

County Council

25 February 2015

Community Governance Review – Pelton and Newfield



Report of Colette Longbottom, Head of Legal and Democratic Services

Purpose of the Report

1. To present to Council the draft terms of reference and consultation documents which have been prepared for the Community Governance Review (“Review”) of Pelton and Newfield.

Background

2. On 10 June 2014 the Council received a petition from Newfield and Pelton Lane Ends Residents Association (“the Residents Association”) in support of the unparished area of Newfield to become part of the parish of Pelton. The petition was accompanied by a letter dated 4 June 2014 from Pelton Parish Council in support of the Residents Association’s request.
3. The Council acknowledged receipt of the petition on 1 July 2014 and confirmed that it was considered to be valid because it contained sufficient signatures from local residents in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 (“the Act”), however in order to progress the Review a suitable map detailing the existing parished area of Pelton and the unparished area of Newfield was sought. The map was received in October 2014.
4. Initial comments on the request to incorporate Newfield within Pelton Parish have now been sought from local members who advised they would support the wishes of the local people.
5. The Residents Association have subsequently advised that since submitting their petition, they have been approached by residents and businesses in an area adjacent to Newfield, currently a non-parished area of Pelton Fell, who have also requested to be included within the Pelton Parish. No other form of communication has been received by the Council from residents/ businesses or the Parish Council regarding this.

Relevant Legislation

6. If a principal council receives a valid petition under section 80 of the Act, it is obliged under section 83 of the Act to undertake a community governance review that has terms of reference that allow for the petition to be considered.

Terms of Reference and Consultation Document

7. Draft terms of reference have been prepared and are attached at Appendix 2. The terms of reference establish how the review and public consultation will be undertaken as well as setting out the timetable for the review. Members are advised that upon approval of the terms of reference by Council, the Review process will commence in accordance with the timetable contained in the terms of reference.
8. In preparing the maps for the consultation document, some further properties with a Newfield postcode were identified that were not included in the map supplied by the Residents Association. For completeness these properties will be included within the proposed area of Newfield to be transferred to Pelton. The consultation document is attached at Appendix 3.

Conclusion

9. The Council must undertake a community governance review that has terms of reference that allow for the valid petition to be considered under section 83 of the Act and therefore draft terms of reference and a consultation document have been prepared for approval for the area of Pelton and Newfield.
10. As a valid petition has not been received for the area adjacent to Newfield (referred to in paragraph 5 of the report), the Council is under no obligation to include this area in the Review. This area lies within the electoral division of Chester-le-Street West and the properties have a Pelton Fell postcode. Officers are aware that Pelton Fell Community Partnership are seeking views from residents regarding the possible establishment of a parish council in the area. The Review of Pelton and Newfield does not therefore include this area which would be considered under a separate Review if a valid petition is received.
11. Constitution Working Group agreed at its meeting on 26 January 2015 to recommend that Council approve the draft terms of reference and consultation documents for the review of Pelton and Newfield.

Recommendation

12. To approve the draft terms of reference and consultation documents for the review of Pelton and Newfield.

Background Paper(s)

CLG and Local Government Boundary Commission for England Guidance on
Community Governance Reviews

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Appendix 1: Implications

Finance - The main costs will be in respect of a consultation and will be met from the budget identified for community governance reviews.

Staffing – The work will impact on staff time.

Risk - None

Equality and Diversity - None

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation – See report

Procurement - None

Disability Discrimination Act - None

Legal Implications – A review will be undertaken in line with current legislation and Regulations.