

COMMUNITY GOVERNANCE REVIEW OF PELTON FELL**TERMS OF REFERENCE****Introduction**

On 23 September 2015 Durham County Council (“Council”) resolved to undertake a Community Governance Review (“Review”), commencing on 23 September 2015, covering the unparished area of Pelton Fell.

In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626). (The 2007 Act has transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission and the Boundary Committee for England).

The Council has also given due consideration and carefully considered the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government published in 2008.

What is a community governance review?

A Community Governance Review is a legal process whereby the Council will consult with households and other interested parties on the most suitable ways of representing the people in the area identified in this review.

This means making sure that households and other interested groups have a say in how local services are delivered in their area.

A Review can consider one or more of the following options:

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style of new parishes and the creation of town councils;
- the electoral arrangements for parishes (for instance, the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding);
- grouping parishes under a common parish council or de-grouping parishes;
- other types of local arrangements, including parish meetings.

Aim of the Review

The Council aims to ensure that community governance arrangements within the area under review are reflective of the identities and interests of the community in that area.

The Council will also:

- consider what community governance arrangement is effective and convenient to the community in that area;
- consider what other arrangements there could be for the purpose of community governance or engagement;
- consider the size, population and boundaries of the local community or parish.

Why is the Council undertaking the Review?

Pelton Fell Community Partnership (“the Partnership”) submitted a valid petition to the Council which seeks for the unparished area of Pelton Fell to have an independent Community Council.

Who is undertaking the Review?

The Council is responsible for undertaking any review within its electoral area. The full Council is responsible for agreeing draft and final recommendations prior to any Community Governance Order being made.

Consultation

The Council has drawn up and now publishes these Terms of Reference. This document sets out the aims of the Review, the legislation that guides it and some of the policies the Council considers important in the Review. In coming to its recommendations in a review, the Council needs to take account of the view of the local people.

The Council recognises that the development of strong, sustainable communities depends on residents’ active participation in decision making and making a positive contribution to improving the place where they live. The Council is therefore committed to engaging effectively with the diverse communities it serves and to enabling local people to participate meaningfully in decisions that affect their lives, where all people feel able to take an active part in influencing service delivery.

The Council intends to undertake consultation with households and other stakeholders in the area and will:

- produce a consultation document and feedback form which will be sent to all households in the review area;

- publish relevant notices within the local media and on the Council's website;

The initial consultation period (detailed in the review timetable) will end on 6 November 2015. Any representations on the review must be received by that date or they may not be considered.

The Council will also be pleased to receive comments from any other person or body that wishes to make representations during the initial submission.

The Council intends to clearly publish all decisions taken during the review, give reasons for taking such decisions and conduct the process transparently so that local people and local stakeholders who may have an interest are made aware of the outcome of the decisions taken.

How to contact us

Please send any representation to:-

Freepost RSSZ-SYUS-ERXZ

Democratic Services
Room 1/13-20
Durham County Council
County Hall
DURHAM
DH1 5UL

or alternatively, you can submit written representation by email to durhamcgr@durham.gov.uk. A copy of the consultation document is also available online at www.durham.gov.uk/communitygovernance

Further information about the review is available on the Council's website and its social network pages, detailed below:

www.durham.gov.uk/communitygovernance

www.facebook.com/durhamcouncil

www.twitter.com/durhamcouncil

Timetable for the Review

Action	Time Span	Dates
Publication of Terms of Reference		23 September 2015
Consultation process - Invitation of initial submissions	6 weeks	23 September 2015
Analysis/evaluation of submissions and preparation of draft proposals	6 weeks	6 November 2015
Publication of draft proposals		20 January 2016
Consultation on draft proposals	6 weeks	20 January 2016
Analysis/evaluation of draft proposals and preparation of final recommendations	6 weeks	2 March 2016
Publication of final recommendations and agreement to make re-organisation Order, if appropriate		18 May 2016
Preparation and publication of any reorganisation Order	One month	20 June 2016

Order and commencement

The Review will be completed when the Council publishes its final recommendations.

In the event of a Reorganisation of Community Governance Order being required, the provisions of such an order may take effect from 1 April 2017 for financial and administrative purposes depending upon the outcome of the review. The electoral arrangements for the possible formation of any new or revised arrangements for an existing town or parish council will come into force at the local town and parish council elections on 4 May 2017.

Publication of terms of reference

These Terms of Reference will be published on the Durham County Council website www.durham.gov.uk/communitygovernance and are available for inspection at the offices of the Council.

Date of publication

23 September 2015