

# **DRAFT TERMS OF REFERENCE**

## **1. INTRODUCTION**

### **1.1 Aims of Review**

Following a request from Burton Latimer Town and interest expressed by other parish councils, the Council has resolved to undertake a community governance review pursuant to Part 4 of the Local Government and Public Involvement in Health Act 2007 (2007 Act).

### **1.2 Why undertake a Community Governance Review?**

A Community Governance Review provides an opportunity for principal authorities to review and make changes to community governance arrangements within their area.

A Community Governance Review is a review of the whole or part of the borough to consider one or more of the following:

- Creating, merging, altering or abolishing Parishes
- Altering the boundaries of existing parishes
- Making changes to the electoral arrangements of a parish council
- The dissolution of a parish council

The Government Guidance requires that ultimately the recommendations arising out of the review should bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.

### **1.3 Scope of the Review**

The Council resolved to undertake a “light touch” review based on the following criteria:

- A Parish/Town Council has expressed an interest in undertaking a review in its area, that specifies a desired outcome to be considered
- Evidence exists that (a) Parish/Town Council(s) has had difficulty in attracting sufficient candidates at elections
- Any change would help the Council/s to achieve ‘Quality Parish Council’ status

- There would be no identifiable negative impact on the effectiveness or convenience of governance arrangements on Parish/Town Councils involved and no major impact on community identity as a result of any changes proposed

Based on the consultation with the Town and Parish Councils in the Borough and on the agreed criteria the Review will specifically consider the following changes to the community governance arrangements:

## **WARD CHANGES**

### **Barton Seagrave**

Barton Seagrave Parish Council has requested a change to a single eight seat parish council. Barton Seagrave currently consists of two wards, Seagrave and St Botolphs each of which have 4 seats totalling 8 seats on the parish council.

### **Burton Latimer**

Burton Latimer Town Council has requested that the ward boundary within its area is removed thus creating a single electoral area represented by 12 members rather than two areas represented by 6 members each.

## **CHANGES IN THE NUMBER OF COUNCILLORS**

### **Broughton**

The Parish Council responded to the consultation and indicated that it did not wish any changes to be made. The records show that it has proved difficult to attract sufficient interest to fill all the seats in recent years. The current number of seats is 11 and it is proposed that this is reduced to a lesser number.

### **Geddington, Newton, Little Oakley**

The Parish Council has requested that consideration be given to reducing the number of councillors representing the Geddington Ward from 9 to 7 due to the difficulties experience in attracting candidates.

## **BOUNDARY CHANGES**

## **Cranford**

The parish has nearly 200 properties currently, with an electorate of approximately 370. It consists of 1 ward. It is scheduled to be one of the first parishes likely to be affected by the East Kettering development. Each development parcel is expected to be equal in size to the existing parish. The Parish Council has been in discussion with the Council and requested a change in the parish boundary with a view to maintaining the identity of the village (Parishing arrangements for East Kettering will be considered when parcels of the development are fully occupied.) The options for consideration as part of the consultation will be:

1. Remain as the existing parish with no change.
2. Part of the parish to be transferred to Barton Seagrave Parish Council
3. Part of the Parish to be transferred to the unparished Kettering Town area
4. to create a new parish in the future when the development is completed.

## **Cransley**

It has recently come to light that building of residential properties has occurred in Mawsley Parish which has crossed over the boundary into the Parish of Cransley. Some of properties are affected. This may necessitate a change in the boundary or the creation of an additional ward for the Parish of Cransley.

## **Mawsley**

See Cransley above.

## **Rushton**

Currently, Pipewell is “shared” between Rushton and Wilbarston, however, there seems to be more of an historical attachment to Rushton. The Rushton Parish records contain details of christenings, weddings and burials of Pipewellians since 1544 and the present ecclesiastical borders include both Pipewell and Rushton. School children have generally attended Rushton School. There is also a historical bridleway link between the two villages. Members know that a number of Pipewell residents feel a close association with Rushton. In view of the above, Rushton Parish Council has requested it be considered that the whole of Pipewell within Rushton Parish.

## **Wilbarston**

To facilitate the request from Rushton Parish Council it will be necessary to consult on the change of the ward boundaries to enable the Pipewell ward to become part of Rushton. Pipewell is a ward of Wilbarston so it has an established electoral boundary.

## **2. Electoral Arrangements**

### **2.1 Council Size**

The 1972 Act, as amended, specifies that each parish council must have least five Councillors, there is no maximum number. There are no rules relating to the allocation of these Councillors between Parish Wards but each Parish Ward must have at least one Parish Councillor.

The statutory Guidance on Community Governance Reviews issued by the Department of Communities and Local Government provided the following guidance on the size of councils:

**154.** In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Research by the Aston Business School Parish and Town Councils in England (HMSO, 1992), found that the typical parish council representing less than 500 people had between five and eight councillors; those between 501 and 2,500 had six to 12 councillors; and those between 2,501 and 10,000 had nine to 16 councillors. Most parish councils with a population of between 10,001 and 20,000 had between 13 and 27 councillors, while almost all councils representing a population of over 20,000 had between 13 and 31 councillors.

**155.** The LGBCE has no reason to believe that this pattern of council size to population has altered significantly since the research was conducted. Although not an exact match, it broadly reflects the council size range set out in the National Association of Local Councils Circular 1126; the Circular suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

**156.** In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, it should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government.

**157.** Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. In addition, historically many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size.

## **2.2 Parish warding and boundary changes**

The Statutory Guidance states that Parish warding should be considered as part of a community governance review. Parish warding is the division of a parish into wards for the purpose of electing councillors. This includes the number and boundaries of any wards, the number of councillors to be elected for any ward and the names of wards. In considering whether or not a parish should be divided into wards, the 2007 Act requires that consideration be given to whether:

- a) the number, or distribution of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and
- b) it is desirable that any area or areas of the parish should be separately represented

Accordingly, the council should consider not only the size of the electorate in the area but also the distribution of communities within it. The warding of parishes in largely rural areas that are based predominantly on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish. However, each case should be considered on its merits, and on the basis of the information and evidence provided during the course of the review.

In reaching a conclusion on the boundaries between parish wards the council will take account of community identity and interests in the area, and consider whether any particular ties or linkages might be broken by the drawing of particular ward boundaries. The Councils will consult on this during the course of a review and seek evidence to support that the proposals reflect community identity and local linkages. The Council will also ensure that any boundaries that are changed are and will remain easily identifiable as well as taking into account any local ties that may be broken as a result of the change.

The council will also give consideration to the number of councillors to be elected from each ward and the number of electors they represent. There is no set number each case will be considered on its merits.

### 2.3 Electoral Forecasts

The Borough is undergoing expansion particularly with the East Kettering development which will impact on several Town and Parish Councils in the area. When considering the electoral arrangements for a parish the council will consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts.

### 3. Current Electorates

Parish	Electorate at 11/04/14
KJ - Barton Ward (Seagrave) PD 1	1675
KK - Barton Ward (St Botolphs) PD 2	1928
LL - Broughton	1821
KO - Burton Latimer Ward (Latimer) PD 1	1453
KP - Burton Latimer Ward (Latimer) PD 2	1418
KQ - Burton Latimer Ward (Plessy) PD 3	1840
KR - Burton Latimer Ward (Plessy) PD 4	1623
LC - Cranford	379
LM - Cransley	245
LD - Geddington	1183
LF - Little Oakley	70
LG - Newton	38
LP - Mawsley	1616
MC - Rushton (Glendon Ward)	45
MD - Rushton (Rushton Ward)	366
MH - Wilbarston (Pipewell Ward)	59
MI - Wilbarston (Wilbarston Ward)	540

### 4. Recent Electoral Record of Town/Parish Councils

Town/Parish Council	Wards	(Ward) Members	2007 Nominations	Election held	Co-option	2011 Nominations	Election held	Co-option
Barton Seagrave	2	4 + 4	4 + 4	No	No	4 + 5	Yes in 1 ward	No
Broughton	0	11	14	Yes	No	7	No	Yes
Burton Latimer	2	12	6 + 6	No	No	5 + 6	No	Yes in 1 ward
Cranford	0	7	7	No	No	5	No	Yes
Cransley	0	7	4	No	Yes	6	No	Yes

Geddington, Newton & Little Oakley	3	11+1+1	10 + 1 + 1	No	No	7+1+0	No	Yes
Mawsley	0	7	4	No	Yes	7	No	No
Rushton	2	2 + 7	1 + 5	No	Yes	0 + 8	Yes in 1 ward	Yes in 1 ward
Wilbarston	2	1 + 8	1 + 7	No	Yes	1 + 10	Yes in 1 ward	No

## 5. Consultation

Before making any recommendations the Borough Council will consult with the following;

- Local Government Electors in the areas under review
- The parish councils affected by the review
- The Northamptonshire County Council
- Local businesses
- Community bodies

When taking account of any written representations the Council bound to have regard to the need to secure that community governance within the area under the review:

- Reflects the identities and interests of the community in the area; and
- is effective and convenient.

The Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them.

## 6. Timetable for Review

Action	Timetable	Outline of Action
Terms of Reference published	Start date - 23/04/14	KBC publishes Terms of Reference and notifies Stakeholders clearly defining the extent of the review
Consultation	<b><i>Please note these dates have been</i></b>	Views on the scope of the review

	<b><i>amended to:</i></b> <b><i>6/6/14 -15/08/14</i></b>	sought from interested parties
Final Proposals prepared and published	02/09/14; 10/09/14 24/09/14	Reports to R & D Ctte, Executive and Full Council
Consulation on Final Proposals	01/10/14 to 30/11/14	Copies of final proposals published
Council approves Order for changes	17/12/14	Report to Council on approval of Order to implement changes
Implementation of Changes	01/03/15 – 07/05/15	Updates to Register of Electors; Publication Of Notice of Election; Elections held based on new arrangements

## **7. How to take part in the Consultation**

Full details of the consultation will be publicised on the council's website, in the local media, at libraries within the borough, on parish notice boards, in doctor's surgeries, major supermarkets and via community groups. Representation will be accepted in any written, typed or similarly recorded format and should be addressed to:

David Pope  
Municipal Offices  
Bowling Green Road  
Kettering  
NN15 7QX

or may be emailed to: [davidpope@kettering.gov.uk](mailto:davidpope@kettering.gov.uk)