

**STOCKTON-ON-TEES BOROUGH COUNCIL
COMMUNITY GOVERNANCE REVIEW – ELTON PARISH COUNCIL
2015
TERMS OF REFERENCE**

A review of parishes and related matters under the Local Government and Public Involvement in Health Act 2007

INTRODUCTION

Aims of the review

Stockton-on-Tees Borough Council has resolved to undertake a Community Governance Review (CGR) pursuant to Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007, to consider the following parish matters:

Parish Matters to be considered

The abolition of Elton Parish Council

In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and The Electoral Commission in April 2008. Also the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

The Council is required to have regard to Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. This Guidance was published in March 2010 and it has been considered when drawing up the Terms of Reference (TOR).

What is a Community Governance Review (CGR)?

A CGR 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 new parishes;
- The electoral arrangements for parishes (the ordinary year of election; council size, the number of councillors to be elected to the council, and parish warding), and
- Grouping parishes under a common parish council or de-grouping parishes.

The Council is required to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and
- Is effective and convenient.

In doing so the CGR is required to take into account:

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

Why undertake a community governance review?

A CGR provides an opportunity for principal authorities to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population or in reaction to specific or local new issues to ensure that the community governance for the area continues to be effective and convenient and it reflects the identities and interests of the community.

The government has emphasised that recommendations made in CGR ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

Government guidance further states that it is good practice to conduct a (full) CGR at least every 10-15 years and keep the area under review in the interim.

Specifically, this CGR will consider:

The abolition of Elton Parish Council

Who will undertake the CGR?

As the principal authority, the District Council is responsible for undertaking any CGR within its electoral area. Council will approve the final recommendations before a Community Governance Order is made.

CONSULTATION

How the Council proposes to conduct consultations during the Review?

Before making any recommendations or publishing final proposals, the District Council will take full account of the views of local people. The District Council will comply with the statutory consultative requirements by:

- Consulting local government electors for areas under review.
- Consulting any other person or body (including a local authority) which appears to the District Council to have an interest in the review.
- Taking into account any representations received in connection with the review.

Information relating to the CGR will be available on the Council's website and key documents will be on deposit at the District Council's offices at Municipal Buildings, Church Road, Stockton-on-Tees, TS18 1LD

When taking account of written representations the District Council is bound to have regard to the need to secure that community governance within the areas under review:

- Reflects the identities and interests of the community in that area; and
- Is effective and convenient.

The District Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the CGR are informed of the recommendations and the reasons behind them. The District Council will

notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

A timetable for the CGR

A CGR must, by statute, be concluded within a twelve month period from the day on which Council commences the CGR or from the date it receives a valid petition. A CGR starts when the District Council publishes its Terms of Reference and concludes when the District Council publishes the recommendations made in the CGR.

The following is the review timetable:

Action Timetable Outline of action

Terms of Reference (TOR) are published 17 September 2015.

Start Date:

District Council publishes Terms of Reference and notifies stakeholders, clearly defining extent of CGR

Introductory stage: 17 September 2015 – 31 October 2015

Submissions are invited. District Council invites proposals from stakeholders on future arrangements under the Terms of Reference.

Draft Proposals are prepared:

Draft proposals to be considered by full Council – 20 January 2016

District Council publishes Draft Proposals and notifies stakeholders.

Consultation on draft proposals: 21 January 2016 – 17 February 2016

Consultation with stakeholders.

Final Recommendations published:

Submissions considered and final recommendations produced. Final Recommendations are published following decision by Council 27 April 2016.

Order made if appropriate. Thereafter Council publishes the Reorganisation Order and requests the Electoral Commission to approve any consequential changes.

ELECTORATE FORECASTS

In considering the electoral arrangements of the parish stated within these Terms of Reference, the District Council is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts. The District Council has used the Register of Electors to provide existing local government electorate figures. Electorate forecasts will be prepared using all available information.

THE PRESENT STRUCTURE OF PARISHES AND THEIR ELECTORAL ARRANGEMENTS

Present Structures of parish governance in the area to be reviewed

Parish	No. Councillors	No. Electors/Seat
Elton	7	39

The Area under review, Elton Parish Council as identified on Map2, **Appendix 4**.

Justification for Review – Elton Parish Council

Elton Parish has not operated since December 2008. Notices of vacancy have been displayed on two occasions and two scheduled Parish Elections in 2010, 2015 have not generated any nominations. It is therefore appropriate given the length of inactivity to conduct a Community Governance Review for Elton Parish Council.

General Considerations

The Council wishes to ensure that electors should be able to identify clearly with the parish in which they are resident. It considers that this sense of identity 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 considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity; the feeling of local community and the wishes of local inhabitants are therefore primary considerations in this Review.

The Council is anxious to balance carefully the considerations of changes that have happened over time, through population shifts or additional development for example, and that have led to a different community identity with historic traditions in its area.

The Council notes the government's Guidance that community cohesion should be taken into account in this Review.

The Council also notes the government's strongly stated Guidance that it "expects to see a trend in the creation, rather than the abolition, of parishes" and that "the abolition of parishes should not be undertaken unless clearly justified". The Council also notes that the government also considers that, where existing parishes are abolished, "It would be undesirable to see the area becoming unparished with no community governance arrangements in place".

REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

The Review will be completed when the Council adopts a Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the order in detail, and the document(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 the Council's website.

In accordance with the Guidance issued by the Government, the Council will deposit and make available for public inspection maps to illustrate each recommendation as soon as

possible after making the order. The Council will inform the Secretary of State, the Electoral Commission, the office of National Statistics and the Director General of the Ordnance Survey.

If a Reorganisation Order is required the Order will be implemented in accordance with Department for Communities and Local Government guidance.

How to contact us

Should you wish to submit a written representation regarding this review, please address this to:

Electoral Services
Stockton-on-Tees Borough Council
Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD

Alternatively your submission may be emailed to:

electoral@stockton.gov.uk

Should you require any further information or need clarification on the review process, please contact:

Margaret Waggott
Head of Democratic Services, Trading Standards and Licensing
Stockton-on-Tees Borough Council
Tel: 01642 527064
Email: Margaret.waggott@stockton.gov.uk

Publication of Terms of Reference

These Terms of Reference will be published on the District Council web site

<http://www.stockton.gov.uk> and will be available for inspection at the offices at Municipal Buildings, Church Road, Stockton-on-Tees

Notices advertising this Community Governance Review and the availability of these Terms of Reference will also be posted within the Parish.

Date of publication

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