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**BASSETLAW**

DISTRICT COUNCIL  
NORTH NOTTINGHAMSHIRE

## PARISH COUNCILS LIAISON GROUP

# AGENDA

Meeting to be held in  
The Ceres Suite,  
Town Hall, Worksop,  
on  
Wednesday, 25<sup>th</sup> January 2012  
at  
7.00 p.m.

**(Please note time and venue)**

**(Please turn off mobile telephones during meetings.)**

**In case of emergency, Members/officers can be contacted on the Council's  
mobile telephone: 07702 670209)**

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*Bassetlaw-Serving North Nottinghamshire*

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**District Council Offices, Potter Street, Worksop, Notts. S80 2AH.**

## PARISH COUNCILS LIAISON GROUP

**Membership** 2011/12

**Councillors** B. A. Bowles, H. M. Brand, G. Freeman, M. T. Gray, F. Hart,  
T. Rafferty, A. Rhodes, J. C. Shephard and Mrs. K. Sutton

**Substitute Members:** Any Member

**Quorum:** 3 Members

### **Lead Officer for this Meeting**

Mr. S. B. Brown - Ext. 3767

### **Administrator for this Meeting**

Mrs. J. A. Hamilton - Ext. 3146

## **PARISH COUNCILS LIAISON GROUP**

**Wednesday, 25<sup>th</sup> January 2012**

### **AGENDA**

1. SUSPENSION OF COUNCIL PROCEDURE RULES FOR 15 MINUTES TO ALLOW QUESTIONS
2. APOLOGIES FOR ABSENCE
3. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS  
(Members' and Officers' attention is drawn to the attached notes and form)
  - (a) Members
  - (b) Officers
4. MINUTES OF MEETING HELD ON 12<sup>TH</sup> OCTOBER 2011 \* (pages 7 -12)
5. MINUTES FOR ACTION AND IMPLEMENTATION \* (page 13)
6. OUTSTANDING MINUTES LIST \* (page 15)

### **SECTION A – ITEMS FOR DISCUSSION IN PUBLIC**

#### **Key Decisions**

None.

#### **Other Decisions**

7. ITEMS SUBMITTED BY BASSETLAW DISTRICT COUNCIL
  - (a) Bulk Fuel Oil initiative and Update Rural Community Action Nottinghamshire – Rob Crowder – Chief Executive, RCAN
  - (b) Future operation of the Safer Neighbourhood Groups – Chief Inspector Sean Anderson, Notts Police, Superintendent Fretwell, Notts Police and Gerald Connor Community Safety co-ordinator, Bassetlaw District Council
  - (c) Developing the relationship between District and Parish Councils in Bassetlaw District Council \* (pages 17- 20)
  - (d) Community Governance Review \* (pages 21-34)
8. ITEMS FROM PARISH COUNCILS +
  - (a) Broadband Update
  - (b) Street Lighting Pilots – Opportunity to share issues (submitted by Hodsock)
  - (c) Dog Fouling (submitted by Harworth Town Council)
  - (d) Fly Tipping (submitted by Harworth Town Council)
  - (e) Air Pollution – feedback from local monitoring (submitted by Harworth Town Council)

### **Exempt Information Items**

*The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972.*

### **SECTION B - ITEMS FOR DISCUSSION IN PRIVATE**

#### **Key Decisions**

None

#### **Other Decisions**

None

9. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

\* Report attached

+ Verbal report

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#### NOTES:

1. The papers enclosed with this Agenda are available in large print if required.
  2. Copies can be requested by contacting us on 01909-533146 or by e-mail [julie.hamilton@bassetlaw.gov.uk](mailto:julie.hamilton@bassetlaw.gov.uk)
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**DECLARATION OF INTEREST**

**COMMITTEE** .....

**DATE** .....

**NAME OF MEMBER :** .....

**Levels of Interest**

- 1. Personal
- 2. Personal and prejudicial

| Agenda Item No. | REASON * | Level of Interest (1 or 2) |
|-----------------|----------|----------------------------|
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| <b>Signed</b>   |          |                            |
| <b>Dated</b>    |          |                            |

**Note:**

\* When declaring an interest you must also state clearly the reason for your declaration.

Completion of this form is to aid the accurate recording of your interest in the Minutes. The signed form should be provided to the Minuting Clerk at the end of the meeting.

A nil return is not required.

It is still your responsibility to disclose any interests which you may have at the commencement of the meeting and at the commencement of the appropriate Agenda item.

## DECLARATION OF INTERESTS

### **HOW TO USE THIS FORM**

There are now only two types of Declaration of Interest:

|                                    |   |  |
|------------------------------------|---|--|
| Level 1 – Personal                 | ) | Details can be found in the Councillors  |
|                                    | ) | Code of Conduct which is contained in    |
| Level 2 – Personal and Prejudicial | ) | the Council's Constitution (a summary is |
|                                    | ) | printed below)                           |

Upon receipt of the attached form you will need to enter the name and date of the Committee and your own name. By looking at the Agenda you will no doubt know immediately which Agenda Items will require you to make a Declaration of Interest.

Fill in the Agenda Item number in the first column of the form.

Enter the subject matter and any explanations you may wish to add in the second column.

In the third column you will need to enter **either** level 1 if you are declaring a personal interest, **or** level 2 if you are declaring a personal and prejudicial interest.

The form must then be signed and dated. Please remember that if during the actual meeting you realise that you need to declare an interest on an additional Agenda Item number please simply amend the form during the meeting.

The form must be handed into the Committee Administrator at the end of the meeting.

NB. The following is a summary prepared to assist Members in deciding at the actual meetings their position on INTERESTS it is not a substitute for studying the full explanation regarding INTERESTS, which is contained in the Council's Constitution and the Code of Conduct for Councillors, which is legally binding.

Members and Officers are welcome to seek, **PREFERABLY WELL IN ADVANCE** of a meeting advice from the Council's Monitoring Officer on INTERESTS.

#### **Personal Interests**

May relate to employment or business interests  
May relate to property interests  
May relate to contents  
May relate to interests in other bodies  
**OR** if a decision on the matter to be discussed:  
**MIGHT REASONABLY BE REGARDED AS AFFECTING (A MEMBER OR OFFICER) TO A GREATER EXTENT THAN OTHER COUNCIL TAX PAYERS, RATEPAYERS OR INHABITANTS OF THE AUTHORITY'S AREA, the well being or financial position of himself, a relative or a friend or any employment, business, interest, etc. of such a person.**

#### **Prejudicial Interests**

A Member with a personal interest **ALSO** has a prejudicial interest if a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Members judgement of the public interest.  
(Note – there are special provisions which may exclude the above provisions in certain circumstances.)

#### **Action to be Taken – Personal Interests**

Must disclose to the meeting  
- existence of the interest  
- the nature of the interest

#### **Action to be Taken – Personal and Prejudicial Interests**

**Must:-**  
- declare existence and nature  
- withdraw from the room  
- not seek improperly to influence a decision on the matter.  
(Note – there are some exceptions when acting in a scrutiny capacity.)

DRAFT

**PARISH COUNCILS LIAISON GROUP**

**Minutes of the meeting held on Wednesday, 12<sup>th</sup> October 2011 at Worksop Town Hall**

**Present:**

Councillors: F Hart (Chair)  
B A Bowles, H M Brand, I J Campbell, G Freeman, M T Gray, A Rhodes,  
J B Rickells and J C Shephard.

Parish Council Representatives: J M Anderson, G Brown, S Chandler, H Holdaway,  
P Nicholson, G Perry, P Potter, J Trowsdale  
and G Wratten

Officers in attendance: J Brassington, S Brown, P Clark, L Dore, I Roebuck and  
K Tarburton.

Members of Standards Committee: Councillor Mrs V A Bowles and Mr B Letherland.

Also in attendance: H Burton – NALC  
James Collington – Owner/Director, Savoy Cinemas  
Mark Wellberry – General Manager, Savoy Cinemas  
James Trowsdale – Groundwork Creswell Ashfield and  
Mansfield

**12. SUSPENSION OF COUNCIL PROCEDURE RULES FOR 15 MINUTES TO ALLOW QUESTIONS**

There were no questions.

**13. APOLOGIES**

Apologies for absence were received from Councillors T Rafferty and K Sutton and Parish Representatives D Langmead, C Fraser, W Davies, East Markham and Laneham Parish Councils.

**14. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

(a) Members

There were no declarations of interest by Members.

(b) Officers

There were no declarations of interest by officers.

15. MINUTES OF THE MEETING HELD ON 13<sup>TH</sup> JULY 2011

With reference to Minute No 9(c), Grass Cutting Contracts, the Senior Manager Support Services advised that discussions were on-going.

**RESOLVED** that the Minutes of the meeting held on 13<sup>th</sup> July 2011 be approved.

16. MINUTES FOR ACTION.

**RESOLVED** that the Minutes for Action be received.

17. OUTSTANDING MINUTES LIST

With reference to Outstanding Minute No 9, Outstanding Minutes List, the Senior Manager Support Services informed the Group that a new format for Safer Neighbourhood Groups would see a reduction in the number of groups locally. There would obviously be implications from this for Local Area Partnerships.

**RESOLVED** that:

1. The Outstanding Minutes List be received.
2. The Senior Manager Support Services invite the Police and the Community Safety Co-ordinator to the next meeting of the Parish Councils Liaison Group.

**SECTION A - ITEMS FOR DISCUSSION IN PUBLIC**

**Key Decisions**

None.

**Other Decisions**

18. ITEMS SUBMITTED BY BASSETLAW DISTRICT COUNCIL

(a) Worksop Cinema

The Owner/Director of Savoy Cinemas, James Collington, presented a slideshow to the Committee which gave details of what the new cinema in Worksop will comprise, i.e. six screens able to seat nine hundred people in total. It will have the latest equipment in terms of screens, sound and seating. Aimed at a wide range of audiences, it will have special screenings during the daytime for senior citizens, mothers and babies and also schools. The building is on target for being water-tight at the end of November 2011 with internal fitting in January and February 2012 and completion by 5<sup>th</sup> March 2012.

The Committee asked questions regarding: special bus services to transport people to the cinema from rural areas, control of litter in the vicinity of the cinema, issues that had arisen around the cinema in Boston, film screening times in relation to bus service timetables and also ticket prices.

The Chairman thanked Mr Collington for his presentation and the information provided in response to questions from the Committee.

**AGREED** that the presentation be received.



(b) Groundwork Creswell Ashfield and Mansfield

The representative from Groundwork Creswell Ashfield and Mansfield (GCAM) presented a slideshow to the Committee which provided an overview of how the charity can help parish councils in the delivery of projects in their neighbourhood.

Groundwork is a national network and GCAM works locally with schools and North Nottinghamshire College to help young people prepare for the world of work and learn basic skills. It has previously worked with the Council, A1 Housing (Bassetlaw) Ltd, Nottinghamshire County Council and Manton Community Alliance. It has strong links to the community and offers local employment training opportunities.

Previous projects include: playgrounds, landscaping, community gardens, multi-use games areas, natural play, BMX tracks, paths, allotments and also bringing buildings back into community use.

The Committee asked questions regarding: funding for projects, partnership working, management of the projects, how the Trust are paid, how the work is undertaken and organised.

The Rural Officer advised that funding was also available from Bassetlaw Community and Voluntary Service (BCVS) and Rural Community Action Nottinghamshire (RCAN).

The Chairman thanked Mr Trowsdale for his presentation and the information provided in response to questions from the Committee.

**AGREED** that the presentation be received.

(c) Bassetlaw Games 2012

The Leisure and Cultural Services Manager presented a slideshow which gave details of the Bassetlaw Games Legacy Action Plan as inspired by London 2012 Olympic and Paraplegic Games. The aim is to bring Bassetlaw sporting groups, volunteers and organisations together before, during and after the 2012 Games to provide a sustainable and lasting legacy which will inspire people to participate in a wide range of sporting activities. It is also hoped that the project will promote Bassetlaw as a visitor destination.

Details of working plans, the vision and priorities of the project, the promotion of existing facilities and also partners working with a steering group and staff from the Sports Development Service were shown. A provisional programme of activities had been included in the Agenda papers. The Leisure and Cultural Services Manager added that every school child in Bassetlaw would be offered the opportunity to participate in a new sporting activity and that there will be an Olympic torch relay visiting every junior school. More groups and organisations are welcome to get involved and should contact the Sports Development Service to be included in the programme. (Workshop (01909) 534523. Email: [sports.development@bassetlaw.gov.uk](mailto:sports.development@bassetlaw.gov.uk) )

The Committee asked questions about the use of Langold Country Park in the project, cycling opportunities and the possibility of junior boxing at Carlton Parish Hall.

**AGREED** that the presentation be received.

(d) Domestic Fuel Purchase Scheme

The Council's Rural Officer provided information on a new community-based countywide syndicate which enables its customers to purchase heating fuel at a reduced cost. An annual

membership fee, (£20 for domestic users), covers oil deliveries for a year. The minimum order is 500 litres. A local co-ordinator negotiates the best price and more orders increases their negotiating power.

Membership forms are available from RCAN: telephone Mansfield (01623) 727600 or email address: oil@rcan.org.uk

In response to questions from the Committee, the Rural Officer advised that 300 members were required to make the scheme viable and that the purchase price of oil last week had been 52p per litre.

**AGREED** that the verbal report be received.

## 19. ITEMS FROM PARISH COUNCILS

### (a) Bassetlaw District Council's Recycling Policy

Having looked at the proposals in the Nottinghamshire County Council (NCC) Waste Core Strategy consultation document, a representative from Mattersey Parish Council sought information regarding the implications of the requirement for Bassetlaw District Council (BDC) to achieve 50% recycling by 2020 and also the change in arrangements regarding the yellow bag system for medical waste.

The Environment Services Manager admitted that BDC was currently at the lower end of the scale for recycling when previously it had been at the top. Other authorities in Nottinghamshire were doing more but these Councils had a larger budget. While BDC is currently recycling around 23%, it is optimistically hoping to achieve 25-30% but this is without additional funding and hoping to get the best out of the services it currently has. It is hoped this will be achieved through: more bulky waste collections including recycling white goods, additional kerbside collections from flats, (these have not previously had facilities for recycling), upgraded modernised 'bring' sites, continued education of residents to get the recycling message across, an additional post in the recycling structure during the next two/three years.

BDC is the collection authority and NCC is the disposal authority and they dictate and determine where collected waste is taken. NCC signed a twenty-six year contract with waste management company Veolia Environmental Services in 2006 which included phased introduction of new recycling, composting, treatment and delivery facilities. Currently, there is a Materials Recycling Facility (MRF) in Mansfield which handles and sorts all the kerbside recycling collections of mixed paper, card, cans and plastic bottles for the county. A composting facility in central Nottinghamshire is planned but there is a delay to the new energy recovery facility proposed for the former Rufford Colliery site. All the District Councils are working jointly on initiatives to hit targets but for BDC this would entail additional services having to be provided, e.g. recycling garden waste and food waste. There would be an additional cost for this which would have to be paid for either through Council Tax or on a chargeable basis.

The Environment Services Manager informed the Committee that clinical waste is collected in yellow bags as hazardous waste. It is collected separately and delivered to a specialist incinerator at Nottingham which is an expensive process. NCC pay for this but it is not sustainable. It is now considered that much of the waste is not officially hazardous but is sometimes just unpleasant and offensive and it is this type that it is considered can be collected with normal waste. Where waste is still considered hazardous, it will still be collected and disposed of separately as clinical waste.

**AGREED** that the verbal report be received.

20. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no other business to be discussed the Chairman closed the meeting.



**MINUTES FOR ACTION AND IMPLEMENTATION SHEET**

**PARISH COUNCILS LIAISON GROUP**

12/10/11

FROM: Senior Democratic Services Officer TO: SDSO = Senior Democratic Services Officer  
SMSS = Senior Manager Support Services

The following decisions are brought to your attention for action by the appropriate officers within your Service:

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17. OUTSTANDING MINUTES LIST

**RESOLVED** that:

2. The Senior Manager Support Services invite the Police and the Community Safety Co-ordinator to the next meeting of the Parish Councils Liaison Group.

SMSS

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**PARISH COUNCILS LIAISON GROUP**

**Wednesday, 25<sup>th</sup> January 2012**

**OUTSTANDING MINUTES LIST**

**Members please note that the updated positions are shown in bold type following each item.**  
*(SMSS = Senior Manager Support Services)*

| <b><u>Min. No.</u></b> | <b><u>Date</u></b> | <b><u>Subject</u></b>   | <b><u>Decision</u></b>   | <b><u>Officer Responsible</u></b> |
|------------------------|--------------------|---|--|-----------------------------------|
| 18(i)                  | 14.10.09           | Future of Safer Neighbourhood Groups  | Agreed that the Community Safety Co-ordinator be invited to a future meeting to discuss the work of the Council's Community Safety Unit            | SMSS                              |
|                        |                    | <b>See Agenda Item No 7 (b)</b>   |  |                                   |
| 9                      | 14.7.10            | Outstanding Minutes List  | (2) The Police be invited to attend the next meeting of the Parish Councils Liaison Group to discuss the review of the Safer Neighbourhood Groups. | SMSS                              |
|                        |                    | <b>See Agenda Item No 7 (b)</b>   |  |                                   |
| 9(f)                   | 13.7.11            | Update on Parish Charter in Improving Dialogue between District and Parish Councils | (2) A review on the Parish Charter be undertaken once the implications from the Localism Bill are known.   | SMSS                              |
|                        |                    | <b>See Agenda Item No 7 (c)</b>   |  |                                   |





**BASSETLAW DISTRICT COUNCIL**

**PARISH COUNCIL LIAISON GROUP**

**25<sup>th</sup> January 2012**

**REPORT OF SENIOR MANAGER SUPPORT SERVICES**

**DEVELOPING THE RELATIONSHIP BETWEEN  
DISTRICT AND PARISH COUNCILS IN BASSETLAW**

Cabinet: Support Services  
Contact: Stephen Brown  
Ext: 3767

**1. Public Interest Test**

The author of this report, Stephen Brown, has determined that the report is not confidential.

**2. Purpose of the Report**

To recommend the creation of a joint working party of representatives from Bassetlaw District Council and the Notts Association of Local Councils (Bassetlaw Branch) to examine how the relationship between the District Councils can be strengthened and improved.

**3. Background and Discussion**

3.1 The District Council has recently indicated that rural issues will be one of the key priorities for the authority. Part of the development of this agenda will be an examination of how the relationship between the District and Parish Councils can be improved and strengthened.

3.2 The District Council has always recognised that Parish Councils are the 'local' level and oldest form of local government. In their role as democratically accountable bodies, Parish Councils offer a means of shaping the decision that affect their communities. They offer a means of decentralising the provision of certain services and of revitalising local communities. In turn, the Parishes recognise the strategic role of the District Council of balancing the needs of the wider community. This relationship has been set out in the Parish Charter, the first of its kind in Nottinghamshire, and signed by most Parish Councils within Bassetlaw.

3.3 The District Council has always given the commitment that the Charter would be reviewed but it was agreed it would be prudent to do this after the Localism Act has been published. Pressures on public finance are also impacting on areas of service

delivery and support for local initiatives. As the Localism Act is in place, it is an opportune time not only to review the Charter but the wider relationships.

3.4 It is proposed the review would include:

- a review of the role and function of the Parish Council Liaison Group
- improving links with the Bassetlaw Branch of the Notts Association of Local Councils and helping to develop its effectiveness
- improving the capacity of parish and town councils
- involving parish and town councils in neighbourhood planning
- access to services and information for rural communities
- building effective partnerships between parish and town councils
- supporting the development of parish and town councillors and clerks

It is recognised that there may well be additional areas for inclusion.

3.5 It is proposed that a working group would co-ordinate the review and would comprise of representatives from Bassetlaw NALC and elected Members of the District Council. The working group could call upon other parties to contribute if it felt this was appropriate. It is suggested that the working group comprise of five elected Members from Bassetlaw District Council and five nominated by the Bassetlaw branch of NALC.

#### 4. Implications

a) For service users

An element of the review would include access to services and information for rural residents.

b) Strategic & Policy

Rural issues have been identified as a priority area for the Council.

c) Financial - Ref: 12/427

The review will be contained with existing resources.

d) Legal – Ref: TBC

None.

e) Human Resources

None.

- f) Community Safety, Equalities, Environmental

The District Council's Equality Scheme recognises rural inclusion as an area for specific consideration.

- g) Whether this is a key decision, and if so the reference number.

No.

## 5. **Options, Risks and Reasons for Recommendations**

The options are either to support a review taking place or not. As the Localism Act will impact on the District/Parish relationship and that there is an outstanding commitment to review the Parish Charter, it is recommended the review should be progressed.

## 6. **Recommendations**

That it be recommended to Cabinet that approval be given for a working group to be set up between the District Council and Bassetlaw NALC with the aim of strengthening the relationship between the District and Parish/Town Councils. The working group to comprise of five elected Bassetlaw Members appointed on the basis of three from Labour Group, one from Conservative and one from Independent Group.

**Background Papers**

**Location**



**BASSETLAW DISTRICT COUNCIL**

**PARISH COUNCIL LIAISON GROUP**

**25<sup>th</sup> January 2012**

**REPORT OF SENIOR MANAGER SUPPORT SERVICES**

**COMMUNITY GOVERNANCE REVIEW**

Cabinet: Support Services  
Contact: Stephen Brown  
Ext: 3767

**1. Public Interest Test**

The author of this report, Stephen Brown, has determined that the report is not confidential.

**2. Purpose of the Report**

To advise Parish Council representatives of a possible Community Governance Review and the nature of the types of issues such a Review can consider.

**3. Background and Discussion**

3.1 The District Council has received an approach from a Parish Council to review the number of seats on its Council. It is understood there may be other parishes who wish to examine their boundaries, possible mergers etc. The District Council has yet to formally consider the request but if it chooses to progress this, it will be through a mechanism known as a Community Governance Review.

3.2 From 2008, district councils, unitary councils and London Boroughs have had responsibility for undertaking Community Governance Reviews. Previously this had been a matter for the Secretary of State. The Local Government and Public Involvement in health Act 2007, sets down the framework in which these reviews must be undertaken.

3.3 A Community Governance Review is a review of the whole or part of a district to consider one or more of the following:

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style (i.e. whether to call it a town council or village council etc.) of new parishes;

- the electoral arrangements for parishes – the ordinary year of election, the size of the council, the number of councillors to be elected and parish warding;
- grouping parishes under a common parish council, or de-grouping parishes.

3.4 Under the legislation the District Council must aim to ensure that community governance in the area under review:

- reflects the identities and interests of the community in that area
- is effective and convenient
- takes into account any other arrangements for the purpose of community representation or community engagement

When considering this, the Council should take into account a number of factors, including:

- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of any new local community or parish.

A review involves the following stages:

- 1) Setting terms of reference of the review
- 2) Publicising the terms of reference (for the purposes of the Act, the review formally commences when the terms of reference are published);
- 3) Undertaking consultations with local government electors for the area and any other person or body (including the Parish Council) who appears to have an interest in the review. The County Council are advised.
- 4) Considering representations
- 5) Preparing and publishing draft proposals
- 6) Undertaking consultation on the draft proposals
- 7) Considering representations
- 8) Publishing recommendations
- 9) Making an order to bring into effect any decisions arising from the review
- 10) A Review must be concluded within 12 months of the publication of the terms of reference.

3.5 Reviews can be triggered by public petition. Reviews must be undertaken if petitions are received as follows:

- Area with fewer than 500 electors – at least 50% of the electors
- Area with between 500 and 2,500 electors – at least 250 of electors
- Area with more than 2,500 electors – at least 10% of electors

- 3.6 In the interests of effective governance, the district council is recommended to consider the benefits of undertaking a review of its area in one go, rather than carrying out small scale reviews in a piecemeal fashion. As indicated earlier, the District has still to formally consider the request it has received, but it will be writing to all Parish Councils to ascertain if there are any issues elsewhere for potential consideration. There are detailed considerations that the District Council must undertake under the legislation. To assist Parishes, a summary of these is provided at Appendix A.

#### **4. Implications**

- a) For service users

The intention of a Community Governance Review is to ensure that Parish Councils reflect the identities and interests of the community and are effective and convenient.

- b) Strategic & Policy

None.

- c) Financial - Ref: 12/566

None.

- d) Legal – Ref: 25/01/12

Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 devolves power to District Councils to undertake Community Government Reviews.

- e) Human Resources

None.

- f) Community Safety, Equalities, Environmental

The social cohesion aspects of local communities must be considered within any review.

- g) Whether this is a key decision, and if so the reference number.

No.

#### **5. Options, Risks and Reasons for Recommendations**

The report is for information.

#### **6. Recommendations**

That the information be noted.

## **Background Papers**

'Guidance on Community governance reviews, March 2010' – Department for Communities and Local Government and The Local Government Boundary Commission for England

## **Location**

Support Services, Queen's Buildings  
[www.communities.gov.uk](http://www.communities.gov.uk)



**COMMUNITY**

**GOVERNANCE**

**REVIEWS**

**A SUMMARY**



## The review process

**Legislation:** the Local Government & Public Involvement in Health Act 2007 significantly changed the way that Community Governance Reviews are undertaken. It streamlined the process and delegated powers to principal authorities (districts and unitaries). They now have responsibility for undertaking such reviews, for deciding on the outcome and for implementing the outcome. Central government no longer has a direct role in the process.

One other important change brought in by the 2007 Act was that local communities can cause a principal authority to undertake a Community Governance Review, if they can organise a petition demonstrating sufficient support among the electorate for certain changes. Sufficient support is 50% signing in an area with fewer than 500 electors or 250 signing in an area with between 500 and 2,500 electors or 10% signing in an area with more than 2,500 electors. However, principal authorities are still able to refuse a review if one was held within the last 2 years or they are currently running a full review of their area.

**Guidance:** 'Guidance on Community Governance Reviews' was published in updated form by the Department for Communities & Local Government and the Local Government Boundary Commission for England in 2010. Aimed largely at principal authorities, it offers advice about undertaking a review and implementing its recommendations. It can be accessed at:

<http://www.communities.gov.uk/publications/localgovernment/guidancecommunitygovernance2010>

Also available on the Department's website is a model reorganisation order – the statutory instrument principal authorities must use to implement changes from a Community Governance Review. It can be accessed at:

<http://www.communities.gov.uk/publications/localgovernment/modelreorganisationorder>

**Criteria:** the Act requires principal authorities to take account of certain criteria when conducting a review, namely:

- The identities and interests of the community in an area; and
- The effective and convenient governance of the area.

They are also advised to consider factors such as:

- What impact proposed community governance arrangements might have on community cohesion; and
- Whether the size (area), population and boundaries proposed for local governance make sense on the ground and contribute to the above criteria.

The guidance refers to people's sense of place and their historic attachment to areas.

Overall, local council arrangements should lead to: improved local democracy; greater community engagement; and better local service delivery.

**Process:** the main steps that surround a Community Governance Review are listed in the box below. Please note this is included for quick reference and is not formal guidance.

|                           |  |
|---------------------------|--|
| Trigger for a review      | <ul style="list-style-type: none"> <li>• A valid community petition; or</li> <li>• A principal authority's own decision.</li> </ul>  |
| Decision to hold a review | <ul style="list-style-type: none"> <li>• A principal authority takes a formal decision;</li> <li>• Which can be to review all or a part of its area;</li> <li>• Though it must have valid grounds for refusal if there has been a petition.</li> </ul>   |
| Terms of reference        | <ul style="list-style-type: none"> <li>• A principal authority must draw up and publish terms;</li> <li>• Stating the matters and geographic area to be covered;</li> <li>• Notifying other local authorities which have an interest.</li> </ul>   |
| Undertaking a review      | <ul style="list-style-type: none"> <li>• A principal authority must consult electors in affected area(s);</li> <li>• It should consult other bodies with an interest, including any affected local councils;</li> <li>• It must then consider any representations received.</li> </ul>   |
| Making recommendations    | <ul style="list-style-type: none"> <li>• Bearing in mind representations, the criteria and other factors;</li> <li>• Including alternative forms of governance in the area e.g. residents associations, neighbourhood forums;</li> <li>• The principal authority formally recommends an outcome from the review;</li> <li>• It must publish its recommendations and the reasons for them, informing those with an interest.</li> </ul>       |
| Implementing a review     | <ul style="list-style-type: none"> <li>• A principal authority makes a Reorganisation Order to put into effect any changes;</li> <li>• Which must include a detailed map of the boundaries;</li> <li>• It publishes the Order and map for public inspection;</li> <li>• It must inform specified bodies e.g. Ordnance Survey;</li> <li>• It should include in the Order any agreed incidental issues e.g. the transfer of assets.</li> </ul> |
| Next steps                | <ul style="list-style-type: none"> <li>• An Order is often written to come into force the following April;</li> <li>• Typically a new local council is then elected in May.</li> </ul>   |

The guidance expects that the core of the Community Governance Review process, from the publication of terms of reference through to the Reorganisation Order, can be completed within one year.

## PARISH AREAS

### • Introduction

The legislation requires that the Council must have regard to the need to secure that community governance with the area under review:

1. Reflects the identities and interests of the community in that area, and
2. Is effective and convenient, and
3. Takes into account any other arrangements for the purposes of community representation or community engagement in the area.

- **Parishes**

The Council is anxious to ensure that electors should be able to identify clearly with the parish in which they are resident because it considers that this sense of identify and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

The Council will endeavour to select boundaries that are and are likely to remain easily identifiable.

- **Viability**

The Council is anxious to ensure that parishes should be viable and should possess a precept that enables them to actively and effectively promote the well-being of their residents and to contribute to the real provision of services in their areas in an economic and efficient manner.

Some parishes are anxious to take on the new power of well-being provided in the Local Government and Public Involvement in Health Act 2007; others hold Quality Parish status, while others are anxious to enter into charters with principal councils for the provision of local services. The Council sees these initiatives as important measures of effective and convenient local government and will respect them in this review.

## **NAMES AND STYLES**

- **The naming of parishes**

With regard to the naming of parishes, the Council will endeavour to reflect existing local or historic place-names, and will give a strong presumption in favour of names proposed by local interested parties. The Council notes that Government considers that composite names of parishes are rarely in the interests of effective and convenient local government and encourages avoidance of composite names other than in exceptional circumstances where the demands of history, local connections or the preservation of local ties make a pressing case for the retention of distinctive traditional names. The Council will consider this when making any proposals regarding naming of parishes.

The 'name' of a parish refers to the geographical name of the area concerned, whereas its status or 'style' allows for that area to be known as a town, community, neighbourhood or village, rather than as a parish. The status or style of the parish will be reflected in the name of any council of the parish. So, for example, the council of a parish which has the style "town" will be known as the 'town council' and its councillors as the 'town councillors', etc.

There are legal requirements (as defined in Section 76 of the Local Government Act 1972), particularly with regard to subsequent notification, with regard to the naming of parishes, and the Council will be mindful of these.

### **Alternative styles**

The Local Government and Public Involvement Act 2007 has introduced 'alternative styles' for parishes. If adopted, the 'alternative style' would replace the style "parish". However, only one of these three prescribed styles can be adopted:-

“community”, neighbourhood” or “village”.

A parish shall cease to have an alternative style if the parish begins to have the status of a town.

Where new parishes are created, the Council will make recommendations as to the geographical names of the new parishes and as to whether or not it should have one of the alternative styles.

## ELECTORAL ARRANGEMENTS

- **What does “Electoral Arrangements” mean?**

An important part of the Council’s review will comprise giving consideration to “Electoral Arrangements”. The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward
- The name of any such ward

- **Ordinary year of election**

The Local Government Act 1972 states that ordinary election of parish councillors shall take place in 1976, 1979 and every fourth year thereafter (i.e. 2007, 2011, 2015 etc.) However, the Government has indicated that it would want the parish electoral cycle to coincide with the cycle for the district/borough council, so that the costs of elections can be shared. If the review finds that it will be appropriate to hold an election for parish councillors, for example to a newly formed parish, at an earlier or later date than the next scheduled ordinary elections, the terms of office of any newly elected parish councillors will be so reduced as to enable the electoral cycle to revert to the normal cycle in the borough at the next ordinary elections. However, it is anticipated that this review will be complete prior to the next Town/Parish Council elections in May 2011.

- **What considerations cover the number of parish councillors?**

The Government has advised, and this Council concurs that “it is an important democratic principle that each person’s vote should be of equal weight so far as possible, having regard to other legitimated competing factors, when it comes to the election of councillors”. Likewise, the Council notes that the number of parish councillors for each parish council shall be not less than five. There is no maximum number. The Aston Business School found the following levels of representation –

| <b>Electorate</b>   | <b>Councillor Allocation</b> |
|---------------------|------------------------------|
| Less than 500       | 5 – 8                        |
| 501 – 2,500         | 6 – 12                       |
| 2501 – 10,000       | 9 – 16                       |
| 10,001 – 20,000     | 13 – 27                      |
| Greater than 20,000 | 13 - 31                      |

The National Association of Local Councils (NALC) suggested that the minimum number of councillors should be 7 and the maximum 25.

The government's guidance is that "each area should be considered on its own merits, having regard to its population, geography and pattern of communities". This Council is prepared to pay particular attention to its existing levels of representation, the broad pattern of existing council sizes, which have stood the test of time and the take up of seats at elections in its consideration of the matter.

It is recognised that the conduct of parish council business does not usually require a large body of councillors. By law, the Council in this review must have regard to the following factors when considering the number of councillors to be elected for the parish:

- The number of local government electors for the parish;
- Any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

The Council will also take into account the following considerations:

- To ensure that the allocation of councillors to parishes is equitable across the district, while acknowledging that local circumstances may occasionally merit variation.
- To appreciate that there are different demands and consequently different levels of representation are appropriate between urban and more rural parishes in the district.

The Council also acknowledges that there may be exceptions to the above, where some weight will be given to the following considerations in forming the proposals;

- A high precept and high levels of service provision;
- Where representation may be required to meet the challenges of population sparsity;
- Supporting a warding arrangement in a particular parish and achieving a good parity of representation between wards.

- **Parish Warding**

The Act requires that in considering whether a parish should be divided into wards for the purposes of elections for the parish council the Council should consider the following:

- Whether the number, or distribution, of the local government electors for the parish council would make a single election of councillors impracticable or inconvenient;
- Whether it is desirable that any areas of the parish should be separately represented on the council.

The government's guidance is that "the warding of parishes in largely rural areas that are based predominantly on a single centrally located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish".

With regard to urban parishes, the government has suggested, "there is likely to be a stronger case for the warding of urban parishes ...". In urban area community identity tends to focus on a locality, whether this be a housing estate, a shopping centre or community facilities. Each locality is likely to have its own sense of identity".

The Council will be mindful of this guidance, noting further that “each case should be considered on its merits and on the basis of the information and evidence provided during the course of this review.”

The Council also wishes to emphasise that warding arrangements should be clearly and readily understood by and should have relevance for the electorate in a parish; they should reflect clear physical and social differences within a parish: one parish but comprising different parts. Furthermore, ward elections should have merit; not only should they meet the two tests laid down in the Act, but they should also be in the interests of effective and convenient local government. They should not be wasteful of a parish’s resources.

- **The number and boundaries of parish wards**

In reaching conclusions on the boundaries between parish wards, the Council will take into account community identity and interests in an area and will consider whether any particular ties or linkages might be broken by the drawing of particular ward boundaries.

Equally, the Council, during its consultations in this review is mindful that proposals which are intended to reflect community identity and local linkages should be justified in terms of sound and demonstrable evidence of those identities and linkages.

The Council has noted the desirability of fixing boundaries which are, and will remain, easily identifiable, as well as taking into account any local ties which might be broken by the fixing of any particular boundaries. The Council also emphasises that ward boundaries should be clearly understood; they should represent the most appropriate parting of local attachments within a parish that comprises different parts. The Electoral Commission has suggested that the district wards should not split an unwarded parish and that no parish ward should be split by such a boundary. The relevant legal provisions do not apply to reviews of parish electoral arrangements, but the Commission has requested the Council to bear this in mind, which the Council will do.

- **The number of councillors to be elected for parish wards**

The Council has noted that it is required to have regard to the following when considering the size and boundaries of the wards and the number of councillors to be elected for each ward;

- The number of local government electors for the parish;
- Any change in the number, or distribution, of the local government electors, which is likely to occur in the period of five years beginning with the day when this review starts.

The government has advised, and this Council concurs that “it is an important democratic principle that each person’s vote should be of equal weight so far as possible, having regard to other legitimated factors, when it comes to the elections of councillors.” While there is no provision in legislation that each town/parish councillor should represent, as nearly as may be, the same number of electors, the Council considers that 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.

The Council is likewise anxious to avoid the 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. During the review process and in its consultations, the Council is committed to consistently showing the ratios of electors to councillors that would result from its proposals.

- **Naming of parish wards**

With regard to the names of parish wards, the Council will endeavour to reflect existing local or historic place names, and will give a strong presumption in favour of ward names proposed by local interested parties,

## **REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT**

The review will be completed when the Council adopts the reorganisation of Community Governance Orders. Copies of this order, the map(s) that show the effects of that order in detail, and the documents(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a review) will be deposited at the Council's offices and on its website.

In accordance with the Guidance issued by the government, the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000.

These maps will be deposited with the Secretary of State at the Department of Communities and Local Government and at the Council's Offices at Queen's Buildings, Potter Street, Worksop, Nottinghamshire S80 2AH

Prints will also be supplied, in accordance with the regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Electoral Commission.

The provisions of the Order would take effect, for financial and administrative purposes, from 1st April in the designated year.

The electoral arrangements for new parishes will come into force at the next elections to parish councils, namely May ????.

## **CONSEQUENTIAL MATTERS**

- **General Principles**

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

..

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.



In particular, the Council notes that the Regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the proper officer of the Council as an appropriate proportion.

Furthermore, the Council notes that the regulations regarding the establishment of a precept for a new parish require the Council to calculate the first anticipated precept for a newly constituted parish council and for the amount of that precept to be included in the Reorganisation Order.

- **District ward boundaries**

The Council is mindful that it may be necessary, although it is not anticipated, for it to recommend the Electoral Commission to make alterations to the boundaries of district wards or county electoral divisions to reflect the changes made at parish level. The Council notes that it will be for the Electoral Commission to decide if related alterations should be made and when they should be implemented, and that the Commission may find it appropriate to direct the Boundary Committee for England to conduct an electoral review of affected areas.

The Council notes that the Electoral Commission will require evidence that the Council has consulted on any such recommendations for the alterations to the boundaries of district wards to County electoral divisions as part of the review. Of course, such recommendations for alterations may only become apparent during the course of the review. Even so, the Council will endeavour to include any such draft recommendations for alterations at the earliest possible opportunity for consultation that will arise after they become apparent.

Where any such consequential matters affect Nottinghamshire County Council, the Council will also seek the views of that council with regard to alterations to electoral division boundaries in accordance with the government's guidance.

