

Full Council

22 February 2018

Community Governance Review for the creation of a Town Council

For Decision

Briefholder

Cllr Alison Reed

Senior Leadership Team Contact:

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Statutory Authority

Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”)

Purpose of Report

1. To set out final recommendations for the creation of a Parish Council for Weymouth.

Recommendations

2. Management Committee recommend to Full Council that:
 - a) the final recommendations for a new Parish Council for Weymouth summarised below, and set out in detail in the proposals document with supporting information at Appendix 2, are agreed with a view to establishing a new Parish Council at the same time as any new Unitary Council for Dorset, but the matter is not progressed further unless the Secretary of State for Housing, Communities and Local Government announces a decision regarding local government reorganisation that would result in the Borough Council being abolished:
 - The creation of a single Parish Council covering the Weymouth area
 - The name of the proposed new Parish Council will be Weymouth Town Council
 - The first election to the proposed new Parish Council to be in 2019 and then every fourth year thereafter, or at such other time specified in any Structural Change Order made by the Minister for Housing; Communities and Local Government;
 - The number of councillors to be elected to the proposed new Parish Council (Council size) will be 29;
 - The proposed new parish will be divided into 12 wards for the purposes of electing councillors;
 - The boundaries of the wards of the proposed new Council will be as

indicated on the maps attached at Appendix A to the proposed recommendation document, and follow the boundaries of the Borough Council Wards;

- The name of the proposed Wards and the number of Councillors to be elected to the proposed wards is as indicated at Appendix B to the proposed recommendation document and replicate the names of the existing Borough Wards; and
- b) Should Members agree recommendation a), and the Secretary of State make a decision as detailed in a) above, that the Group Leaders (or a substitute) are tasked with producing proposals, including a draft Reorganisation Order, for consideration by the Steering Group prior to Management Committee, then Full Council.

Reason for Decision

3. To ensure that Full Council meets the requirements of all relevant legislation and guidance, and to make arrangements for the consideration of a Reorganisation Order that will create a new Parish Council for Weymouth should the decision of the Secretary of State for the Ministry for Housing, Communities and Local Government be to create 2 Unitary authorities across Dorset.

Background and Reason Decision Needed

4. From February 2008, principal councils have had responsibility for undertaking community governance reviews and have been able to decide whether to give effect to recommendations made in those reviews. In making such a decision, Councillors are required to take account of the views of local people ensuring that governance arrangements continue to reflect local identities and facilitate effective and convenient local government.
5. At its meeting on 30 March 2017, Full Council agreed Terms of Reference for a Community Governance Review (CGR) considering the creation of new local governance arrangements for Weymouth. The Terms of reference for a CGR must specify the area under review and set out clearly the matters on which a CGR is to focus, and these terms of reference must be published. The Terms of Reference agreed by Full Council were published on 31 March 2017. The Review must be concluded within 12 months of this date as required by legislation.
6. The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) requires that principal councils have regard to the guidance issued by the Secretary of State and the Local Government Boundary Commission for England.

Community Governance Review Process

7. At its meeting on 9 November 2017, Full Council agreed draft recommendations for a new Parish Council for Weymouth. The recommendations were then published to enable a public consultation exercise to be undertaken that closed on 12 January 2018.
8. A copy of the full consultation analysis report is attached at Appendix 1, and sets out responses to specific questions and also gives detail of other comments received.
9. The Council received 532 survey responses, with 91% being from Weymouth residents.
10. Under the Local Government Act 1999, the local authority has a general best value duty to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This will be looked once a final decision has been made whether to create a new Parish Council as part of creation of any new organisation.

Final recommendations

11. The Steering Group for Democratic Improvement gave careful consideration to the consultation report and their final proposals for recommendations to Management Committee for new governance arrangements for the Weymouth area. The proposals were endorsed by Management Committee.
12. Although 29 Councillors is not considered a disproportionate Council size taking into account the electorate number of Weymouth when compared to other Town Councils in Dorset and surrounding areas, the Steering Group gave the Council Size a great deal of thought as this was raised as a concern by many respondents. It was clear that to reduce the number of Councillors it would be necessary to carry out a full boundary review to ensure electoral equality. This process would delay the creation of the Parish Council, resulting in there being no representation at a very local level for some time once the Borough Council ceased to exist. The Steering Group weighed up the benefits of carrying out a boundary review compared with the disadvantages of delaying the creation of a Parish Council to a date after the abolition of the Borough Council. On balance, the Steering Group was of the view that it would be more beneficial to ensure that the Parish Council is established at the same time as the abolition of the Borough Council, with the new Parish Council being strongly encouraged to carry out a boundary review at a later date.
13. Having taken all the responses into account, the Steering Group concluded that residents would be best served by a single Parish for the whole of the Weymouth area as set out in summary form in the recommendation and in detail in the recommendation document at Appendix 2.

Process and Implementation

14. If Full Council chooses to accept the final recommendations of the Review, concluded after public consultation, a Reorganisation Order will be drafted and this will be published together with the reasons for the changes, making maps available for public inspection. There are also various bodies that must be notified of the changes including the Local Government Boundary Committee for England.
15. The Council will also need to consider the transfer of assets to the new Town Council, and also to the existing Town Council in Portland. This is a separate piece of work that will be undertaken outside of the Community Governance Review process.

Implications

Financial

16. A sum of £200,000 has been set aside for work associated with the creation of a new parish council. The costs associated with the consultation in respect of the proposed recommendations will be met from this budget.
17. At this stage it is not possible to estimate what the council tax charges of a new Town Council would be. This will depend on which services the Town Council provides and the ability of the Town Council to generate other sources of income. This will be an important part of the modelling to ensure a new Town Council would be financially sustainable.

Consultation and Engagement

18. A public engagement and consultation exercise has taken place between 26 June 2017 and 1 September 2017 in accordance with the Terms of Reference for the Review agreed by Council in June 2017. Comments were invited on the initial draft proposals and also the Council also invited suggestions for alternative arrangements. Having considered representations made, Full Council then prepared draft recommendations for a new Parish Council for Weymouth, and a further period of public engagement took place between 10 November 2017 and 12 January 2018 inviting further comment on the Council's draft recommendations. A report setting out the responses to this public consultation exercise is attached at Appendix 1.

Appendices

Appendix 1 – Community Governance Review consultation report plus appendix to the report setting out individuals' comments.

Appendix 2 – Consideration of a new Parish Council for Weymouth - Final recommendations for publication, including Appendix A (maps of proposed Ward boundaries) and Appendix B (proposed Ward names and number of Councillors to be elected to each Ward).

Background papers

Local Government and Public Involvement in Health Act 2007
The Local Government Boundary Commission for England – Guidance on community governance reviews.

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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