

Council Meeting	
Meeting Date	21 March 2018
Report Title	Community Governance Review for Sheerness – Results of Consultation and Next Steps
Cabinet Member	Cllr Andrew Bowles, Leader
SMT Lead	Mark Radford, Chief Executive
Head of Service	NA
Lead Officer	Katherine Bescoby, Democratic and Electoral Services Manager
Key Decision	No
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. That Council considers and notes the consultation response to the Community Governance Review. 2. That given the consultation responses, Council agrees the following draft recommendations for further consultation <ol style="list-style-type: none"> (a) That a new parish area is created for Sheerness (This is to be the same area as the borough ward of Sheerness) (b) That the new parish area should have a parish council (c) That the new parish council should be an alternative style and be known as Sheerness Town Council (d) That Sheerness Town Council comprises of 9 Members, with the first elections to take place in May 2019. 3. That in making the draft recommendations, the Council considers that the establishment of the Town Council will meet the criteria in the Local Governance and Public Involvement in Health Act 2007, in that it will be reflective of the identities and interests of the community in that area, and effective and convenient, and will have a positive impact on community cohesion.

1 Purpose of Report and Executive Summary

- 1.1 This report presents feedback from the Community Governance Review (CGR) consultation in Sheerness, which asked for views on whether there is support to set up a Town Council in Sheerness.
- 1.2 Council is asked to consider the consultation responses; and to agree draft recommendations which will form the basis of the further consultation.

2 Background

- 2.1 In December 2017, Council agreed the terms of reference and a consultation plan for a CGR in Sheerness, following the receipt of a valid petition.
- 2.2 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.
- 2.3 The Sheerness Town Team had submitted a valid petition asking for the Council to set up a town council. 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).
- 2.4 Statutory Guidance has been issued by the Department for Communities and Local Government on how to conduct CGRs which must be adhered to. The consultation took place between 8 January 2018 and 2 March 2018, and the results are set out in this report.
- 2.5 Section 93 of the 2007 Act requires principal councils to ensure that community governance within the area under review will be reflective of the identities and interests of the community in that area, and effective and convenient. Principal Councils should also take into account a number of influential factors, including the impact of community governance arrangements on community cohesion and the size, population and boundaries of a local community of parish.

3 Proposals

- 3.1 Council is asked to consider/note the feedback from the consultation, and to agree draft recommendations, which will be subject to further consultation. The Council is also required to give reasons for its recommendations.
- 3.2 If the Council is minded to agree that a town council is established, then consideration does need to be given to the size of the town council. The statutory

guidance refers to the Aston Business School analysis of the number of parish councils compared to electorate, which suggests that for an electorate of between 2,501 and 10,000, parish councils tend to have between nine and 16 councillors. A comparison has been made with parish and town councils for Swale in the above mentioned range, and discussion has taken place with the Kent Association of Local Councils. It is recommended that the town council comprises of 9 councillors.

4 Alternative Options

- 4.1 Given the positive response to the consultation, and the results showing in favour of setting up a new town council, it is recommended that a town council is set up. Members may have alternative views on the size of the town council.

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 set out how the Council proposed to consult as part of the review, and further details were set out in the Communications Plan. The terms of reference advised that draft recommendations will be published for further consultation between April and May.
- 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 2017 to discuss the draft terms of reference and communications plan. KCC have also been made aware that there will be a CGR and were invited to make comments at the consultation stage. The Sheerness Town Team has also been kept informed of progress with the CGR.
- 5.3 The Kent Association of Local Councils (KALC) have also been informed in the review and attended the information sessions at the Gateway. They have offered support services to assist with the establishment of any new town council and thanks is given to the Chief Executive of KALC for his ongoing support during the review.
- 5.4 The response to the consultation shows that there is support for a town council to be set up. The results can be viewed [here](#), and a summary of the feedback received is contained at Appendix I. 7995 electors were sent a questionnaire, and letters were sent to 987 'empty' properties in Sheerness to draw their attention to the review. (By 'empty', this refers to properties with no registered electors).
- Questionnaire - Total responses – 1978
 - Yes – 1406
 - No – 569

- Yes or No not selected and choice not clear from comments made – 3
 - Those who voted yes but their comments imply no – 10 (i.e. they support having a town council but do not wish to pay an additional precept).
 - Minster Parish Council also responded in support of setting up a town council for Sheerness.
 - Two questions were received via the CGR consultation email regarding the amount of precept, whether that would result in a reduction in the Swale element of the Council Tax, and what the Council Tax base for Sheerness is.
- 5.6 Two information sessions were held at the Sheerness Gateway which were supported by the Chief Executive, the Democratic and Electoral Services Manager and the Electoral Services Officer, the Sheerness Town Team and the Chief Executive of the Kent Association of Local Councils. Whilst these were not very well attended, this did allow for useful informal discussions to take place between those present. Kent County Council were notified of the review, but will not be responding to the consultation. The review was also drawn to the attention of local businesses, fire, police, volunteer and community groups.
- 5.7 In line with the terms of reference, further consultation will take place in April – May on the draft recommendations agreed by Council, with a further report back to Council in June 2018. The consultation will be in the form of writing to electors to notify them of draft recommendations and to invite comments on the proposals, in particular regarding the size of the council. This will be further publicised by way of social media and the website.

6 Implications

Issue	Implications
Corporate Plan	Conducting the CGR in a way which fulfils our statutory obligations 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'.
Financial, Resource and	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

Property	this be necessary for the consultation work. Democratic Services will take the lead on the review within existing resources.
Legal and Statutory	<p>Principal 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> <p>The Guidance states that Section 93 of the 2007 Act requires principal councils to ensure that community governance within the area under review will be reflective of the identities and interests of the community in that area, and effective and convenient. When considering the criteria identified in the 2007 Act, principal councils should take into account a number of influential factors, including: the impact of community governance arrangements on community cohesion and the size, population and boundaries of a local community or parish. The impact on community cohesion is linked specifically to the identities and interests of local communities. Size, population and boundaries are linked to both but perhaps more specifically to community governance being effective and convenient.</p>
Crime and Disorder	None identified at this stage.
Environmental Sustainability	None identified at this stage
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	In undertaking the consultation, the council will have regard to the joint statutory guidance issued by the Department for Communities and Local Government (now the Ministry of Housing, 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

	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: None

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>

Reports and Minutes of Council 13 December 2017

<http://services.swale.gov.uk/meetings/ieListDocuments.aspx?CId=128&MId=1916&Ver=4>