

# County Council

25 January 2017

## Community Governance Review – Central Unparished areas of Durham



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### Report of Corporate Management Team

**Colette Longbottom, Head of Legal and Democratic Services**

**Councillor Simon Henig, Leader of the Council**

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#### Purpose of the Report

- 1 To present to Council the draft terms of reference and the consultation document which have been prepared for the Community Governance Review (“Review”) of the central unparished areas of Durham.

#### Background

- 2 On 21 October 2016 the Council received a petition from Roberta Blackman-Woods MP requesting that the County Council formally consult with residents of the central unparished wards of Durham about the formation of a new Town Council.
- 3 The Council acknowledged receipt of the petition and confirmed that it was considered to be a valid petition on 8 November 2016 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”) as amended. Whilst a map has been provided defining the area to which the Review is to relate, the area identified has been transposed onto a map produced by the County Council, see Appendix 2.

#### The Law, Duties and Guidance

- 4 If a principal council receives a valid petition under section 80 of the Act, as amended, it is obliged under section 83 of the Act to undertake a Review that has terms of reference that allow for the petition to be considered.
- 5 The Council must conclude a Review within a period of 12 months starting with the day on which the Council receives the Community Governance application or petition. The 12-month timetable is concluded when the Council publishes the final recommendations made in the Review.
- 6 Under section 93 of the Act, a Principal Council must comply with various duties when undertaking a Review, including:

- i. It must have regard to the need to secure that community governance within the area under review:
  - a. reflects the identities and interests of the community in that area
  - b. is effective and convenient.
- ii. In deciding what recommendations to make, the Council must take into 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 in respect of the area under review.
- iii. The Council must take into account any representations received in connection with the review.

- 7 Under Section 100 of the Act, the Council must also have regard to guidance issued by the Secretary of State. In March 2010 the Department for Communities and Local Government and the Local Government Boundary Commission for England, published guidance on Reviews (“Guidance”).
- 8 The Guidance refers to a desire to help people create cohesive and economically vibrant local communities and states that an important aspect of this is allowing local people a say in the way their neighbourhoods are managed. The Guidance does stress that parish councils are an established and valued form of neighbourhood democracy and management in rural areas that increasingly have a role to play in urban areas and generally have an important role to play in the development of their communities. The need for community cohesion is also stressed along with the Government’s aim for communities to be capable of fulfilling their own potential and overcoming their own difficulties. The value which is placed upon these councils is also highlighted in the fact that the guidance states that the Government expects to see the creation of parishes and that the abolition of parishes should not be undertaken unless clearly justified and with clear and sustained local support for such action.
- 9 The Guidance also states that the Council must have regard to the need to secure community governance within the area under Review, reflects the identities of the community in the area and is effective and convenient.
- 10 The Guidance acknowledges how people perceive where they live is significant in considering the identities and interests of local communities and depends on a range of circumstances, often best defined by local residents.

- 11 The Council must also take into account other arrangements that have been made and could be made for the purposes of community engagement and they must consider the representations received in connection with the Review.
- 12 Whilst the Guidance is generally supportive of parish councils, it is not prescriptive and does not state that they should be routinely formed. Indeed in parts of the guidance it stresses that the statutory duty is to take account of any representations received and gives the view that where a council has conducted a review following receipt of a petition it will remain open to the council to make a recommendation which is different to the recommendation the petitioners wish the council to make. It also acknowledges that a recommendation to abolish or establish a parish council may negatively impact on community cohesion and that there is flexibility for councils 'not to feel forced' to recommend that the matters included in every petition must be implemented.

### **Constituting a New Parish**

- 13 The Review will need to consider a hierarchy of topics, described in Association of Electoral Administrators literature as dependent upon and related to the other. These topics are considered in detail at Appendix 3.

### **History- Previous Reviews**

- 14 Council will recall that a comprehensive Review was undertaken in the Durham area in 2012, although the area under Review at that time also included other unparished areas.
- 15 The Review undertaken at that time proposed different options, one/some of which included the parishing of the whole of the unparished area in Durham (formerly the Durham City Council area). A number of consultations / drop in sessions were held and the Review involved many stages of consultation and re-consultation on the different options proposed.
- 16 As part of this Review, electors will be provided with two options, to either parish the area identified in the petition and form a parish council or to maintain the current community governance arrangements. It is not intended to propose an option to extend the proposed parished area outside of that identified in the petition because it was apparent during the Review carried out in 2012 that there was no appetite for a parish council in some of the unparished areas of Durham. The Review will instead focus on whether the proposal put forward by the petitioners should be implemented or whether the current community governance arrangements should be maintained.

## **Charter Trust**

- 17 When Durham City Council was abolished in 2009, Durham retained its city charter status through the appointment of charter trustees. The Charter Trustees ensure the continuation of civic traditions for the City of Durham and appoint the Mayor and Deputy Mayor from the appointed Trustees.
- 18 The Guidance issued states that Charter Trustees were not intended to act as administrative units and proposals to create a parish or parish council covering all or part of a charter trust area need to be judged in particular against the following considerations:
  - a) the effect on the historic cohesiveness of the area
  - b) what are the other community interests in the area? Is there a demonstrable sense of community identity encompassing the charter trustee area? Are there smaller areas within it which have a demonstrable community identity and which would be viable as administrative units?
- 19 The Charter Trustees will remain in situ unless all of the unparished area within the former Durham City area is parished. The Charter Trust will only be dissolved if the whole of the unparished area is parished. Therefore in light of the options to be presented to consultees, the Charter Trust will continue regardless of the outcome of the Review, which means that, the ceremonial Mayor will remain with the Charter Trust and continue to be financed through a precept on the households in the former Durham City Council area.

## **Other forms of Governance**

- 20 In conducting a Review, the Council must consider other forms of community governance as alternatives or stages towards establishing parish councils. Structures such as local residents' associations, community or neighbourhood forums and area committees have an important role to play in local community governance.
- 21 Durham has a number of resident and community associations including St Nicholas Community Forum, Gilesgate Residents, Elvet Residents, Merryoaks Residents, Neville's Cross Residents, Sheraton Park Residents, Sidegate Residents, Quarryhouse Lane Residents, Durham City Neighbourhood Local Planning Forum, Durham City Access for All, and Crossgate Community Partnership. The Council will consult with these associations and forums as part of the Review.
- 22 Representations have already been received from the Durham City Neighbourhood Planning Forum who has advised that they are in the process of developing a neighbourhood plan for the unparished areas of Durham City, the same area for which the petition was presented. One of the elements of the neighbourhood plan is to make

arrangements for monitoring the implementation of its policies. The Forum is a temporary body that will cease to exist once the plan is made and in identifying a suitable body to carry out this monitoring function, they consider that the County Council might well play a part, as might local residents' associations and other interest groups, but they think the most effective body would be a town council, as most areas where a town or parish council exists, it is the body that develops the neighbourhood plan.

### **Proposal for Consultation**

- 23 The Council is required to commence and carry out the Review within a strict timetable. The Council must also publish terms of reference for the Review. The proposed timetable will take into account the local elections taking place on 4 May 2017 and the consultation period for the Review will avoid the purdah period.
- 24 The proposed terms of reference are set out in Appendix 4. 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.
- 25 It is proposed to consult the relevant electorate on two options: The first option being the creation of a new parish and the establishment of a parish council in the terms set out in the terms of reference and consultation documents. The second option is to maintain the status quo and not change the existing community governance arrangements in the area.
- 26 The draft consultation document is attached at Appendix 5.

### **Proposed Parish and Council name**

- 27 The Review must make recommendations with regard to the name of any new parish and council to be established. The consultation document will therefore propose that in relation to Option 1, the central unparished area of Durham as shown on the map would become parished and would be known as 'the City of Durham Parish'. A council would be established and called the 'City of Durham Parish Council.' This is because using Town Council is clearly inappropriate as Durham is a city and the name Durham City Council would be confusing as it sounds like a District or Borough Council.

### **Method of Consultation**

- 28 Constitution Working Group considered the use of consultative polls in Reviews at the meeting held on 9 November 2016 and agreed that they would promote democracy, which would be enhanced by enabling

the electorate rather than each household to have a say where there could be differences of opinion.

29 There are a number of powers enabling Councils to conduct local polls:

- (i) Section 116 of the Local Government Act 2003 (2003 Act) enables an authority to hold polls in order to ascertain the views on any matter relating to its services, expenditure on those services or its power to promote well-being in its area
- (ii) Section 141 of the Local Government Act 1972 gives county and unitary councils the power to conduct or assist in the conducting of investigations into and the collection of information relating to any matters concerning the authority or any part of it.

30 Under the 2003 Act there is freedom for the Council to decide:

- Who to poll; and
- How such a poll is to be conducted.

The result of the poll is not binding on the authority.

31 It was agreed at the meeting of the Constitution Working Group in November 2016 that a poll should be used for Reviews which relate to the creation or abolition of a parish council. A poll would be distributed to those electors whose names are on the electoral register in the area under Review. A consultative poll is not a referendum, however a postal consultative poll would ensure the best opportunity for all consultees to respond to a Review. The approximate cost of undertaking the poll is set out in Appendix 1.

32 Consultation will also be undertaken through writing to the statutory consultees and seeking their views. A press release will also be issued, and relevant information will be published on the Council's website.

33 Only returns received through the consultative poll and letters returned from the statutory consultees will be considered/evaluated as part of the Review.

## **Conclusion**

34 The Council must undertake a Review that has terms of reference that allow for the valid petition to be considered under section 83 of the Act. Draft terms of reference and information to be included in the consultation document have been prepared for approval by Constitution Working Group. The consultation will take place in the form of a consultative poll.

- 35 Constitution Working Group agreed at its meeting on 11 January 2017 to recommend that Council approve the draft terms of reference and consultation documents for the Review.

### **Recommendation**

36 That Council:-

- (i) approve the draft terms of reference for the Review of the central unparished areas of Durham.
- (ii) approve the draft consultation document, as contained in Appendix 5.
- (iii) agree to commence the Review by undertaking a consultative poll.
- (iv) agree that the following two options are presented to electors in the poll

#### **Option 1**

To implement changes to the current community governance arrangements. This would see the central unparished areas of Durham, as shown on the map in Appendix 2, become parished and have its own parish council.

#### **Option 2**

That the current community governance arrangements in the central unparished areas of Durham remain unchanged. This would mean that there would be no change to community governance arrangements in the area.

- (v) grant delegated authority to the Head of Legal and Democratic Services in consultation with the Leader of the Council to revise the terms of reference / consultation information if the need arises, due to their being no ordinary council meetings from 22 March 2017 until 25 June 2017, with the local elections being held on 4 May 2017.

### **Background Paper(s)**

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

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## **Appendix 1: Implications**

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**Finance** – The main costs will be incurred in respect of the consultation. Some costs can be met from the budget identified for community governance reviews, however, additional finance will need to be provided to meet the costs of the consultative poll. The cost of undertaking the first stage of consultation, i.e. consultative poll is approximately £8,000

**Staffing** – The Review will impact on staff time which is required in undertaking the different stages of consultation. Additional work will be required if a new Council is to be established

**Risk** – None specific within this report

**Equality and Diversity** – An equality impact assessment has been undertaken and will be updated during each stage of consultation

**Accommodation** – None specific within this report

**Crime and Disorder** – None specific within this report

**Human Rights** – None specific within this report

**Consultation** – See report

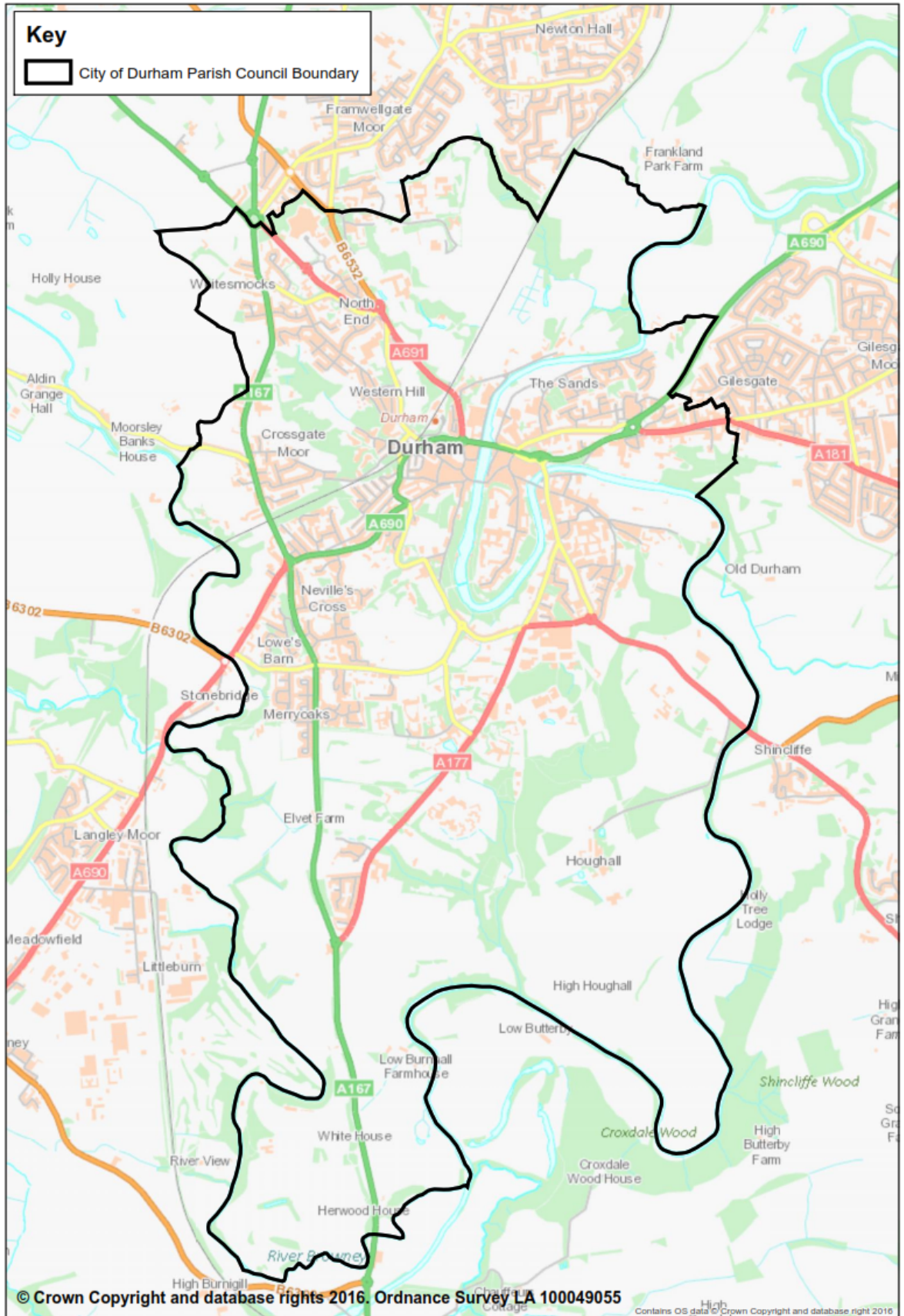
**Procurement** – None specific within this report

**Disability Discrimination Act** – None specific within this report

**Legal Implications** – The Review will be undertaken in line with current legislation and Regulations



**Appendix 2: Map of the area under consideration**



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## **Appendix 3: Constituting a New Parish- Areas to be Considered**

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### **Parish Areas**

- creating, merging and abolishing parishes;
- parishing previously un-parished areas;
- lesser boundary alterations between existing parishes;
- grouping parishes under a common council or dissolving groups;
- parish name changes;
- alternative styles for any new parishes.

### **Electoral Arrangements**

- whether to have a parish council or not;
- the size of the council;
- whether to ward the parish or not;
- drawing up appropriate ward boundaries;
- allocating councillors to wards.

### **Consequential Matters**

- recommendations to the Local Government Boundary Commission for England for changes to the unitary/county/borough/district divisions or wards;
- dealing with assets – fixed and otherwise;
- setting a precept for the new council;
- first elections and electoral cycles;
- setting the commencement dates.

### **Parish – new and existing parishes**

A new parish is:-

- establishing an unparished area as a parish;
- aggregating one or more unparished areas with one or more parished areas;
- aggregating parts of parishes;
- amalgamating two or more parishes;
- separating part of a parish.

If a new parish is set up, the review needs to make recommendations as to the name of the parish, whether or not it should have a parish council, the electoral arrangements of that council and whether or not the new parish should have one of the alternative styles.

## Parish names and alternative style

Where a new parish has been constituted, the review must make recommendations as to the name of the new parish and whether it should have an alternative style.

Where the review makes recommendations that a parish should have a council or an existing parish council should be retained, the review must also make recommendations with regard to the electoral arrangements or changes to electoral arrangements.

## Electoral arrangements

- The year in which ordinary elections of councillors to be held.
- The number of councillors to be elected to the council (or in the case of a common council, the number of councillors to be elected to the council by each parish).
- The division (or not of the parish), or (in the case of a common council) any of the parishes into wards for the purposes of electing councillors.
- The number and boundaries of any such wards.
- The number of councillors to be elected for any such ward.
- The name of any such ward.

Duties with regard to parishes in relation to the number of electors are prescribed in section 94 of Act and are set out in the table overleaf:-

1	The parish has 1,000 or more local government electors	The review must recommend that the parish should have a council
2	The parish has 150 or fewer local government electors and does not currently have a council	The review must recommend that the parish should not have a council
3	The parish has 150 or fewer local government electors and currently has a council or was part of a parish that had a council	It is for the principal council to decide whether or not the parish should have a council
4	The parish has between 150 and 1000 electors	It is for the principal council to decide whether or not the parish should have a council

## Councillor Numbers

The minimum legal number of parish councillors for each parish council is five. There is no maximum number and there is no other legislative guidance. The only other requirement is that each parish in a grouping arrangement must have at least one member on the common council.

National Association of Local Councils (NALC) published guidance in 1988. It recommended that a council of no more than the legal minimum of five members is inconveniently small and considers a practical minimum should be seven. It does, however, state that local council business does not usually require a large body of councillors and business convenience makes it appropriate to suggest that the practical maximum should be twenty five.

Aston Business School has also carried out research and the recommended figures by both the NALC and Aston are reproduced below. Within those minimum and maximum limits, the following allocations were recommended by NALC:

<b>Electors</b>	<b>Councillors</b>	<b>Electors</b>	<b>Councillors</b>
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	Over 23,000	25
9,000	16		

However, in rural authorities with sparsity of population, even this table may not be appropriate.

The Aston Business School's research was published in 1992. It showed the then levels of representation and it is likely that these levels of representation have not greatly changed in the intervening years.

<b>Electors</b>	<b>Councillors</b>
<500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27
>20,000	13-31

The Local Government Boundary Commission for England (LGBCE) is of the view that each area should be considered on its own merits having regard to population, geography, the pattern of communities and to the current powers of parish councils.

When considering the number of electors, the council must have regard to:-

- (a) The number of local government electors of the parish; and
- (b) Any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

## **Warding**

Warding arrangements are dealt with under section 95 of the Act. In considering whether to recommend that a parish should or should not be divided into wards, the principal council should consider the following:-

- Whether the number, or distribution, of the local government electorate for the parish would make a single election of councillors impracticable or inconvenient.
- Whether it is desirable that any area or areas of the parish should be separately represented on the council.
- Whether Governance is effective and convenient. Guidance suggests that it might be relevant to ask if the additional cost of separate ward elections in some cases would represent an effective use of the parish's limited resources. The LGBCE stated 'there must be a reasonable number of local government electors in the parish ward to make the election of a council viable and the commission considers that a hundred electors is an appropriate lower limit.

If the council decides to recommend that the parish should be divided into wards, it must have regard to the following when considering the size and boundaries of the wards and the number of councillors to be elected:-

- The number of local government electors for the parish;
- Any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the review ends;
- The desirability of fixing boundaries which are, and will remain, easily identifiable; and
- Any local ties which will be broken by the fixing of any particular boundaries.

The Government also advises that another relevant consideration in the warding of parishes is the layout of the principal council electoral areas. No unwarded parish should be divided by the district or county division boundary and no parish should be split by such a boundary.

The number of councillors should be proportional to electoral sizes across parish wards. LGBCE's guidance states that "each person's vote should be of equal weight so far as possible, having regard to other legitimate competing factors when it comes to the election of councillors".

### **Precept**

If a parish council was to be established it would be able to levy a precept against the electorate. The County Council would be obliged to set the precept for its first year of operation, and in subsequent years it would be for the elected council to set its own precept, taking into account the services it plans to provide. When deciding the amount of precept, the County Council would need to ensure that it complies with the law and provides enough money for the new council to fulfil those duties which, in its first year, need to be budgeted and/or paid for. These include to employ a clerk, meet at least four times a year (if location costs are payable), secure insurance cover, pay internal and external auditors, manage any physical assets and establish a bank account.

**COMMUNITY GOVERNANCE REVIEW OF CENTRAL UNPARISHED  
AREAS OF DURHAM**

**TERMS OF REFERENCE**

**Introduction**

On 25 January 2017 Durham County Council (“Council”) resolved to undertake a Community Governance Review (“Review”), commencing early February 2016, covering the central unparished areas of Durham.

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 those living in the area, 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 those living in the area, 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?**

On 21 October 2016 the Council received a petition from Roberta Blackman-Woods MP requesting that the County Council formally consult with residents of the central unparished areas of Durham about the formation of a new Town 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 now published 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 will undertake an initial consultation with electors and other stakeholders in the area. The consultation on two options will take place comprising:



- a consultative poll which will be distributed to those electors whose names are on the electoral register in the area under Review. A consultative poll is not a referendum. Further information will be provided on what the council would look like if it was established including the electoral arrangements, council name, size and initial precept of a possible parish council;
- consultation will also be undertaken through writing to the statutory consultees and seeking their views. A press release will be issued, and relevant information will be available on the council's website;
- only returns received through the consultative poll which is a verified poll, and letters returned from the statutory consultees will be considered as part of the Review.

### How to contact us

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

[www.durham.gov.uk/communitygovernance](http://www.durham.gov.uk/communitygovernance)

[www.facebook.com/durhamcouncil](https://www.facebook.com/durhamcouncil)

[www.twitter.com/durhamcouncil](https://www.twitter.com/durhamcouncil)

### Timetable for the Review

Action	Time Span	Dates
Publication of Terms of Reference		6 February 2017
Consultation process – consultative poll with local electors and consultation with statutory consultees	4 weeks	6 February 2017
Analysis/evaluation of consultative poll results and submissions received. Preparation of draft proposals	6 weeks	6 March 2017
Publication of draft proposals		3 July 2017
Consultation on draft proposals	4 weeks	3 July 2017
Consideration of submissions received and preparation of final recommendations	6 weeks	31 July 2017
Publication of final recommendations and resolution		25 September 2017

to make a re-organisation Order, if appropriate		
Preparation and publication of any reorganisation Order	One month	25 October 2017

### **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 2018 for financial and administrative purposes depending upon the outcome of the review. The electoral arrangements for the possible formation of any new council would have elections taking place in May 2018, and then in May 2021 where they would fall in line with the ordinary year of election of councillors for local, parish and town elections, and then every four years thereafter.

### **Publication of terms of reference**

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

### **Date of publication**

6 February 2017

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## **Appendix 5: Draft Consultation document**

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**Important information included and ballot paper included in pack for return by 6 March 2017.**

### **Community Governance Review of the Central Unparished Areas Of Durham**



#### **What is Community governance?**

It is the way in which local communities are represented and governed at a local level. Durham County Council may review community governance across the County. Requests for reviews can also be made by the public and local groups by submitting a valid petition which requires the Council to carry out a Community Governance Review ("Review").

#### **What is a Community Governance Review?**

A Review is a legal process carried out by the County Council where views can be sought from the public and other interested parties about the most suitable way of representing local communities. The outcome of a Review can lead to the creation of a parish council in an unparished area. Reviews, such as the one we are carrying out in your area, pay particular attention to the possible formation of a local council (a parish council), council size (number of councillors) and warding arrangements (for representational purposes). Any recommendations made by the County Council through a Review should bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

#### **What is a Parish Council?**

It is a form of local council, which is subject to a similar range of legal requirements as principal authorities such as the County Council. Many local councils work to enhance or improve local services, often in partnership with the principal authority or other partners. They can bring many benefits to an area, and represent the community at grass roots level. Whilst most local councils deliver a range of services to their communities, some choose not to do so and they can therefore differ significantly in size and the range of services provided. They are comprised of representatives elected by the people of the parish to make decisions and act on their behalf. They are funded principally by an annual precept, and the charge can vary considerably depending on the type of services delivered by the parish council.

#### **Why are we conducting a Review?**

On 21 October 2016 the County Council received a petition from the Member of Parliament for the City of Durham requesting that the Council *formally consult with residents of the central unparished wards of Durham about the*

*formation of a new town council.* The petition was valid as it contained sufficient signatures from local residents. The Review covers the central unparished area of Durham. This affects you because you live in one of the County Council Electoral Divisions for Elvet and Gilesgate, Durham South (part) or Neville's Cross.

### **What happens now?**

At present Durham County Council provides a wide range of local services including caring for looked after and safeguarding children, adult social care, community safety, public health services, environment, waste collection and disposal, health and consumer protection, street lighting, highways, leisure and cultural services, planning and assets, public transport, economic development and much more. You currently pay **£1649.38 per household, per year** (Council Tax Band D) for these services. This figure includes the precepts for County Durham and Darlington Fire and Rescue Authority, and the Durham Police and Crime Commissioner.

In addition to this, Durham City also has Charter Trustees. When Durham City Council was abolished in 2009, Durham retained its city charter status through the appointment of charter trustees. The trustees are in place to ensure the continuation of civic traditions for the City of Durham. The Trust will remain in situ unless all of the unparished area within the former Durham City area is parished. In light of the options presented during the consultation, the Trust will continue regardless of the outcome of the Review, which will mean that the ceremonial Mayor will remain with the Charter Trust. You currently pay **£1.90 per household, per year** (Council Tax band D) to enable the Charter Trustees to operate.

### **What are the options?**

We are consulting on two options only. You may only choose one option.

#### **Option One**

The current community governance arrangements would change and a parish council **would be created.**

This would mean that the central unparished area of Durham would become parished. The area would be known as 'the City of Durham Parish'. A parish council would be established and be called the 'City of Durham Parish Council'. The parish council would be divided into three wards Elvet and Gilesgate, Neville's Cross and Durham South. For administrative and financial purposes the new City of Durham Parish Council would take effect on 1 April 2018. Elections would take place in May 2018, and then in May 2021. Elections would then fall in line with the ordinary year of election of councillors for local elections (County, Town and Parish Council elections), and be held every four years thereafter. Residents would benefit from any local services that a parish council would choose to deliver.

### What will Option One cost?

All parish councils need money to provide services within the parish. They are funded through a charge added to your council tax, known as a precept. Initially, if the proposal went ahead, the County Council has suggested that a nominal precept would have to be set for its first year of operation amounting to £150,000. This is based on the council tax base for 2016/17. For example, the precept charge for a Band D property would be **£34.46 per household, per year**. This would then be re-calculated in-line with the new council tax base once established. In subsequent years it would be for the elected parish council to set its own precept. The cost would have to take into account the services and/or facilities the parish council wished to provide. The parish council would be solely responsible for meeting all of its expenditure. **You would continue to pay a precept to Durham County Council and the Charter Trustees.**

### Option Two

The current community governance arrangements would remain **unchanged**. There would be **no change** to arrangements in the area. A parish council **would not** be created.

### What will option two cost?

You will continue to contribute to the cost of delivery of services through your Council Tax as you do now. You will also continue to contribute to the Charter Trustees.

### How to respond?

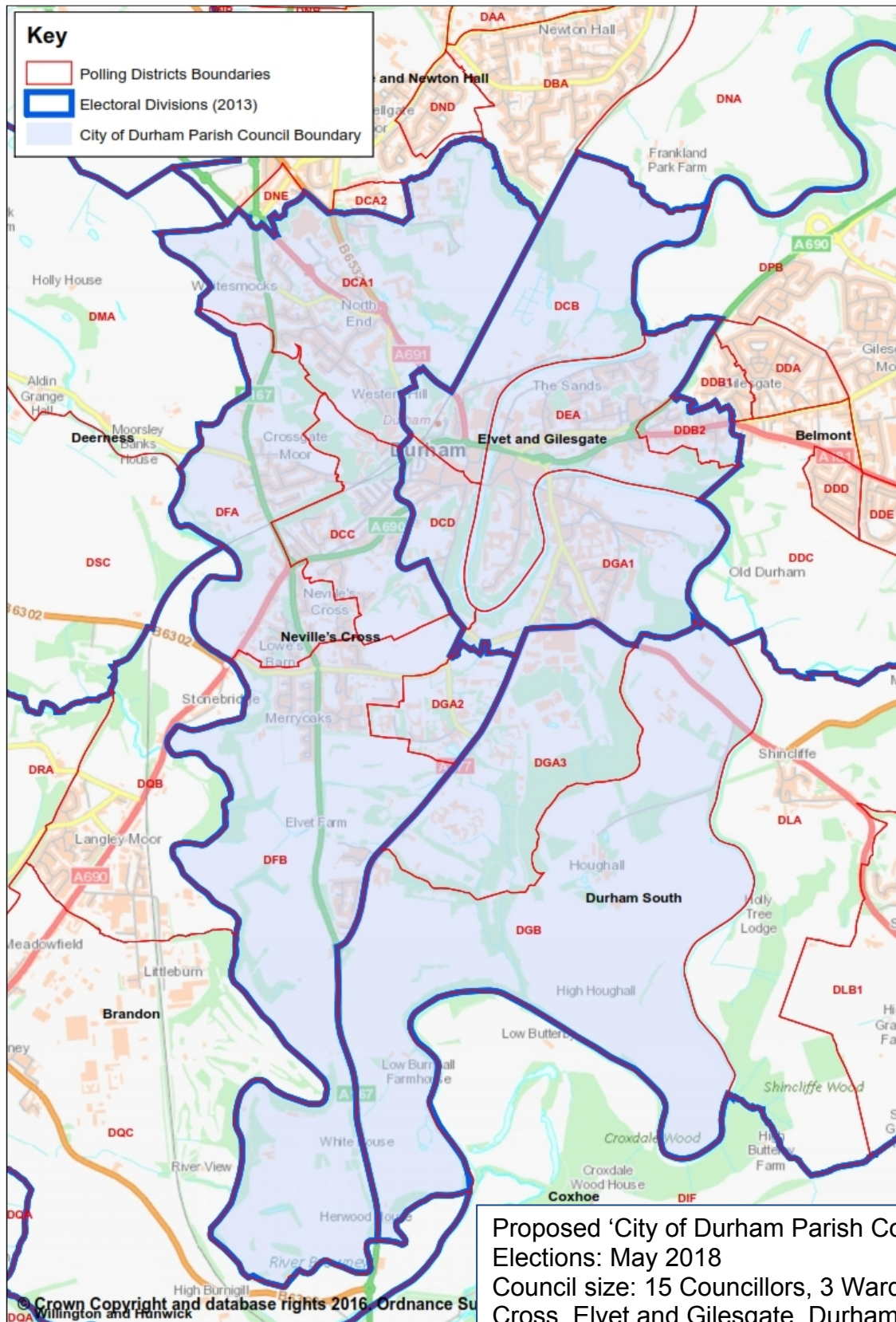
This consultative poll has been distributed to those electors whose names are on the electoral register in the area under Review. Please let us know your views by completing and returning the ballot paper in the envelope provided. **The consultation period closes on 6 March 2017.**

### Why are your views important?

The Council will take representations into account when making its decision about whether or not the community governance arrangements in the area under Review should change. Views of the statutory consultees will also be sought. Only returns received through the consultative poll with residents, and views of the statutory consultees will be considered as part of the Review. We will consider all of the responses from those we consult with and make a decision on what to do next.

### Further information

We will issue press releases at various stages of the Review. Further information about the Review, including the timetable, updates on the progress of the Review and all documents can be found on the Council's website [www.durham.gov.uk/communitygovernance](http://www.durham.gov.uk/communitygovernance). If you have any queries regarding the consultation please contact Democratic Services, Room 1/13-20, County Hall, DURHAM . DH1 5UL



Proposed 'City of Durham Parish Council' Elections: May 2018  
 Council size: 15 Councillors, 3 Wards (Neville's Cross, Elvet and Gilesgate, Durham South)  
 Nominal precept for first year of operation: £150,000. Based on 2016/17 council tax base precept would be £34.46 per household per year. This would be recalculated in subsequent years and the parish council would set its own precept taking into account the services it plans to provide in the future