

County Council

5 December 2018

Community Governance Review –

West Rainton



Report of Corporate Management Team

Helen Lynch, Head of Legal and Democratic Services

Councillor Simon Henig, Leader of the Council

Electoral division affected:

Sherburn

Purpose of the Report

- 1 To advise Council of the final stage of consultation that has been undertaken as part of the Community Governance Review (“the Review”) in relation to West Rainton, and to make a final recommendation in this regard.

Executive summary

- 2 Following Durham County Council (“the Council”) receiving a valid petition from the electors in West Rainton parish, which had been forwarded by West Rainton Parish Council (“the Parish Council”), the Council has undertaken a community governance review on the issue. The petition, with 284 signatures, requested that there be a reduction in the number of parish councillors on the Parish Council from 11 to 9, and to change the name of the Parish Council to include Leamside.
- 3 The Review included two stages of consultation with electors and relevant stakeholders, the first being an initial consultation on the proposals of the Parish Council. The consultation responses were considered and a draft recommendation on the Review was agreed by the Council on 19 September 2018. The second period of consultation was then undertaken on the draft recommendation, which was to give effect from 1 April 2019 to change the name of the parish/ Parish Council to West Rainton and Leamside; and with effect from the

ordinary elections in 2021 reduce the Parish Council size from 11 to 9 councillors.

- 4 The responses received have been considered by the Constitution Working Group, and it has made a recommendation to Council. It is now for Council to consider making its final recommendation of the Review. If council agree to support the change to community governance, a final recommendation will be published on the Council's website on 12 December 2018, and a Re-organisation order will be made one month thereafter.

Recommendation

- 5 That Council agree to make a final recommendation on the Review as follows:-
 - (a) With effect from 1 April 2019 confirm the change of name of the parish/ Parish Council to West Rainton and Leamside;
 - (b) With effect from the ordinary elections in 2021 reduce the parish council size from 11 to 9 councillors.
- 6 The final recommendation would be published on 12 December 2018, and the Re-organisation order would be made one month later.

Background

- 7 On 12 February 2018, Durham County Council ("the Council") received a petition from the electors in West Rainton parish which had been forwarded by West Rainton Parish Council ("the Parish Council") requesting that the Council undertake a Community Governance Review to reduce the number of parish councillors on the Parish Council from 11 to 9, and to change the name of the Parish Council to include Leamside. The petition contained 284 validated signatures.
- 8 The Local Government and Public Involvement in Health Act 2007 ("the Act") requires that for a petition to be valid for an area between 500-2499 electors, it must contain no fewer than 187 signatures and specify one or more proposed recommendations to be considered by a Review. The petition referred to at paragraph 2 met these criteria. A map defining the area to which the Review relates was produced by the Council and is attached at Appendix 2 of this report.
- 9 The request to change the governance arrangements was prompted by prolonged difficulties in maintaining full membership of the Parish Council, hence the request for a reduction in council size; together with a desire to change the name of the Parish Council to West Rainton and

Leamside Parish Council to better describe the geographical area represented.

- 10 The Terms of reference (ToR) for the Review including the timetable, and means of consultation were prepared by the Council and made available on the council's website, and a four week period of consultation was undertaken from 15 May 2018.
- 11 The ToR which were published on 15 May 2018 set out the various matters that a Review may consider under the Act. However it specified the purpose of the Review to be the two matters proposed by the petition (the name change and the reduction in the number of councillors) and it was to these matters that the consultation was directed. A copy of the ToR is attached at Appendix 3 to the report.

The Law, Duties and Guidance

- 12 Under section 93 of the Act, the Council must comply with various duties when undertaking a community governance review, including:
 - i. having regard to the need to ensure community governance within the area under review reflects the identities and interests of the community in that area, and is effective and convenient.
 - ii. taking 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. taking into account any representations received in connection with the review.
- 13 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 (as was) and the Local Government Boundary Commission for England published guidance on Reviews of community governance.
- 14 Any community governance review must make the following recommendations:
 - (i) what new parish or parishes should be constituted in the area under review (section 87(1));
 - (ii) in relation to an existing parish (section 88):

- (a) that the parish should not be abolished and that its area should not be altered; or
- (b) that the area of the parish should be altered; or
- (c) that the parish should be abolished; and
- (d) whether or not the name of the parish should be changed; and
- (e) whether or not the parish should continue to have a council; and
- (f) if so, what changes (if any) should be made to the electoral arrangements that apply to that council (section 90), and this should include consideration of what warding arrangements should apply.

- 15 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.
- 16 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.
- 17 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:

Electors	Councillors	Electors	Councillors
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		

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

19 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.

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

20 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.

- 21 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.

Consultation on Initial proposals

- 22 The initial consultation on the proposals put forward by the Parish Council commenced on 15 May 2018 for a 4 week period. It involved consultation with stakeholders with details sent on 15 May 2018 to the local Councillors, the County Durham Association of Parish and Town Councils (CDALC), the Member of Parliament for the City of Durham Constituency, the Durham Area Action Partnership, and local community groups. A press release was issued to cover interested electors with information given on how to make representations during the consultation. The Council is aware that articles appeared in the Sunderland Echo on 28 May, Northern Echo on 29 May, and Durham Times on 1 June. Relevant information was also published on the Council's website.
- 23 Responses in support were received from two residents, and one resident advised of their objection. Comments made in favour included that 11 parish councillors was an over representation, difficulties in attracting more candidates to stand, risk of meetings being inquorate, and necessitating calling of elections. Against the change was concern that there was lack of openness and transparency in the parish council's proposal to reduce the council size, a lack of consistency with a neighbouring parish council size, that it decreases democratic accountability by responding to short term difficulties in recruitment of councillors, that there would soon be an increased electorate with developments in the area, and that the proposed name change would not better reflect the geographical area which as well as West Rainton and Leamside also covers other areas including Rainton Gate, Moorhouse, Chilton Moor and Moorsley Bank.
- 24 County Durham Association of Parish and Town Councils (CDALC) advised that it usually responds to say that they have no objections about reduction in council size and that it makes it easier for elections to be called at an ordinary election. They asked whether the Parish Council had consulted with members of the community before taking the decision to seek to reduce its council size. They had no comment on the suggested name change.

- 25 The Parish Council have questioned whether the reduction in number of councillors could be implemented as soon as possible rather than until it fell in-line with the ordinary year of elections, if the Council did agree to a change in governance.

Consultation on Draft Recommendations

- 26 Council considered the representations made in the initial consultation and agreed at its meeting on 19 September 2018 to make the following draft recommendation:-
- (a) With effect from 1 April 2019 change the name of the parish/ Parish Council to West Rainton and Leamside;
 - (b) With effect from the ordinary elections in 2021 reduce the Parish Council size from 11 to 9 councillors.
- 27 In accordance with the Review timetable the draft recommendation set out above was published and a further statutory period of consultation ran from 26 September until 24 October 2018. Stakeholders who were part of the initial consultation, and the members of public who had responded to the consultation were issued with a letter advising of the draft recommendation, and provided with the opportunity of commenting further on the proposal. A further press release was issued to cover interested electors with articles appearing in local newspapers. Relevant information was also published on the Council's website.
- 28 There was support from one resident, objections made by another, and the parish council re-iterated its position relating to council numbers and asked again whether the proposals for reducing the number of councillors could be brought in earlier than May 2021.
- 29 The letter of support from a resident who had commented in the initial consultation advised of continuing support and that the recommendations would better reflect the situation in their Parish. The objections made were from the same person who had objected in the initial round of consultation. The objector had submitted two slightly different letters of objections, one to the consultation group and the other to a number of the Councillors. Full details of the points made by the objector in the two letters are attached at appendix 4. These have been summarised as below:-
- The Parish Council name already includes Leamside and therefore is not an issue.
 - By the Council referencing only the last two full elections which were uncontested as justification for reducing the numbers, when

in 2006 there were 13 candidates, it is citing short term difficulties in reducing candidates which is only a temporary issue.

- As a community governance review is once in a lifetime future generations will have to stay with this decision as the decision could not be easily reversed.
- Reducing the number of councillors to 9 from 11 when there could be an electorate of 2296 would best fit 12 councillors not 9 as suggested when applying the Aston Business School's research, and that it is not a marginal increase as suggested in the draft recommendations.
- With a parish quorum of 3 this means all meetings have been quorate and can transact business.
- Drew comparisons with a neighbouring parish which has fewer electors but a higher number of councillors, therefore West Rainton would have less democratic representation.
- The Parish Council stating that there is widespread support for this is not evident from its own records.
- The Parish Council website shows a lack of transparency and public consultation and does not set out the business to be transacted for the community governance review.
- The lack of consultation by the Parish Council is being mirrored by the Council and has resulted in a low response to the consultation.

Considerations

Numbers

30 The Parish Council have had difficulties in maintaining their full complement of 11 councillors. At the ordinary elections in 2013, and 2017 there were uncontested elections with 5 standing in 2013, and 7 in 2017. Prior to 2013 there had been contested elections however since then the Parish Council have continually been looking to fill the seats by co-option. There have been some co-options made, and some appointments through by-election where following the election notice being published elections were held, and the costs borne by the Parish Council. Currently the Parish Council have 8 councillors, and 3 vacancies, and will be required to continue to seek to fill the seats by co-option. The Council has not been made aware of any difficulties in meetings being inquorate however the Parish Council are required to continually seek co-options.

- 31 Having considered the guidance on council size, as detailed earlier in the report at paragraphs 8 to 14, as the number of registered electors at 31 October 2018 was 1867, if applying the NALC guidance of council size up to an electorate of 2,000 the minimum would be 8 and the maximum number would be number 9. The Aston Business school guidance on council sizes of between 501 and 2,500, would be between 6 and 12. Guidance from 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, and to consider any change in size of its electorate which is likely to occur in the period of five years. In local councils in County Durham as throughout the country there is a varying size of council to its electorate.
- 32 Planning officers have confirmed that planning permission has been granted for development in the area, with the two largest being residential dwellings of 150, and one for 65 (subject to completion of S106 legal agreement). There were, as of 31 October 2018, unimplemented planning permissions (or resolutions to grant permission) for 223 dwellings within the parish. If built then this number of dwellings would be likely to yield a further 401 electors. There are no proposed residential allocations for the parish in the emerging County Durham Plan.
- 33 Therefore the total number of electors may rise to above 2,000 within the next 5 years. A limit of 9 parish councillors would therefore be slightly below the NALC recommendation but the number of electors is likely to be only marginally over the 2,000 figure even if all the dwellings are built, which itself is uncertain.

Name

- 34 The proposal of changing the name of the Parish Council to include Leamside would cover the two main settlements of the parish area. Of the other settlements mentioned by the objector most are very small with only Rainton Gate having more than 100 electors.
- 35 There is a separate provision in the Local Government Act 1972 that would enable the Council to change the name of the Parish Council upon receiving a request from the Parish Council to do so. That does not apply here, because the request has been received by way of a community petition.
- 36 During the consultation it has been pointed out that the Parish Council had previously included Leamside in its title, although not for a number of years, and the crest on its website does include Leamside. As far as the Council is aware there has not been a formal resolution made to

change its name and the use of the name “West Rainton and Leamside” appears to have been inconsistent. The fact that the name change is included within the Petition suggests that the will of the petitioners is to confirm the name as “West Rainton and Leamside”.

Timing

- 37 The Parish Council have questioned whether any change to council size could be implemented before the ordinary year of elections in May 2021. Legislation does not permit a change to council size to be implemented through a Review earlier than at the time of ordinary elections unless it was also to change the term of office of its sitting councillors i.e. changing the year of elections to another date instead of the usual four year period. This is possible but is unlikely to be administratively convenient.
- 38 The petition which was submitted to the Council by the Parish Council had 284 validated signatories of the parish electorate agreeing with their proposals. This equates to 15% of the 1907 registered electors at the time of 1 December 2017. The Parish Council website contains the agendas/ minutes/ supporting reports from its meetings where co-option/ community governance had been considered. Although there had been a limited response to the two stages of consultation undertaken by the Council with one resident objecting to the proposals at both stages, taking into account the numbers who supported the Parish Council petition, and the responses received by the Council, it can be seen there is support for the petitioners’ proposals.

Other matters

- 39 Of the matters that must be considered for recommendation in any Review, it is not recommended to constitute any new parishes or to abolish or alter the existing parish. The existing parish should continue to have a council and there is no reason to consider that warding arrangements would better reflect the identities and interests of the parishioners or give rise to greater effectiveness or convenience of community governance.
- 40 The objector complains that the Parish Council discussions of the proposal were opaque. Whether or not this is the case is not a matter for consideration, because the trigger for the Review has been the duly made petition rather than any deliberations by the Parish Council.
- 41 If the Council determined that it would make a re-organisation order to change the community governance in the area, and in the future the community found that it wished to make changes, the Council would be

obliged to undertake a further community governance review after a period of two years had elapsed and was in receipt of a valid petition.

Conclusion

- 42 The Review is focussed on the request by the petitioners to reduce the size of the council from 11 to 9, and to change the name of the Parish Council to include Leamside. It is for the Council to consider whether to make a final recommendation to support the proposals or not.
- 43 The Constitution Working Group at its meeting on 13 November 2018 noted that from the numbers signing the petition submitted by the Parish Council, the response to the consultation, and the considerations detailed in the report, the group would recommend to Council a final recommendation to make changes as set out in paragraphs 5 and 6 of the report.
- 44 The Group in considering the issue of the name change and the points made by the objector in relation to it, suggested that due to the uncertainty as to whether there has been any previous formal resolution to change the name outside of a community governance review, the group were in agreement to recommend to council that the name be confirmed as West Rainton and Leamside Parish Council. The Group supported the reduction in council numbers.
- 45 Changing the council size would be effective from the time of ordinary elections in 2021, and confirmation of the name change of the parish/ Parish Council be effective from 1 April 2019.

Next Steps

- 46 If Council agree to support the change to community governance, a final recommendation will be published on the Council's website on 12 December 2018, and a Re-organisation order will be made one month thereafter. Those stakeholders who have previously been consulted, and the members of the public who responded to the consultation would be notified of the final recommendation, and a press release would be issued to this effect.

Background papers

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

Other useful documents

Report to council 19 September 2018

Contact:	Ros Layfield	Tel: 03000 269708
	Helen Lynch	Tel: 03000 269732

Appendix 1: Implications

Legal Implications

The Review to be undertaken in line with current legislation and Regulations. Failure to comply with the requirements of the Local Government and Public Involvement in Health Act 2007 will result in any arrangements being void and leave the Council open to challenge by way of judicial review.

Finance

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

Consultation

See report.

Equality and Diversity / Public Sector Equality Duty

An equality impact assessment had been updated during the Review- no implications were identified.

Human Rights

None specific within this report.

Crime and Disorder

None specific within this report.

Staffing

The work will impact on staff time.

Accommodation

None specific within this report.

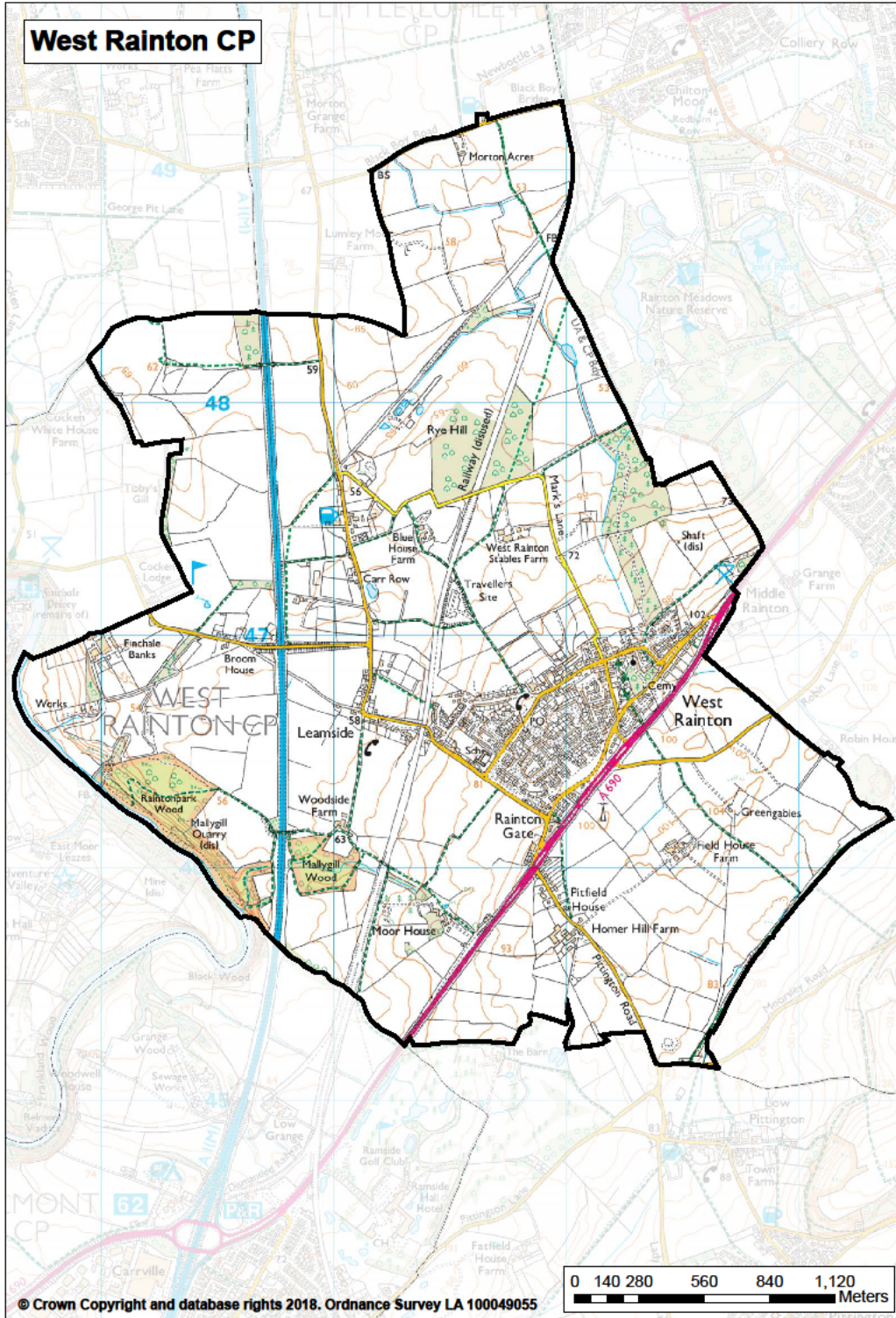
Risk

None specific within this report.

Procurement

None specific within this report.

Appendix 2: Map of the area under consideration



Appendix 3: Terms of Reference

COMMUNITY GOVERNANCE REVIEW OF WEST RAINTON

TERMS OF REFERENCE

Introduction

In undertaking the Review, Durham The Council (“the Council”) will comply with the requirements of Part 4 of the Local Government and Public Involvement in Health Act 2007 and the relevant parts of the Local Government Act 1972, and have regard to 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. The Council will also have regard to the following regulations which inform 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 will also give due consideration to 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 the 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.

Why is the Council undertaking the Review?

On 12 February 2018 the Council received a petition from West Rainton Parish Council (“ the Parish Council”) that had been signed by sufficient residents from the area, which requested the Council carry out a community governance review to reduce the numbers of councillors from 11 to 9, and to formally change the name of the Parish Council to West Rainton and Leamside Parish Council.

Who is undertaking the Review?

The Council is responsible for undertaking any review within its electoral area. 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 will take place through writing to the statutory consultees and seeking their views. A press release will be circulated in the local press to cover interested electors in addition to relevant information being available on the Council's website;

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

www.facebook.com/durhamcouncil

www.twitter.com/durhamcouncil

Timetable for the Review

Action	Time Span	Dates
Publication of Terms of Reference		15 May 2018
Consultation process – consultation with local electors and statutory consultees	4 weeks	15 May 2018
Analysis/evaluation of consultation results and submissions received. Preparation of draft proposals	6 weeks	19 June 2018

Publication of draft proposals		26 September 2018 (Council 19 September)
Consultation on draft proposals	4 weeks	26 September 2018
Consideration of submissions received and preparation of final recommendations	6 weeks	24 October 2018
Publication of final recommendations and resolution to make a re-organisation Order, if appropriate		12 December 2018 (Council 5 December)
Preparation and publication of any reorganisation Order	One month	5 January 2019

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 in two parts:-

- i) a change to the number of councillors on the council would take effect from the local elections in 2021, to fall in line with the ordinary year of election of councillors for local, parish and town elections;

- ii) a change of name to the parish and parish council would take effect from a date to be determined.

Publication of terms of reference

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

Date of Publication

15 May 2018

Appendix 4: Letter of objection to draft recommendations (2 from same objector)

1. Letter content- 10 October 2018- to members of the Council.

I am concerned about a consultation currently taking place in respect of the Parish Council.

As probably one of the very few residence of West Rainton and Leamside Parish who is aware of this consultation. It is important that a number of misconceptions are put on the record.

Starting with the name of the parish council if you examine the parish councils summons and minutes held by the Parish Council and those by Durham County Records up until 19 November 2015 summons show the name of the Parish Council as West Rainton and Leamside Parish Council not West Rainton Parish Council. Further examination of the summons and minutes show no record at any parish council meeting of a resolution been approved change the Parish Councils name to West Rainton Parish Council. The unauthorised change of name coincides with the development of its website and the appointment of new Parish Clerks in recent years using an abbreviate version of the parish councils name for only 3 years. This item is a non issue.

Examination of the Parish Councils official crest on its own website shows West Rainton and Leamside Parish Council not a suggested West Rainton Parish Council.

Turning to the membership of the Parish Council being reduced from 11 to 9 members having read Durham the Councils consultation. The essence of the argument been put forward the Parish Council and Durham Council have consulted widely including The Councillors B Kellett, D Hall (Sherburn Ward). Due to the short term difficulties recruiting and retaining members at the last 2 local government elections it is reasonable of the membership of the parish council to be reduce thus creating a democratic deficit.

As neither The Councillors actual reside in the West Rainton and Leamside Parish Council area, but they live in the neighbour Pitlington Parish Council area. I think it reasonable to draw comparisons. Why it more democratic for this Parish Council with a considerably large electorate 1895 electors than the

neighbour Parish Council with 1198 electors to have less democratic representation.

According to the consultation document the current figure for the electorate of West Rainton and Leamside Parish Councils stands at 1895 plus an additional 401 estimated electors in the next 5 years which would increase the electorate to 2296 (not a marginal increase as suggested in the report). The Proposal makes reference to the County Durham Association of Local Councils, National Association of local Councils and the Aston Business School which are none statutory bodies. Using the NALC and the Aston Business School research with an electorate in the range 501 to 2,500 number of councillors 6-12 with an electorate of 2285 this would result in a figure closer to 12 councillor's not 9 as suggested.

The consultation document justifies a reduction in the number of councillors on the basis that the council is having difficulties in maintaining its full complement of 11 councillors. Citing short term difficulties at the ordinary elections in 2013, and 2017 which were uncontested elections with 5 standing in 2013, and 7 in 2017 which is a temporary situation. Ignoring the previous ordinary election that took place in 2006 which had 13 candidates. The Local Government Act 1972 clearly states that the quorum figure for a parish council is 3 or a third of its members whichever is the greatest making the quorum figure at this parish council 4. Using the above figures during both period the parish council has been quorate and can transact its business.

The Parish Council has stated that it has consulted widely in the Parish and there is wide support in the area for the proposed changes unfortunately this is not evident from its own records.

Examination of the Parish Council website show there has been a lack of transparency and public consultation which is being mirrored at Durham Council that has resulted in the extremely low response to the consultation. Examination of the Parish Councils website contains reference to summons / minutes / supporting reports from its meetings where co-option/ community governance had been considered the rhetoric has no substance. Particularly in relation to previous NALC advice to this parish council quote "NALC Response "I would say generally in respect of the two agendas I have seen that I am not satisfied that they set out the business to be transacted at the relevant meetings." In this instance the parish councils summons, minutes etc do not set out the business to be transacted in respect of the governance review.

The Parish Council minutes below does show a lack of openness and transparency.

1. Minutes 20/07/2017 **Item 10 Parish Councillor Co-option** – 6 Member of the Public - Summons makes no reference to a Community Governance Review - No Supporting document relating to co-option or Governance Review. Summons states “(10) Parish Councillor Co-option – Update from Parish Clerk)
2. Minutes 21/09/2017 **Item 9 Parish Councillor Co-option** (a) Parish Councillor Applications (b) Governance Review – 3 members of Public. The topic under discussion relates to Co-option which is incompatible with a Governance Review. Topic under discussion co-option not governance review. - Summons states “(9) Parish Councillor Co-option” agenda can only deal with one item of business only
3. Minutes 21/12/2017 **Item 9 Governance** no supporting report documented – 3 members of the Public. Summons states “”(9) Governance review – update on signatories”
4. Minutes 15/02/2018 **Items 11 Update Governance Review** no supporting document – 9 Members of the Public. Summons states “(11) Community Governance Review - update from Project Officer”

Crucially there is no record on any summons or minutes confirming the parish council’s approval of any resolutions authorising a petition for a Governance Review. With the except of 1 very brief report that appeared in the Durham Advertiser a paper that is not available in West Rainton Area . The reason for the lack of responses from the elector is very simple nobody knows the Governance Review is taking place.

2. Letter content- 24 September 2018- to consultation group

I am confused by the contents of the draft recommendation where they relate to changing the name of the parish council quote “a petition was received from West Rainton Parish Council to formally change the name of the Parish Council to West Rainton and Leamside Parish Council. The Parish Council for the last few years has shortened its name without approval. As the current name of the parish council is already West Rainton and Leamside Parish Council how has the name changed (crest included)

Turning to the issue of the number of councillors I want to raise the following points the currently electorate stands at 1895 plus 401 which would potentially equal 2296 (not a marginal increase as suggested. The Proposal makes reference to the County Durham Association of Local Councils, National Association of local Councils and the Aston Business School I should point out that none of these organisations are statutory bodies. Using the NALC and the Aston Business School research with an electorate in the range 501 to 2,500 number of councillors 6-12 with an electorate of 2285 this would result in closer to 12 councillor’s not 9 as suggested. As a Community Governance

review is a once in a lifetime event the decision to reduce the number of councillors would penalise future generations as the decision could not be immediately reversed.

The justification for reducing the number of councillors is the Parish Council is having difficulties in maintaining its full complement of 11 councillors. Citing the ordinary elections in 2013, and 2017 there were uncontested elections with 5 standing in 2013, and 7 in 2017 which is a temporary situation. Ignoring the ordinary election that took place in 2006 which had 13 candidates. The Local Government Act 1972 clearly states that the quorum figure for a parish council is 3 or a third of its members whichever is the greatest. Using the above figures during both period the parish council has been quorate and can transact its business.

Examination of the Parish Council website show there has been a lack of transparency and public consultation which has resulted in the extremely low response to the consultation. Examination of the Parish Councils website contains reference to summons / minutes / supporting reports from its meetings where co-option/ community governance had been considered the rhetoric has no substance Particularly in relation to previous NALC advice to this public authority quote "NALC Response "I would say generally in respect of the two agendas I have seen that I am not satisfied that they set out the business to be transacted at the relevant meetings." In this instance the parish councils summons, minutes etc. do not set out the business to be transacted in respect of the governance review.

The Parish Council minutes below does show a lack of openness and transparency.

1. Minutes 20/07/2017 **Item 10 Parish Councillor Co-option** – 6 Member of the Public - Summons makes no reference to a Community Governance Review - No Supporting document relating to co-option or Governance Review. Summons states "(10) Parish Councillor Co-option – Update from Parish Clerk)
2. Minutes 21/09/2017 **Item 9 Parish Councillor Co-option** (a) Parish Councillor Applications (b) Governance Review – 3 members of Public. The topic under discussion relates to Co-option which is incompatible with a Governance Review. Topic under discussion co-option not governance review. - Summons states "(9) Parish Councillor Co-option" agenda can only deal with one item of business only
3. Minutes 21/12/2017 **Item 9 Governance** no supporting report documented – 3 members of the Public. Summons states ""(9) Governance review – update on signatories"

4. Minutes 15/02/2018 **Items 11 Update Governance Review** no supporting document – 9 Members of the Public. Summons states “(11) Community Governance Review - update from Project Officer”

Crucially there is no record on any summons or minutes confirming the approval of any resolutions authorising a petition for a Governance Review. The reason for the lack of responses from the elector is very simple nobody knows the Governance Review is taking place.