

**To the Chair and Members of the
ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE**

REVIEW OF PARISH COUNCILS

EXECUTIVE SUMMARY

1. A review of a number of Parish Councils had been commenced but following consideration of a report at the meeting of the Committee held on the 28th November 2006 it was decided to defer this pending the implementation of new legislation which would introduce new provisions for reviews of Parish Councils. The legislation has now been implemented within the Local Government and Public Involvement in Health Act 2007. The purpose of this report is to seek the Committee's views on whether the existing review should be completed or whether this should be deferred in favour of conducting a Community Governance Review under the new legislation.

RECOMMENDATION

2. The Committee is asked to consider the report and decide whether: -
 1. The existing partial review of Parish Council boundaries should be completed; or
 2. The review is revisited at a future time under the more extensive provisions for Community Governance Reviews contained in the Local Government and Public Involvement in Health Act 2007 and to allow, if appropriate, issues affecting Parish Councils within the Community Strategy to be considered as part of the review process.

BACKGROUND

3. At a meeting of the Overview and Scrutiny Management Committee held on the 9th September 2004 the Chair of the Committee gave a commitment that an outstanding commitment to undertake a review of Parish Council's by the Authority would be met.
4. The Committee agreed that a review of all 37 Parish Councils in the Authority's area would be a significant undertaking and it was determined that an initial consultation should be undertaken to determine the extent to which it was felt that reviews were necessary for individual Parish Councils.

5. On the 9th June 2005 the Overview and Scrutiny Management Committee considered a report on the outcome of the consultation which had taken place with Ward Councillors and Parish Councils and agreed that a review of all parishes was unnecessary. At this stage the Overview and Scrutiny Management Committee also referred the matter to the Elections Corporate and Finance Committee who would be responsible for the review.
6. Following referral to the Elections Corporate and Finance Committee work was undertaken on a partial review of Parish Councils culminating in a report to that Committee on the 30th June 2006 which outlined initial proposals for 7 reviews for the purposes of consultation.
7. In the absence of any specific resources for the review a limited consultation exercise was undertaken within the available budget in respect of the following Parishes: -
 - Brodsworth
 - Cantley with Branton
 - Edenthorpe and Kirk Sandall with Barnby Dun
 - Finningley, Balaxton and Auckley
 - Sprotbrough and Cusworth
 - Thorne and Moorends
 - Warmsworth
8. At the end of the consultation exercise it was felt that the responses were not sufficient, in the main, to be representative of the views of the committee and in addition a white paper had been published 'Strong and Prosperous Communities which proposed significant changes to the review process for Parish Councils simplifying the review process and make it easier for communities to request the establishment of a parish.
9. Having considered the report the Elections Corporate and Finance Committee agreed the following: -

Resolved that upon consideration of the responses to the consultation proposals, no action be taken on the review pending further consideration taking account of the responses received and the issues in the Government's White Paper 'Strong and Prosperous Communities.'
10. The proposals from the White Paper have now been enacted within the Local Government and Public Involvement in Health Act 2007 and are known as Community Governance Reviews. Along with this regulations have been made to provide transitional arrangements which allow existing reviews commenced under the previous legislation to be completed.
11. The existing review was undertaken on the basis of considering issues solely related to boundaries of parishes. However since this was commenced there have been developments in the approach to the role of parishes within a community strategy including devolving functions

and budgets to parishes. Given these circumstances an alternative would be to abandon the existing review and undertake a Community Governance Review when this could take into account potential changes to the role of parishes within a community strategy.

OPTIONS CONSIDERED

12. There are two options identified with this report to complete the existing review or abandon this and undertake a Community Governance Review at a later date which would create an opportunity to undertake this against a wider backdrop of the role of Parish Councils within the community strategy.

REASON FOR RECOMMENDED OPTION

13. The Committee is asked to consider the report and indicate its preferred option.

IMPACT ON THE COUNCIL'S KEY OBJECTIVES

14.

Doncaster Priorities	Implications of this initiative
A Prosperous Place	See note in Improving Neighbourhoods Together
Skills & Lifelong Learning	
Healthy & Caring	
Safer, Cleaner & Greener	See note in Improving Neighbourhoods Together
Equality of Opportunity (Cross-Cutting)	
Improving Neighbourhoods Together (Cross-cutting)	The White Paper 'Strong and Prosperous Communities' recognised the role and contribution of Parish Councils' to local communities and these principles have been incorporated within the provisions of the Local Government and Public Involvement in health Act 2007. The undertaking of reviews of parishes ensures that they remain effective for the role that they undertake contributing to the improvement of the area.
Protecting The Environment (Cross-cutting)	See note in Improving Neighbourhoods Together
Achieving Excellence	

RISKS AND ASSUMPTIONS

15. The work already undertaken on the review has been carried out by the Electoral Services Team. This team is currently undertaking the annual canvass of the Electoral Register and preparations are already commencing for the combined European Parliamentary and Mayoral Elections to be held on 4th June 2009. Preparation for these combined elections will be a significant task and in these circumstances there will

not be any capacity within that team to undertake work on the parish review prior to the elections.

LEGAL IMPLICATIONS

16. The Local Government and Public Involvement in Health Act 2007 and the predecessor legislation the Local Government and Rating Act 1997 both gave principal councils power to undertake reviews of parishes within their area. However under the new legislation there are provisions for the submission of petitions requiring a review to be undertaken and the Council is able to make an order giving effect to any changes rather than these requiring the approval of the Secretary of State.
17. The Local Government and public involvement in Health Act 2007(Commencement No.3, Transitional and Saving Provisions and Commencement No. 2(Amendment) Order 2008 introduce provisions to enable the completion of reviews started under the 1997 Act but not completed prior to the implementation of the new legislation.

FINANCIAL IMPLICATIONS

18. There is currently no budgetary provision for the completion of the existing review or to undertake a Community Governance Review within the Electoral Services Budget. Neither has an assessment been done at this time of the likely cost of undertaking the work.
19. The cost of carrying out a review would need to be met within the existing budget.

CONSULTATION

20. Consultation has been undertaken as part of the current review process and would be required in the event that it was continued or as part of a Community Governance Review undertaken at a later date.

This report has significant implications in terms of the following:

Procurement		Crime & Disorder	
Human Resources		Human Rights & Equalities	
Buildings, Land and Occupiers		Environment & Sustainability	
ICT		Capital Programme	

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BACKGROUND PAPERS

File – Parish Council Review

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