

# **Management Committee**

## **20 September 2016**

### **Creation of a Town Council**

#### **For Information**

##### **Brief Holder**

Kevin Brookes

##### **Senior Leadership Team Contact:**

S Caundle, Assistant Chief Executive

##### **Report Author:**

J Andrews, Corporate Manager Democratic & Electoral Services

##### **Statutory Authority**

Local Government Act

##### **Purpose of Report**

- 1 To provide information on the creation of a Town Council for Weymouth.

##### **Officer Recommendations**

- 2 To note the report.

##### **Reason for Decision**

- 3 To advise Members of the process to create a Town Council for Weymouth following Local Government Reorganisation.

##### **Background**

- 4 In January 2017 Weymouth & Portland Borough Council will be invited to consider a report setting out the business case for the creation of a Unitary authority in Dorset. The same report will be also be considered by the other Dorset Councils in January/February 2017.
5. Should a decision be made to create a Unitary authority that includes the Borough area, it is possible that this would be based on the revised Dorset County Council boundaries that are scheduled to be implemented in May 2017. If that were the case, a full boundary review for a new authority would not be likely to be undertaken for a number of years following its creation.
6. The creation of a Unitary authority would result in Weymouth & Portland Borough Council being disbanded necessitating the creation of a town council, if arrangements across the rest of rural Dorset are to be replicated. As the requirement for a town council is contingent on the creation of

unitary authorities, decision-making relating to a town council will not commence until after the decision in January/February.

7. The statutory order to enable the creation of the Unitary authority would be made in the Autumn of 2017, and would include the formation of an Implementation Executive. The Order would also set out its powers which may include the power to conduct a Community Governance Review (CGR).
8. A CGR is the way in which changes to Parish Boundaries or groupings of parishes are dealt with, and includes the creation of a Town Council. This can happen in a number of ways; the Implementation Executive could undertake the CGR or it could be agreed that the Dorset Council's partnership undertake this review. The CGR would relate only to the creation of the Town Council, and would not refer to the services which a new Town Council might deliver.
9. A very broad outline of the CGR process is as follows:
  - Terms of reference for 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.
  - Consultees are set out in legislation and include local people and local businesses, and their representations must be taken into account when finalising the detail of the review.
  - The review must take into account the impact of community governance arrangements on community cohesion and the size, population and boundaries of a local community or parish. There is more detail on both of these factors in the guidance.
  - The review must consider electoral arrangements and, if creating a large Parish, whether or not this should be warded.
  - More detailed information in respect of the CGR process can be found in the Local Government Boundary Commission for England's "Guidance on community governance reviews" at [http://www.lgbce.org.uk/\\_data/assets/pdf\\_file/0019/10387/community-governance-review-guidance.pdf](http://www.lgbce.org.uk/_data/assets/pdf_file/0019/10387/community-governance-review-guidance.pdf)
10. It is suggested that the most appropriate mechanism to establish a town council should be discussed with the DCLG in detail once a decision has been made on unitary authority proposals.

## **Implications**

### **Financial, Equalities, Environment, Economic Development, Risk Management (including Health & Safety) and Human Resources**

10. None associated with this report that is intended for information only.

## **Consultation and Engagement**

11. The Assistant Chief Executive has met with representatives of the Department of Communities and Local Government to seek their expert advice in respect of the creation of a Town Council following the formation of a new Unitary authority. There has been no consultation or engagement with a wider audience in respect of this particular report as no decision has yet been made with regard to the creation of a new Unitary authority, but there will be a full consultation exercise carried out when a Community Governance Review is commenced.

## **Appendices**

12. None.

## **Background Papers**

Local Government Boundary Commission for England's "Guidance on community governance reviews" – [http://www.lgbce.org.uk/\\_data/assets/pdf\\_file/0019/10387/community-governance-review-guidance.pdf](http://www.lgbce.org.uk/_data/assets/pdf_file/0019/10387/community-governance-review-guidance.pdf)

## **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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