring that the Review leads to parishes that are based on areas which reflect community identity and interest and which are viable as an administrative unit.

## **NAMES AND STYLES**

### **The naming of parishes**

With regard to the names of parishes, the Council will endeavour to reflect local or historic place-names, and will give a strong presumption in favour of names proposed by local interested parties.

There are legal requirements, particularly with regard to subsequent notification, with regard to the naming of parishes, and the Council will be mindful of these.

### **Alternative styles**

The 2007 Act has introduced 'alternative styles' for parishes. If adopted, the 'alternative style' would replace the style 'parish'. However, only one of three prescribed styles can be adopted: "community", "neighbourhood" or "village". The implications of a change of style can be illustrated: The Community of Greenfield; Whitewell Neighbourhood Council or The Village Councillors for the Village of Redstone. In addition, it should be noted that the style of "town" is still available to a parish. However, for as long as the parish has an 'alternative style', it will not also be able to have the status of a town and vice versa.

Where a new parish is being created, the Council will make recommendations as to the geographical name of the new parish and as to whether or not it should have one of the alternative styles.

Where an existing parish is under review, the Council will make recommendations as to whether the geographical name of the parish should be changed, but it will be for the parish council or parish meeting to resolve whether the parish should have one of the alternative styles.

## **ELECTORAL ARRANGEMENTS**

### **What does 'electoral arrangements' mean?**

An important part of our Review will comprise giving consideration to 'electoral arrangements'. The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward;
- The name of any such ward

**Ordinary year of election**

The Local Government Act 1972 states that ordinary election of parish councillors shall take place in 1976, 1979 and every fourth year thereafter (i.e.2015, 2019 and 2023 etc). However, the government has indicated that it would want the parish electoral cycle to coincide with the cycle for the district council, so that the costs of elections can be shared. If the Review finds that it will be appropriate to hold an election for parish councillors, for example to a newly formed parish, at an earlier date than the next scheduled ordinary elections, the terms of office of any newly elected parish councillors will be so reduced as to enable the electoral cycle to revert to the normal cycle in the district at the next ordinary elections.

**A council for a parish**

The legislation lays down the different duties that the Council has with regard to the creation of a council for a parish:

- Where the number of electors is 1,000 or more – a parish council must be created;
- Where the number of electors is 151-999 – a parish council may be created, with a parish meeting being the alternative form of parish governance;
- Where the number of electors is 150 or fewer - a parish council is not created

**What considerations cover the number of parish councillors?**

The Council notes that the number of parish councillors for each parish council shall not be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. However, each parish grouped under a common parish council must have at least one parish councillor.

The Aston Business School found the following levels of representation:

<b><i>Electorate</i></b>	<b><i>Councillor Allocation</i></b>
Less than 500	5 – 8
501 – 2,500	6 – 12
2,501 – 10,000	9 – 16
10,001 – 20,000	13 – 27
Greater than 20,000	13 – 31

The National Association of Local Councils (NALC) has suggested that the minimum number of councillors should be seven and the maximum 25.

The government’s guidance is that “each area should be considered on its own merits, having regard to its population, geography and the pattern of communities”, and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter.

The government makes a point “that the conduct of parish council business does not usually require a large body of councillors”. In parishes where there has been a history of uncontested elections and/or the need to co-opt members in order to fill vacancies, the Council will give careful consideration to whether the present levels of representation are appropriate.

By law, the Council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- The number of local government electors for the parish;
- Any change in that number which is likely to occur in the period of five years beginning with the day when the review starts

The Council may also consider any of the following factors:

- Ensuring that the allocation of councillors to parishes is broadly equitable across the district, whilst acknowledging that local circumstances may occasionally merit variation;
- The different demands and consequently different levels of representation are appropriate between the urban and the rural parishes in the district;
- Any discrepancies that may exist in levels of representation among the urban parishes, using a sliding scale as a guide to the allocation of councillors;
- Any discrepancies that may exist in levels of representation among the rural parishes, using a sliding scale as a guide to the allocation of councillors
- A high precept and high levels of service provision;
- Where representation may be required to meet the challenges of population sparsity;
- The traditional scale of representation in a particular parish;
- Supporting a warding arrangement in a particular parish and achieving a good parity of representation between wards

### **Parish warding**

The Act requires that in considering whether a parish should be divided into wards for the purposes of elections of the parish council, the Council should consider the following:

- Whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impractical or inconvenient;
- Whether it is desirable that any area or areas of the parish should be separately represented on the council

The government's guidance is that "the warding of parishes in largely rural areas that are based predominantly on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish".

With regard to urban parishes, the government has suggested that "there is likely to be a stronger case for the warding of urban parishes...in urban areas, community identity tends to focus on a locality, whether this be a housing estate, a shopping centre or community facilities. Each locality is likely to have its own sense of identity". The Council will be mindful of this guidance and will endeavour to ensure that such urban wards focus on localities of distinct identity. Each case will be considered on its merits and on the basis of the information and evidence provided during the course of the review.

The Council believes that warding arrangements should be clearly and readily understood by and should have relevance for the electorate within a parish and that they should reflect clear physical and social differences within a parish – one parish but comprising different parts. Furthermore, ward elections should have merit: not only should they meet the two tests laid down in the Act (outlined above) but they should also be in the interests of effective and convenient local government. They should not be wasteful of a parish's resources.

### **The number and boundaries of parish wards**

In reaching conclusions on the boundaries between parish wards, the Council will take into account community identity and interests in an area and will consider whether any particular ties or linkages might be broken by the drawing of particular ward boundaries. Equally, the Council, during its consultations and in this Review, is mindful that proposals which are intended to reflect community identity and local linkages should be justified in terms of sound and demonstrable evidence of those identities and linkages.



The Council has noted the desirability of fixing boundaries which are, and will remain, easily identifiable, as well as taking into account any local ties which might be broken by the fixing of any particular boundaries. The Council believes that ward boundaries should be clearly understood and that they should represent the most appropriate parting of local attachments within a parish that comprises different parts.

The guidance has suggested that a relevant consideration for the Council when undertaking a review is that the district wards and county electoral divisions should not split an unwarded parish and that no parish ward should be split by such a boundary. The relevant legal provisions do not apply to reviews of parish electoral arrangements but the Local Government Boundary Commission has previously requested the Council to bear this in mind, which the Council will do.

In the naming of parish wards, the Council will be mindful of existing local or historic place names, and there will be a presumption in favour of ward names proposed by local interested parties.

### **The number of councillors to be elected for parish wards**

The Council has noted that it is required to have regard to the following when considering the size and boundaries of the wards and the number of councillors to be elected for each ward:

- The number of local government electors for the parish
- Any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the review starts

The government has advised, and this Council concurs, that “it is an important democratic principle that each person’s vote should be of equal weight so far as possible, having regard to other legitimated competing factors, when it comes to the elections of councillors”. While there is no provision in the legislation that each parish councillor should represent, as nearly as may be, the same number of electors, the Council considers that it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation between different parish wards.

The Council is likewise anxious to avoid the risk that, where one or more wards of a parish are over-represented by councillors, the residents of those wards (and their councillors) could be perceived as having more influence than others on the council. During the Review process and in its consultations, the Council is committed to consistently showing the ratios of electors to councillors that would result from its proposals.

The foregoing considerations of being equitable will also guide the Council when it considers the number of councillors to be elected to a common council by each parish within a grouping arrangement.

### **Naming of parish wards**

With regard to the naming of parish wards, the Council will endeavour to reflect existing local or historic place-names, and will give a strong presumption in favour of ward names proposed by local interested parties.

## **REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT**

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the Order in detail, and the document(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council’s offices, libraries, contact points and on the Council’s website.

In accordance with the Guidance issued by the Government, the Council will issue maps to illustrate

each recommendation at a scale that will not normally be smaller than 1:10,000. These maps will be deposited with the Secretary of State at the Department for Communities and Local Government and at the Council's offices at Thrapston, Rushden and Oundle. Prints will also be supplied, in accordance with the regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Local Government Boundary Commission for England.

The provisions of the Order would take effect, for financial and administrative purposes, from 1st April in the designated year.

The electoral arrangements for a new parish or existing parish council will come into force at the next elections to the parish council, namely May 2019.

## **CONSEQUENTIAL MATTERS**

### **General principles**

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include

- The transfer and management or custody of property
- The setting of precepts for new parishes
- Provision with respect to the transfer of any functions, property, rights and liabilities
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters

In these matters, the Council will be guided by the Regulations that have been issued following the 2007 Act.

In particular, the Council notes that the Regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the proper officer of the Council as an appropriate proportion.

Furthermore, the Council notes the Regulations regarding the establishment of a precept for a new parish and their requirements.

### **District ward boundaries**

The Council is mindful that it may be necessary to recommend to the Local Government Boundary Commission to make alterations to the boundaries of district wards or county electoral divisions to reflect the changes made at a parish level. The Council notes that it will be for the Local Government Boundary Commission to decide if related alterations should be made and when they should be implemented, and that the Commission may find it appropriate to conduct an electoral review of affected areas.

The Council notes that the Local Government Boundary Commission will require evidence that the Council has consulted on any such recommendations for alterations to boundaries of district wards or county electoral divisions as part of the Review. Such recommendations for alterations may only become apparent during the course of the Review. The Council will endeavour to include any such draft recommendations for alterations at the earliest possible opportunity for consultation that will arise after they become apparent.

Where any such consequential matters may affect Northamptonshire County Council, the Council will also seek the views of that council with regard to alterations to electoral division boundaries in accordance with the government's guidance, and will also bear in mind the recent electoral review of the County Council.

## **DATE OF PUBLICATION OF THESE TERMS OF REFERENCE**

\*\* \*\*\*\*\* 2018