

## Community Impact Assessment: Community Governance Review

*Updated at end of first-stage consultation (November 2013)*

<b>Lead officer:</b>	Mark Radford
<b>Decision maker:</b>	Council
<b>People involved:</b>	Dominique Lescott, Sarah Porter and David Clifford
<b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract?</li> <li>• Review, change, new, stop?</li> </ul>	Project to review and potentially amend community governance arrangements.
<b>Date of decision:</b> The date when the final decision is made. The CIA must be complete before this point and inform the final decision.	Decision to proceed to second-stage consultation: 27 November 2013. Final decision on new governance arrangements: February 2014.
<b>Summary of the decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul>	<p>The aim is to review community governance arrangements in the Borough. This includes:</p> <ul style="list-style-type: none"> <li>▪ arrangements in currently unparished areas of Swale;</li> <li>▪ arrangements for existing parish councils adjoining areas that are currently unparished; and</li> <li>▪ consideration of any requests from other existing parish councils within the Borough for their own arrangements to be reviewed.</li> </ul> <p>The Council's Corporate Plan for 2012-15 identifies initiatives to establish parishes across the whole of the Borough as a flagship project under its Embracing Localism priority. This reflects the increasingly important role that parish councils are playing in the devolution of powers and services away from Whitehall and town halls towards the grassroots of local communities. There is a clear danger that areas without democratic representatives at the parish level could find themselves disadvantaged in their ability to derive maximum benefit from the localist ambitions both of central government and of the principal councils.</p> <p>By law, a Community Governance Review (CGR) is a necessary prerequisite to developing parish councils in unparished areas. A CGR may be undertaken to create, merge, abolish, group or re-name a parish council(s), or to amend a parish council's electoral arrangements. It is considered good practice to carry out a review every 10-15 years to reflect demographic and spatial changes in an area. This is a particularly apposite time for Swale given the outcome of the Boundary Commission's review of the Borough, which will take effect in 2015. The Council is keen that boundaries between parish council areas are clear, equitable and readily understandable by the electorate.</p>

	<p>Under the relevant regulations, any CGR must be completed within one year of the date on which the Terms of Reference are agreed by the Council, which in this case was 19 June 2013.</p>
<p><b>Information and research:</b></p> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> <li>• Include information on how the decision will affect people with different protected characteristics.</li> </ul>	<p>Desk based research was carried out, looking at how Community Governance Reviews carried out by other local authorities including Westminster, Bath and North East Somerset and Sheppey District Council. We looked at the style and tone used in their promotional material and the number of responses each consultation received. There was no evidence that the review or its outcomes would have a disproportionate impact, either positive or negative, on people with protected characteristics.</p>
<p><b>Consultation:</b></p> <ul style="list-style-type: none"> <li>• Has there been specific consultation on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• Can any conclusions be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul>	<p>In line with legal requirements for conducting a CGR, a major first-stage consultation exercise was carried out in the relevant areas.</p> <p>The purpose of this stage of consultation was to seek the community's views on the existing community governance arrangements in place, on establishing new parish or town councils, and to establish any positive or negative impacts that could result from creating, merging or abolishing parish councils.</p> <p>The consultation took place between 1 August and 1 October 2013, and focused mainly on households in the unparished areas of Sittingbourne, Sheerness and Halfway. Consultation leaflets were delivered to:</p> <ul style="list-style-type: none"> <li>• all households in the unparished areas of Sheerness and Halfway (a total of 5,658 households covering a population of 11,938 people);</li> <li>• all households in the unparished areas of Chalkwell, Kemsley, the Meads, Milton Regis, Murston, Roman, Homewood, and Woodstock (a total of 14,682 households covering a population of 33,899 people); and</li> <li>• the currently parished area of Bobbing (a total of 790 households covering a population of 1,969 people) which could be significantly affected by any potential changes introduced.</li> </ul> <p>Copies of the leaflet were also distributed to all borough and county councillors, parish clerks, the Kent Association of Local Councils (KALC), and members of the Public Services Board. Community groups were also targeted via the Swale Community Empowerment Network. Comments were also invited via the website, by e-mail, and through Facebook and Twitter, and sessions were held with the three local engagement forums, the rural forum, and the KALC Swale Area Committee meeting. Further detail on how the consultation was conducted can be found in the report to Council of 27 November 2013.</p> <p>In total we received 167 responses. In summary, 43% answered 'Yes' to having a parish council, and 57% responded 'No'. One response was unclear. Further detail on the responses received</p>

	<p>can be found in the report to Council of 27 November 2013.</p> <p>Based on the responses, this report proposes that:</p> <ul style="list-style-type: none"> <li>• a full second-stage consultation on the establishment of a parish council be undertaken in Halfway, involving an all-postal ballot of 3,016 households;</li> <li>• a light-touch consultation on minor amendments to existing arrangements be undertaken in Bobbing, Borden, Iwade and Tunstall; and</li> <li>• the review be concluded, with no new parish councils being created, in other areas.</li> </ul>
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<b>Is the decision relevant to the aims of the equality duty?</b>	
Guidance on the aims can be found in the EHRC's <a href="#">PSED Technical Guidance</a> .	
<b>Aim</b>	<b>Yes/No</b>
1) Eliminate discrimination, harassment and victimisation	No
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	No
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	No

<b>Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.</b>		
When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.		
<b>Characteristic</b>	<b>Relevance to decision</b> High/Medium/Low/None	<b>Impact of decision</b> Positive/Negative/Neutral
Age	None	
Disability	None	
Gender reassignment	None	
Marriage and civil partnership	None	
Pregnancy and maternity	None	
Race	None	
Religion or belief	None	
Sex	None	
Sexual orientation	None	
Other socially excluded groups <sup>1</sup>	Medium	Negative (see conclusion)

<sup>1</sup> Other socially excluded groups could include those with literacy issues, people living in poverty or on low incomes, or people who are geographically isolated from services

<p><b>Conclusion:</b></p> <ul style="list-style-type: none"> <li>• Consider how due regard has been had to the equality duty, from start to finish.</li> <li>• There should be no unlawful discrimination arising from the decision (see <a href="#">PSED Technical Guidance</a>).</li> </ul> <p>Advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact.</p>	<p><b>Summarise this conclusion in the body of your report</b></p> <p>The relevance of the public sector equality duty to the proposals summarised in this updated CIA is considered to be negligible, and the proposals are not expected to have any disproportionate impact on people with protected characteristics under equalities legislation.</p> <p>While literacy is not a protected characteristic in the legislation, it is thought that at least a fifth of the adult UK population struggles with more than the most basic reading and writing. Possible negative impacts of the proposal to conduct an all-postal ballot in Halfway should therefore be mitigated by ensuring that the language used to publicise and conduct the ballot is as simple as possible and has been approved as 'plain English' by the Communications Team.</p>
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### Timing

- Having 'due regard' is a state of mind. It should be considered at the inception of any decision.
- Due regard should be considered throughout the development of the decision. Notes should be taken on how due regard to the equality duty has been considered through research, meetings, project teams, committees and consultations.
- The completion of the CIA is a way of effectively summarising the due regard shown to the equality duty throughout the development of the decision. The completed CIA must inform the final decision-making process. The decision-maker must be aware of the duty and the completed CIA.

**Full technical guidance on the public sector equality duty can be found at:**

[http://www.equalityhumanrights.com/uploaded\\_files/PSD/technical\\_guidance\\_on\\_the\\_public\\_sector\\_equality\\_duty\\_england.pdf](http://www.equalityhumanrights.com/uploaded_files/PSD/technical_guidance_on_the_public_sector_equality_duty_england.pdf)

**This Community Impact Assessment should be attached to any committee or SMT report relating to the decision.**