

BOROUGH OF KETTERING

Committee	LOCAL GOVERNMENT REFORM ADVISORY COMMITTEE	Item 7	Page 1 of 3
Report Originator	Martin Hammond	<i>Fwd Plan Ref No:</i> -	
Wards Affected	All but primarily Kettering town wards	30 th January 2019	
Title	COMMUNITY GOVERNANCE REVIEW – PROCESS		

1. PURPOSE OF REPORT

To set out the process for carrying out a community governance review.

2. INFORMATION

- 2.1. A principal Council, if it wishes to make changes to parish councils in its area, must undertake a community governance review, and follow the laid down statutory procedure. Attached as **Appendix one** is an outline of the key stages within the statutory process, applied to meetings of full Council over the next twelve months, to show how a review could be progressed.
- 2.2. Matters which a community governance review may cover/include:-
- The creation of a new parish council, or the parishing of all or part of an unparished area
 - Changes to the boundaries between existing parish councils or between parishes and an unparished area
 - Changes to the number of councillors and the number and boundaries of wards within a parish council
 - Abolitions of or mergers between parish councils.
 - The transfer of staff, assets, rights, obligations etc where necessary.
- 2.3. The need for a community governance review will depend on changing circumstances; it is good practice to carry out a review periodically, as well as in circumstances where significant population or administrative change is about to occur. The Council must also consider holding a review if it receives a petition as set out in S 83 of the 2007 Act.
- 2.4. The last review took place in 2014 and was Borough wide and made a number of changes. One of the elements of it was to address the impact of the east Kettering urban extension on the parishes of Cranford, Barton Seagrave and Burton Latimer. It concluded that the boundary between Kettering town and Cranford parish should change to absorb part of Cranford parish into Kettering when a trigger of 200 new electors was reached.

BOROUGH OF KETTERING

Committee	LOCAL GOVERNMENT REFORM ADVISORY COMMITTEE	Item 7	Page 2 of 3
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- 2.5. Although there has been some interest in the creation of a Town Council for Kettering as a possible outcome from a community governance review, there are related issues which will need to be addressed, such as the boundaries between Kettering and adjacent parishes, the potential to transfer any civic insignia or regalia, and the “ownership” of the market charter for Kettering town. There may be other, non- Kettering town related issues which also need to be considered.
- 2.6. The key starting point for a review is to set out the terms of reference for the review, which must be approved by full Council. The key concluding point is a decision on the recommendations from a review, which lead to the making of an order. The review must be concluded within 12 months of it starting, but the timescales are such that it cannot be realistically achieved in less than 6 or 7 months.
- 2.7 The role and functions of Parish and Town Councils, although not considered as part of the community governance review process, are clearly something that is likely to be raised and discussed as part of this debate both now and up to any new unitary authority in 2020.
- 2.8. The range of functions available to a parish council are set out in statute, but remain optional – that is, the parish council can elect to carry out these functions if it wishes. All parishes locally respond to consultations on planning applications and carry out a number of minor environmental projects. Larger parishes tend to have a role in the management of village halls, community facilities, allotments, some play and sports facilities and provide events. All parishes act as spokesmen for their communities and represent their interests to statutory agencies. Some parishes have opted to support the development of neighbourhood plans in their area, Broughton being the strongest example. Several parish councils in Welland ward have sought to provide a community or public transport service to replace a lost commercial service.
- 2.9. It is only in recent times that parish councils locally have used their powers to precept to raise their own funds. Before that, parishes relied on a modest grant from the Borough Council to function, which largely only paid for their administrative costs. As a consequence their development as providers of services had been largely arrested compared to the rest of the county (and country), and even now, precept levels are generally modest compared to similar sized parishes elsewhere in Northamptonshire.
- 2.10 Decisions about the role and functions of all town and parish councils can only be made by a new unitary council, and even the shadow authority will have limited scope to arrive at any conclusions about what is desirable and affordable. Any Town Council – or several parish councils – covering the urban area of Kettering would have to be established in a policy vacuum prior to May 2020; it can be established in that timeframe by going through a community

BOROUGH OF KETTERING

Committee	LOCAL GOVERNMENT REFORM ADVISORY COMMITTEE	Item 7	Page 3 of 3
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governance review, but it would have a very limited role until the new principal council decided what assets and functions it wished to provide to it and all other parish councils.

- 2.11 This Council may wish to encourage organisations, such as NCALC, to facilitate a debate across the wider North Northamptonshire area to ensure that our town and parish councils can develop a joint view on their future or potential role within any new unitary arrangements in preparation for 2020/21.

3. POLICY and RESOURCE IMPLICATIONS

- 3.1. Conducting a community governance review will consume officer time and resource at a time when the Council is transitioning to a unitary authority. If there is a national electoral event within the next twelve months, then that would have a significant impact on the Council's ability to conclude a review in the statutory time frame.
- 3.2. The Advisory Committee – and Council – must therefore be satisfied that the conduct of a review will not compromise the ability of the Council to deliver a safe and legal transition to a unitary authority.

4. RECOMMENDATION

Members are asked to:

- Note the process for conducting a community governance review, and to comment on the desirability and timing of a review, with a recommendation to Council if minded to proceed.
- Encourage an independently facilitated wider debate between town and parish council across North Northamptonshire with regard to the future role of town and parish councils in preparation for 2020.

Background Papers:

:
Duties and powers of principal councils in conducting community governance reviews
Local Government and Public Health Act 2007 and associated statutory guidance.
Community Governance Review 2014

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