

TELFORD & WREKIN COUNCIL**BOUNDARY REVIEW COMMITTEE – 08 MARCH 2018****COMMUNITY GOVERNANCE REVIEWS – OUTLINE TIMETABLE FOR 2018/19****REPORT OF ASSISTANT DIRECTOR: GOVERNANCE, PROCUREMENT AND COMMISSIONING****1. SUMMARY**

- 1.1 Telford & Wrekin Council has a responsibility to undertake Community Governance Reviews (CGR's) when a petition is received for such or when it is felt necessary.
- 1.2 An outline timetable for 2018/19 is attached.
- 1.3 Requests for a Community Governance Review received before 1st March 2018 would be subject to this timetable. However requests received after 1st March 2018 would commence later, which would impact on any final implementation date.
- 1.4 There are Borough and Parish Council elections due to be held in May 2019. This may impact upon any implementation of changes resulting from CGR's.

RECOMMENDATIONS

- (i) That the Boundary Review Committee note the proposed 2018/19 timetable.
- (ii) That the Boundary Review Committee agree that any further requests received after 1st March 2018 will not be implemented until after May 2019.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	No	
	Will the proposals impact on specific groups of people?	
	Yes	<i>Residents within any areas subject to a Community Governance Review</i>
DELIVERY DATE	Prior to the May 2019 local elections	
FINANCIAL/VALUE FOR MONEY IMPACT	No	Under the Local Government and Public Involvement in Health Act 2007, Local Authorities have the responsibility to undertake Community Governance Reviews, which includes arrangements in Parishes. The process to be followed is prescribed and will involve officer time and other associated costs, such as postages and printing. These costs will be met from within existing resources. RP-14.02.2018
LEGAL ISSUES	Yes	Under the Local Government and Public Involvement in Health Act 2007(as amended by the Legislative Reform (Community Governance Reviews) Order 2015) the

		<p>Council has a responsibility to undertake community governance reviews in defined circumstances.</p> <p>Article 10 of the 2015 Order amends the time period the Council has to conclude the community governance review from 12 months starting on the day of receipt of the petition or application (previously it was starting on “the day on which the council review begins”).</p> <p>Section 97 of the 2007 Act provides for regulations to make incidental, consequential, transitional or supplementary provision for the purposes of, or in consequence of, reorganisation orders. Two sets of regulations have been made under the 2007 Act, which apply to reorganisation orders - both came into force on 8 April 2008. The first of these, the Local Government (Parishes and Parish Councils) (England) Regulations 2008 No.625 make provisions in relation to matters such as the distribution of property and the rights and liabilities of parish councils affected by a reorganisation order.</p> <p>The second set, the Local Government Finance (New Parishes) Regulations 2008 No.626 deal with the setting of precepts for new parishes.</p> <p>The 2010 Statutory Guidance states that, for administrative and financial purposes (such as setting up the parish council and arranging its first precept), the order should take effect on the 1 April following the date on which it is made. Electoral arrangements for a new or existing parish council will come into force at the first elections to the parish council following the Reorganisation order.</p> <p>However, orders should be made sufficiently far in advance to allow preparations for the conduct of those elections to be made. In relation to a new parish council, the principal council may wish to consider whether, during the period between 1 April and the first elections to the parish council, it should make interim arrangements for the parish to be represented by councillors who sit on the principal council.</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Risks would include legal challenge – Judicial Review (local residents or statutory bodies, e.g. Boundary Commission etc) in respect of process and final decision.
IMPACT ON SPECIFIC WARDS	Yes	Depending on the outcome of any review, there may be an impact on the parish-element of council tax charge for some residents.

BACKGROUND

- 1.1 Details of an outline timetable and processes for Community Governance Reviews have been provided at earlier meetings of the Boundary Review Committee.
- 1.2 An updated timetable for reviews due to be received in early 2018 is provided in this report.
- 1.3 It is anticipated that any requests for a Community Governance Review received by 1st March 2018 will be completed by March 2019. Implementation should therefore be in time for the May 2019 Borough and Parish local elections (subject to any judicial review or appeal occurring)
- 1.4 Requests for a Community Governance Review, which may be made to Telford & Wrekin Council after 1st March 2018, are unlikely to be concluded in time for implementation prior to the May 2019 Borough and Parish elections.
- 1.5 The outline 2018/19 proposed timetable is provided below.

Report prepared by Dave Bowen, Elections Team Leader, telephone 01952 383210.

2018/19 Indicative Timetable for undertaking Community Governance Reviews (CGR)

<u>2018/19 Timetable</u>	<u>Stage</u>	<u>What happens?</u>	<u>Time-scale</u>
Commencement 1 March 2018	Commencement	A CGR petition is received	Start of process
Next BRC meeting is 08-March-18 1 st March 2018 to 30 th April 2018	Preparation	Inform Parish/Town Councils of intended timetable & process Validate the petition Undertake desk research Promotion of public consultation(s) Draft Terms of Reference	Two months
Monday 30 th April 2018	Preliminary stage	Terms of Reference are prepared and published	
1 st May – 30 th June 2018	Stage One	Initial submissions are invited	Two months
1 st July – 31 st August 2018	Stage Two	Consideration of submissions – Draft Recommendations are prepared	Two months
1 st September – 30 th November 2018	Stage Three	Draft Recommendations are published – consultations on them	Three months
1 st December 2018 – 30 th January 2019	Stage Four	Consideration of submissions – Final Recommendations are prepared	Two months
Friday 1 st February 2019	Stage Five	Final Recommendations are published – concluding the review	End of 11 th month
28 th February 2019	Stage Six	Boundary Review Committee resolves to make a Reorganisation Order	One month later
March 2019 Full Council meeting	Stage Seven	Report outcome to Full Council	next Full Council meeting

Additional timescales

will need to be added in and adhered to, to ensure the following processes can also be suitably carried out:

- Creation of a shadow Parish
- Agreeing the split of assets and liabilities
- Drafting of the Order
- Changes to election software to encompass new / altered voting districts etc

Implementation dates:

TBA depending on progress of the review, getting Boundary Commission for England approval and if any consequential matters (appeals) arise.