

West Rainton Parish Council - 21 September 2017

Item 9:

Update on unfilled councillor vacancies and information re Community Governance Reviews

Report of G Keedy, Project Officer

Members will recall that elections for full Parish Council in May 2017 were uncontested – ie. there were fewer nominations submitted (seven) than the number of vacancies (eleven).

Repeated attempts have since been made to fill the four vacancies through co-option; with Parish Council agreeing at the July 2017 meeting to extend the deadline for receipt of expressions of interest to 15 September 2017.

At the 21 September 2017 meeting Parish Council is asked to consider the suitability of any expressions of interest received, with applicants in attendance for interview.

Should it not prove possible to fill the four vacancies, Parish Council will be asked (in line with a decision made at July 2017 meeting) to consider the possibility of initiating a Community Governance Review (CGR) to permanently reduce the number of councillors comprising the Parish Council.

This would ultimately be considered by Durham County Council (DCC).

Background information:

A community governance review is a legal process where a council can ask the public and other interested parties about the most suitable way of representing local communities.

A community governance review enables DCC to review and then put in place or make changes to community governance systems and structures. For example, this could be done by creating, merging, abolishing or changing parish or town council arrangements in the review area.

The government has emphasised that the aim of a review should be to bring about improved community engagement, more cohesive communities, better local democracy and more effective and convenient delivery of local services.

The law and guidance which the council must comply with when undertaking a review is contained in Sections 93 and 100 of the Local Government and Public Involvement in Health Act 2007, and guidance issued by the Department for Communities and Local Government (DCLG) and the Local Government Boundary Commission for England.

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Parish councils wishing to make potential changes to their council size or parish boundaries, are encouraged to contact DCC and their local councillors in the early stages.

Process for initiating a CGR

Project Officer has sought preliminary advice from DCC about the process for initiating a CGR.

For the County Council to consider undertaking a community governance review they would need to receive a valid petition.

It is for Parish Council to determine how they wish to undertake such an exercise.

A key part of the process is the need to demonstrate to anyone signing the petition exactly what the Parish Council is trying to achieve and why.

The petition should meet the following conditions:

1. The petition must be signed by the following number of local government electors from the petition area. The current electorate for West Rainton is 1,953
 - Less than 500 electors – 37.5% of the electorate
 - Between 500-2,499 electors – at least 187 of the electors
 - More than 2,500 electors – at least 7.5% of the electors
2. The petition must define the area to which the review is to relate (whether on a map or otherwise), and specify one or more recommendations which the petitioners want the review to consider making. This would relate to Council size and potentially (if there remains a desire), a change to the name of the Parish Council.
3. Any petition would need to include names, addresses and signatures to ensure validation.

By way of further background in relation to councillors numbers (ie. Council size), the minimum legal number of parish councillors for each parish council is five. There is no maximum number and there is no other legislative guidance. There is some guidance as listed below which would be taken into consideration if the County Council was to receive a valid petition for a community governance review to be undertaken.

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The National Association of Local Councils (NALC) published guidance in 1988. It recommended that a council of no more than the legal minimum of five members is inconveniently small and considers a practical minimum should be seven. It does, however, state that local council business does not usually require a large body of Councillors and business convenience makes it appropriate to suggest that the practical maximum should be twenty five.

Aston Business School has also carried out research and the recommended figures by both the NALC and Aston are reproduced below. Within those minimum and maximum limits, the following allocations were recommended by NALC:

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	Over 23,000	25
9,000	16		

The Local Government Boundary Commission for England (LGBCE) is of the view that each area should be considered on its own merits having regard to population, geography, the pattern of communities and to the current powers of parish councils.

When considering the number of electors, the council must have regard to:-

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

Should it not prove possible on 21 September 2017 to fill the four vacancies, Parish Council is asked to consider if it wishes to proceed to initiating a Community Governance Review and if so, its' proposed approach; noting that the suggested number of councillors is 9 and a petition of not less than 187 electors will be required.