

# Full Council

14 July 2022

## Community Governance Review – Final Recommendations

### For Decision

**Portfolio Holder:** Cllr S Flower, Leader of the Council

**Local Councillor(s):** All

**Executive Director:** J Mair, Director of Legal & Democratic

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**Report Status:** Public

**Brief Summary:** On 15 July 2021, Full Council approved terms of reference for a Council-wide community governance review, looking at the existing parish governance arrangements in the Dorset Council area and inviting representations from local councils, residents and any interested parties in respect of current and future arrangements.

Following on from the public consultation exercise, Full Council agreed draft recommendations on 15 February 2022 for a further period of public consultation which took place between 28 February 2022 and 23 May 2022. A member working group considered the responses received, and this report sets out Final Recommendations for new governance arrangements for town and parish councils in the Dorset Council area for consideration by Full Council. Agreed changes will be the subject of a Reorganisation Order that will take effect on 1 April 2024.

### Recommendations:

1. That the proposals set out in Appendix 1 be adopted by the Council as Final Recommendations for the purposes of the Community Governance Review.

2. That, save as set out in the Final Recommendations, the existing parishes in the Dorset Council area, and the names, boundaries, council size, groupings, and other parish governance arrangements in respect of those parishes, remain unchanged.
3. That the Final Recommendations form a Reorganisation Order to take effect on 1 April 2024.

### **Reason for Recommendation:**

To ensure that community governance arrangements within the Dorset Council area are reflective of the identities and interests of the community in that area and achieve electoral equality.

#### **1. Executive Summary**

- 1.1 On 15 July 2021, Full Council approved terms of reference for a Council-wide community governance review, looking at the existing parish governance arrangements in the Dorset Council area and inviting representations from local councils, residents and any interested parties in respect of current and future arrangements.
- 1.2 Initial submissions were invited between 5 August 2021 and 28 October 2021, and these were reviewed by a working group made up of the Group Leaders and the Deputy Group Leaders in preparing the draft recommendations which were agreed by Full Council on 15 February 2022. The draft recommendations were subject to a period of public consultation between 28 February 2022 and 23 May 2022.
- 1.3 A cross-party member working group considered all the responses received during the second period of public consultation and propose Final Recommendations as set out in Appendix 1 to this report.

#### **2. What is a Community Governance Review?**

- 2.1 A Community Governance Review is a legal process whereby the Council will consult with those living in the area, and other interested parties, on the most suitable ways of representing the people in the area identified in the review. This means making sure that those living in the area, and other interested groups, have a say in how their local communities are represented.
- 2.2 Section 93 of the 2007 Act allows principal councils to decide how to undertake a Review, provided that it complies 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. The Council has to publish its recommendations but the manner in which the Council consults with its residents is not prescribed.

- 2.3 A Review can consider one or more of the following options:
- creating, merging, altering or abolishing parishes;
  - the naming of parishes and the style of new parishes and the creation of town councils;
  - the electoral arrangements for parishes (for instance, the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding);
  - grouping parishes under a common parish council or de-grouping parishes;
  - other types of local arrangements, including parish meetings.

### 3. **Why is the Council undertaking a Review?**

3.1 The Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government published in 2008 recommends that principal councils should undertake a review of its area every 10-15 years. For some areas of the Council, a Review has not been undertaken for some time and, following the creation of Dorset Council, it is deemed appropriate to undertake a Review of all parishes within its area. A community governance review offers an opportunity to put in place strong, clearly defined boundaries, tied to firm ground features, and remove any parish boundaries anomalies that may exist.

3.2 In this review, the Council was guided by the relevant legislation in Part 4 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act"), the Guidance on Community Governance Reviews that the government and the Local Government Boundary Commission for England have issued ("[the Guidance](#)"), and the [Terms of Reference](#) for the review that were adopted by Full Council on 15 July 2021, with the timetable amended by Full Council on 14 December 2021.

### 4. **Considerations of the Review**

4.1 Electoral equality: It is an important democratic principle that each person's vote should be of equal weight so far as possible, having regard to other legitimate competing factors, when it comes to the election of councillors. There is no provision in legislation that each parish councillor should represent, as nearly as may be, the same number of electors. However, the Local Government Boundary Commission for England believes it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences

in levels of representation between different parish wards. Such variations could make it difficult, in workload terms, for councillors to adequately represent the interests of residents. There is also a risk that where one or more wards of a parish are over-represented by councillors, the residents of those wards (and their councillors) could be perceived as having more influence than others on the council.

When undertaking a review and considering electoral arrangements, the Council is required to consider any change in the number and distribution of electors which is likely to occur in the period of five years beginning with the day when the review starts. Electorate forecasts have been prepared by the Council using extant planning permissions and the Local Plan to project the five-year electorate forecast. It may be the case that some areas have wards that will have fewer electors than in other wards within the same parish when the Reorganisation Order takes effect in 2024, but the figures are calculated on the anticipated electorate in 2026.

- 4.2 A report summarising the number and type of responses is attached at Appendix 2. In preparing these Final Recommendations, the working group has been mindful of the initial submissions that were received during the period 5 August 2021 to 28 October 2021, and the submissions received during the public consultation on the Council's draft recommendations from 28 February 2022 to 23 May 2022. The submissions received during the 2<sup>nd</sup> period of public consultation can be viewed on the community governance review pages of the Dorset Council website [here](#).
- 4.3 The working group has balanced these submissions against the wider requirements and duties that are placed upon it in the 2007 Act.

## 5. **Final recommendations by area**

- 5.1 Appendix 1 to the report sets out the Final Recommendations of the cross-party member working group by parish. The appendix only refers to those parishes where changes were requested or proposed and does not reference those areas where no requests were received to review community governance arrangements, nor areas where electoral equality is considered to be met.
- 5.2 It should be noted that the parishes of Vale of Allen, Chickerell, Weymouth and Winterborne Farringdon have been removed from the final recommendations. Substantial alternative proposals were submitted in respect of these parishes and Dorset Council believes that further public consultation should be undertaken to seek residents' views on these proposals. The Community Governance Review legislation requires that any Review is concluded within 12 months of the publication of the Terms

of Reference in July 2021 so it is not possible for further consultation to be undertaken as part of this Review. For that reason, these parishes have been removed from this Review, and a further Review will be undertaken in respect of these parishes only commencing in October 2022. No other parishes will be considered as part of this further Review. This will enable full consultation to be undertaken with local residents and other interested parties that would be affected by any governance changes that might be proposed. Any Final Recommendations in the Review for the Vale of Allen, Chickerell, Weymouth and Winterborne Farringdon parishes will form the basis of a new Dorset Council (Parish Areas and Electoral Arrangements) Order. The Council intends that this order will take effect on 1 April 2024 and will be in place in good time for the next ordinary elections for the parish councils scheduled for 2024.

## **6. Implementation**

- 6.1 If Full Council chooses to accept the final recommendations of the Review, concluded after public consultation, it will be necessary for the legal team to prepare 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 Commission for England.
- 6.2 Any changes to governance arrangements of the parishes will take effect on 1 April 2024, ahead of the next scheduled parish elections in May 2024.

## **7. Financial Implications**

- 7.1 There are no financial implications for Dorset Council associated with this report.

## **8. Climate Implications**

- 8.1 There are no climate implications associated with this report.

## **9. Well-being and Health Implications**

- 9.1 There are no well-being and health implications associated with this report.

## **10. Other Implications**

- 10.1 There are no other implications associated with this report.

11. **Risk Assessment**

- 11.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:  
Current Risk: LOW Residual Risk: LOW

12. **Equalities Impact Assessment**

- 12.1 A detailed Equalities Impact Assessment has been prepared and can be found attached to the Full Council report on 15 July 2021 [here](#).

13. **Appendices**

Appendix 1 – Final recommendations for changes to parish Community Governance arrangements.

Appendix 2 – Consultation summary document.

14. **Background Papers**

[Local Government Boundary Commission for England - Guidance on Community Governance Reviews](#)  
[Local Government and Public Involvement in Health Act 2007](#)