

Management Committee

18 April 2017

Community Governance Review for the creation of a Town Council

For Recommendation To Council

Briefholder

Cllr Kevin Brookes

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 initial proposals for public consultation for the creation of a Parish Council for Weymouth.

Recommendations

2. To recommend to Full Council that the initial proposals for a new Parish Council for Weymouth are agreed for public consultation with a view to establishing a new Parish Council at the same time as any new Unitary Council for Dorset.

Reason for Decision

3. To ensure that a new Parish Council is established for Weymouth should the Secretary of State for the Department for Communities and Local Government decide to create 2 Unitary authorities across Dorset.

Background and Reason Decision Needed

4. 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.
5. 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.

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. Section 93 of the 2007 Act allows principal councils to decide how to undertake a CGR, provided that they comply with certain duties in that Act including details set out relating to consultation, the need to ensure any proposals reflect the identities and interests of the community in that area and is effective and convenient, and the publication of recommendations. The manner in which the Council consults with its local residents is not prescribed.
8. The first stage of a CGR is the development and publication of Terms of Reference for the Review. 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 were agreed by Full Council and published on 31 March 2017, and the Review will be concluded within 12 months of this date as required by legislation.

Initial Proposals for Consultation

9. The Steering Group for Democratic Improvement gave careful consideration to the proposals for new governance arrangements for the Weymouth area and concluded that residents would be best served by a single Parish for the whole of the Weymouth area. The Steering Group also considered options for the name, Council size (number of Councillors), warding arrangements and ward names. The proposals of the Steering Group are set out in the proposals document at Appendix A.

Process and Implementation

10. The initial proposals, when finalised and agreed by Full Council will be subject to public consultation for a period of approximately 8-12 weeks. The responses to this public consultation will then be considered by Full Council and further consultation will take place on any revisions set out in a draft recommendations document. Following this consultation period, the Council will publish its final recommendations.
11. If Full Council chooses to accept the final recommendations of the Review, concluded after public consultation, then it needs to draw up a Reorganisation Order and publish this 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. The Reorganisation Order

will also cover other issues including transfer of property, rights and liabilities and the budget requirement for the Parish Council for 2019/20.

Other considerations

12. As well as the Community Governance Review to consider the creation of a new parish, a Member/officer working group will work in tandem to look at the preliminary work needed to create a new Parish Council. This would include transfer of assets to both any new Parish Council and also to Portland Town Council.

Implications

Financial

13. A sum of £200,000 has been set aside for work associated with the creation of a new parish council(s).

Consultation and Engagement

14. There has been no external consultation in respect of the development of Terms of Reference for the CGR but the initial proposals set out in the document attached to this report will be subject to a full public engagement process, together with consultation with a number of statutory consultees.

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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