

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 15th July 2016
Report of: Head of Governance and Democratic Services
Subject/Title: Parish Councils – Community Governance Reviews

1.0 Report Summary

- 1.1 The Constitution Committee at its meeting in February 2016 agreed that the Community Governance Review Sub-Committee be convened to undertake a review of governance arrangements in respect of a small number of parishes (Minshull Vernon and District; Bulkeley and Ridley; Hassall and Betchton; Lyme Handley; Doddington and District; and Burland Parish Council). The Committee also gave the Community Governance Review Sub-Committee delegated authority to extend the remit of the review, should other parish matters of importance arise.
- 1.2 This report seeks to clarify the extent of that delegated authority.

2.0 Recommendations

- 2.1 The Committee is asked to RESOLVE:
- That the remit of the Community Governance Review Sub-Committee be confined to matters concerning the governance arrangements of the parish councils (e.g. the number of Councillors and electoral arrangements) as set out in paragraph 1.1 of the report submitted, and not be extended to include boundary reviews in response to concerns over recent and planned housing developments.
- 2.2 That the review as instigated by the Committee in February 2016 be commenced by August 2016.

3.0 Reasons for Recommendations

- 3.1 The Parish Review had been proposed in response to requests from a small number of Parish Councils, mainly as a result of having insufficient Councillors elected to be able to operate, or where they feel their operating arrangements can be improved for the benefit of electors. This review would be undertaken in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007.
- 3.2 One or two informal enquiries have since been received to ascertain whether the parish review could be extended to consider revisions of Town

Council boundaries arising from recent and planned housing developments. A number of recent planning proposals which are on the edge of the main towns in the Borough actually fall into adjacent parishes. Once completed, these developments might look and feel as if they were part of the town – but would instead fall under the jurisdiction of the original parish.

- 3.3 Officers consider that this would be a matter outside of the scope of the current review. It would be inappropriate and inequitable to respond to individual requests on a piecemeal basis, given that many other requests could then come forward from other parish councils who felt themselves to be in similar circumstances.
- 3.4 The views of the Spatial Planning team have been sought and it has raised the issue of whether boundary reviews, responding to new development schemes, would be feasible. The matter is complex and decisions would have to be made as to the type, scale and extent of development carried out or proposed in a parish adjoining a town or village that would warrant a boundary review. There would also be the question of what event would potentially trigger such a review – a Local Plan allocation, the granting of planning permission, the implementation of an approved development scheme or the completion of a development?
- 3.5 Irrespective of new developments, existing boundaries frequently do not follow the built up edge of settlements. For example, the urban area of what many might perceive as being ‘Crewe’ actually covers a number of adjoining parishes such as Leighton or Shavington. A similar pattern is replicated in a number of other towns across the Borough, even before new developments are factored in.
- 3.6 There would be considerable demands that may arise from carrying out a boundary review based on development, as this approach would potentially prompt continual requests in response to the Local Plan Strategy, the Site Allocations and Development Policies Document and individual planning decisions. Staffing and budget allocation is currently unavailable to commence a review (or an ongoing series of such reviews) of this nature.
- 3.7 As a consequence, the Committee’s support is sought to deal only with governance-related issues at this time.

4.0 Wards Affected

- 4.1 All.

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications

- 6.1 No policy implications have been identified.

7.0 Financial Implications

- 7.1 The Council has a statutory duty to conduct and meet the costs associated with undertaking a Community Governance Review. The main cost will be in relation to consultation carried out with electors, and others with an interest in the review. The existing small budget provision would be insufficient for a review of this extended scope, and would therefore create a budgetary pressure.

8.0 Legal Implications

- 8.1 The review would be conducted under the provisions of the Local Government and Public Involvement in Health Act 2007 and the Government's guidance on conducting community governance reviews.

9.0 Risk Management

- 9.1 No risks have been identified.

10.0 Background and Options

- 10.1 The small scale Parish Review, as defined above, is planned to commence in late July 2016. It has not been possible to programme this work earlier in the year due to the scheduling of two major elections in May and June 2016.

10.2 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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