

CORPORATE GOVERNANCE REVIEW WORKING GROUP

TUESDAY, 29 SEPTEMBER 2015

4. Community Governance Review of Town and Parish Council Arrangements Within the Borough of Swindon

The Leader of the Council and the Director of Law and Democratic Services submitted a joint report concerning a proposal that the Borough Council carries out a Community Governance Review of Swindon's parishes and their electoral arrangements in accordance with the Local Government and Public Involvement in Health Act 2007.

The Director of Law and Democratic Services introduced the report and explained that he had been informally approached by a number of parish councils who, following the community governance review undertaken in 2012/13 now wished to see changes in their electoral arrangements, particularly with regard to warding and numbers of parish councillors. He was also aware that a petition was being collected calling for the establishment of a new parish in an area that is currently parished.

The Director commented on the statutory requirements set out in the Local Government and Public Involvement in Health Act 2007 and the Government Guidance issued regarding the undertaking of community governance reviews. The Guidance recommended that if a community governance review was carried out a principal council should consider the benefits of a review of the whole of its area rather than reviewing two or three areas in a piecemeal fashion. Thus the Borough would need to also consider the un-parished areas of Swindon as a review could lead to a community desire to create additional parishes. It was therefore possible that new parishes in un-parished areas could emerge as an outcome of any review.

The Director referred to the draft Terms of Reference and Timescale associated with the undertaking on any review, should this be approved by the Council. He commented on the process and procedures associated with a review and the statutory requirements and timescales involved.

The Working Group noted that no formal request to conduct a review had yet been received but that this was viewed as likely. It noted the advice in the statutory guidance to consider the benefits of including the whole of the Borough in a review, and the opportunity that this could provide for communities in un-parished areas to seek to establish new parishes to reflect community identity and interests, and make the best use of empowerment opportunities to develop community resilience and promote local decision-making and the delivery of local services.

Councillor Jim Grant, Leader of the Opposition, asked what form the consultation on the proposals would take, and what the wider implications of the Council supporting the undertaking of such a review at this time were.

The Director of Law and Democratic Services explained the process associated with any community governance review. He referred to the timetable

associated with any review and that the first stage was to invite submissions. A proposal would then be prepared by the Council based on its consideration of those submissions and that this proposal would then be the subject of a further phase of consultation before a final proposal was prepared. It would be up to the Borough to determine how it promoted any proposal it wished to put forward.

Councillor Toby Elliott asked about the cost of undertaking the review and the consultation exercise and referred to the significant costs associated with the Housing Ballot.

The Director explained that there were significant differences in the requirements of the community governance review and the Housing Ballot and that he believed costs could be contained within existing resources, although it was possible that some consultancy support could be required if the process coincided with the timescale for the Borough elections.

The Worshipful the Mayor referred to the growth of Swindon and in particular the development proposals for the East of Swindon. He wondered how these could be taken into account by the community governance review.

The Director explained how the Government's Guidance both recognised and reflected the fact that communities expanded over time through housing developments and that this was one reason for it promoting a holistic approach to any review. However, he did believe that timing was a factor if developments had not yet taken place. He drew attention to the importance of the submissions received in response to the commencement of a review and the role that Borough Councillors could play in their communities in respect of such submissions and in promoting local solutions.

Councillor Stan Pajak, Leader of the Minority Group on the Council, expressed his support for the undertaking of a community governance review. He noted the intention for any review to look at the whole of the Borough and referred to the opportunity that this would provide to build on the success of the Council's Locality working and to encourage communities to become involved in decision-making about the services they received at the local level.

The Director reminded the Working Group that the Council remained neutral in terms of the outcome until such time that submissions had been received and a Council proposal prepared, but that individual councillors and party groups were able to seek the views of residents and make submissions.

Councillor Oliver Donachie referred to the process and timetable associated with the proposed review. He commented that should the establishment of further parishes within Swindon be an outcome, and those parishes took on services currently delivered by the Borough, it would be important to ensure that services that supported the wider community, such as street lighting and gritting of major "through routes", were subject to a consistent standard to ensure public safety across the Borough.

The Working Group considered the opportunities that could exist for new parishes delivering local services and building on the successes of the Parish Pilots currently taking place within a number of existing parishes.

The Chair thanked Councillors for their contributions and expressed his support for the report's recommendations referring to the merits of undertaking a community governance review at this time.

It was agreed - That the Cabinet be requested to recommend that the Council –

(a) Agree to conduct a Community Governance Review, in accordance with the Local Government and Public Involvement in Health Act 2007, for the whole of the Borough of Swindon including both parished and un-parished areas.

(b) Agree to the proposed timescale and Terms of Reference of the Community Governance Review as set out in Appendix A to the joint report.

(c) Authorise the Director of Law and Democratic Services to take all necessary steps in relation to the Review in consultation, as appropriate, with the Corporate Governance Review Working Group and the Cabinet Member for Communities and Strategic Planning.

(d) Authorise the Director of Law and Democratic Services in consultation with the Leaders of the Political Groups on the Council and the Cabinet Member for Communities and Strategic Priorities, to make changes to the proposed timescale and Terms of Reference of the Community Governance Review, as set out in Appendix A to the joint report, prior to its consideration by the Council and to any subsequent publication.