



Chester-le-Street
District Council

Overview and Scrutiny Committee



People & Place

**Refreshing Local Democracy -
Review into the Future of the Unparished
Areas of the District**

Final Report Second Draft

January 2009

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Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Foreword of the Chair

Insert Foreword Text to be provided by Jeff Armstrong

The review was carried out between June 2008 and December 2008.

Cllr Geoff Armstrong

Chair of Overview and Scrutiny Panel Committee

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Membership of the Task and Finish Group

Future of the Unparished Areas of the District Task and Finish Group
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Cllr T J Smith
Cllr A Humes
Cllr D Thompson

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

1 Introduction

- 1.1 The council's Transition Plan, in effect, replaces the Corporate Plan 2007/2010. The Transition Plan includes a schedule of proposals from the previous seven priorities which ought to be and can be achieved in the remaining life of the council. The council's choice to move towards a single priority of '**People and Place**' priority was considered as part of the budget setting process and forms a firm part of the Transition Plan.
- 1.2 At their meeting on 30th June 2008 and in response to the council's single priority of '**People and Place**', the Overview and Scrutiny Committee agreed to undertake three scrutiny reviews all linked to the corporate priority. This specific scrutiny topic has a direct impact on the following area of the **People and Place** priority:
- Strengthening Partnerships.
 - Neighbourhoods
- 1.3 The review has been undertaken as a result of specific proposals within the Strengthening Partnerships element of the single priority. It is an issue which has been raised by a number of residents and community associations.

2 Purpose of the Review

- 2.1 The purpose of the review was to undertake some initial research on the potential for additional new governance arrangements within the area of Chester-le-Street which is not covered by a Parish council.
- 2.2 It is the intention of the review to make recommendations to the new unitary council on how it may respond to the views of the public. The results of the review will be encompassed in the Councils 'Handing over the Baton' report which will be presented to Durham County Council in March 2009.

3 Scrutiny Review Process

- 3.1 Scrutiny reviews are in-depth studies into issues which have been identified by scrutiny members as important to the community and Council of Chester-le-Street.
- 3.2 Scrutiny reviews investigate issues by a process of gathering evidence through speaking to individuals and groups that are involved or affected. The review panel then formulates realistic evidence based recommendations which are presented to the Council's Executive.
- 3.3 Scrutiny reviews will carry out a number of stages in undertaking and completing a review. The stages broadly are:

Stage 1 Scope	The initial stage of the review identifies the background, issues, potential outcomes and timetable for the review.
Stage 2 Investigate	The panel gathers evidence using a variety of tools and techniques and arranges site visits where appropriate.
Stage 3 Analyse	The key trends and issues are highlighted from the evidence gathered by the panel.
Stage 4 Clarify	The panel discusses and identifies the principal messages of the review from the work undertaken.
Stage 5 Recommend	The panel formulates and agrees realistic recommendations.
Stage 6 Report	Draft and final reports are prepared based on the evidence, findings and recommendations.
Stage 7 Monitor	The panel undertakes to monitor agreed recommendations on a regularly agreed basis.

4 Background

How the review was established

- 4.1 Through the development of the new single priority 'People and Place' a number of Action Learning Sets (ALS) were developed to deliver on some of the key themes and projects. ALS3 – Strengthening Partnerships was considering the potential of parish or town councils in the unparished areas of Chester-le-Street.
- 4.2 The Action Learning Set was very clear in that it wishes to raise awareness of and fully explore the viability of the options for the unparished area in Chester-le-Street and how this will bring about improved community engagement, better

local democracy and result in more effective and convenient delivery of local services.

- 4.3 On 12 May the Council's Executive considered a report by the Council's Head of Legal and Democratic Services on the legislation which allows consideration of Town and Parish Councils. The law requires a council to undertake what is known as a 'community governance review.' The Executive considered the implications of this including potential costs, bearing in mind a new form of local government will come into force next April and the need to engage with Durham County Council. The Executive also considered the fact that the national Boundary Committee is to undertake a review of electoral arrangements within County Durham. The Executive noted the progress available to Chester-le-Street District Council and resolved that

“clarification be sought and discussions undertaken with Durham County Council on the status, cost and scale of a corporate governance review taking into consideration the Boundary Committee for England's proposed review of local authority electoral arrangements.”

- 4.4 On 2 June the Council's Director of Corporate Services attended a meeting with the Boundary Committee. This is a statutory committee of the National Electoral Commission. The Boundary Committee is responsible for reviewing local authority electoral arrangements, administrative boundaries and structure. The Electoral Commission is responsible for considering and implementing electoral review recommendations. It is likely that a review in Durham could commence in July this year. At the meeting, also attended by Durham County Council the Boundary Commission strongly advised councils not to undertake any community governance review arrangements until final recommendations have been reported. This could not be until August 2009.
- 4.5 However it was considered that there was value in progressing the research and engagement work associated with the possibility of developing a Town council and considering other local engagement models such as a Federation of Residents' Associations, which is another potential ***People and Place*** project. It was therefore agreed that it was more appropriate for this work to be undertaken by the Overview and Scrutiny Committee. A scoping report was agreed by the Committee at their meeting on 18th June 2008. A task and finish group was created to undertake the work. The Scrutiny project involved considering the possibility of options including a 'parish council' with 'town status' for the unparished area of Chester-le-Street. It involvea considering the implications of undertaking a formal 'Community Governance Review' working closely with Durham County Council as heralded in their successful local government reorganisation bid in line with the County Durham Association of Local Council's policy objective of fully parishing the County. It was also intended that it ought to aid engagement work that may be required by the Boundary Committees Review.

Town and Parish Council's

- 4.6 Parish and town councils in England and community and town councils in Wales are the first tier of local government. They deliver a vast range of services at a community level. There are around 10,000 community, parish and town councils in England and Wales, made up of nearly 100,000 councillors. These first-tier councils can respond to the needs of the community through delivery of services or providing required representation.
- 4.7 Town and parish councils have a large range of powers and are involved in a great number of activities including planning, promoting tourism, licensing, communal halls and management of town and village halls. A full list of these powers and duties are contained in **Appendix 1** of this report.
- 4.8 Communities Secretary Hazel Blears recently signalled a new era for parish and town councils where they would have a real purpose in modern society. Local parish and town councils are a force for local pride and empowerment and have an important contribution to make in reinvigorating local democracy. They are often the most immediate form of representation, acting as a focal point for local debate and identity.
- 4.9 An 'Empowerment' White Paper, with proposals designed to refresh local democracy and devolve power to the grass roots, was announced in March. *Communities in control: real people, real power* was launched on 9 July 2008. This White Paper is about passing power to communities and giving real control and influence to more people. The Government's key themes are power, influence and control: who has power, on whose behalf is it exercised, how is it held to account, and how can it be diffused throughout the communities we live in. It is about democracy, and how democratic practices and ideals can be applied to our complex, modern society. The White Paper does not signify the end of work in this area. It is intended as a catalyst for change and its success will be measured over the medium term. *Communities in Control* contains an annex which gives an indication of plans for implementation. Some elements of the White Paper will be subject to formal consultation and the government will publish a full Implementation Plan shortly. Some of the policies within the White Paper will require legislation. These will feature in the Community Empowerment, Housing and Economic Regeneration Bill, which forms part of the draft 2008/2009 legislative programme
- 4.10 A survey by Aberystwyth University found that 75% of parish and town councils were expecting to make use of the new wellbeing power once in operation. The new power was extended to eligible parish and town councils by the Local Government and Public Involvement in Health Act (LGPIH) 2007. Secondary legislation is being drawn up, in order to bring it into operation later in 2008.
- 4.11 The Local Government White Paper entitled 'Strong and prosperous communities' published in October 2006 recommended greater local devolution

i.e. 'that local communities should be able to take more responsibilities for local issues affecting their area. Key to this approach is community empowerment, and the ability of various existing organizations themselves to see through specific projects to tackle local issues...' (para.137 of the Guidance). Part 4 of the Local Government and Public Involvement in Health Act 2007 enables this. The driving force behind the new powers is 'help people and local agencies create cohesive, attractive and economically vibrant local communities. The aim for communities across the country is for them to be capable of fulfilling their own potential and overcoming their own difficulties, including community conflict, extremism, deprivation and disadvantage. Communities need to be empowered to respond to challenging economic, social, and cultural trends, and to demographic change.' (para. 54 of the Guidance).

4.12 At the present time there are eleven parish councils in the District of Chester-le-Street, namely Bournmoor Parish Council, Edmondsley Parish Council, Great Lumley Parish Council, Kimblesworth and Plawsworth Parish Council, Little Lumley Parish Council, North Lodge Parish Council, Ouston Parish Council, Pelton Parish Council, Sacriston Parish Council, Waldrige Parish Council and Urpeth Parish Council. The rest of the area is unparished.

5 Terms of Reference

5.1 The terms of reference of the review were as follows:

- To understand the legislation and requirements both legally and financially for the establishment of parish and/ or town councils in the unparished area of Chester-le-Street.
- To understand the benefits of a town council or other potential engagement models such as a Federation of Residents' Associations for the residents and communities of Chester-le-Street.
- To gauge public opinion on the creation of a parish and/or town councils for the unparished areas of Chester-le-Street through a variety of consultation and engagement techniques.
- To assess the practicalities, procedures and operations of other similar parish and town councils.
- To evaluate the options and viability of a parish and/or town council model and present findings and contribute to the People and Place priority.
- To explore the scope to undertake engagement work that may be required to assist the Boundary Committee Review.

6 Methodology

6.1 The task and finish group was working to a clearly agreed timetable. The timetable was a useful tool by which progress could be monitored and also provided a basis for progress reports to the main task and finish and Overview and Scrutiny Committee meetings.

6.2 The council agreed its methodology as part of the scoping report approved by the Overview and Scrutiny committee on 30th July 2008. The methodology is set out in the following paragraphs.

Interviews

6.3 Interviews were conducted with the Council's head of Legal and Democratic Services, Democratic Services Officer and the Director of Corporate Services

Visits

6.4 It was decided at an early stage to visit a mix of existing and developing town and parish councils to understand how they operate successfully. The results of these visits and the learning is set out in **Appendix 2** The following visits were made:

- Durham City (developing)
- Stanley (developing)
- Great Aycliffe (existing 'Quality' Town Council)
- Peterlee Town Council

6.5 The key aspects of learning from the visits can be summarised as follows:

- Stanley only came into being in May this year and are only now currently appointing staff.
- Stanley took a £100,000 loan from Derwentside for set up costs but must pay this back.
- Durham City is only going through formal community engagement. A series of public meetings and exhibitions have been undertaken looking at peoples views in principle and understanding views about the number of potential councillors.
- Both Peterlee and Great Aycliffe are both well established councils who deliver a significant range of local services and employ a significant number of staff to do so.

Community Engagement

6.6 Members made a conscious decision that the review was not a formal process. Members need to test out what the views of the public might be. It was agreed therefore that within the resources available to the 'Task and Finish Group' a sample residents survey would be undertaken. This would be backed up by an extended focus group so members could hear directly from people how they felt about the issues.

6.7 A questionnaire was forwarded to 1,000 households within the unparished areas as well as to existing Parish Councils and Residents and Community Associations. It is important to note that this is a small sample and the response rate was only about 12%. In view of this responses ought to be treated with caution. However they do give an indication of public views. An analysis report is provided in **Appendix 3**. The results of the responses can be summarised as follows:

- 44% respondents didn't feel disadvantaged without a parish council now while 41% did
- 45% would feel disadvantaged from April 1st while 42% wouldn't
- 46% felt that the district ought to be fully parished while 36% didn't
- Of those responding positively to a fully parished district 43% felt that there should be a mix of a new parish as well as extensions, 32% felt there ought to be a new single parish while 22% felt existing parishes ought to be extended
- 57% felt a new parish ought to seek to achieve Quality status while 21% didn't
- 29% would be prepared to pay more for a parish while 57% would not
- 12% would be prepared to pay for a parish with quality status while 71% would not
- 57% wanted a corporate governance review while 29% did not
- Only 17 % of respondents were interested in joining a focus group
- The majority of respondents (53%) were female
- Most respondents (35%) were 65 and over
- 25% of respondents considered themselves to be disabled
- 76% were of Christian faith
- 99% were straight; and
- over 98% considered themselves to be white English

6.8 The extended focus group took place on the evening of 25th November. Between 6pm and 8pm. This was by invitation only. Invites were sent out to 15 people who indicated that they wished to attend in their questionnaire responses. Invitations were sent out also to all parishes, and residents and tenants associations. Members of the Task and Finish Group attended. 13 people attended the focus group as follows:

- 2 members of the public representing residents and community associations and themselves;
- 3 members of the public representing themselves;
- 2 parish Councillors;
- 1 County Councillor; and
- 5 members of the Task and Finish Group

6.9 The majority of people who attended expressed a clear view that the unparished area would lose out if there was not a town or parish council. There were some strong views that because of potential time setting up a parish or

town council that something needed to be done immediately to address representation from 1st April.

- 6.10 One of the participants expressed a view that a parish or town council would only be setting up another tier of local government and would not be better than the existing council. The County Councillor took the view that the new Unitary should be given the opportunity to deliver first.

Report Findings

- 6.11 The Task and Finish Group prepared a draft report of their findings to which was presented to the People and Place Overview and Scrutiny Committee for agreement on 14th January 2009.

7 Legislative & Strategic Context

Legislative context

- 7.1 There are new powers for councils to establish parish councils under Part 4 of the Local Government and Public Involvement in Health Act 2007 ('the Act') which was enacted on 30 October 2007.
- 7.2 Districts councils, unitary county councils and London borough councils (principal councils) have since 13 February 2008 power to undertake 'community governance reviews' and to make decisions as to whether to implement recommendations. The Secretary of State therefore no longer makes such decisions. Under new legislation progress can only be made following a 'community governance review'. It therefore is the case that the council cannot progress proposals for a town council unless it has conducted a 'community governance review'. Such a review could be undertaken on a specific community or neighbourhood area or on the full administrative boundary of the council. The council could be required to undertake a 'community governance review' in specific circumstances. As such a review could take up to 12 months the decision maker in this case would be the county council. Taking this into account and in view of the advice of the Boundary Committee it is not appropriate for the council to do this in advance of vesting day. The government has provided guidance on 'community governance reviews'.
- 7.3 Para. 23 of the Guidance on the powers makes clear the intended outcome which is '...to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.'
- 7.4 Para. 135 of the Guidance states: 'In conducting a community governance review, principal councils must consider other forms of community governance as alternatives or stages towards establishing parish councils...' There are 'other types of viable community representation which may be more appropriate to some areas than parish councils, or may provide stages building towards the creation of a parish council. There is sometimes evidence locally of an existing

- community governance infrastructure and of good practice which are successfully creating opportunities for engagement, empowerment and co-ordination in local communities.’ Section 93(5) of the Act states that ‘In deciding what recommendations to make [in the community governance review] the principal council must take into account any other arrangements ‘...that have already been made or that could be made for the purposes of community representation or community engagement in respect of the area under review.’
- 7.5 Examples of non-parish forms of community governance include area committees of principal councils, neighbourhood management programmes, tenant management organisations, area or community forums, residents’ and tenants’ associations and community associations.
- 7.6 136 of the Guidance notes that ‘what sets parish councils apart from other kinds of governance is the fact they are a democratically elected tier of local government, independent of other council tiers and budgets, and possess specific powers. This is an important distinction to make. Parish councils are the foundation stones for other levels of local government in England. Their directly elected parish councillors represent local communities in a way that other bodies, however worthy cannot since such organisations do not have representatives directly elected to those bodies.’ The Act helps to highlight the importance of parish councils. Para.122 of the Guidance notes: ‘The Local Government White Paper underlined the Government’s commitment to parish councils as an established and valued form of neighbourhood democracy with an important role to play in both rural, and increasingly urban, areas. Para. 49 of the Guidance states: ‘Parish councils continue to have two main roles: community representation and local administration. For both purposes it is desirable that a parish should reflect a distinctive and recognizable community of place, with its own sense of identity. The views of local communities and inhabitants are of central importance.’
- 7.7 Legislative provision refers to parish councils. However, parish councils can adopt alternative styles so that whilst legally they are still parish councils in substance a different style can be chosen. Before the Act the choice of “town” status was merely available as an alternative style. Since the Act there is on offer a further choice of alternative styles for a parish: community, neighbourhood and village. An important point to note is set out in para. 106 of the Guidance. This makes it clear that ‘...for as long as the parish has an alternative style, it will not also be able to have the status of a town and vice versa.’ The decision as to be alternative style depends upon whether the review relates to a new parish or existing parishes. It is for existing parishes to decide whether to have one of the alternative styles with the review making recommendations as to whether the geographical name of the parish should be changed. Para. 110 of the guidance advises that it is for the principal council, ‘in the first instance, to make recommendations as to the geographical name of the new parish, and as to whether or not it should have one of the alternative styles.’ Further extracts from the guidance is set out in **Appendix 4**.

Strategic Context

- 7.8 The focus for the District Council up to 31 March 2009 is of relevance to the new organisation. The County Council must by law be notified of and consulted on any community governance review. This is particularly important due to Local Government Reorganisation and the successful bid of Durham County Council. The County Council's bid suggests that the new unitary authority may be responsible for the creation of a new Town Council for Chester-le-Street. Paragraph 5.58 of the bid suggests:

'Town and Parish Councils are a key part of the infrastructure in many neighbourhoods. Working with the County Durham Association of Local Councils and local community interests, the new unitary council would use its power to establish town and parish council's in line with the association's policy objective of full parishing of the County. This could involve the creation of new town councils in places such as Consett, central Chester-le-Street and Durham City centre, capable of providing very local place-shaping and potentially acting as the cornerstones of cooperation for wider clusters of town and parish councils.'

- 7.8 This is over and above proposals in the bid for Action Area Partnerships. In view of this there is clear evidence that the County Council will be expecting giving governance arrangements consideration in addition to Action Area Partnerships.

Quality Town and Parish Councils

- 7.9 The Quality Town & Parish Council Scheme was launched in 2003 with three main aims:

- To provide a benchmark of standards for Town & Parish Councils.
- To enable them to work more closely with partners in the delivery of services.
- To enable them to more effectively represent their communities.

- 7.10 In order to achieve Quality Status, Town & Parish Councils must demonstrate they have achieved the standard required by successfully completing a number of tests based on:

- Electoral mandate
- Qualifications of the Clerk
- Council Meetings
- Communication and Community Engagement
- Annual Report
- Accounts
- Code of Conduct
- Promoting local democracy and citizenship
- Terms and conditions

- Training

7.11 Either a town or parish council can meet the standard requirement. However those councils who have a critical mass tend to be able to be achieve the standard better. Larger councils can deliver more services, employ more people but cost much more.

8 Findings of the Review

8.1 There are advantages and disadvantages of town and parish councils. These can be simply summarised as follows:

Advantages might be:

- Increased representation
- Right to be consulted on planning applications
- Ability to undertake projects for the benefit of local residents
- Partnership working with other bodies for the benefit of the Parish
- Ability to precept for funds

Disadvantages might be:

- Costs will be borne by residents
- An additional layer of government
- They might not be what people want

Findings about the views for

8.2 The community engagement evidence does not clearly give any specific unanimous support for or against the introduction of some form of parish or town council arrangement in the unparished area of the district

8.3 There is however, evidence of significant support for some form of town or parish arrangement. In particular the focus group showed significant support for a town or parish council although there were relatively few members of public in attendance. The focus group also were passionate that something must happen in the interim period between April and the creation of any town or parish council. There was also significant although not overwhelming support in the questionnaire response. Statistically:

- 45% of residents would feel disadvantaged without a town or parish arrangements after April compared with only 44% now;
- 46% felt that the district ought to be fully parished;
- 57% felt that any parish or town council ought to seek to achieve 'Quality' Status; and
- 29% would be prepared to pay more for a parish or town council although only 12% would be prepared to pay more for a parish or town council which was capable of achieving 'Quality' status.

8.4 Comments made to support views were very expressive. For example:

I feel being unparished severely undermines any residents' ability to take an active and influential part in the decisions which affect people's lives in their immediate area. The parish/town layer of governance, responsibility and accountability is essential if people are not to feel ignored or disenfranchised.

'It is patently absurd that the main urban core of the Chester le Street District has no town council and is classified as 'unparished'. There is widespread concern that this intermediate state (links) will impede the development of Chester le Street'.

'A local parish/town rep is crucial to get a more balanced outlook on the needs of those whom life in the smaller areas that have limited amenities available.'

'All areas need a voice'

'As all the other areas surrounding main town are parished then why shouldn't we when DCC take over a single unitary Parish Council'.

Findings about the views against

8.5 The community engagement evidence does not clearly give any specific unanimous view against the establishment of new governance arrangements but there were still significant numbers of people responding to the questionnaire against new parish or town councils. Statistically:

- 42% of people did not feel that they would be disadvantaged after April 2009 whereas 44% felt disadvantaged now
- 36% of respondents did not feel the district ought to be fully parished
- 21% did not feel that any parish or town council ought to seek to achieve 'Quality' Status; and
- 58% would not be prepared to pay more for a parish or town council while 71% would not be prepared to pay more for a parish or town council which was capable of achieving 'Quality' status

8.6 Comments made to support views against were equally very expressive. For example:

'It appears to me while we are doing away with the present council people are wanting to get more so called Parish reps involved. There were too many councillors before lets just have the reduced council as stated.'

'More jobs for Government wasting tax payers money'.

'The point of a unitary authority was to reduce the tiers of bureaucracy and reduce costs so why do we need a parish or town council?'

'The two members will adequately represent my views within the new unitary authority in the future. I never felt, under the current system that my views were ever received in a sympathetic way. It will most certainly not be worse in the future.'

'There is certainly a need for a focal point for residents to contact 'Operational Departments' i.e. the people who do the work. We do not want a bureaucratic high cost additional layer of government that is simply a continuation of a failed District Council under another name. I am afraid I see this questionnaire as simply a further attempt by the District Council to retain an inefficient structure after having already wasted our taxes challenging the legality of the changes we voted for.'

Findings about the views about costs

- 8.7 There were clearer majorities about potential costs. 58 % of respondents were not prepared to pay for any further governance arrangements. This rose to 71% when considering costs such as known Quality Town Councils in the county. Views expressed ranged between the following:

'I think Chester le Street would require the full organisational structure of a traditional town council. I think that for such a substantial town the cost per household would be comparatively small. Parish structures in village area would be more expensive.'

'Council tax along with the rising cost of living and 'credit crunch' are present are high enough. We are looking to lower outgoings not increase them. Also the unitary authority proposals state that there would be savings in moving to one authority. If this is the case these savings should be re-invested to cover the cost of any subsequent changes to structures.'

'Council tax is crippling to most people now. Why have we always got to embrace more costs. We are not a huge area. Let's just have the new council without the red tape.'

'I would be prepared to pay a percentage of the cost. But feel should be made available from central government.'

'I honestly believe that we already pay enough for council tax – and why can't some existing premises be adapted – buildings already used by the council.'

Findings about carrying out a 'Community Governance Review'

- 8.8 There was a clearer majority on whether or not a community governance review ought to be carried out. 57% of people felt that this was appropriate compared to 29% who did not. Comments made ranged between the following examples:

'I feel that in this case a Community Governance Review is essential to ensure that all arrangements are reviewed and assessed and the views of local people are included as part of a formal consultation to ensure that the outcomes meets the needs and wants of residents.'

'Why could a Governance Review and Boundary Commission Process not have been undertaken and finalised before the establishment of Unitary Councils? What decisions are going to be made by the UCs before this essential layer of local governance is in place? Can these decisions be subsequently challenged? How certain can a local electorate be that they will definitely have a voice at local level?'

'This is an important change and needs to be properly researched and understood.'

'It would not make any difference. No one took any notice of the last review which was returned to the government'

'Formal reviews come at a price – the council should be considering how to cut council spending.'

Findings about options if change happens

8.9 Should change happen there were four options suggested in the questionnaire. These were:

- A single Town or Parish Council covering the whole of the area;
- The extension of existing surrounding Parish Councils to cover the area
- A mix of these with a single Town and Parish Council focussed on the Town Centre and existing Parish Councils extended to include areas such as Chester Moor and Pelton Fell.
- Another solution, please state your ideas.

8.10 The majority (44%) of respondents who answered positively to whether there should be a town or parish council in the area felt that a mix of extended parish council and a town council focussed on the town centre. 32% felt a single town or parish council covering the whole area would be best while 22% preferred simply extending existing Parish Boundaries. Comments made ranged between the following examples

'I'd like to see residents asked specifically whether they wish their locality to be absorbed by a neighbouring existing parish and ensure same influence based on size, OR, establish their own smaller parish where the advantage is uniqueness and exclusivity. Once the local residents have made their decision both local (and Central) government) are obliged to respect the decision and recognise the formed parish as the essential layer of government they promote.'

'Chester Moor and Pelton Fell areas have different community needs to the central area so each would be best served by separate arrangements.'

'The needs of Chester le Street as a town are different from those of the surrounding parishes. Any re-hashed district council will not succeed in sustaining the development of the town. The town council must comprise representatives of

businesses, residents and leisure communities and clubs in town. A town council is required.'

'Keeping areas locally is the best way forward.'

'As long as the town parish council look after the people then its okay.'

Findings about 'Quality' Town and Parish councils

- 8.11 There was a significant majority (53%) of people who felt that if there was to be town or parish councils then they should to achieve 'quality status. This compared with only 21% who did not. It is clear that while there was a majority here this needs to be balanced against how people feel about costs set out in paragraph Comments made about this included views such as:

'The Town/Parish Council (s) should work to provide 'quality' services to meet the key standards of 'quality' status however consideration needs to be made to the additional costs to the public and ability to pay – it may need to be balanced'

'It is in the best interest of us all to achieve quality status'

'If we are to have them we might as well have a high standard.'

'This is just bureaucratic claptrap – more expense for council tax payers'

'All services must be bench marked with performance targets and VFM audits.'

Findings about other models of governance

- 8.12 Capacity limitations in preparing the review has not allowed significant analysis of the options for other models such as community trusts and federations. Only the parish/town council option does offer formally elected representation. However it is clear in the guidance in respect of community governance reviews that councils ought to analyse these. In particular Paragraph 135 of the Guidance states: 'In conducting a community governance review, principal councils must consider other forms of community governance as alternatives or stages towards establishing parish councils..'. Bearing in mind the majority of respondents agreed to such a review, rather than delay the review it is felt that full analysis of other options ought to be taken should any community governance review be undertaken. There were few ideas put forward in responses to the questionnaire. Examples of comments made were:

'The views of local people in terms of representation need not be limited to Parish/Town Councils. Other options should be explored for e.g. looking at the remit of 'action area partnerships' to include representing and working with local residents and liaising with county councillors and local authority officers.'

'I do support the idea of a Town/Parish Council in principal however I think we could be adequately represented depending on the process and mechanisms for consultation

with the Unitary Council – however this needs to be consistent across the county and district.’

‘Form a residents body let the people who live there do it.’

‘Have yearly fixed elections and a mayor to oversee all arrangements.’

‘A similar process needs to be implemented for Councils and this can be achieved by the creation of small local multidiscipline progress centres for specific local issues such as holes in the road, individual lighting failures etc that incorporates all the modern communication methods as well as a reception desk for those who do not have access to these. We should maximise the benefits of centralised services by the economy of scale and not create additional local office blocks that will incur ongoing high costs. These progress centres can also act as contact points for focus groups or indeed County Councillor surgeries but there should be at least one senior manager located in them with sufficient authority to deal with significant problems.’

‘Give us our district council back.’

Summary Findings

8.13 Taking into account the above the key findings are summarised as follows:

- Should a council intend to create new town or parish councils then the law requires a ‘community governance review’ which requires in turn a formal consultation process;
- There are other options to town and parish councils which do not involve formally elected representatives and these ought to be considered as part of a ‘community governance review’;
- There was no strong majority of people who would feel more disadvantaged after April 2009 if there was not something in place although a strong view was made at the focus group that some interim arrangement was necessary;
- There is no significant majority in the sample survey that the district ought to be fully parished;
- While some would pay for parish and town council services most would not particularly if costs were similar to other known ‘quality’ town councils;
- Most people thought a ‘community governance review’ was appropriate;
- Should town and parish councils be considered most favoured a mixed approach with a Town Council centred on the Town Centre with extended parishes;
- Most people expected quality although this had to be balanced against the cost findings ; and there was no clear agreement on any other option although many of those against felt that the new unitary was sufficient

9 Conclusions

9.1 The Task and Finish Group consider that the views of people in the vicinity are crucial to any future arrangements. In view of the restricted resources to facilitate the review, the group sought to sound out public opinion rather than have a form of referendum. The Task and Finish Group understands the limitations of the responses but it acknowledges the passion expressed by those who have responded. The review does not give a mandate or a clear steer for the task group to make recommendations about a specific course of action on a specific arrangement. However it is felt that there is sufficient evidence to suggest that there is a mixed view about what ought to happen in the future and when.

9.2 It is concluded that;

- there is evidence which suggests that a community governance review is justified and necessary but
- there is no clear evidence yet of substantial majority support for a particular course of action and as such any review ought to be based on the whole District area and not just the unparished area.

10 Recommendations

10.1 The review recommends that:

1. The findings of the review and the proposals for the future are submitted for the consideration of the new Unitary Council as part of the 'Handing Over the Baton' Report.
2. Durham County Council are requested to undertake an early 'community governance review' based on the whole area of the existing District and not just the unparished area of the District Council
3. Durham County Council be requested to consider how they might consider an interim arrangement for governance until the outcome of a 'community governance review' is known and implemented.

10.2 It is recommended that this report is agreed and reported to the District Council's Executive on 2nd February 2009



Chester-le-Street
District Council

Overview and Scrutiny Committee

Refreshing Local Democracy - Review into the Future of the Unparished Areas of the District

Final Report Second Draft

Appendix 1:

Powers and duties of Parish and Town Councils

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Appendix 1: Powers and duties of Town and Parish Councils

The powers which have been vested in Parish, Town and Community Councils by Acts of Parliament are summarised in this publication as a guide to Councillors and others. Each description is brief and is intended to be a general indication. Like all powers given to public bodies the powers of local councils are defined in detail in legislation and these details may include a requirement to obtain the consent of another body (for example the approval of the County Council to the provision of a car park). Local Councils must exercise their powers also subject to the provisions of the general law (for example planning permission is necessary for a sports pavilion). Information on all these details should be in the hands of the Clerks of the Council. The powers are listed below.

Function	Powers & Duties	Statutory Provisions
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demanded unsatisfied	Small Holding & Allotments Act 1908, ss. 23, 26, & 42
Baths and Washhouses	Power to provide public baths and washhouses	Public Health Act 1936, Ss 221, 222, 223 & 227
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1 Local Government Act 1972, s. 215(6)
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s. 4

Bye Laws	Power to make bye-laws in regard to pleasure grounds, Cycle Parks Baths and Washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Charities	Duty to receive accounts of parochial charities	Charities Act 1960, s.32
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to enclosure, as to regulation and management, and as to providing common pasture	Enclosure Act 1845; Local Government Act 1894, s.8(4); Smallholdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Community Centres	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to spend money on various crime prevention measures	Local Government and Rating Act 1997, s.31
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260
Education	Right to appoint school governors	Education (No.2) Act 1986, s.4
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Gifts	Power to accept	Local Government Act 1972, s.139

Highways	Power to repair and maintain public footpaths and bridle-ways. Power to light roads and public places Provision of litter bins Power to provide parking places for vehicles, bicycles and motor-cycles. Power to enter into agreement as to dedication and widening. Power to provide roadside seats and shelters, and omnibus shelters. Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway. Power to complain to district council as to protection of rights of way and roadside wastes Power to provide traffic signs and other notices Power to plant trees etc. and to maintain roadside verges	Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3; Highways Act 1980, s.301 Litter Act 1983, ss.5,6 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72 Highways Act 1980, s.96
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local government Act 1972, s.139
Litter	Provision of receptacles	Litter Act 1983, ss.5,6
Lotteries	Powers to promote	Lotteries and Amusements Act 1976, s.7
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s.198
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260
Open spaces	Power to acquire land and maintain	Public health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10

Parish Property and documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Postal and telecommunications facilities	Power to pay the Post Office, British Telecommunications or any other public telecommunications operator any loss sustained providing post or telegraph office or telecommunication facilities	Post Office Act 1953, s.51; Telecommunications Act 1984, s.97
Public buildings and village hall	Power to provide buildings for offices and for public meetings and assemblies	Local Government Act 1972, s.133
Public Conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them Power to provide gymnasiums, playing fields, holiday camps Provision of boating pools	Public Health Act 1875, s.164 Local Government Act 1972, Sched.14 para.27 Public Health Acts Amendment Act 1890 s.44 Open Spaces Act 1906, ss.9 and 10 Local Government (Miscellaneous Provisions) Act 1976, s.19 Public Health Act 1961, s.54
Town and Country Planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para.8
Tourism	Power to contribute to organisations encouraging	Local Government Act 1972, s.144
Traffic Calming	Powers to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s.26-29
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948,
Water Supply	Power to utilise well, spring or stream and to provide facilities for obtaining water there from	Public Health Act 1936, s.125

(Source: National Association of Councils Website)



Chester-le-Street
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Overview and Scrutiny Committee

Refreshing Local Democracy - Review into the Future of the Unparished Areas of the District

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Appendix 2:

Results of Visits to Town and Parish Councils

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Appendix 2:

Results of Visits to Town and Parish Councils

Durham City – Claire Greenlay – 14 August 2008

A panel of Members met with Claire Greenlay on 14 August 2008. Durham City were investigating the possibility of creating a town or parish council for Durham City Centre and Newton Hall.

The City Council was not proposing to do a formal consultation exercise involving all of the properties in the un-parished area. Instead their proposals involved a series of 4 public meetings and 4 separate exhibitions at various locations throughout the unparished area.

A brief questionnaire was to be handed out containing the following questions:

1. Do you support the proposal that all the unparished area is included in a single town Council?
2. there are currently 17 city councillors representing the unparished area. How would you like to be represented in a town council?
 - A) 17 is too many
 - B) 17 is too few
 - C) 17 is about right

Stanley Town Council - Malcolm Hole - 27 August 2008

Stanley Town Council was created on 1 May 2008 when the first elections took place. Set up costs were estimated to be in the region of £208,000. Derwentside DC had allocated £100,000 to be drawn on to offset the set up costs. The £100,000 or the amount drawn down will eventually be repayable by the town council.

The town council is currently in the process of recruiting a full time clerk, the secretarial work having been undertaken by Derwentside DC staff to date.

Great Aycliffe Town Council – Andrew Bailey – 28 August 2008

Great Aycliffe has a long established town council with a current budget of £2,795,150. The precept of £1,576,775 representing a Council Tax bill of £2.57 per week for a Band A property. Services provided by town council include:

- Running the sports complex
- Running the golf complex
- Managing the cemeteries
- Manage the parks and most of the town's play areas and sports pitches
- Run a programme of excursions for senior citizens
- Run 3 pre-school play settings
- Provide 136 allotment plots; 9 pigeon plots and 5 poultry plots
- Provide a wide range of leisure events – Fun-in-the –Parks, Santa Tours, Firework display
- Produce and manage the Great Aycliffe Show
- Comment on all planning applications
- Manage woodlands, nature walks and Woodham burn
- Maintain most of the bus shelters

The town council currently employs 72 staff.

Peterlee Town Council – John Arthur – 28 August 2008

Peterlee is a long established town council with a current budget of £4,047,536 and a precept of £1,992,235, representing a Council Tax bill of £4.14 per week for a Band D property.

The services by the town council are similar to those provided by Great Aycliffe Town Council with the addition of a formal banqueting suite at Shotton Hall, which is available for functions.

There are currently 43 employees, some of which are part time.



Chester-le-Street
District Council

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Appendix 3:

Results Community Questionnaire



Overview and Scrutiny Committee

Review into the unparished areas of Chester-le-Street

Community Questionnaire Analysis Report

1. Summary

1.1 This document sets out the findings of the questionnaire that was aimed at seeking the views of the public to inform the work of the Overview and Scrutiny Task and Finish Group. It had been decided to undertake a sample survey of 1000 households in the unparished area of Chester-le-Street. In addition all resident and community associations and parish councils were issued with a questionnaire. The sample represented Xx% of households in this area 118 people responded at a response rate of 10%. This response rate is low and there were high numbers of people responding unsure (13% -25%). The results must therefore be treated with some caution.

1.2 The following were the key findings:

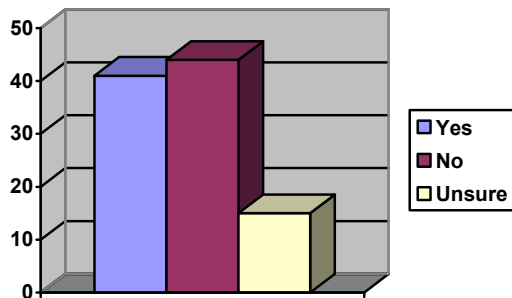
- 44% respondents didn't feel disadvantaged without a parish council now while 41% did
- 45% would feel disadvantaged from April 1st while 42% wouldn't
- 46% felt that the district ought to be fully parished while 36% didn't
- Of those responding positively to a fully parished district 43% felt that there should be a mix of a new parish as well as extensions, 32% felt there ought to be a new single parish while 22% felt existing parishes ought to be extended
- 57% felt a new parish ought to seek to achieve Quality status while 21% didn't
- 29% would be prepared to pay more for a parish while 57% would nit
- 12% would be prepared to pay for a parish with quality status while 71% would not
- 57% wanted a corporate governance review while 29% did not
- Only 17 % of respondents were interested in joining a focus group
- The majority of respondents (53%) were female
- Most respondents (35%) were 65 and over
- 25% of respondents considered themselves to be disabled
- 76% were of Christian faith
- 99% were straight; and
- over 98% considered themselves to be white English

Annex 1: Detailed Questionnaire Results

Questions

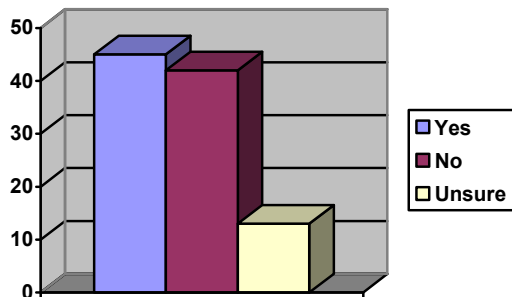
1. If you live within the unparished area of Chester-le-Street do you currently feel disadvantaged because you will not have a Town or Parish Council to represent your views or deliver local services after April 2009? Please tick box

Yes	41%
No	44%
Unsure	15%



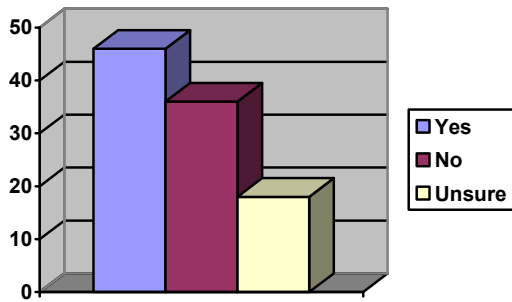
2. From 1 April 2009 there will be no District Council Councillors and there will be two County Council Members serving your area. Do you think you will be disadvantaged then by not having a Town or Parish Council to represent your views?

Yes	45%
No	42%
Unsure	13%



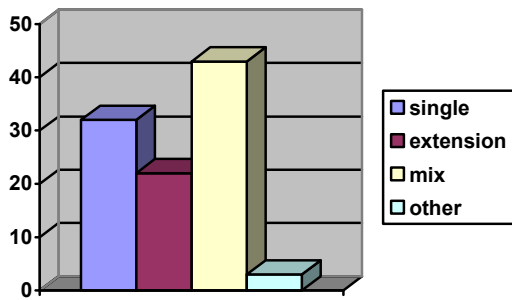
3. Do you feel that the District ought to be fully parished?

Yes	46%
No	36%
Unsure	18%



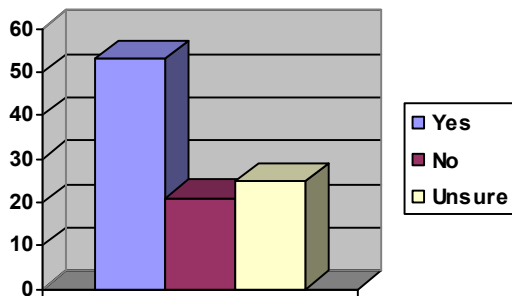
4. If your answer to Q3 is yes which of the following options would you prefer for the current unparished area:

- a) A single Town or Parish Council covering the whole of the area; 32%
- b) The extension of existing surrounding Parish Councils to cover the area 22%
- c) A mix of these with a single Town and Parish Council focussed on the Town Centre and existing Parish Councils extended to include areas such as Chester Moor and Pelton Fell. 43%
- d) Another solution, please state your ideas. 3%



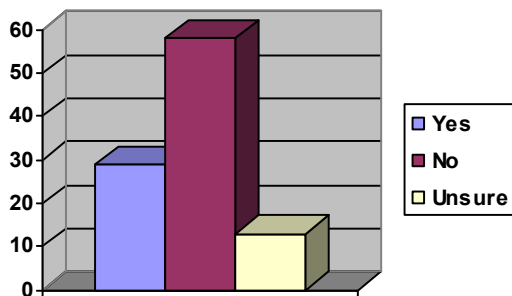
5. Whatever your answer to Q4, do you feel that any new Town or Parish Council should seek to achieve 'Quality' Status. (See paragraphs 10 and 11 on introductory notes)

Yes	53%
No	21%
Unsure	25%



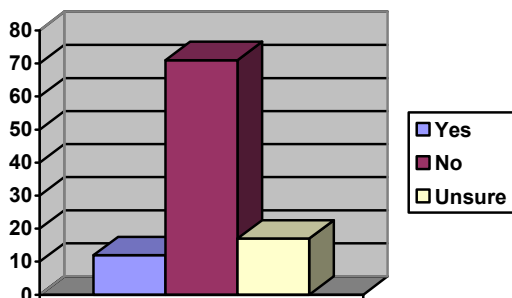
6. Evidence from the existing parish councils in Chester-le-Street suggest that a new town or parish council similar to these councils would cost between 21p per week and 54p per week more to council taxpayers in the unparished areas. Would you be prepared to pay additional council tax at this level for the representation and services a town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Yes	29%
No	58%
Unsure	13%



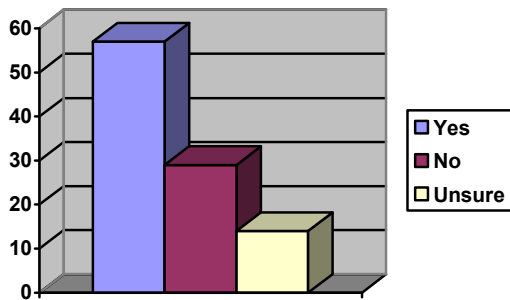
7. As examples of 'Quality' Town Councils the costs of Aycliffe Town Council in Sedgefield and Peterlee Town Council in Easington suggests that once running a 'Quality' town council would cost council taxpayers in the unparished area between £3.85p and £4.14p per week. Would you be prepared to pay additional council tax at this level for the representation and services a 'Quality' town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Yes	12%
No	71%
Unsure	17%



8. Do you consider that a formal review should be undertaken of the whole of the Chester-le-Street District Council area i.e. a Community Governance Review? (See paragraph 6 and 16 on the introductory notes)

Yes	57%
No	29%
Unsure	14%

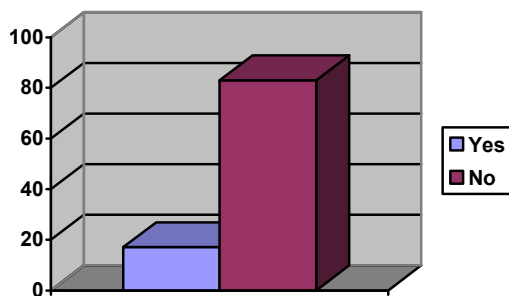


9. If you do not support the idea of a Town or Parish Council in the unparished area how do you feel this area can be represented in the future?

10. If you have any other views or want to raise any other issue please do so here?

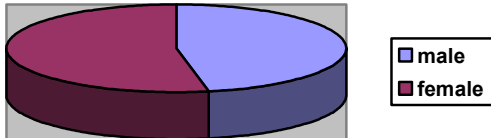
11. On 26th November (between 6 and 8pm) we are proposing to have an extended focus group where by invitation only members of the Overview and Scrutiny Committee can meet interested people from the community to hear views first hand. Would you be interested in coming along if invited?

Yes	17%
No	83%



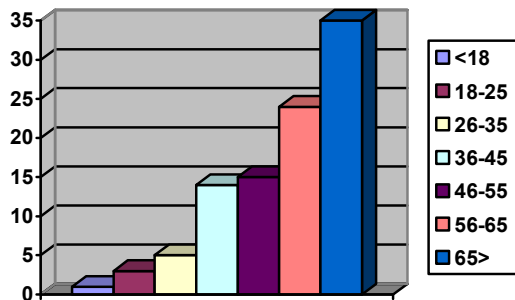
Equality and Diversity Monitoring.

A. Are you: Male 47% Female 53%



B. How old are you?

<18	1%	18-25	3%	26-35	5%
36-45	14%	46-55	18%	56-65	24%
65+	35%				



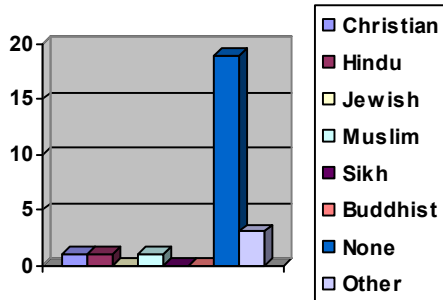
C Do you consider yourself to be a disabled person? (This may include any long-standing illness, disability or infirmity which has a substantial effect on your day to day life. Longstanding means it has lasted, or is likely to last, for over a year)

Yes 25% No 75%



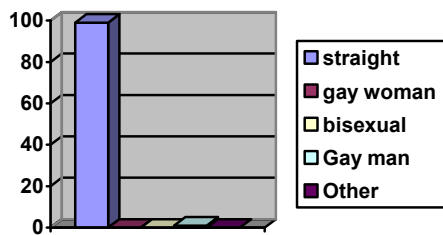
D What is your religion or belief?

Christian	76%	Hindu	1%	Jewish	0%
Muslim	1%	Sikh	0%	Buddhist	0%
None	19%	Other	3%		



E how do you describe your sexuality

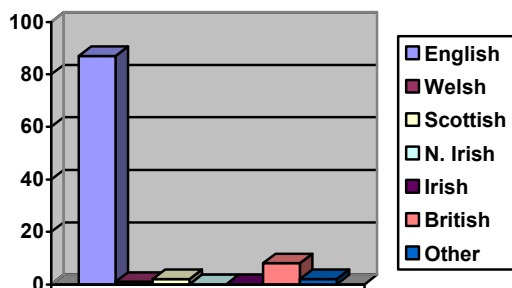
Straight	99%	Gay Woman/Lesbian	0%
Bisexual	0%	Gay Man	1%
Other	0%		



F To which of these groups do you belong

1. White

English	87%	Welsh	1%	Scottish	2%
N. Irish	0%	Irish	0%	British	8%
Other	2%				



2. Travelling Community

Gypsy/Roma	0%	Traveller of Irish descent	0%
Other	0%		

3. Black or Black British

Caribbean	1%	African	0%
Any Other Black Background			0%

4 Mixed

White and Black Caribbean	0%	White and Black African	0%
White and Asian	0%	Any other	0%

5 Asian or Asian British

Indian	0%	Pakistani	0%
Chinese	0%	Bangladeshi	0%
Other	1%	Please State _____	

6. Other Ethnic Group

Detailed Respondent Comments

The following detailed comments were made by respondents.

1. If you live within the unparished area of Chester-le-Street do you currently feel disadvantaged because you will not have a Town or Parish Council to represent your views or deliver local services after April 2009? Please tick box

Respondent 1:

Other options / structures could be explored to allow people to be represented that could feed into the local councillors and Local Authority Officers, e.g. Area Action Partnerships with nominated reps etc.

Respondent 2:

I feel being unparished severely undermines any residents' ability to take an active and influential part in the decisions which affect people's lives in their immediate area. The parish/town layer of governance, responsibility and accountability is essential if people are not to feel ignored or disenfranchised.

Respondent 5:

Only because it is not clear how our views would be collected on issues – I assume even without a town/parish council there would need to be mechanisms for us to express or be consulted with a certain issues.

Respondent 6:

It appears to me while we are doing away with the present council people are wanting to get more so called Parish reps involved. There were too many councillors before lets just have the reduced council as stated.

Respondent 8:

The whole object of the unitary process was to increase operational efficiency by dispensing with expensive and unnecessary staff and councillors.

Respondent 16:

It is patently absurd that the main urban core of the Chester le Street District has no town council and is classified as 'un parished'. There is widespread concern that this intermediate state (links) will impede the development of Chester le Street.

Respondent 18:

Much will be depend on breakdown of services agreed by the new unitary council. Any decision to establish town/parish councils should be deferred until final details are known after April 2009 and avoid the very real possibility of abortive costs.

Respondent 26:

Live in Ouston Parish.

Respondent 28:

There cannot possible be the time or concern given to matters as given at present.

Respondent 43:

More jobs for Government wasting tax payers money.

Respondent 44:

Parish views should always be taken into account and if this does not happen then certain parish/town areas may have or appear to have more financial resources targeted towards them.

Respondent 46:

Less money will be available throughout region and less therefore for our area.

Respondent 57:

Live in Parished area.

Respondent 65:

Local residents need this extra voice and deal with local issues

Respondent 74:

The point of a unitary authority was to reduce the tiers of bureaucracy and reduce costs so why do we need a parish or town council?

Respondent 77:

Should save money on wages therefore it can be used for essential services.

Respondent 92:

Not required. Less costs to pay for.

Respondent 114:

Not really sure what town/parish council does, even after reading the notes.

2. From 1 April 2009 there will be no District Council Councillors and there will be two County Council Members serving your area. Do you think you will be disadvantaged then by not having a Town or Parish Council to represent your views?

Respondent 2:

Significantly, not least on terms of size and remoteness. The people selected to sit as Unitary Councillors are each responsible for too large and diverse geographical areas. The size of the electorate they purport to take responsibility for is also too large – surely it is possible to bring in some semblance of proportional representation at local level. The excuses for incompetence and inaction (as displayed by the proposed format for the unitary council) will be based on size, number and remoteness.

Respondent 5:

It depends on the effectiveness of the CC members. 2 effective members could be much more beneficial than an ineffective town council. However the CC members would need to be proactive in seeking community views.

Respondent 6:

Surely two county council members are enough after all we just have one MP for North Durham.

Respondent 8:

The two members will adequately represent my views within the new unitary authority in the future. I never felt, under the current system that my views were ever received in a sympathetic way. It will most certainly not be worse in the future.

Respondent 16:

It is evident that the main urban core of Chester le Street will be disadvantaged compared with the parished rural areas. Two County Council members cannot possibly hope to cope with the range of issues and concerns of a complex urban area. Your notes frighten me because they indicate that no adequate arrangement is likely to be put in place before April 2011. Town developments can atrophy!

Respondent 17:

We need representatives who know and understand our area.

Respondent 18:

See item 1

Respondent 21:

I feel a local person is more able to understand our needs and hopes for the future, and would be able to mix among us more easily.

Respondent 28:

Member then serving – will not have the same contact knowledge or individual areas.

Respondent 42:

It depends on how available they are.

Respondent 44:

A local parish/town rep is crucial to get a more balanced outlook on the needs of those whom life in the smaller areas that have limited amenities available.

Respondent 45:

No I think that the savings made will improve services.

Respondent 46:

No representatives mean even less voice of opinions to take to council meetings.

Respondent 57:

Happy with existing councillor

Respondent 59:

How can two county council members represent all the wards in Chester le Street and the rural? The possible could favour their own particular areas!!!!

Respondent 65:

2 councillors have such a large area they can not be expected to deal with all our problems.

Respondent 74:

Having less councillors will have no impact on area. No idea who they are or what they do other than receive tax payers money for attending meetings?

Respondent 92:

Durham County Councillor should be able to cope.

Respondent 112:

Any communications can be dealt with by county council members.

Respondent 114:

Don't know what difference will be having a district councillor to a county council member.

Respondent 115:

There needs to be some type of authority for public to identify with.

3. Do you feel that the District ought to be fully parished?

Respondent 2:

Responsibility, accountability and accessibility. Too often I speak as active member of the local residents association, the wishes and wants of Council Tax payers in unparished areas are overlooked or ignored. A parish council would help to rectify this.

Respondent 3:

Only id the "unparished" areas request to be parished – up to now have always operated without a parish council – will now be represented by their local county councillors and the new County Council (which are replacing District Council and Councillors)

Respondent 5:

I think it is important for there to be consistency in the approach to the democratic arrangements in the district.

Respondent 6:

As in previous paragraph.

Respondent 8:

No since the last major structural change in local government, parish councils have archived little or nothing. Chester le Street District Council never up to this point suggested the District should be fully parished.

Respondent 9:

To have a voice for ordinary people who know how the area runs.

Respondent 10:

To have a voice.

Respondent 13:

Depends on what they can influence.

Respondent 15:

All areas need a voice.

Respondent 16:

The development of a town requires that there must be a sense of belonging, pride and ownership in the businesses, residents and leisure associations in that town. Only an elected, accountable town council can provide the administrative structure required for the sense of belonging. A unitary county council cannot do this.

Respondent 17:

The District is too big to have only token representation.

Respondent 18:

See item 1.

Respondent 20:

If not fully parished, some areas would have advantages over others.

Respondent 22:

Local representatives for local people. Big is not always right.

Respondent 23:

Costs too high.

Respondent 28:

The town has to have priority status – people visiting – should be able to see the town as superior.

Respondent 29:

Equality.

Respondent 44:

A more balanced view of all the district would be received.

Respondent 45:

Cost savings.

Respondent 46:

I don't not like the changes proposed and think that the Government have got their figures wrong as usual.

Respondent 55:

I think it would be much better for the People in Chester le Street.

Respondent 57:

At the moment we can contact someone who lives locally. The future is uncertain.

Respondent 58:

Each area needs to be represented.

Respondent 59:

Historically it is the way it has always been so – I see no reason for it to be changed – if something is not broken why fix it.

Respondent 65:

The new council is so large in area it will be impossible for areas not parished to get a say.

Respondent 66:

We already had full democratic representation and 73% of us felt this was sufficient. Why was this demolished only to be recreated as something different.

Respondent 74:

Costs.

Respondent 77:
Only adds to the cost of council tax.

Respondent 78:
Satisfied with current local situation.

Respondent 91:
Otherwise we could be at a disadvantage.

Respondent 92:
Too many Parish Councils already. Spread their responsibility to include other areas or do away with them altogether to save money.

Respondent 101:
As all the other areas surrounding main town are parished then why shouldn't we when DCC take over a single unitary Parish Council.

Respondent 106:
Single playing field – all funded alike.

Respondent 110:
Each community deserves to have a representation. Events and 'happenings' in a small area are easily overloaded in the bigger picture.

Respondent 112:
Financial reasons

Respondent 114:
Don't know what this means.

Respondent 115:
There needs to be some type of authority for public to identify.

4. If your answer to Q3 is yes which of the following options would you prefer for the current unparished area:

Respondent 2:
I'd like to see residents asked specifically whether they wish their locality to be absorbed by a neighbouring existing parish and ensure same influence based on size, OR, establish their own smaller parish where the advantage is uniqueness and exclusivity. Once the local residents have made their decision both local (and Central) government are obliged to respect the decision and recognise the formed parish as the essential layer of government they promote.

Respondent 3:
Most economical

Respondent 5:

Chester Moor and Pelton Fell areas have different community needs to the central area so each would be best served by separate arrangements.

Respondent 8:
N.A (See Q3)

Respondent 16:
The needs of Chester le Street as a town are different from those of the surrounding parishes. Any re-hashed district council will not succeed in sustaining the development of the town. The town council must comprise representatives of businesses, residents and leisure communities and clubs in town. A town council is required.

Respondent 45:
Not applicable.

Respondent 46:
Keeping areas locally is the best way forward.

Respondent 55:
As long as the town parish council look after the people then its okay.

Respondent 112:
N/A answer was 'No'.

5. Whatever your answer to Q4, do you feel that any new Town or Parish Council should seek to achieve 'Quality' Status. (See paragraphs 10 and 11 on introductory notes)

Respondent 2:
I may have misunderstood the introductory notes but my understanding of the affect of achieving Quality Status would be to increase a (theoretical) precept of 54p/wk to £4.14/wk. A resentful electorate may be persuaded to pay £28 on top of Council Tax. They are less likely to pay £215. Is "QS" a duplicitous way of denying democratic influence and access?

Respondent 3:
Depends if the "existing –connecting" parishes are eligible to go for it i.e. elected members

Respondent 5:
The Town/Parish Council (s) should work to provide 'quality' services to meet the key standards of 'quality' status however consideration needs to be made to the additional costs to the public and ability to pay – it may need to be balanced.

Respondent 6:
Let's try the new system without re introducing another two tier system via the back door. Councillors should always have good status whatever fancy titles they are given.

Respondent 8:
Town or parish merely add another unwanted tier of inefficient and expensive administration.

Respondent 16:

There have long been the characteristics of town councils over the years. Just observe the traditions and standards of freely elected councils which, without unnecessary political allegiances, have served the needs of the urban communities for years.

Respondent 17:

It is in the best interest of us all to achieve quality status

Respondent 18:

Quality status is generally a very expensive exercise and does little to benefit council tax payers – E.g. The equality and diversity monitoring sections of this questionnaire are totally irrelevant to the formation of parishes.

Respondent 20:

The areas quoted as 'quality' status are much larger areas than Chester le Street. In the current economic climate the amount of rise in the council tax is not justifiable.

Respondent 23:

If we are to have them we might as well have a high standard.

Respondent 28:

This would keep standards from falling.

Respondent 42:

Of course they should. But they all should no matter what

Respondent 43:

More expense to the ordinary people.

Respondent 45:

Not applicable.

Respondent 55:

Yes they should achieve quality service.

Respondent 65:

It needs to be the best.

Respondent 66:

This is just bureaucratic claptrap – more expense for council tax payers

Respondent 74:

All services must be bench marked with performance targets and VFM audits.

6. Evidence from the existing parish councils in Chester-le-Street suggest that a new town or parish council similar to these councils would cost between 21p per week and 54p per week more to council taxpayers in the unparished areas. Would you be prepared to pay additional council tax at this level for the representation and services a town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Respondent 1:

Council tax along with the rising cost of living and 'credit crunch' are present are high enough. We are looking to lower outgoings not increase them. Also the unitary authority proposals state that there would be savings in moving to one authority. If this is the case these savings should be re-invested to cover the cost of any subsequent changes to structures.

Respondent 2:

I would like to see (in this informative age) each council Tax payer receive annually a detailed breakdown showing how their obligation is spent e.g. 54% on education = £620 etc. A separate, itemized account showing tax payers how the precept is spent would enhance the image of local democracy.

Respondent 3:

These figures are only applicable to Parish Councils – a town council will be a lot higher

Respondent 5:

See comments above – whilst perhaps £1- £2 max more would be acceptable too much of the community £4 may be difficult.

Respondent 6:

Council tax is crippling to most people now. Why have we always got to embrace more costs. We are not a huge area. Let's just have the new council without the red tape.

Respondent 8:

See response to Q1, 2, 3, & 5

Respondent 14:

The former unparished (Urban District) only pays the basic council tax. Parished areas pay basic rate additionally. All should pay equally.

Respondent 15:

We pay too much council tax as it is for the services provided.

Respondent 16:

I think Chester le Street would require the full organisational structure of a traditional town council. I think that for such a substantial town the cost per household would be comparatively small. Parish structures in village area would be more expensive.

Respondent 17:

I would be prepared to pay a percentage of the cost. But feel should be made available from central government.

Respondent 18:

Yes – if ultimate proposals referred to in item 1 are found to be in favour of town/parish councils.

Respondent 20:

As above.

Respondent 21:

If it were for more benefit suitable to those who live here I'm sure it would not be objected to.

Respondent 28:

I honestly believe that we already pay enough for council tax – and why can't some existing premises be adapted – buildings already used by the council.

Respondent 31:

Should be sourced from existing funding.

Respondent 42:

Extend the existing Parish Councils and the cost to the tax payer should be less than that of the new town council

Respondent 43:

The council tax rises every year but the services never get any better.

Respondent 46:

Extra money could be put to keeping post offices open and reopening ones closed.

Respondent 55:

I get council tax benefit so it doesn't bother me much.

Respondent 65:

You need someone to keep control and have equipment to do it.

Respondent 66:

We were told that millions of pounds would be saved by the new system, so we should not need to pay more.

Respondent 74:

Unsure if we receive VFM or representation under current structure.

Respondent 77:

Pay too much council tax as it is.

Respondent 88:

Definitely not.

Respondent 91:

We pay enough council tax this should be sufficient especially in the economic climates and we know councils squirrel money away in bank accounts.

Respondent 92:

Council taxes are high enough and no increases can be accepted.

Respondent 101:

I feel that the parking charges in Chester le Street could easily pay for a Parish council, these machines must take thousands of pounds per day and I have often asked the question where do this money go?

Respondent 106:

No applicable. We are parished.

Respondent 112:

Council tax increases (percentage increases) are already greater than all other household increases including gas, electricity, water etc etc.

Respondent 114:

Probably not as I don't know what difference it will make. I don't suppose they would do anything about all the boy racers who drive dangerously around Chester le Street.

7. As examples of 'Quality' Town Councils the costs of Aycliffe Town Council in Sedgefield and Peterlee Town Council in Easington suggests that once running a 'Quality' town council would cost council taxpayers in the unparished area between £3.85p and £4.14p per week. Would you be prepared to pay additional council tax at this level for the representation and services a 'Quality' town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Respondent 1:

Council tax along with the rising cost of living and 'credit crunch' are present are high enough. We are looking to lower outgoings not increase them. Also the unitary authority proposals state that there would be savings in moving to one authority. If this is the case these savings should be re-invested to cover the cost of any subsequent changes to structures.

Respondent 2:

See previous answers

Respondent 3:

Who would fund the set up costs

Respondent 5:

However for others this could be nearly a 25% rise in Council Tax which may pose financial difficulties on some.

Respondent 6:

Less Councillors should mean reduced council tax. When the District Council was in power our area never saw a councillor from one election to the next one.

Respondent 8:

See previous answers

Respondent 16:

The focused and cohesive efforts of a town council that was seriously concerned with the welfare of the town (and not a party political instrument) would provide benefits which would be ? more than the cost.

Respondent 17:

Money is always an issue. Central government should help fund these initiatives as in the long term it would help improve the area which should reduce costs.

Respondent 18:

See comments to question 5.

Respondent 25:

There is a big gap in costs between questions 6 and 7.

Respondent 28:

I believe that the council at present does a good job – people voted against change – which was ignored – what was the point of asking? I don't think a new to be better.

Respondent 29:

Not in the present financial climate.

Respondent 42:

See question 6.

Respondent 52:

Pensioner – limited income.

Respondent 55:

Not fair on tax payers.

Respondent 65:

Would need to get more accurate information on town centre area numbers etc.

Respondent 74:

Can't see benefit in giving council any more money as cant see what we get for money now.

Respondent 77:

See previous.

Respondent 78:

'Quality' achievements obtained by fake measures and not worth the paper they are written on.

Respondent 91:

See comment to no 6.

Respondent 92: Same answer as question 6. Greater productivity expected of new DC councillors.

Respondent 101:

My answer is the same as question 6.

Respondent 106:

N/A

Respondent 112:

See answer to Q 6.

Respondent 114:
Defiantly not.

8. Do you consider that a formal review should be undertaken of the whole of the Chester-le-Street District Council area i.e. a Community Governance Review? (See paragraph 6 and 16 on the introductory notes)

Respondent 1:

I feel that in this case a Community Governance Review is essential to ensure that all arrangements are reviewed and assessed and the views of local people are included as part of a formal consultation to ensure that the outcomes meets the needs and wants of residents.

Respondent 2:

Why could a Governance Review and Boundary Commission Process not have been undertaken and finalised before the establishment of Unitary Councils? What decisions are going to be made by the UCs before this essential layer of local governance is in place? Can these decisions be subsequently challenged? How certain can a local electorate be that they will definitely have a voice at local level?

Respondent 5:

Whilst consistency is important, delivery mechanisms need to be appropriate to specific areas.

Respondent 6:

Once again its all down to cost.

Respondent 8:

Unwanted and unnecessary expenditure

Respondent 16:

I'm not sure there is much point in addressing this question. You have made it clear that you will not make any move before the boundary commission reports. That must mean the so called 'unparished' area of Chester le Street town must remain in limbo for at least two years.

Respondent 17:

This is an important change and needs to be properly researched and understood.

Respondent 23:

Why no have a vote.

Respondent 28:

How else can the people be given what they want and don't want.

Respondent 42:

I'm not sure it would do any good. Will you take any notice?

Respondent 43:

Why do we need a Parish Council. Never had one before.

Respondent 45:

Extra cost.

Respondent 46:
Scrap the idea all together and start again.

Respondent 55:
No I don't think it's a good idea.

Respondent 65:
Again we need to know the figures

Respondent 66:
I believe that in a few years time the giant new county council will have to be split up again because it will be too unwieldy.

Respondent 78:
Waste of 'real' time.

Respondent 91:
Only if it does not cost the rate payer.

Respondent 92:
It would not make any difference. No one took any notice of the last review which was returned to the government

Respondent 112:
Formal reviews come at a price – the council should be considering how to cut council spending.

Respondent 114:
I read the notes and they didn't make sense, so its quite hard to comment on what I would want.

9. If you do not support the idea of a Town or Parish Council in the unparished area how do you feel this area can be represented in the future?

Respondent 1:
The views of local people in terms of representation need not be limited to Parish/Town Councils. Other options should be explored for e.g. looking at the remit of 'action area partnerships' to include representing and working with local residents and liaising with county councillors and local authority officers.

Respondent 3:
By local Unitary Councillors and Durham County Council

Respondent 5:
I do support the idea of a Town/Parish Council in principal however I think we could be adequately represented depending on the process and mechanisms for consultation with the Unitary Council – however this needs to be consistent across the county and district.

Respondent 6:
Like always I feel we have never had proper representation. Surely the whole area should be just as good with two reps. We never had good reps from thirty odd councillors before.

Respondent 8:

By its two, elected members in the new unitary authority.

Respondent 18:
See comments to question 1.

Respondent 23:
Form a residents body let the people who live there do it.

Respondent 26:
Areas absorbed into existing Parishes. Town Centre should have town council.

Respondent 27:
Just carry on with improvements.

Respondent 28:
The town council should deal with parishes surrounding it.

Respondent 34:
N/C

Respondent 43:
That's what the district council is supposed to do.

Respondent 44:
N/A

Respondent 45:
One County Council with town councillor sitting on county council.

Respondent 46:
Have yearly fixed elections and a mayor to oversee all arrangements.

Respondent 47:
County councillors

Respondent 52:
Rely on expertise of qualified officers of the new unitary authority/county councillors.

Respondent 57:
Support the idea.

Respondent 60:
We seek to so alright as we are.

Respondent 64:
DCC can run it.

Respondent 66:
Give us our district council back.

Respondent 69:
As proposed.

Respondent 71:

Don't know what any of the town/parish councils do to help improve Chester Le Street.

Respondent 74:

It will be represented by unitary authority and boundaries changed to ensure representation for town areas.

Respondent 75:

We will have county councillors.

Respondent 76:

The two county council members should be quite able and qualified to carry out public enquiries.

Respondent 77:

Don't feel the need as we've managed okay in the past without.

Respondent 78:

By people being true to themselves and each other without interference from self seeking individuals.

Respondent 82:

I will have to trust the county councillors.

Respondent 92:

The new DC Councillors should represent us at reduced costs.

Respondent 96:

By action area partnerships.

Respondent 97:

No idea.

Respondent 103:

As ruled by government.

Respondent 101:

We should have local surgeries to contact our representatives to forward our views within the community.

Respondent 112:

All areas should be represented by at least one county council member.

Respondent 114:

What are the alternatives?

Respondent 116:

By communicating with County Councillor or at a surgery.

Respondent 118:

Only Durham Unitary Council togetherness required.

10. If you have any other views or want to raise any other issue please do so here?

Respondent 1:

There is an opportunity to review the way DCC operates locally in the 21st century and options other than traditional parish/town Councils should be explored to ensure more inclusiveness in decision-making. The increasing low turn out at elections demonstrates younger peoples (in particular) changing attitude towards formal democratic process, we need to adapt.

I feel that this survey is rather leading – particularly Q1 -3 which is more or less the same question asked differently. The wording is leading only focusing on the negative implications of no town council. Similarly, the supporting information is leading in that it is clearly supportive of the Town Council model and offers no balanced view or alternative. It is disappointing that there are no alternative options to be explored although I understand that the unitary bid referenced this model. Finally it is disappointing that there is not a freepost return address and residents are expected to pay to contribute to the review.

Respondent 2:

Other Views/Issues:

1. Area Action Partnerships (AAPs)

- What is their relationship with parish (and other) Council's proposed to be?
- Who sits on the AAPs?
- Who do they represent?
- How accountable will they be?
- Why is it current policy to promote AAPs but less emphasis is placed on formation of parishes?
- Will there be a risk that AAPs will be more in favour of the business community rather than ordinary electorate?

2. Residents Associations (RAs)

- Is it possible to increase the status and involvement of already formed RAs when decision affecting local communities are being made?
- Is it possible to promote greater interaction between RAs and existing, or soon to be created, Parish Councils?

Respondent 6:

Some areas in Chester le Street get more attention than others. Our representatives seem to be all in the South Pelaw area while the other parts get little notice.

Respondent 8:

I feel this whole exercise is not required – there has been a democratic decision to move to a new unitary authority – accept that.

Respondent 16:

I am concerned to know how the progress in the developments in the town e.g. the market area, the shopping in Front Street, can be monitored and reported without any 'parished' structure oversee it. I do not believe the new unitary authority can do this fairly and evenly with a confused 'parished' and 'non-parished' sub structure.

Respondent 20:

What is going to happen to the Civic Centre if all the council work is based at County level. Will the public have any say in where money is spent. The Civic Hears was a very large amount of money spent with a resulting eyesore.

Respondent 21:

Personally I believe that our town was spoilt when the market was moved away. It would have been better to have left it where it was and given in an under cover bus station where I to market is now. Durham, Stanley and Consett are much better provided for than us.

Respondent 43:

Why pay more council tax to make more jobs for councillors when we have never needed them in the past.

Respondent 57:

Is it not too late now. We already had a vote that was overruled.

Respondent 65:

As a town council with business and residential area we need to have our say on many items of how it is run and what we can achieve. What is good and not good for our area.

Respondent 66:

73% of us voted against this scheme and the then chairman of the county council said the referendum wasn't worth the paper it was printed on. How democratic is that? I still think it will cost millions more than the previous set up and has been imposed on us for purely political reasons.

Respondent 74:

What is the point of a unitary authority and another town council just more costs and keep councillors on expensive.

Respondent 75:

This is only to preserve existing councillors jobs – we do not need them. This is a waste of money – some of us have to work hard to pay council tax – not all of us have it paid for us

Respondent 76:

We feel this whole cost is wasteful from an administration point of view and any extra cost of any sort on our rates is abhorrent.

Respondent 91:

The representative on the town or parish council should be a local person who knows and understands there areas not a newcomer who has no idea about what locals want or need.

Respondent 92:

Is anyone going to take notice of peoples views this time. The last survey was totally ignored by the government.

Respondent 110:

Local people should be represented by a 'local' person who knows them and the area first hand.

Respondent 114:

No.

Respondent 117:

I have completed the attached questionnaire as requested but feel that the format of the 'comments' spaces results in much repetition and I have, therefore, set out my specific comments that I hope will clarify my views. I believe it is important to say that I am retired,

have lived in the District all my life, lived in Council housing as well as private, have experienced both a Parish Council and an unparished area and both my children have been educated in local schools. I believe I am very well placed, therefore, to comment constructively on the questionnaire based on my lifetime experience in the District.

1) When we were asked to vote earlier in the year on a Unitary Authority our expectation was that Council Taxes after initial setting up cost would reduce or at least remain steady after taking into account natural inflation etc. Despite Council claims at the time, the majority of people did not vote to keep the District Council, a significant majority of people failed to vote and the decision to disband the District Council was rightly taken. To produce a questionnaire that includes an option to increase council taxes by £200 per annum in addition to the other elements of Council Tax increases that will occur is ridiculous and at best insensitive.

2) As set out in the document, the advantages play an important part in deciding the value of creating a Town Council and I am afraid it is clear that you are struggling to justify these. Increased representation in over 60 years has not brought success to the town as we have witnessed a gradual degradation whilst the Council have looked backwards not forwards. An example has been to build the town future around a market place or should I say, "the dying heart", when it is clear from the attendance this is not what the majority of the public is seeking. There does not appear to be any overall planning strategy for the town centre to provide a mix of shopping but rather a free for all that has allowed the main street to consist mainly of Building Societies, Charity and Coffee shops. This has resulted in the closing of many smaller businesses to be replaced by "cheap shops" that will not attract visitors.

The historical increased representation has also seen us ridiculed nationally with a need to have special teams brought in to run the Council business and to have planning debacles such as the failed Bail Hostel. I am afraid I see most of your suggested advantages as reasons not to have a Town Council.

3) There is certainly a need for a focal point for residents to contact 'Operational Departments' i.e. the people who do the work. We do not want a bureaucratic high cost additional layer of government that is simply a continuation of a failed District Council under another name. I am afraid I see this questionnaire as simply a further attempt by the District Council to retain an inefficient structure after having already wasted our taxes challenging the legality of the changes we voted for.

4) As indicated in the previous comment I believe there is a need for a local contact point but this needs to be connected to the 'Operational Units' that do the work. There is a need to recognise that Society has moved on in recent years and whilst we do still have some vulnerable people in the areas such as the elderly, the very old generations are unfortunately rapidly passing on. Those of us who make up the current elderly population are in general very able to use telephones, literate and increasingly able to use our own computers. I have never found it necessary to contact a Councillor in over 50 years and I would suggest that today when they are contacted this is normally by telephone or email. More use should be made of existing methods of communication e.g. this questionnaire could have reached most of the electorate if it had been added as a tear off to the end of the District News. Planning issues can already be accessed on line at the Council Website and for those who do not have computers, key major issues can be raised via focus groups or as an adjunct to existing regular publications. You must accept that significant Planning issues are not usually processed within short time spans and this should present an opportunity for ample time for local representation to the County Councillors. Perhaps there is a need for a quarterly Planning Digest for significant schemes to be incorporated into the County News magazine.

5) I believe there is a need for Councils to recognise that the old communication methods via Councillors are no longer effective or necessary. I see my Council as a business that supplies me with a service and is no difference from my energy or water suppliers. If I have a problem with them, I simply pick up the telephone to contact their operational centre and if I do not have any success, there is a clear complaints procedure or I have access to other providers such as Citizens Advice Bureaux or Ombudsmen. This is the current method that everyone has to follow including the most vulnerable and there should be no requirement for the Council to be different.

A similar process needs to be implemented for Councils and this can be achieved by the creation of small local multidiscipline progress centres for specific local issues such as holes in the road, individual lighting failures etc that incorporates all the modern communication methods as well as a reception desk for those who do not have access to these. We should maximise the benefits of centralised services by the economy of scale and not create additional local office blocks that will incur ongoing high costs. These progress centres can also act as contact points for focus groups or indeed County Councillor surgeries but there should be at least one senior manager located in them with sufficient authority to deal with significant problems.

In conclusion, I will be surprised if you receive many comments on the questionnaire and as such, I do not believe a minimal response gives you the mandate to proceed in setting up a Town Council. I do not consider a 16 page document to be a short one as described in your covering letter and suspect many will have simply been shredded. A more positive response would have been achieved if you had simply asked the real questions in the District News:

- a) Do you want a Town Council at an extra cost of £200 per year per Household?
- b) Do you want more councillors?
- c) Do you need increased Public Service employment or a more diversified employment regime in the Chester le Street area?

I hope you find these comments useful.

The Questionnaire



Chester-le-Street
District Council

Overview and Scrutiny Committee

Review into the future of the unparished area within Chester-le-Street

Questionnaire

The District Council's Overview and Scrutiny Committee is undertaking a review into the future of the unparished areas of the District. The aim is to put forward recommendations to the new Unitary Authority as to whether there is the scope and need for such areas to be parished in the future. A plan showing the unparished area of the District is attached.

The Committee is seeking the community's views in a number of ways including this questionnaire which has been sent to a sample of residents who currently live in the unparished area of Chester-le-Street, parish councils and community and residents associations. Views received will influence recommendations to the new Unitary Council.

We would be grateful if you could take the time to complete this short questionnaire and return it to Colin Turnbull, Democratic Services Officer, Chester-le-Street District Council, Civic Centre, Newcastle Road, Chester-le-Street, Co. Durham DH3 3UT by **30th November 2008**.

It would aid the completion of the questionnaire if you first read the accompanying notes included with this questionnaire.

Thank you for your time and help.

Geoff Armstrong, Chairman of Chester-le-Street Overview and Scrutiny Committee

David Holding, Vice Chair of Chester-le-Street Overview and Scrutiny Committee

Questions

1. If you live within the unparished area of Chester-le-Street do you currently feel disadvantaged because you will not have a Town or Parish Council to represent your views or deliver local services after April 2009? Please tick box

Yes

No

Unsure

Comments

2. From 1 April 2009 there will be no District Council Councillors and there will be two County Council Members serving your area. Do you think you will be disadvantaged then by not having a Town or Parish Council to represent your views?

Yes

No

Unsure

Comments

3. Do you feel that the District ought to be fully parished?

- Yes
- No
- Unsure

Explain the reason for your answer

4. If your answer to Q3 is yes which of the following options would you prefer for the current unparished area:

- e) A single Town or Parish Council covering the whole of the area;
- f) The extension of existing surrounding Parish Councils to cover the area
- g) A mix of these with a single Town and Parish Council focussed on the Town Centre and existing Parish Councils extended to include areas such as Chester Moor and Pelton Fell.
- h) Another solution, please state your ideas.

5. Whatever your answer to Q4, do you feel that any new Town or Parish Council should seek to achieve 'Quality' Status. (See paragraphs 10 and 11 on introductory notes)

Yes

No

Unsure

Comments

6. Evidence from the existing parish councils in Chester-le-Street suggest that a new town or parish council similar to these councils would cost between 21p per week and 54p per week more to council taxpayers in the unparished areas. Would you be prepared to pay additional council tax at this level for the representation and services a town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Yes

No

Unsure

Comments

7. As examples of 'Quality' Town Councils the costs of Aycliffe Town Council in Sedgefield and Peterlee Town Council in Easington suggests that once running a 'Quality' town council would cost council taxpayers in the unparished area between £3.85p and £4.14p per week. Would you be prepared to pay additional council tax at this level for the representation and services a 'Quality' town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Yes

No

Unsure

Comments

8. Do you consider that a formal review should be undertaken of the whole of the Chester-le-Street District Council area i.e. a Community Governance Review? (See paragraph 6 and 16 on the introductory notes)

Yes

No

Unsure

Comments

9. If you do not support the idea of a Town or Parish Council in the unparished area how do you feel this area can be represented in the future?

Please comment.

10. If you have any other views or want to raise any other issue please do so here?

11. On 26th November (between 6 and 8pm) we are proposing to have an extended focus group where by invitation only members of the Overview and Scrutiny Committee can meet interested people from the community to hear views first hand. Would you be interested in coming along if invited?

Yes

No

If yes could we have your contact details?:

Telephone:

E-mail:

12. Your name and address (Optional)

Equality and Diversity Monitoring.

Your answers to the following questions will help us understand the demographics of respondents and if there are any specific groups we still need to consult other groups.

This information will be treated separately from your responses to the earlier questions and will be treated anonymously. You only need to complete this information if you are happy to do so.

A. Are you: Male Female

B. How old are you?

<18 18-25 26-35
36-45 46-55 56-65
65+

C Do you consider yourself to be a disabled person? (This may include any long-standing illness, disability or infirmity which has a substantial effect on your day to day life. Longstanding means it has lasted, or is likely to last, for over a year)

Yes No

D What is your religion or belief?

Christian Hindu Jewish
Muslim Sikh Buddhist
None Other Please State

E how do you describe your sexuality

Straight

Gay Woman/Lesbian

Bisexual

Gay Man

Other

Please State _____

F To which of these groups do you belong

1. White

English

Welsh

Scottish

N. Irish

Irish

British

Other

Please State _____

2. Travelling Community

Gypsy/Roma

Traveller of Irish descent

Other

Please State _____

3. Black or Black British

Caribbean

African

Any Other Black Background

Please State _____

4. Mixed

White and Black Caribbean

White and Black African

White and Asian

Any other

Please State _____

5 Asian or Asian British

Indian

Pakistani

Chinese

Bangladeshi

Other

Please State _____

6. Other Ethnic Group

Please State _____



Overview and Scrutiny Committee

Review into the future of the unparished area within Chester-le-Street

Introductory Notes

The following notes are aimed at helping you understanding:

- the current period of change in local government;
- why we are carrying out the review and what we will do with the findings;
- what town and parish councils do; and
- an indication of costs associated with town and parish councils.

It might help you complete the questionnaire if you read these notes first.

Local Government Reorganisation

1. The Government have decided that in future the existing two tiers of local government, the County Council and District Councils will be replaced by a single tier know as a **Unitary Council**. From 1st April 2009 all council services will therefore be delivered by a single unitary council to be known as Durham County Council. All councils in the county are currently working in partnership to set this new council up. Currently you are served by both county and district councillors. From the first of April 2009 each ward will be served by two county councillors. This may change in the future as the Boundary Commission (a national body) are currently carrying out a review of the electoral divisions throughout the county. They will make their views known whether there should be any further changes in autumn 2009.

2. The government propose no change to the current arrangements for town and parish councils. The new council has proposed that town and parish councils will be given a stronger role in the future. The County Council's bid for local government review stated that all areas of the county should be parished in the future. You can find out more about the role of Parish and Town Councils in paragraphs 8 to 22.

3. The county council have been consulting communities in the county over the summer on what is known as '**Action Area Partnerships**'. These will be partnerships which work together to meet the needs of communities. There is likely to be such a partnership for Chester-le-Street. These partnerships do not affect parish and town councils but is likely parish and town councils will have a role on these partnerships. The 'Action Area Partnerships' therefore will **not** replace parish and town councils.

The Scrutiny Review of the Unparished areas of Chester-le-Street

4. Chester-le-Street's Overview and Scrutiny Committee plays a role in monitoring the performance of the District council and its partners. It holds the council's Executive to account. It also engages in developing and implementation of council policies and strategies. In doing so it considers the communities point of view. The whole aim of scrutiny is to improve services. In the last government inspection of the council the Scrutiny function was found to be 'effective'

5. In the council's final year the Scrutiny panel is carrying out a review into the unparished are of the district. It is doing this because this is not currently a focus of the County Council as it develops the new unitary council. The District council wanted to understand whether there is the scope and desire to establish any new parish or town council in the future to ensure that all communities in Chester-le-Street have the best representation possible.

6. It is **not** the intention of the council's overview and scrutiny review to establish any new parish or town councils before April the first. This is for a number of reasons:

- The Boundary Committee (the national electoral body) have strongly recommended councils not to establish any new parish or town councils while they are carrying out there electoral review in the county (they will not report on their recommendations until autumn 2009);
- New legislation now requires councils considering new parish arrangements to carry out what is called a '**community governance review**', this involves a full assessment of arrangements within a specific area or across the whole district. It can therefore look at existing arrangements right across Chester-le-Street and not just in areas where a parish council does not exist. It includes the need to undertake statutory community consultation with the county council and stakeholders including communities affected. There are costs that go with such a review. The district council does not have the resource or the time to fully undertake this at the current time particular against the Boundary Committee advice and the fact that the new unitary council will be the ultimate decision maker on any proposals or recommendations

7. It is the intention of the council's overview and scrutiny review to make recommendations to the new unitary council as to how it feels the new unitary ought to proceed. It will be developing its recommendations by:

- understanding the legal and financial implications of parish and town councils and 'community governance reviews';
- visiting existing and developing parish and town councils in the region; and
- Informally seeking the views of communities, town and parish councils and resident and community associations.

Roles of Town and parish councils

8. Town & Parish Councils are the first tier of government and are the first point of contact for anyone concerned with a community issue. They are made up of democratically elected councillors. A Town Council has the same powers as a Parish Council, it is simply that the Council has decided to take on the title 'town' as more appropriate. Town and Parish Councils are an essential part of the structure of local democracy and play a vital role in acting on behalf of the communities they represent. They:

- Give views, on behalf of the community, on planning applications and other proposals that affect the area;
- Undertake projects and schemes that benefit local residents;
- Work in partnership with other bodies to achieve benefits for the parish;
- Alert relevant authorities to problems that arise or work that needs to be undertaken; and
- Help the other tiers of local government keep in touch with their local communities.

9. They have a wide range of powers which essentially relate to local matters, such as, looking after community buildings, open space, allotments, play areas, street lighting, bus shelters and car parks.

What 'Quality' Town Council status means

10. The Quality Town & Parish Council Scheme was launched in 2003 with three main aims:

To provide a benchmark of standards for Town & Parish Councils.
To enable them to work more closely with partners in the delivery of services.

To enable them to more effectively represent their communities.

11. In order to achieve Quality Status, Town & Parish Councils must demonstrate they have achieved the standard required by successfully completing a number of tests based on:

- Electoral mandate
- Qualifications of the Clerk
- Council Meetings
- Communication and Community Engagement
- Annual Report
- Accounts
- Code of Conduct
- Promoting local democracy and citizenship
- Terms and conditions
- Training

What might be the advantages and disadvantages of a Town or parish council?

12. Advantages might be:

- Increased representation
- Right to be consulted on planning applications
- Ability to undertake projects for the benefit of local residents
- Partnership working with other bodies for the benefit of the Parish
- Ability to precept for funds

13. Disadvantages might be:

- Costs will be borne by residents
- An additional layer of government

14. What are the current arrangements in Chester-le-Street?

There are currently 11 Parish Councils in the District serving the village areas that were formerly part of the Rural District Council, these are:

- Bournmoor
- Edmondsley
- Kimblesworth & Plawsworth
- Great Lumley
- Little Lumley
- North Lodge
- Ouston
- Pelton
- Sacriston
- Urpeth
- Waldrige

The remaining areas of the Council do not have a Parish Council, these are:

- Chester Moor
- Chester-le-Street town area (excluding Waldrige Park which is within Waldrige Parish)
- Pelton Fell
- Newfield

15. The number of electors in the Parish Council areas is 26,159 and in the unparished area is 15,570. The area of the District that does not have any Parish Councils is indicated on the attached map.

How might a new town or parish council be created?

16. The Local Government and Public Involvement in Health Act 2007 introduced two ways in which Town or Parish Councils can be created. Firstly by a principal Council undertaking a 'Community Governance Review' and secondly in response to a

Community Governance Petition signed by the requisite number of local electors as determined against three thresholds:

- An area with 499 or less local electors – at least 50% of that electorate
- Area between 500 and 2500 electors – at least 250 of that electorate
- Area of more than 2500 electors – at least 10% of that electorate

17. In Durham County Council's successful unitary bid there was clear reference to the importance of Town and Parish Councils and a clear undertaking for the new Unitary Council to use its power to establish new Town and Parish Councils.

18. Currently the independent Boundary Committee for England is undertaking a review of the electoral arrangements in Durham to ensure they reflect the way in which the new Council will operate in the future, and how it will engage with local communities, including Town and Parish Councils. The Boundary Committee has requested that Community Governance Reviews be delayed until its final report has been published. Accordingly, the District Council is undertaking an exercise to identify whether there is a demand for Town and/or Parish Councils in the area of the District that is currently unparished, with a view to making a recommendation to the new Unitary Council.

What are the potential costs of a town and parish council and who pays?

19. Although it is not possible to give an accurate assessment of the cost of setting up and running a Town or Parish Council, certain costs could not be avoided:

- Employment of Clerk
- Rental of office space and utility costs
- Office equipment (e.g. computer, printer, copier, telephones)
- Stationery
- Miscellaneous running cost

20. Based on information from other Councils who have undertaken similar exercises, set up costs for a Town Council based on the Chester-le-Street town centre area could be between £100,000 and £200,000. For a Parish Council based on an area such as Pelton Fell could be in the region of £10,000 to £20,000.

21. Running costs would be dependant on the level of service provided but could be expected to be at least twice the set-up costs in the early years increasing as the service provision grows. The 11 existing Parish Councils in the District currently precept for amounts that vary from £3,000 (Edmondsley) to £44,000 (Pelton). The effect on the Council Tax of the Parish Council precepts based on a Band D property varies from £10.98 (Ouston) to £28.22 (Sacriston), which equate to 21p and 54p a week respectively.

22. As examples of 'Quality' Town Councils the costs of Aycliffe Town Council in Sedgefield and Peterlee Town Council in Easington suggests that once running a 'Quality' town council would cost council taxpayers in the unparished area between £3.85p and £4.14p per week.



Chester-le-Street
District Council

Overview and Scrutiny Committee

Refreshing Local Democracy - Review into the Future of the Unparished Areas of the District

Final Report Second Draft

Appendix 3:

Extended Focus Group Analysis Report



Overview and Scrutiny Committee

Review into the unparished areas of Chester-le-Street

Extended Focus Group Analysis Report

1. Introduction

- 1.1 This document sets out the results of the Extended Focus Group for the unparished areas Overview and Scrutiny Review
- 1.3 The focus group took place on Wednesday 25th November 2008. The focus group started at 6.00pm and ended at 7.45 pm. It was by invitation only. Those invited were:
- Parish Councils
 - Residents and Community Associations
 - Those who had volunteered participation in the focus group having completed positively the relevant question on the community questionnaire.

- 1.4 Participants were as follows:

Members of the public:

[Add list from Shelley](#)

Members of the Council:

Councillor David Holding (Chair)
Councillor Geoff Armstrong

[Add list from Shelley](#)

Officers:

Ian Forster
Colin Turnbull

Director of Corporate Resources
Democratic Services Officer

- 1.4 In summary only one participant considered that there should be no further governance arrangements. This limited opposition to any new parish or town council arrangement came at the very end of the meeting. There were strong arguments put forward in respect of some form of parish or town council arrangement. In particular some of the participants felt that some interim arrangements were needed to avoid any loss of representation between vesting day and the start of any new town and parish council. The details of the viewpoints put forward are included in the following sections.

2. Views in Favour of Town and Parish Councils

- 2.1 Viewpoints recorded at the event in support of a Town and Parish council were as follows:

- Strongly in favour of town council
- Workload is going to be to great
- Issues previously set out
- If there is a cost what will be the cost if we do not have the structures in place
- There was a process three or four years ago
- Two fantastic county councillors which are locally based
- What will costs will be to Chester-le-Street if there is no one on the ground
- Serious issues, should not talk about costs but benefits
- Could it be done with no cost? Parish extensions?
- Money would be best spent establishing a parish or town rather than immediately go in existing parishes but agree that if go for a town council in the centre it should be
- Working together to build on cultural links and feel there is a lot of support for this in some areas
- Empowerment White Paper – more co-opting of groups to Parish Councils
- A Chester-Le-Street council ought to be a conglomerate of various groups that represents the interests of the town
- Emphasis the issue of ensuring that interim arrangements are in place
- Urge representatives get together and create understanding of the benefits that a town or parish council would bring and sell this to the public

3. Views in Favour of Town and Parish Councils

- 3.1 Viewpoints recorded at the event against a Town and Parish council were as follows:

- What you are trying to do is bringing in another tier of local government
- Not going to be any better than the council as it is

4. Views in Favour of other models

4.1 Viewpoints recorded at the event for other models of governance were as follows but were largely the views of councillors:

- 22 RA's that take part in the life of local democracy
- Example of Crag Head Trust backed up by community partnership
- Depends on the quality and integrity of the people who are engaged
- Pelton potential to join partnerships

5. Other points of view made.

5.1 Finally, other points of view were as follows:

- Stanley have taken a £100,000 loan to establish their new town council
- Birtley – residents decided they did not want it and it was abandoned
- If you have a parish residents have accepted the costs with a new one there will be an additional cost
- It will be 2011 maybe later before we get something and this is absurd
- Arrangements are crazy
- As long as people can ride the bike the Christmas present will be valued
- Are people fearing loss of democratic representation or models of achieving economic development?
- How will AAP's be comprised
- What are MAA's
- New unitary are working on a top down approach
- Looking at AAPs but will not deliver
- Parishes closer to local people
- Example of 7 Members down to 2 – workload increases members will not cope
- Stronger areas might attract more resources
- Newfield as an example feels often left out of picture
- Places like Newfield ought to be represented
- Chester le Street is going and DCC is taking its place - it needs to be given a chance to deliver
- How will government allow groups with Parish Councils
- What kind of changes what sort of legislation what can be done by central government
- AAPs £150,000 left after staffing costs
- Need a development group under the town council
- Need to emphasise the Limbo situation between 1st April and the setting up of any proposals must ensure that the County is requested to ensure that there are interim arrangements
- Concerns about the war memorial site



Chester-le-Street
District Council

Overview and Scrutiny Committee

Refreshing Local Democracy - Review into the Future of the Unparished Areas of the District

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Appendix 4:

Government Guidance on 'Community Governance Reviews

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Appendix 4:

Government Guidance on ‘Community Governance Reviews’

General

1, A community governance review involves looking at the forms of corporate governance. This is no “one size fits all” vehicle. Para.33 of the Guidance states that ‘[w]hen undertaking the review they must have regard to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.’ Para. 35 of the Guidance states ‘[p]rincipal councils must consider the wider picture of community governance in carrying out their reviews...’

Non-parish forms of community governance

2. Para. 135 of the Guidance states: ‘In conducting a community governance review, principal councils must consider other forms of community governance as alternatives or stages towards establishing parish councils..’ There are ‘other types of viable community representation which may be more appropriate to some areas than parish councils, or may provide stages building towards the creation of a parish council. There is sometimes evidence locally of an existing community governance infrastructure and of good practice which are successfully creating opportunities for engagement, empowerment and co-ordination in local communities.’

3. Examples of non-parish forms of community governance include area committees of principal councils, neighbourhood management programmes, tenant management organisations, area or community forums, residents’ and tenants’ associations and community associations. 5.6.3 Section 93(5) of the Act states that ‘In deciding what recommendations to make [in the community governance review] the principal council must take into account any other arrangements...that have already been made or that could be made for the purposes of community representation or community engagement in respect of the area under review.’

Parish form of community governance

4. Parish councils have the advantage of democratic accountability. Para. 136 of the Guidance notes that ‘what sets parish councils apart from other kinds of governance is the fact they are a democratically elected tier of local government, independent of other council tiers and budgets, and possess specific powers. This is

an important distinction to make. Parish councils are the foundation stones for other levels of local government in England. Their directly elected parish councillors represent local communities in a way that other bodies, however worthy cannot since such organisations do not have representatives directly elected to those bodies.'

5. The Act helps to highlight the importance of parish councils. Para.122 of the Guidance notes: 'The Local Government White Paper underlined the Government's commitment to parish councils as an established and valued form of neighbourhood democracy with an important role to play in both rural, and increasingly urban, areas. Para. 49 of the Guidance states: 'Parish councils continue to have two main roles: community representation and local administration. For both purposes it is desirable that a parish should reflect a distinctive and recognizable community of place, with its own sense of identity. The views of local communities and inhabitants are of central importance.'

What can be the Style of a parish council?

6. Legislative provision refers to parish councils. However, parish councils can adopt alternative styles so that whilst legally they are still parish councils in substance a different style can be chosen. Before the Act the choice of "town" status was merely available as an alternative style. Since the Act there is on offer a further choice of alternative styles for a parish: community, neighbourhood and village. The importance point to note is, as para. 106 of the Guidance, makes clear '...for as long as the parish has an alternative style, it will not also be able to have the status of a town and vice versa.' The decision as to be alternative style depends upon whether the review relates to a new parish or existing parishes. It is for existing parishes to decide whether to have one of the alternative styles with the review making recommendations as to whether the geographical name of the parish should be changed. It is for the principal council, 'in the first instance, to make recommendations as to the geographical name of the new parish, and as to whether or not it should have one of the alternative styles.' (see para.110 of the Guidance).

Should there be grouping or degrouping of parishes?

7. A community governance review can recommend the grouping or degrouping of parishes by principal councils. As para. 112 of the Guidance observes '...unless they already exist as functioning parish councils smaller new parishes of less than 150 electors will be unable to establish their own parish council under the Act.' 'Grouping or degrouping needs to be compatible with the retention of community interests. It would be inappropriate for it to be used to build artificially large units under single parish councils' (para.113 of the Guidance).

Should parishes be abolished and dissolved?

8. Para.116 of the Guidance states: 'While the Government expects to see a trend in the creation, rather than the abolition, of parishes, there are circumstances where the principal council may conclude that the provision of effective and convenient local government and/or the reflection of community identity and interests may be best met, for example, by the abolition of a number of small parishes and the creation of a larger parish covering the same area....'. But it is further noted at para. 117 of the Guidance that '...The area of abolished parishes does not have to be redistributed to other

parishes, an area can become unparished. However, it is the Government's view that it would be undesirable to see existing parishes abolished with the area becoming unparished with no community governance arrangements in place.'

How can a council assess whether to voluntarily undertake a review?

9. The Council has the discretion under the Act to undertake a community governance review at any time it wishes and to assess whether to do so para. 28 of the Guidance states '[p]rincipal councils should use their knowledge and awareness of local issues when deciding whether to undertake a review...' Para. 26 of the Guidance suggests that 'it would be good practice for a principal council to consider conducting a review every 10 -15 years – except in the case of areas with very low populations when less frequent reviews may be appropriate.' Examples of when a review should be avoided are given in the Guidance.

Para. 28 states '...principal councils should avoid starting a community governance review if a review of a district, London borough or county council electoral arrangements is being, or is about to be, undertaken.'

10. Ideally, community governance reviews should be undertaken well in advance of such electoral reviews, so that the Boundary Committee for England in its review of local authority electoral arrangements, and the Electoral Commission, can take into account any parish boundary changes that are made. The Electoral Commission can provide advice on its programme of electoral reviews.'

11. The timetable of any community governance review must allow a reasonable time for the formulation of terms of reference, consultation of interested stakeholders, for consideration of the evidence following that consultation, for the decision to be made and (if it is for a community governance order to be made) for implementation (including publication) (see para.38).

What should the terms of reference be?

12. If the Council is to voluntarily undertake a community governance review, it must decide the terms of reference and these must be published. If any modifications are made to the terms of reference, these must also be published. As para. 21 of the Guidance states '...the Government expects terms of reference to set out clearly the matters on which a community governance review is to focus. The local knowledge and experience of communities in their area which principal councils possess will help to frame suitable terms of reference. The terms should be appropriate to local people and their circumstances and reflect the specific needs of their communities.' One obvious constituent of the terms of reference is the area under the review. Para. 23 of the Guidance states 'Local people may have already expressed their views about what form of community governance they would like for their area, and principal councils should tailor their terms of reference to reflect those views on a range of local issues...'

What are the Consultation requirements?

13. Section 79 of the Act requires the Council to notify the County Council of any intention to undertake a review and of the terms of reference. Following notification, section 93 of the Act requires consultation with the County Council and other local

authorities which have an interest in the review. Para. 33 of the Guidance states ‘...principal councils will need to consult local people and take account of any representations received in connection with the review...’ It will need to consult with other local bodies or organizations such as local businesses, local public and voluntary organizations including local residents’ associations. In undertaking a review section 93(5) requires the Council to take these bodies into account.

What are the criteria for undertaking a community governance review?

14. The statutory criteria in section 93 of the Act are set out in para. 51 of the guidance. The community governance review within the chosen area under review must ensure that the community governance will be ‘reflective of the identities and interests of the community in that area and is effective and convenient.’ The Council when considering the statutory criteria must ‘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.’ (see para.52 of the Guidance).

What recommendations and decisions on the outcome of reviews?

15. The Council must make recommendations as to:‘
(a) whether a new parish or any new parish should be constituted;
(b) whether existing parishes should or should not be abolished or whether the area of existing parishes should be altered; or
(c) what the electoral arrangements for new or existing parishes, which are to have parish councils, should be’ (see para. 91 of the Guidance)

The Council may also make recommendations ‘about:

(a) the grouping or degrouping of parishes;
(b) adding parishes to an existing group of parishes; or
(c) making related alterations to the boundaries of a principal council’s electoral areas.’ (see para.92 of the Guidance).

16. In deciding what recommendations to make the Council must have regard to the section 93 criteria and must also take account any other arrangements (apart from those relating to parishes and their institutions) that have already been made, or that could be made, for the purposes of community representation or community engagement. (see para.93 of the Guidance).The Council must also take into account any representations received. The recommendations should be supported by evidence which demonstrates that the recommended community governance arrangements would meet the statutory criteria. The Council must publish its recommendations. In making its decision as to whether or not to give effect to its recommendations, the Council must have regard to the statutory criteria (see para.51 of the Guidance). The Council must publish its decision and the reasons for its decision.

What about implementation?

17. Implementation is by way of a ‘community governance order’. The Guidance states that any ‘community governance order’ should take effect from 1 April following the date it is made. If therefore the community governance review results in a

'community governance order', the commencement of a community governance review needs to take into account that the Guidance at para. 30 states: 'Reorganisation of community governance orders....creating new parishes, abolishing parishes or altering their area can be made at any time following a review. However, for administrative and financial purposes (such as setting up the parish council and arranging its first precept), the order should take effect on 1 April following the date on which it is made'. The Local Government Finance (New Parishes) Regulations 2008 No. 626 deals with the setting of precepts for new parishes. The Guidance continues 'Electoral arrangements for a new or existing parish council will come into force at the first elections to the parish council following the reorganisation order. However, orders should be made sufficiently far in advance to allow preparations for the conduct of those elections to be made. In relation to a new parish council, the principal council may wish to consider whether, during the period between 1 April and the first elections to the parish council, it should make interim arrangements for the parish to be represented by councillors who sit on the principal council.'

18. The Guidance states '...where a new parish council is to be created, if the next election to the ward or division are not scheduled to take place for some time, the principal council is able to modify or exclude the application of sections 16(3) and 90 of the Local Government Act 1972 to provide for the first election to the parish council to be held in an earlier year, with councilors serving a shortened first term to allow the parish council's electoral cycle to return to that of the unitary, district or London borough ward.'

19. The Guidance also states that the process of a community governance review should be completed within 12 months (calculated from the date of receipt of a valid community governance petition or from the date of the start of the community governance review). 'Principal councils are required to complete the review, including consequential recommendations to the Electoral Commission for related alterations to the boundaries of principal area wards and/or divisions, within 12 months of the start of the community governance review (or on receipt of valid community governance petition...)'