

## TELFORD & WREKIN COUNCIL

BOUNDARY REVIEW COMMITTEE – 2 NOVEMBER 2017

COMMUNITY GOVERNANCE REVIEW REQUEST – NEWPORT TOWN COUNCIL

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 at its discretion.
- 1.2 Newport Town Council requested such a review, initially in March 2014, and has pursued progress with the request again in August 2017.
- 1.3 The Committee is asked to consider the request for a CGR to be undertaken as an 'exceptional circumstance', thereby not requiring a formal petition to be submitted by the Town Council.

### 2. RECOMMENDATIONS

- (i) That the Boundary Review Committee approve Newport Town Council's request for a Community Governance Review under "exceptional circumstances", thereby not requiring a formal petition.
- (ii) That the Boundary Review Committee delegate responsibility to the Assistant Director: Governance, Procurement and Commissioning, to commence a Community Governance Review and to report back to the BRC of progress at the next BRC meeting.
- (iii) That Boundary Review Committee reaffirms the policy that, other than in exceptional circumstances, all future Community Governance Reviews will only be considered when a formal petition from local electors is received.

### 3. SUMMARY IMPACT ASSESSMENT

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Priority Plan objective(s)?	
	No	
	Will the proposals impact on specific groups of people?	
	Yes	<i>Residents within the area of Newport Town Council and Chetwynd Aston &amp; Woodcote Parish Council</i>
<b>DELIVERY DATE</b>	Prior to the May 2019 local elections	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	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.
<b>LEGAL ISSUES</b>	Yes	<p>Under the Local Government and Public Involvement in Health Act 2007 the Council has a responsibility to undertake community governance reviews in defined circumstances.</p> <p>Authority is delegated to the Boundary Review Committee to deal with matters relating to Community Governance Reviews.</p> <p>Regulations under the 2007 Act make provision for the purposes of, or in consequence of, the making of reorganisation orders. These make provision in relation to matters such as the distribution of property, rights and liabilities for which the Council must appoint a 'Proper Officer', and the setting of precepts for new parishes.</p>
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	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.
<b>IMPACT ON SPECIFIC WARDS</b>	Yes	Depending on the outcome of the review, there may be an impact on the parish-element of council tax charge for some residents, as the precept differs between Newport Town Council and Chetwynd Aston and Woodcote Parish Council.

## **BACKGROUND**

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

A Community Governance Review enables Telford and Wrekin Council to review and put in place, or make changes, to community governance systems and structures. This may be by creating, merging, abolishing or changing parish or town councils in the review area. A Community Governance Review is a review of the whole or part of the district to consider one or more of the following:

- Creating, merging, altering or abolishing parishes
- The naming of parishes and the style of local governance
- The electoral arrangements for parishes – i.e. the council size; the number of councillors to be elected to the council and parish warding.

### **2. When is the Council required to undertake a CGR**

Telford & Wrekin Council has the responsibility for undertaking community governance reviews within its electoral area and deciding whether to implement the recommendations made in those reviews. A Community Governance Review can be undertaken for a variety of reasons including, for example, in response to demographic changes such as a rise in population as a result of significant new housing development. A review can also be triggered if a petition is presented to the council asking for a review to be undertaken, and the law places a duty on principal

councils to respond to such a petition.

3. **The Role of the Boundary Review Committee**

The Boundary Review Committee has been delegated responsibility from the Council to deal with all matters relating to Community Governance Reviews. Please see Appendix C2 for the Terms of Reference.

4. **Telford & Wrekin Council's approach to CGR's.**

The Boundary Review Committee agreed at its meeting in February 2017 for the council to make available a full information pack about the CGR process. It also agreed that other than in exceptional circumstances, that Community Governance Reviews will only be considered when a formal petition from local electors is received be endorsed.

5. **The current request**

On 14<sup>th</sup> August 2017, Newport Town Council submitted a request; being to extend the Southern Parish boundary of Newport to the A518, to match with the Telford and Wrekin ward boundary for consistency. For further information please see Appendix C1.

The current request from Newport Town Council was first made on 24<sup>th</sup> March 2014, but has been deferred by the BRC due to other boundary matters.

Newport Town Council has not so far submitted a formal petition requesting a CGR. Therefore, the BRC must exercise its discretion as to whether the request falls under an "exceptional circumstance" (thereby not requiring a formal petition to be submitted by the Town Council).

Exceptional circumstances has not been defined by the BRC, however it covers circumstances where the BRC is of the view that it is fair, reasonable, rationale and necessary to conduct a CGR without the requirement for a formal petition.

In this case, the original request was made in March 2014, and in August 2016 Newport Town Council was promised by the BRC Chair that the parish boundary issues would be considered in mid 2017. As a long outstanding request, it seems reasonable to enable a CGR to be commenced without further delay or the need for a petition to be acquired.

In terms of next steps, if it is agreed there are exceptional circumstances to accommodate Newport Town Councils request, the CGR process would commence in early 2018 and progress reported back to the next BRC Meeting.

Report prepared by Suzanne Dodd – Service Delivery Manager: Governance and Legal Services and Dave Bowen, Elections Team Leader, telephone 01952 383210.