

Agenda Item 3(a)

STATUS PUBLIC

<p>Portfolio Member/Director/Head of Service Cllr Reynolds / Head of Legal & Strategic Services</p>	<p>Portfolio Leader</p>
<p>Subject Recommendations of the Community Governance Working Group in respect of the Community Governance Review.</p>	<p>Date 3rd September 2008</p>
<p>Contact Officer Clare Greenlay, Head of Legal & Strategic Services Tel: ext 8878, email: cgreenlay@durhamcity.gov.uk</p>	<p>Forward Plan Yes</p>
<p>Previous Minutes 598 - 16th April 2008 41 - 4th June 2008 165 - 3rd September 2008</p>	
<p>Purpose of Report To present to Cabinet the final report of the Community Governance Working Group in respect of the Community Governance Review for the unparished areas in the City of Durham District, and the requested amendments to the boundary of Shincliffe Parish Council.</p>	
<p>Executive Summary On 4th June 2008, Cabinet formally appointed a Community Governance Working Group (CGWG) conduct a Community Governance Review (CGR) in respect of the unparished areas of the City of Durham District.</p> <p>The terms of reference were:-</p> <ul style="list-style-type: none"> • To identify options for parishing the un-parished area • To consult on those options with a wide range of partner organisations • To ensure that any new arrangements reflect the activities and interests of the communities in those areas • To ensure that any new arrangements are effective, convenient and have a positive impact on community cohesion in those areas • To meet the aspirational targets of setting up a new town or parish council by the end of March 2009 with elections in June 2009. <p>The CGWG have conducted the CGR in accordance with the guidance document issued jointly by the Electoral Commission and the Secretary of State for Communities and Local Government “Guidance on community governance reviews” in April 2008. A comprehensive report of the work of the CGWG is attached as Appendix 1.</p> <p>The CGWG determined that there were numerous options which could be the subject of consultation in relation to the unparished area. Consulting on all of the options open to the CGWG would be practically impossible, and limiting the options to 2 or 3 may lead to debate being stifled. The CGWG were of the opinion that it would be better to put forward one option, and ask people what they thought of it. If there was support for this option, it would not be necessary to consider further options. In the event that there was no support for this option, the consultation would show where the preferences of the public lay, so that further consultation could be undertaken.</p> <p>Accordingly, advice was sought from officers with expertise in public relations and community</p>	

development as to consultation on one option. Following receipt of this advice, the CGWG implemented a programme of consultation and publicity regarding its proposal that there should be one local council for the unparished area of Durham.

In addition to two leaflets being delivered to each residential property within the unparished area, 5 public meetings were held around the unparished area to seek the views of the public, and an exhibition was displayed in 5 venues. Press coverage was achieved through local papers, Durham City News and Durham FM. A petition of 138 signatures was received supporting the proposal for a single local council for the parish area, and 331 questionnaires were returned. 76% of those responding to the questionnaire favoured a single local council for the unparished area. 323 businesses and other local organisations were also consulted on their opinion of the proposal, and no objections were raised.

The CGWG have concluded as a consequence of this process that there is support for a local council for the unparished area of the City of Durham District.

In view of this conclusion, the CGWG considered whether it would be appropriate to ward the local council, and if so, how. It was felt that wards were necessary for the benefit of the local council as wards would ensure that representation on the local council would cover all areas of the parish council. It would also be desirable in view of the size of the council, in order to make the election process manageable. It was agreed that the wards should reflect the current wards of the City of Durham District Council, with the exception of amendments to the boundaries to reflect the Durham County Council boundaries in respect of the boundary with Framwellgate Moor Parish Council.

Having determined that wards are desirable, the CGWG considered how many Members should represent each ward. Again, the current representation for City of Durham District Council was considered to be appropriate, though it was felt that, with the addition of a number of properties to the Newton Hall South ward, it would be appropriate to increase the representation of that ward to 3. This would mean that the local council would have 18 members. The consultation determined that there was general public support for the local council to have around this many members.

The Council no longer has the ability to make orders under the Local Government and Public Involvement in Health Act 2007 in respect of the creation of local councils as a consequence of the Local Government (Structural Changes) (Transitional Arrangements) Regulation 2008. The ability to make an order under the Act (to create a new parish council) now rests solely with Durham County Council. The CGWG therefore recommend that its recommendations are approved by Cabinet and forwarded on to Durham County Council to consider as the Principal authority with the power to create a new local council for the unparished area of Durham.

It would be desirable for this to take place quickly in order that elections to the local council, if created, can take place on the same day as the European elections, thus minimising the cost of the election to the new local council and providing it with elected members with a mandate as quickly as possible.

It is also recommended that the amendment to the boundaries of Shincliffe Parish Council which has been submitted as part of the CGR process be approved and by the principal council.

Portfolio Member Recommendations or Items Requiring a Cabinet Decision

1. That Cabinet note the report of the Community Governance Working Group
2. That Cabinet approve the findings of the Community Governance Working Group
3. That Cabinet recommend that Durham County Council consider the outcome of the Community Governance Review as quickly as possible.

Reasons for Recommendations

The CGWG have undertaken a comprehensive community governance review to identify proposals surrounding community governance in the unparished area.

Alternative Options To Be Considered

In view of the fact that the Council no longer has the ability to make an order in respect of the future governance of the unparished area, the Council could decide not to make any recommendations in respect of community governance arrangements in the district.

Consultation

A programme of consultation was been devised to ensure that as many people as possible have the opportunity of contributing to the process. Residents, businesses and other stakeholders were consulted in respect of the proposals.

LGR Implications

Durham County Council has been kept apprised of the progress of this community governance review throughout the process. As a consequence of LGR, the County Council are now the sole principal council with the ability to create a new local council or amend the boundaries of an existing parish council. The Council can take no further action in respect of this process.

Financial, Legal and Risk Implications

There are no financial, legal or risk implications to this council as a consequence of this report.

Durham County Council is now the only body able to progress this community governance review.

Resource Implications

Not Applicable.

Timescale for Action

It is desirable for the recommendations to be passed on to Durham County Council as quickly as possible to try and enable elections to take place to the new local council in June 2009.

Associated Policies and Plans

Not applicable

Supporting Documents

Report of the Community Governance Working group.

Background Papers

None