

<b>Council Meeting</b>	
<b>Meeting Date</b>	13 December 2017
<b>Report Title</b>	Community Governance Review for Sheerness
<b>Cabinet Member</b>	Cllr Andrew Bowles, Leader
<b>SMT Lead</b>	Mark Radford
<b>Head of Service</b>	NA
<b>Lead Officer</b>	Katherine Bescoby
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	1. That Council approves the terms of reference and notes the communications plan for the Community Governance Review.

## **1 Purpose of Report and Executive Summary**

- 1.1 A valid petition has been received asking for a Town Council to be established in the town of Sheerness, which is currently an unparished area. The receipt of a valid petition triggers a Community Governance Review (CGR), which the Council is required to complete within one year.
- 1.2 This report asks the Council to agree the terms of reference which sets out how the review will be conducted, the timetable, and the proposed consultation arrangements which are more fully covered in the communications plan.

## **2 Background**

- 2.1 A CGR is undertaken for any of the following reasons:
  - Creating, merging, altering or abolishing parishes;
  - The naming of parishes and style of new parishes;
  - The electoral arrangements for parishes (the ordinary year of election, council size and warding arrangements); and
  - Grouping parishes under a common parish council or de-grouping parishes.
- 2.2 The Sheerness Town Team submitted a petition asking for the Council to set up a Parish Council, which meets the criteria in terms of the number of valid signatures from electors in Sheerness. The petition was signed by 635 electors, or 8% of electors, which meets the criteria for triggering a review (at least 7.5% of the electorate).

2.3 Statutory Guidance has been issued by the Department for Communities and Local Government on how to conduct CGRs. The first stage is the agreement of the Terms of Reference.

### **3 Proposals**

3.1 The Council is being asked to agree the terms of reference for the review, which is attached to this report, together with the communications plan.

### **4 Alternative Options**

4.1 The Council has a statutory duty under the Local Governance and Public Involvement in Health Act 2007 to undertake a CGR following receipt of a valid petition. As such the Council must agree the terms of reference and it is recommended that the Council agrees the terms of reference appended to this report. Council could choose to alter the terms of reference, however, this is not recommended as any changes must be consistent with the Statutory Guidance.

### **5 Consultation Undertaken or Proposed**

5.1 The Council has a statutory duty to consult electors and other persons or bodies with an interest. Those persons must be informed of any recommendations and the reasons for the decisions must be published. The terms of reference sets out how the Council proposes to consult as part of the review, and further details are set out in the Communications Plan.

5.2 Group Leaders, Ward Members and County Members were informed that a valid petition had been received and an informal meeting was held on 8 November to discuss the draft terms of reference and communications plan. KCC have also been made aware that there will be a CGR and will be invited to make comments at the consultation stage.

5.3 The Sheerness Town Team has also been kept informed of progress with the CGR and representatives are expected to attend the Council meeting to formally present the petition.

5.4 The Kent Association of Local Councils have also been made aware of the review and have offered their assistance with the proposed drop in sessions at the Gateway and have shared experiences of other CGRs in Kent.

### **6 Implications**

<b>Issue</b>	<b>Implications</b>
Corporate Plan	Conducting the CGR in a way which fulfils our statutory obligations

	<p>as efficiently as possible while also encouraging all sections of the community to make their views known will contribute to the council's corporate priority theme of being a council to be proud of. The council has previously been supportive of the establishment of town/parish councils in unparished areas, and a new town council for Sheerness could contribute to the key corporate plan outcome of 'communities...in which people work together to solve the issues that confront their local areas' and to the medium-term strategic objective to 'encourage active communities and support the voluntary sector'.</p>
Financial, Resource and Property	<p>It is possible that external funding may be available via New Burdens Funding and this is being explored, but alternative provision will be made by way of a performance fund bid should this be necessary for the consultation work. Democratic Services will take the lead on the review within existing resources.</p>
Legal and Statutory	<p>Principle councils are required under Part 4, Chapter 3 of the Local Governance and Public Involvement in Health Act 2007 to undertake a Community Governance Review where a valid petition is required and under section 100(4) of the Act to have regard to the Statutory Guidance on Community Governance Reviews which is issued by the Secretary of State, under section 100(1) and (3) and the Local Government Boundary Commission for England (LGBCE) under section 100(2).</p>
Crime and Disorder	<p>None identified at this stage.</p>
Environmental Sustainability	<p>None identified at this stage</p>
Health and Wellbeing	<p>None identified at this stage.</p>
Risk Management and Health and Safety	<p>None identified at this stage.</p>
Equality and Diversity	<p>In undertaking the consultation, the council will have regard to the joint statutory guidance issued by the Department for Communities and Local Government and the Local Government Boundary Commission for England in respect of reflecting the identities and interests of the local community and that it is effective, convenient and accessible to everyone. This is particularly important given the socio-economic make up of Sheerness and other factors such as levels of deprivation, literacy, disability (including people with visual impairment), and electors whose first language may not be English. A full Equality Impact Assessment will be undertaken by</p>

	the council before any final decision is taken on the review.
Privacy and Data Protection	None identified at this stage.

## 7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Terms of Reference
- Appendix II: Consultation Plan

## 8 Background Papers

Guidance on Community Governance Review which is issued by the Department for Communities and Local Government.

<https://www.gov.uk/government/publications/community-governance-reviews-guidance>

Previous Reports to Council re Community Governance Review (and Minutes).

<http://10.201.65.162/CeListDocuments.aspx?MID=467&RD=Notice%20of%20Meeting&DF=19%2f06%2f2013&A=1&R=0>

<http://10.201.65.162/CeListDocuments.aspx?MID=471&RD=Notice%20of%20Meeting&DF=27%2f11%2f2013&A=1&R=0>

<http://10.201.65.162/CeListDocuments.aspx?MID=1418&RD=Notice%20of%20Meeting&DF=14%2f05%2f2014&A=1&R=0>