

Report to: **Council**

Date: **5 December 2017**

Title: **COMMUNITY GOVERNANCE REVIEW –
INITIAL SUBMISSIONS**

Portfolio Area: **Strategy & Commissioning**

Wards Affected: **Okehampton South and Okehampton North**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:
(e.g. referral on of recommendation or
implementation of substantive decision)

**Consultation on
the published
draft proposals is
currently due to
commence on
Monday, 11
December 2017.**

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behalf of the
Political
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RECOMMENDATIONS:

That the Council RESOLVES that:

- 1. the main points arising from the initial submissions
(paragraph 2.6 below refers) be noted;**

In light of the initial submissions received:-

- 2. an additional consultation stage be built into the Review
timetable to provide an opportunity for those who have made
initial representations to produce definitive proposal(s) for
potential changes to the Okehampton Town-Okehampton
Hamlets Parish boundary before Friday, 2 February 2018;
and**

<p>3. the Terms of Reference for this Review be updated accordingly (as outlined at Appendix B).</p>

1. Executive summary

- 1.1 In accordance with the adopted terms of reference (as outlined at appendix A), the Community Governance Review on a proposal to increase the size of the Okehampton Hamlets Parish Council by two additional parish councillors is now at Stage 3 of the process;
- 1.2 In accordance with Stage 3, the Council is now required to consider the initial submissions received before approving that the draft proposals be published and subjected to further public consultation.

2. Background

- 2.1 At its annual meeting on 23 May 2017, the Council considered a motion that had been submitted by Cllr Davies (Minute 65/14(a) refers);
- 2.2 Following a discussion, the Council subsequently agreed that a 'Community Governance Review be instigated that has the main purpose of consulting on a proposal to increase the size of the Okehampton Hamlets Parish Council by two additional parish councillors';
- 2.3 As the Principal Authority, West Devon Borough Council has responsibility for considering this Review and undertaking the statutory consultative requirements which include:
 - Consulting local government electors for the area under review;
 - Consulting any other person or body (including a local authority) which appears to the Borough Council to have an interest in the Review;
 - Notifying and consulting Devon County Council; and
 - Taking into account any representations received in connection with the Review;
- 2.4 The terms of reference were subsequently agreed and published on 31 July 2017;
- 2.5 Upon their publication, and in order to take full account of the views of the affected local residents, officers contacted all 645 households located in Okehampton Hamlets parish. In addition, other relevant stakeholders (local ward Members, Okehampton Town Council, Okehampton Hamlets Parish Council and Devon County Council) were contacted and notification of the Review was also published on the Council website;

2.6 Five replies were subsequently received before the consultation deadline of Tuesday, 21 November 2017:

- Two of these were from local residents, both suggesting that the existing boundary should be changed, with one supporting an increase in parish councillor numbers and one against such a move;
- A motion from Okehampton Hamlets Parish Council that reads as follows:

'This Council is pleased that West Devon Borough Council has commenced a Community Governance Review to primarily consider increasing the membership of the Okehampton Hamlets Parish Council from 8 to 10 Members. This increase in membership will allow the Council to meet its statutory and community obligations more effectively.'

*This Council will not accept **any** mergers or changes to existing boundaries with any of our neighbouring Parish or Town Councils in order to reduce the size of this Council's electoral area. However, the Council would be prepared to consider any increase of electoral size should any of our neighbouring Parish or Town Councils wish to reduce or relinquish their responsibilities. This Council will also welcome an early outcome from the review to facilitate the election or co-option of further members. This Council will continue to foster formal and informal working collaborations with its neighbouring councils to ensure effective deliverance of services to the communities of Okehampton and surrounding areas.'*

- Two responses were also received from Okehampton Town Council. The first response urged greater equality in the funding and use of amenities across both Council areas. The second response was a Council motion that reads as follows:

'It was resolved to request that the review to increase the size of Okehampton Hamlets Parish Council by two additional Councillors is paused to enable other opportunities, including the feasibility of boundary changes to be fully considered and explored.'

2.7 In addition to the written responses received, at the request of Okehampton Town Council, a meeting between representatives of the Town Council, Okehampton Hamlets Parish Council and officers of West Devon Borough Council was held on 16 November 2017. The primary purpose of this meeting was to discuss options for the most effective way ahead within the Review for the Town and Parish Councils, which included the potential for alternative proposals to be included for consideration as part of this Review;

2.8 In summary during this stage of the Review, there is no clear consensus emerging for a preferred way ahead on the original proposal;

2.9 These replies and the notes arising from the meeting held on 16 November 2017 were presented and considered by the Political Structures Working Group at its meeting on 28 November 2017.

3. Political Structures Working Group Deliberations

3.1 The Working Group meeting was attended by five of its six Members (Cllrs Baldwin, McInnes, Musgrave, Sampson and Sanders). Furthermore, Cllrs Leech, Samuel and Yelland were also in attendance in a non-voting capacity. The meeting was supported by the Deputy Monitoring Officer and the Democratic Services Senior Specialist;

3.2 To aid its deliberations, a discussion paper was considered by the Working Group that summarised the points raised in paragraphs 2.6 and 2.7 above;

3.3 In its discussions, the Working Group was particularly mindful of the need to consider all of the representations received. In particular, the Group recognised that this Review had prompted the Town Council to take the opportunity to request that consideration also be given to undertaking a review of the town boundaries;

3.4 Whilst the Parish Council had already stated that it was not willing to explore any such boundary changes as part of this Review, in light of the request from the Town Council, the Working Group was of the view that this could have a significant impact on the Review. The Group therefore felt that those who had already made initial representations should be given an opportunity, at this point of the Review, to produce definitive proposals for potential changes to the Okehampton Town-Okehampton Hamlets Parish boundary;

3.5 As a consequence, the Working Group was reluctant at this time to make any formal recommendations on draft proposals;

3.6 Although the resolution from Okehampton Hamlets Parish Council advised that the Council would '*be prepared to consider any increase of electoral size should any of our neighbouring Parish or Town Councils wish to reduce or relinquish their responsibilities*', the Working Group was mindful that it was only the Town Council who had also made representations seeking a Boundary Review. The Working Group therefore considered that it would be inappropriate for the Review to look at any other boundaries that adjoined the Hamlets Parish geographical area;

3.7 In light of the reluctance to make a formal recommendation at this time, the Working Group noted that the Borough Council, if so minded, had the ability to adjust the current terms of reference of the Review (Appendix A refers) as long as it was concluded within twelve months of its commencement. Furthermore, the Working Group acknowledged that the

current terms of reference indicated that the Review was to be finalised on 27 March 2018 (i.e. well within the required twelve month period);

- 3.8 Since there was scope for the current timetable for the Review to be adjusted by the Council and, in light of the points raised during this consultation stage, the Working Group requested that the Review Terms of Reference be amended as illustrated in Appendix B.

4. Implications

Legal/Governance		The Local Government and Public Involvement in Health Act 2007 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 statutory criteria (as below): 'That Community governance within the area under review reflects the identities and interests of the community in that area and is effective and convenient.'
Financial		There are no additional financial implications directly related to this report
Risk		Even if the timetable is adjusted, the Review will still adhere to its need to be concluded before 30 July 2017 and, at this initial stage, there are no risk implications directly related to this report.
Comprehensive Impact Assessment Implications		
Equality and Diversity		There are no equality and diversity implications directly related to this report.
Safeguarding		There are no safeguarding implications directly related to this report.
Community Safety, Crime and Disorder		There are no community safety or crime and disorder implications directly related to this report.
Health, Safety and Wellbeing		There are no health, safety and wellbeing implications directly related to this report.
Other implications		N/A

Supporting Information

Appendices:

- A. Community Governance Review – Current Terms of Reference; and
- B. Community Governance Review – Updated Draft Terms of Reference.

Background Papers:

- Initial submissions received during this stage of the Review;
- Notes arising from the meeting held between Borough, Parish and Town Council representatives held on 16 November 2017;
- Discussion Paper presented to the Political Structures Working Group meeting held on 28 November 2017; and
- DCLG Guidance on Community Governance Reviews.