

Report to Council

Subject: Community Governance Review – St Albans Parish Council

Date: 17 October 2024

Author: Democratic Services Manager

Purpose

To report the receipt of a petition requesting that the Council undertakes a Community Governance Review in respect of the existing parish of St Albans with a view to establishing an additional Parish Council for the Bestwood Lodge and Deer Park area of the current parish.

Recommendations:

That members:

- 1) Note the receipt of the petition and its validity; and**
- 2) Agree to undertake a Community Governance Review of the Parish of St Albans; and**
- 3) Agree the Terms of Reference of the review as detailed in Appendix 1, including the timetable and arrangements for public consultation; and**
- 4) Agree the establishment of a cross-party group of Borough Councillors to consider consultation feedback and agree draft recommendations; and**
- 5) Delegate authority to the Democratic Services Manager to finalise and publicise final draft recommendations referred to above once views of the member group have been incorporated; and**
- 6) Note that a further report will be brought to Council next year at the conclusion of the review with final recommendations for approval.**

1 Background

1.1 A Community Governance Review (CGR) is a review of the whole or part of an area to consider one or more of the following:

- Creating, merging, altering or abolishing parishes; and
- The naming of parishes and the style (i.e. whether to call it a town council or village council etc) of new parishes; and
- The electoral arrangements for parishes – the ordinary year of election, the

size of the council, the number of Councillors to be elected and parish warding; and

- Grouping parishes under a common Parish Council, or de-grouping parishes.
- 1.2 The Local Government and Public Involvement in Health Act 2007, sets out the principal legal framework within which councils must undertake these reviews. Guidance has also been issued by the Department for Communities and Local Government and the Local Government Boundary Commission for England.
 - 1.3 Under the Local Government and Public Involvement in Health Act 2007 (Part 4), a district council ('principal council') has the responsibility for undertaking CGRs and to decide whether to give effect to recommendations made in those reviews. In making that decision, they must consider the views of local people and, in the spirit of the Act, consider how best to provide effective and convenient local government matched to the way that people live their lives
 - 1.4 Under the 2007 Act, a principal council is required to consult both those local government electors in the area under review, and others (including a local authority such as a county council) who appear to the principal council to have an interest in the review. In the case of a Community Governance Review where a Parish Council already exists, it too should be consulted. Other bodies may include local businesses and local public and voluntary organisations, such as schools or health bodies. The principal council must consider any representations it receives as part of a CGR.
 - 1.5 A petition of 211 signatures of electors within the parish of St Albans has been received, requesting that the Borough Council conducts a CGR of the Parish of all the electors and local interested groups. The petition has been validated according to statutory guidance. It contains 211 signatures of a total electorate of 2438 from the current parish. The names of the persons signing the petition have been checked against the April 2024 electoral register. The petition also satisfies legal criteria in that it states the area to which the review is to relate and specifies one or more recommendations that the petitioners wish the review to consider.
 - 1.6 The Act requires the Council to draw up and publish terms of reference for the review, with regard to the associated legislation and government guidance. Draft terms of reference are attached at Appendix 1.
 - 1.7 The petition received proposes three recommendations, which are as follows:
 - the formation of a separate parish council for the Bestwood Lodge and Deer Park area; and
 - the new parish should keep the name of St Albans Parish council; and
 - a suggestion of a 40/60 financial split between the two councils meaning the new council in the Bestwood Lodge and Deer Park area would seek 40% of any relevant financial fund, if formed.

The detailed recommendations can be seen at appendix 1.

1.8 It is proposed that an initial consultation period of 10 weeks between October 2024 and January 2025 is allowed for submissions to be received in response to the initial proposals. All households within the Parish will be consulted, together with ward members, tenants and residents' associations, local groups and societies, schools and colleges, members of Parliament, Nottinghamshire Association of Local Councils, Nottinghamshire County Council, Local Political Parties, the Police, and local businesses. We will consult with the above participants in the following ways:

- Online surveys
- Personal letter
- Publishing details on our website
- Press releases and social media
- Ward member group meetings
- Email to relevant contacts

The responses received will then be considered by officers together with a cross-party group of Gedling Borough Councillors and draft recommendations produced. The Democratic Services Manager will have delegated authority to publish the draft recommendations. Reasonable steps will then be taken to consult all interested parties and views will be sought once more. It is proposed that this second round of consultation will last for 10 weeks between February and May 2025.

The responses received will then be considered by the Democratic Services Manager in consultation with the Member group and final recommendations will be drawn up and considered by Council in June 2025.

If approved, the recommendations of the review will be published and, if necessary, a Reorganisation Order made.

2 Proposal

It is proposed that members note the receipt of the petition and its validity; and

Agree to undertake a Community Governance Review of the Parish of St Albans; and

Agree the Terms of Reference of the review as detailed in Appendix 1, including the timetable and arrangements for public consultation; and

Agree the establishment of a cross-party group of Borough Councillors to consider consultation feedback and agree draft recommendations; and

Delegate authority to the Democratic Services Manager to finalise and publicise final draft recommendations referred to above once views of the member group have been

incorporated; and

Note that a further report will be brought to Council next year at the conclusion of the review with final recommendations for approval.

3 Alternative Options

Members could determine not to agree to undertake the CGR, but this would mean the Council would not be fulfilling their legal obligations.

4 Financial Implications

Resources would be needed from several departments across the council to successfully manage this project, such as Democratic Services, Communications, Planning and Legal.

There will be a cost in relation to the production and distribution of the proposed consultation materials. It is hoped that these costs can be managed within existing budgets as recovery of costs from the Parish Council is not possible.

We would look to use digital communications to engage with the public as much as possible but some leafleting may still be required for harder to reach residents. Distribution of this would need to be reviewed to see if we could utilise existing electoral canvassing staff to reduce postage costs or whether posting would be the most effective method. There may be additional costs, such as the placing of statutory notices.

There would be costs associated with the establishment or abolition of a Parish Council, but these would be paid for by the Parish Council directly.

5 Legal Implications

The Council is legally obliged to undertake a CGR, under the Local Government and Public Involvement in Health Act 2007, on receipt of a valid petition.

6 Equalities Implications

There are no equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

There are no carbon reduction/environmental sustainability implications arising from this report.

8 Appendices

Appendix 1 - Draft terms of reference – St Albans

9 Background papers

None

10 Reasons for Recommendations

To fulfil our legal obligations under the Local Government and Public Involvement in Health Act 2007, which notes that councils must undertake these reviews on receipt of a valid petition.

Statutory Officer approval

Approved by the Chief Financial Officer

Date:

Approved by the Monitoring Officer

Date: