

AGENDA ITEM

REPORT TO COUNCIL

17TH SEPTEMBER 2014

**REPORT OF CORPORATE
MANAGEMENT TEAM**

LOCAL GOVERNMENT BOUNDARY REVIEW REQUEST

SUMMARY

To consider a request from Yarm Town Council (YTC) for Stockton Borough Council to invite the Local Government Boundary Commission for England (LGBCE) to carry out a principal area boundary review in light of the recent parish poll.

RECOMMENDATION:-

This Council does not invite the Local Government Boundary Commission for England to carry out a principal area boundary review nor will it carry out any further action or work on this proposal.

DETAIL

1. Background

- 1.1 A parish poll can be called for at a parish meeting, which is a meeting of the local government electors for a parish. The Chairman of the parish council for the parish, is entitled to attend a parish meeting and to preside as Chair.
- 1.2 The poll is a poll of the local government electors of the parish and if requested, the Chairman of the parish meeting must provide the Borough Council's Returning Officer with the necessary details to allow a notice of poll to be given and for the poll to be held.
- 1.3 The parish council is responsible for the costs of the poll.
- 1.4 The Borough Council has no other role or responsibility in relation to a parish poll, which is not legally binding on the Borough Council or the parish Council.

CONTEXT

2. Yarm Parish Poll

- 2.1 At the Yarm Parish Assembly meeting held on 22 April 2014, a parish poll was requested in relation to the following question:-

“Do the electors of Yarm wish to be removed from the control and administration of Stockton Borough Council and become the responsibility of North Yorkshire County Council and Hambleton District Council?”

2.2 A parish poll was subsequently held on 27 May 2014. The result of the poll was as follows:-

| | |
|---------------------------------------|------------|
| Answering Yes to the (above) question | 1465 votes |
| Answering No to the question | 177 votes |
| Rejected votes | 2 |

2.3 The total number of ballot papers issued was 1644, with an electorate of 6745, and a turnout of 24.37%.

3. Local Government Boundary Reviews

3.1 At **Appendix 1** is a summary explanatory note regarding principal area boundary reviews. This is based on technical guidance produced by the Local Government Boundary Commission for England (Electoral Equality/Convenient and Effective Local Government).

3.2 The following points are of particular importance:

3.2.1 The LGBCE believe that local authorities should be the primary instigators of a principal area boundary review and that they will only normally undertake such a review where there is agreement between all the principal councils potentially directly affected (in this instance, Stockton-on-Tees Borough Council, Hambleton District Council and North Yorkshire County Council).

3.2.2 The LGBCE will need to be satisfied that any proposed change meets their statutory and other criteria. In particular specific evidence will be required to demonstrate that the proposal will satisfy the need to secure effective and convenient local government; and the need to reflect identities and interests of local communities.

3.2.3 In addition, the LGBCE will expect to see evidence of confidence that the change will maintain or improve and sustain value for money in the effectiveness of local government.

3.2.4 The principal councils concerned will be expected to satisfy themselves and their council tax payers that the financial consequences of the proposal are acceptable, leading to the sustained viability of councils' service provision.

3.3 The driver for the change is the outcome of the parish poll in response to the question specified at paragraph 2.1 of this report. There has been no evidence of any assessment of a case being made by the campaigners set against the criteria outlined, which would be expected prior to any invitation being made to the LGBCE.

3.4 Since the parish poll there has been communication with a Yarm GP expressing concern over the potential implications on access to health services for residents, should such boundary changes take place. Of course there are potential significant implications across a range of public services e.g. fire, police, public health as well as Local Authority services where current provision will differ significantly i.e. SBC has prioritised weekly refuse collections to name but a few. There are also implications for services currently provided by the Council which would suffer from diseconomies of scale and would have to be reconfigured.

3.5 Any assessment and impact analysis that was undertaken would need to be thorough and detailed across all public services. Indeed it would also need to cover economic growth given the boundaries and architecture of Local Enterprise Partnerships and of future European funding programmes which would also be impacted.

- 3.6 There is no provision in the Council's Medium Term Financial Plan for this work, nor is it identified within the Council's agreed Council Plan.
- 3.7 Such work would be time consuming and resource intensive requiring a budget of a minimum of £100,000 to fund either additional temporary staff, or consultants to carry out the detailed assessment and impact analysis and a subsequent borough wide consultation.
- 3.8 Cabinet considered the report at its meeting held on 4th September 2014 and a copy of the relevant minute extract is attached at Appendix 2.

4. FINANCIAL IMPLICATIONS

- 4.1 The financial implications of carrying out an assessment and impact analysis are outlined in the previous paragraphs of this report.

5. LEGAL IMPLICATIONS

- 5.1 The outcome of the parish poll is not legally binding. The Council is not, therefore, legally required to undertake an assessment and impact analysis, or to accede to the request to invite the LGBCE to carry out a principal area boundary review.

6. RISK ASSESSMENT

- 6.1 Risks associated with any invitation to the LGBCE to undertake a review would need to be assessed as part of the assessment and impact analysis. Otherwise, any risk involved in not acceding to the request to invite the LGBCE to carry out a review is considered to be low.

7. SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

- 7.1 None considered to be applicable.

8. EQUALITIES IMPACT ASSESSMENT

- 8.1 This would only be undertaken if an assessment and impact analysis was carried out.

9. CORPORATE PARENTING

- 9.1 Not applicable.

10. CONSULTATION INCLUDING WARD/COUNCILLORS

- 10.1 All Members are to be consulted through submission of a report and Cabinet's recommendations to a meeting of full Council on 17 September 2014.

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Education related?

No

Background Papers

None

Ward(s) and Ward Councillors:

Not Ward Specific

Property

Not applicable.

Principal Area Boundary Reviews

The Local Government Boundary Commission for England (“LGBCE”) is responsible for conducting reviews (principal area boundary reviews – “PABRs”) of the boundaries between local authorities.

The responsibility for implementing the reviews lies with the Secretary of State through appropriate statutory instruments or orders.

The LGBCE believes that principal local authorities (not parish or Town Councils or anyone else) should be the primary instigators of PABRs, and that they would normally undertake a PABR only where there is agreement between all the principal councils potentially directly affected.

The statutory criteria upon which any recommendation for a boundary change by the LGBCE will be based are:-

- (a) the need to secure effective and convenient local government; and
- (b) the need to reflect identities and interests of local communities

The LGBCE would expect to see evidence of confidence that change will maintain or improve and sustain value for money in the effectiveness of local government.

The Councils concerned will need to satisfy themselves and their council tax payers that the financial consequences of a proposed change are acceptable, leading to a sustained viability of the councils’ service provision.

Where a boundary change would be of such a scale as to have an impact on the management of the service delivery to all the residents of an area, the Councils involved will be expected to prepare an impact analysis to demonstrate to themselves, their residents and the LGBCE whether the impact is desirable, or at least acceptable.

In terms of the statutory criteria, the questions which the LGBCE would want to be answered, include:-

(a) Effective and convenient local government

Are there proper arrangements to ensure that the future provision of services will meet the needs of local people?

Is the change sought compatible with the organisational and service delivery arrangements of other service providers?

Is the proposed change consistent with the meeting of other local priorities, such as regeneration, and with planned land-use developments?

(b) Reflecting community identity

What are the community characteristics that would be better reflected by the proposed boundary changes than by the existing boundaries?

What arrangements would enable the communities affected to engage with their new Council?

How does the proposed change relate to the area's physical barriers and characteristics?

Also, the following is relevant:-

(c) Financial implications

What are the financial implications of the proposed change?

How will implementation of the change demonstrate value for money to council tax payers?

How can the Councils demonstrate that their proposal is financially sustainable in the medium/long term?

In terms of community identities and interests, the LGBCE will wish to see evidence of commonality between the residents/communities in each relevant council area. Are there recorded community interactions and collective engagements with the particular principal councils, for instance.

Is there evidence, to the contrary to that the respective communities are quite distinct? What is the physical extent, if any, of each community or area? Major roads, rivers or railways are often physical barriers marking the boundary between different communities.