Community Governance Review

Breakout session at CALC Conference (16.2.19)
Breakout sessions

Timings:

• 11.30-12.30 Breakout session (3 large groups) facilitated by localism team
• 12.30-1.00 Feedback (Council Chamber; 10 minutes each group) – please can each group nominate a delegate to give your feedback

Rooms:

• Council Chamber
• Trelawny Room
• Grenville Room

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In this session...

• What is a CGR?
  ➢ A quick summary recap of “nuts and bolts” of a CGR
  ➢ Scenarios featuring fictitious parishes, including a few to work on in small groups!

• Group discussion: How can Cornwall Local Government work together to make CGR a successful process, covering
  ➢ Communications
  ➢ Your hopes and concerns
  ➢ Your questions/information requests
  ➢ Anything else you want to raise

• Feedback to main group, and conference

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1. What is a CGR?
A quick recap and some fictitious scenarios for you to consider
CGR in 1 slide

• CGR = statutory process for reviewing parish governance arrangements

• CC has duty to carry out regular CGRs (Timing follows Electoral Review of CC Electoral Divisions, with view to implementing any changes in 2021)

• CGRs can review parishes’ “area arrangements” (e.g. external boundaries/names) & “electoral arrangements” (e.g. number of parish councillors, ward boundaries)

• Government values role of parishes and sees CGR as tool to build on existing parish structure, and improve service delivery and community representation

• Electoral Review Panel is responsible for Cornwall’s CGR

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CGRs: key requirements

- Governed by range of legislation, & statutory guidance

- In the area/s reviewed, CGRs **must** secure community governance arrangements that:
  - Reflect the identities and interests of the community in that area
  - Provide effective and convenient local government (e.g. in terms of local democracy, community engagement and service delivery).
  
  CGR must also **take into account other arrangements for community representation and engagement**

- CGR **process must be transparent and include strong engagement**

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CGRs: Scope

• CGRs can be carried out for a whole principal council area (*all parishes*), or for part of their area (*a single parish to a number of parishes in a defined area*)

• Reviews require consideration of a number of topics, each related to one another...
  1. Area Arrangements
  2. Electoral Arrangements
  3. Consequential Matters
Review Topic 1: Parish Areas

*CGR can consider whether or not to:

• Establish new parishes
• Abolish* parishes – *(highly discouraged)*
• Make boundary alterations between existing parishes
• Group neighbouring parishes together
• Change parish names e.g. *Lansallos* to *Polperro*

*Decide:*

• Styles of any new parishes e.g. “parish” to “community”
Establishing New parishes

• “New parishes” can be created by:
  - Aggregating parts of parishes
  - Merging two or more parishes
  - Separating part of a parish
  - **Scenarios 1&2** – Examples of where a CGR might consider these steps*

• *NB As with all review topics, CGR must consider all evidence/other factors (guided by the legal tests) before coming to a conclusion*

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Scenario 1 from County of Morshire - To Discuss in Small Groups
Setting the Scene:

We have two parishes here, North Mor and South Mor, with the parish boundary along the River Mor. In the east, lies Mortown, straddling both parishes. At the time of the last parish review in 2004, it was really “just” a large village, confined to North Mor Parish (on the north bank of the river). However, the construction of New Bridge later that year facilitated Mortown’s rapid growth across the river into South Mor Parish, both in terms of housing and shops. Mortown is now a thriving small town, with a newly established Chamber of Commerce. The remainder of the two parishes are largely rural in nature. Morshire County Council conducted a CGR last year and the two parish councils put forward a joint proposal, having first conducted their own consultation with local stakeholders.

You are now North Mor and South Mor parish councillors! What would you ask the County Council to change, if anything? There are no right and wrong answers but in a bit I will share one possible outcome.
Morshire: One Possible Outcome (Aggregation)

MAP 1: AFTER

= PARISH BOUNDARY
= SETTLEMENTS
= DEVELOPMENT DIRECTION

“MORTOWN PARISH” (TOWN COUNCIL)
NEW BRIDGE
NEW TOWN COUNCIL OFFICES
One possible outcome:

- The two Parish Councils’ proposal, accepted by the County Council (rightly or wrongly!), was as follows:
- To aggregate the town parts of the two parishes to form the new “Mortown parish.” At its first meeting, the new parish council agreed to adopt the style “Mortown Town Council.”
- To aggregate the remaining rural parts of the two parishes to form the new Mor Parish (Rural).

The parishes and the County Council also gave consideration to other options including merging the two parishes (to create one large parish covering Mortown and the surrounding rural areas). One argument advanced for this was service delivery – that a single parish could deliver better value for money e.g. by letting one maintenance contract across the area. In the end, though, the arguments about community identity won the day – with residents of the town increasingly strongly identifying as “Mortowners”, the Chamber of Commerce pressing for more focus on the town’s economy, and those in the rural areas feeling their interests had little in common with those of the town.
Separation - A Quick Scenario ("Heath Parish")

HEATH PARISH

Heath Village

Penrose Village

= Parish boundary
= Settlement
Heath Parish comprises the villages of Heath and Penrose. In 2000, Penrose was a small village with 900 inhabitants; it has doubled in size over the last twenty years due to housing development. Heath on the other hand has grown more slowly, by a few hundred. In 2015, a new bypass was built between the two villages, although they are still connected by the old B-road. There has always been a friendly rivalry between the two villages, but Penrose has become more self-confident as it has grown and feels that Heath Parish Council is not paying their issues enough attention. Frenchland County Council concluded a CGR earlier this year and, after considering the evidence and representations from local stakeholders, decided (rightly or wrongly!) to create separate parishes of Heath and Penrose, with the parish boundary along the New Heath Bypass.

One alternative option would be to separate the parish into two wards of Heath and Penrose.
Boundary alterations between parishes

• Key issue = development has spread across parish boundaries (from a small cluster of houses on the border of two rural parishes to a town spreading into a neighbouring parish)

• Also “lesser” boundary adjustments (e.g. to take into account separation of a community by a new or re-routed road)

• Again, have to consider all evidence/legal tests in considering whether to make change and what change to make (e.g. parish identity/history and consequences of change)

• And now, a more challenging scenario for you to work on in small groups...!
No Change, Boundary Change/s, Something Else?

Rivendell town
In your groups, please discuss what you would do in this scenario, based on the following information (in a real CGR, you would have a lot more information to make it more difficult).

- Welcome to Middle Earth District Council and congratulations on your appointment to the Electoral Review Panel.
- This fenland district has three parishes: Rivendell, including Rivendell town (run by a Town Council), plus Mirkwood and Lindon (parish councils).
- Rivendell Town Council runs a library (A) and leisure centre (B) used by its residents and those of the other two parishes. Its average (Band D) precept is £100. Over the last fifteen years, Rivendell town has developed, either side of the main road west to east, across the border into Lindon Parish (Green arrows on the map show the general direction of development and the two main roads).
- Lindon Parish is a rural parish, with a small Band D precept of £15. Its only community centre (Y) is situated on the edge of the growing Rivendell town, as its war memorial (X).
- Mirkwood Parish is also a rural parish, with an even smaller precept of £10.
- The settlement of North Lindon was a hamlet at the time of the last parish boundary review, and was entirely in Lindon Parish. Now it has developed (either side of the main road south-north) across the border into Mirkwood Parish – in fact, more of North Lindon is now in Mirkwood! Lindon Parish’s most (and only) famous historic resident, Matthew Lindon, whom some scholars argue wrote “Taming of the Shrew”, was born in North Lindon (Lindon Parish side); his house has been turned into a visitor centre.
- Rivendell has written to the Electoral Review Panel proposing extending its boundary into Lindon Parish, so it takes on all of Rivendell town. Lindon Parish has advised it will be writing in with a counter-argument.
- What do you think the arguments are for and against Rivendell’s proposal? And how would you resolve it?
- Also, what are you going to do about North Lindon, if anything?
Grouping parishes

• Grouping is typically considered as an option by small parishes who are concerned that they remain viable (e.g. as an alternative to merging)

• How it works: *(Map coming up in a minute!)*
  ➢ Parishes are grouped under one common parish council
  ➢ Each parish survives and retains its parish meeting
  ➢ Each parish elects a number of councillors to the common council

• Name of common council has to reflect names of constituent parishes

• Guidance: Not to be used to build artificially large parishes

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MAP 3

CHILSTOCK
(200 ELECTORS)
PARISH COUNCIL

PORTWENN
(250 ELECTORS)
PARISH COUNCIL

PENROSE
(75 ELECTORS)
PARISH MEETING
In this scenario, there are:

- Two small parish councils (c. 200 electors)
- One small parish meeting (c. 75 electors)

All three have concerns about their ongoing viability – due to difficulties in attracting councillors and out of a wish to pool their resources – but their parishes have a lot of history, and they don’t want to lose it. And so, they have asked to be grouped. If this is agreed during CGR, the name of the common council will be: “Chilstock, Penrose & Port Wenn Parish Council”

If time, what do you think are the arguments for and against the three parishes’ request?
Review Topic 2: Parish electoral arrangements

• Whether to have a parish *council* or not

  *Abolishing parish councils is strongly discouraged*

• **Council size** (number of councillors on council)
• **Warding:** To ward or not to ward
• **Ward names/boundaries**
• **Number of councillors in each ward**

• Again, as with area arrangements, legal tests/ relevant factors must be considered as appropriate
## New Parish Council or not?

### Legal requirements

<table>
<thead>
<tr>
<th>Situation</th>
<th>CGR outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parish has 1000+ electors</td>
<td>Parish <strong>must</strong> have a Council</td>
</tr>
<tr>
<td>Parish has 150 or fewer electors <strong>and no Council</strong></td>
<td>Parish must <strong>not</strong> have a Council</td>
</tr>
<tr>
<td>Parish has 150 or fewer electors and has a Council</td>
<td>Principal council has discretion</td>
</tr>
<tr>
<td>Parish has between 150 &amp; 1000 electors</td>
<td>Principal council has discretion</td>
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Council Size: Numbers of Councillors on a Council

The law:
- Minimum: 5
- There is no maximum number, and no set ratio of councillors to electors (although electorate size must be considered, projecting 5 years ahead)

Guidance:
- NALC suggests sliding scale: minimum of 7 councillors (up to 900 electors); maximum of 25 councillors (23000+ electors)
- LGBCE: consider case-by-case (factors include: urban/rural differences; parish workload/precept; extent of co-options)

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Parish Warding

To ward or not to ward, these are the questions:

• Electoral convenience & cost/practicality
• Community identity – is there a case that areas of the parish should be separately represented?

Ward size/boundaries (considerations include):

• No. of electors, projecting 5 years ahead
• Fit with principal council electoral divisions
• Electoral Equality

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Consequential Matters

Examples:

• Recommendations to LGBCE re Electoral Divisions
• Dealing with assets
• Staffing issues e.g. Transfer of staff; compensation for loss of office/pensions
• Setting precepts for new councils
• Date changes come into effect (1 April usually)
2. Group discussion
Discussion in your groups

• How can Cornwall Local Government work together to make CGR a successful process?

• Some specific questions...
  1. How would you prefer Cornwall Council to communicate with you during the process?
  2. What are your expectations and concerns about CGR?
  3. What questions do you have – and what information will you need – to help you?
CGR Breakout session
feedback
Thank you / Meur ras