

Agenda Item No: 11
Report To: Full Council
Date of Meeting: 21st April 2022
Report Title: Review of Community Governance Arrangements
Report Author: Paul Libreri
Job Title: Electoral Services Manager
Portfolio Holder: Cllr. Clarkson
Portfolio Holder for: Legal & Democracy



Summary:	This report requests approval by Full Council of the Terms of Reference for a Community Governance Review of all Parish areas in Ashford.
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Key Decision: YES

Significantly Affected Wards: All

Recommendations: The Council agree to:-

- I. Approve the Terms of Reference for the Community Governance Review attached

Policy Overview: The Terms of Reference for a Community Governance Review are approved by the Council. Following a consultation process interim recommendations will be drawn up by the Local Government & Polling District Task Group and brought to Full Council for approval.

Financial Implications: It is anticipated that costs associated with the consultation process will be covered from the existing Electoral Services budget.

Legal Implications: The Community Governance Review must be conducted in accordance with the Local Government and Public Involvement with Health Act 2007

Equalities Impact Assessment: Will be carried out to assess the impact of any changes proposed.

Data Protection Impact Assessment: A data impact assessment will be required to consider the use of personal data to conduct consultations with members of the public affected by the review.

Risk Assessment (Risk Appetite Statement):	None
Sustainability Implications:	None
Other Material Implications:	None
Exempt from Publication:	NO
Background Papers:	Terms of Reference - Review of Community Governance Arrangements
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Report Title: Review of Community Governance Arrangements, Local Government and Public Involvement in Health Act 2007

Introduction and Background

1. The last Community Governance Review (CGR) in Ashford was undertaken in 2015 with the changes taking effect for the 2019 elections. The government's guidance states that recommends that principal councils should continually keep their area under review, and that it is good practice for a principal council to consider conducting a review every 10 to 15 years.
2. It is proposed to hold a review to address a number of anomalies arising from previous reviews to county, parish and ward boundaries held between 2015 and 2017 and to respond to requests for changes proposed by a number of parish councils.

Proposal

3. That the Council agrees to the Terms of Reference for a Community Governance Review attached as Appendix 1

Equalities Impact Assessment

4. N/A

Consultation Planned or Undertaken

5. Members, residents and Parish Councils to be invited to make submissions for consideration by the Local Government & Polling District Task Group.

Other Options Considered

6. N/A

Reasons for Supporting Option Recommended

7. Changes resulting from a Community Governance Review take effect at the next Ordinary elections to be held in the area. The next Ordinary elections are due to be held in May 2023. In order to be implemented in time for the elections in 2023 any changes would need to be reflected in the revised electoral register published on 1st December 2022.

8. If a Community Governance Review is not conducted this year no changes to community governance arrangements will be possible until the Ordinary elections in May 2027.

Next Steps in Process

9. Consultation Stage to 27th June 2022
10. Local Government & Polling District Task Group considers submissions and draws up initial proposals
11. 29th September 2022 Selection and Constitutional Review Committee reviews the final initial recommendations
12. Final Recommendations to Council on 20th October 2022
13. Final Orders made 20th November 2022

Portfolio Holder's Views

14. Will be reported at the meeting

Contact and Email

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ASHFORD BOROUGH COUNCIL

Community Governance Review Terms of Reference

1. Introduction

- 1.1. Ashford Borough Council (“the Council”) has resolved to conduct a borough wide Community Governance Review (CGR) in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007. The Council is required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government and the Local Government Boundary Commission for England. This guidance has been considered when drawing up these Terms of Reference (“TOR”).

2. What is a Community Governance Review?

- 2.1. A CGR offers the opportunity to put in place strong, clearly defined boundaries, tied to firm ground features and to remove any anomalous parish boundaries. It can take place for the whole or part of the Borough and may consider one or more of the following:

- The naming of parishes and the style of new parishes/town councils;
- The electoral arrangements for parishes/town councils including:
 - the ordinary year of election;
 - council size, the number of councillors to be elected to the council; and
 - the warding (if any) of the parish/town councils;
- Grouping parishes under a common parish council or de-grouping parishes.
- Creating, merging, altering or abolishing parishes/town councils;

- 2.2. It is not proposed that this CGR will include the creation or abolition of parish councils. The scope of the CGR will include, but not be limited to, the following:

- Altering the parish boundary between Mersham and Sevington parishes to ensure all the properties in the Finberry development are within Sevington Parish.
- Altering the parish boundary between Biddenden and High Halden parishes to place all properties in Woodlands Park in Biddenden Parish.
- Consider a request to increase the number of parish councillors to be elected to Charing Parish Council
- Consider a request to increase the number of parish councillors to be elected to, Kenardington Parish Council
- Consider a request to increase the number of parish councillors to be elected to Newenden Parish Council.
- Consider a request to increase the number of parish councillors to be elected to Warehorne Parish council.

- Altering the boundary between Westwell and Kennington parishes to correct an anomaly at Sandyhurst Farm.
 - To consider if the Local Government Boundary Commission for England should be requested to make consequential changes to electoral boundaries to address anomalies resulting from previous boundary reviews.
- 2.3. The Council is required to ensure that community governance within the area under review will be reflective of the identities and interests of the community in that area; and is effective and convenient. In doing so, the CGR is required to take into account:
- The impact of community governance arrangements on community cohesion; and
 - The size, population and boundaries of a local community or parish/town council.

3. Aim of the Community Governance Review

- 3.1. The aim of a CGR is to consider and bring about improved community engagement, better local democracy and efficient, more effective and convenient delivery of local services and ensure electors across the whole Borough will be treated equitably and fairly.

4. Why undertake this Community Governance Review?

- 4.1. The Council is undertaking this review in accordance with section 82 of the Local Government and Public Involvement in Health Act 2007 in response to requests from Charing, Kenardington, Newenden and Warehorne parish councils to increase the number of parish councillors and to address anomalies between parish, ward and county boundaries in Mersham, Sevington, High Halden and Biddenden parishes.
- 4.2. In addition the Council wishes to undertake a CGR for the whole of the Borough to ensure that all localities have an opportunity to express a view on community governance. It may be that existing parishes/town councils have matters to bring to the Council's attention and this Review will allow them to do so. The Review will also consider population changes and shifts in 'natural settlements' caused by new developments.
- 4.3. The Governments guidance is that principal councils should continually keep their area under review and that it is good practice for a principal council to consider conducting a review every 10 -15 years. The last CGR in Ashford was held in 2015. However, given the extent of development in Ashford another CGR would be advisable in advance of the next borough and parish elections in May 2023.
- 4.4. The Council believes that parish councils play an important role in terms of community empowerment at the local level and wants to ensure that

parish governance within the borough continues to be robust, representative and enabled to meet new challenges. Furthermore, it wants to ensure that there is clarity and transparency to the areas that parish councils represent and that the electoral arrangements of parishes – the warding arrangements and the allocations of councillors – are appropriate, equitable and readily understood by their electorate.

5. Areas to be reviewed

- 5.1. The whole of the Ashford Borough Council area will be included in the CGR. A map of the Borough showing the existing parish areas is attached at Appendix 1. The Review will not automatically mean that there will be changes but it will examine whether there is a case for change where changes are suggested during the consultation period.

6. Who will undertake the Review?

- 6.1. The Council is responsible for conducting the CGR. The body responsible for overseeing this process is the Local Government & Polling Districts Task Group. It will oversee the Review and produce draft and final recommendations; the Full Council will approve the final recommendations before a Community Governance Order is made. There will be a full consultation process and in coming to its recommendation in the Review, the Council will need to take account of the views of local people.
- 6.2. The Full Council is required to approve the final recommendations prior to the Community Governance Order being made.

CONSULTATION

7. How the Council proposes to conduct consultations during the review

- 7.1. Before making any recommendations or publishing final proposals, the Council will take full account of the views of local people. The Council will comply with the statutory consultative requirements by:
 - Consulting local government electors for the area under review;
 - Consulting any other person or body (including a local authority) which appears to the Council to have an interest in the review;
 - Notifying and consulting Kent County Council;
 - Taking into account any representations received in connection with the review.
- 7.2. The Council will publicise the review by displaying a notice at the Civic Centre and within each parish area. The Council will publicise the review on the Council's website and where possible on the parish websites and in the Council's magazine, 'Ashford Voice'. The Council will also write to the parish councils, neighbourhood forums or any other community or resident groups of which the Council is aware.

- 7.3. 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. The Council will notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

Indicative timetable for the review

Event	Date
Approval of timetable and terms of reference for the Community Governance Review [CGR] by Full Council	21 st April 2022
Formal commencement of CGR – Terms of Reference published. (The Review should be completed within twelve months of this date)	25 th April 2022
Close of consultation stage.	27 th June 2022
Report to the Local Government & Polling Districts Task Group on the draft recommendations.	July 2022
Proposed final recommendations submitted to the Selection & Constitutional Review Committee.	29 th September 2022
Final recommendations submitted to Council.	20 th October 2022
Community Governance Order(s) made.	20 th November 2022

- 7.4. The timeline may be adjusted after representations have been received by local people and bodies in response to the initial public consultation. This will allow the Council a degree of flexibility in the interests of ensuring that it manages the review process efficiently. Any adjustments to the programme and timetable will be approved by the Council and published on its website.

8. Electorate forecasts for the District

- 8.1. The Review will be conducted using electoral data taken from the April 2022 electoral register.
- 8.2. When the Council comes to consider the electoral arrangements of the parishes in its area, it is required to 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. Electorate forecasts have been prepared by the Council using ONS population statistics.
- 8.3. It is the government’s guidance that these forecasts should be made available to all interested parties as early as possible in the review

process, so that they are available to all who may wish to make representations.

9. THE PRESENT STRUCTURE OF PARISHES AND THEIR ELECTORAL ARRANGEMENTS

9.1. A summary of the present structure of the parishes and their electoral arrangements is attached at Appendix 2.

10. REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

10.1. The review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the order in detail, and the document(s) which set out the reasons for the decisions that the Council takes (including where it has decided to make no change following the review) will be deposited at the Civic Centre, and on the website.

10.2. In accordance with the Guidance issued by the Government, the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000.

10.3. These maps will be deposited with the Secretary of State at the Department of Communities and Local Government and at the Civic Centre. Prints will also be supplied, in accordance with the regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Electoral Commission.

CONSEQUENTIAL MATTERS

11. General principles

11.1. The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

11.2. In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.

12. Borough ward boundaries

12.1. The Council is mindful that it may be necessary for it to recommend to the Local Government Boundary Commission to make alterations to the boundaries of the borough wards or county electoral divisions to reflect the changes made at parish level. The Council notes that it will be for the Local Government Boundary Commission to decide if related alterations should be made and when they should be implemented, and that the Commission may find it appropriate to conduct an electoral review of the affected areas.

12.2. The Council notes that the Local Government Boundary Commission will require evidence that the Council has consulted on any such recommendations for alterations to the boundaries of the borough wards or county electoral divisions as part of the review. Of course, such recommendations for alterations may only become apparent during the course of the review. Even so, the Council will endeavour to include any such draft recommendations for alterations at the earliest possible opportunity for consultation that will arise after they become apparent.

13. Representations

13.1. Ashford Borough Council welcomes representations during the specified consultation stage as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters under review.

13.2. Representations should be addressed to: Community Governance Review, Electoral Services, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL.

13.3. Representations may be sent by email to elections@ashford.gov.uk. All representations must be made by 27th June 2022.

13.4. The Council will consult with the local government electors for the area under review and any other person or body who appears to have an interest in the review and take the representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007.

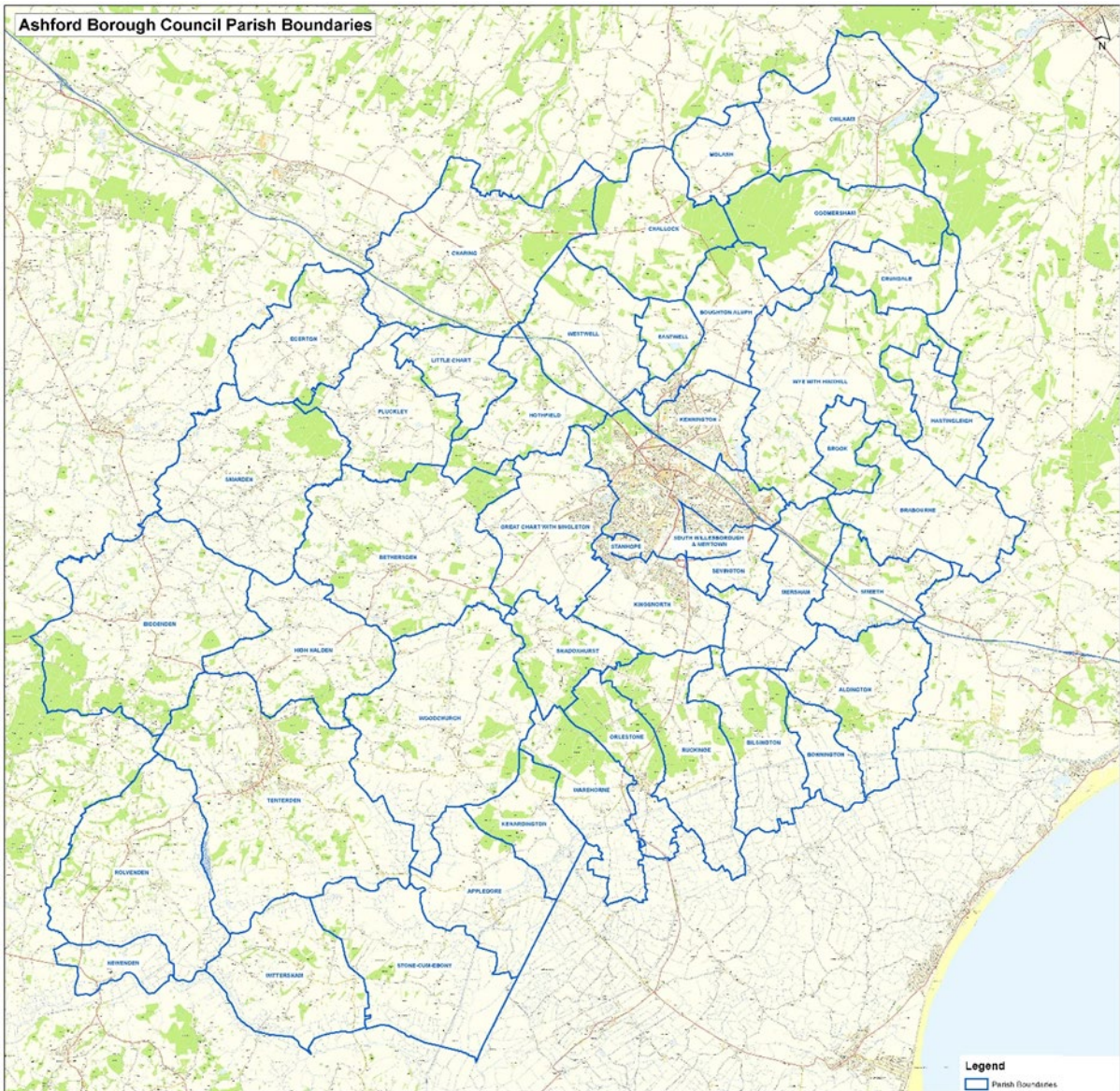
13.5. All representations received will be published, as will the reasons for accepting or rejecting any such representations. In accordance with the Act, representations received in connection with the Review will be taken into account, and steps will be taken to notify consultees of the outcome of the Review.

14. How will the results be disseminated?

14.1. The Council will publish full details on the Council's website; press releases will be issued at key points and key documents will be on deposit at the council offices.

14.2. This Review is deemed to have commenced on the date of this Notice.

Dated: 21st April 2022



Appendix 2

Ashford currently has 41 Parish Councils. This includes Tenterden, which is a Town Council and Kennington and South Willesborough & Newtown which are Community Councils. In addition to the 41 Parish Councils there is one parish, Crundale, that has no parish council.

There are two grouped parish councils (Aldington & Bonnington and Boughton Aluph & Eastwell)

Electoral Area	Councillors	Electors
Aldington and Bonnington (Aldington Parish Ward)	7	1105
Aldington and Bonnington (Bonnington Parish Ward)	2	105
Appledore	7	676
Bethersden	9	1374
Biddenden	11	2191
Bilsington	5	256
Boughton Aluph & Eastwell (Boughton Aluph Parish Ward)	1	523
Boughton Aluph & Eastwell (Eastwell Parish Ward)	1	78
Boughton Aluph & Eastwell (Goat Lees Parish Ward)	6	1346
Brabourne	7	1049
Brook	6	258
Challock	7	868
Charing (Charing Heath Parish Ward)	2	361
Charing (Charing Hill Parish Ward)	10	2164
Chilham	9	1397
Crundale	0	159
Egerton	9	868
Godmersham	5	279
Great Chart with Singleton (Chilmington Green Parish Ward)	1	378
Great Chart with Singleton (Great Chart with Singleton North Parish Ward)	1	648
Great Chart with Singleton (Singleton East Parish Ward)	4	1812
Great Chart with Singleton (Singleton West Parish Ward)	4	2019
Great Chart With Singleton (Washford Parish Ward)	1	594
Hastingleigh	5	196
High Halden (High Halden Parish Ward)	7	1380
High Halden (Woodlands Parish Ward)	1	222
Hothfield	9	634
Kenardington	5	218
Kennington (Bybrook Parish Ward)	4	2043
Kennington (Grosvenor Hall Parish Ward)	4	2033
Kennington (Kennington North Parish Ward)	1	517
Kennington (Kennington Parish Ward)	4	1827
Kennington (Little Burton Farm Parish Ward)	3	1770
Kingsnorth (Bridgefield Parish Ward)	1	999
Kingsnorth (Kingsnorth Village Parish Ward)	2	920
Kingsnorth (Park Farm North Parish Ward)	2	1839
Kingsnorth (Park Farm South Parish Ward)	2	1847

Kingsnorth (Roman Parish Ward)	2	1996
Kingsnorth (Washford Farm Parish Ward)	1	1110
Little Chart	5	211
Mersham	7	1178
Molash	5	195
Newenden	5	180
Orlestone	9	1260
Pluckley	7	844
Rolvenden (Rolvenden Layne Parish Ward)	3	324
Rolvenden (Rolvenden Streyte Parish Ward)	6	917
Ruckinge	7	638
Sevington with Finberry (Highfield Parish Ward)	1	208

Sevington with Finberry (Sevington Parish Ward)	6	802
Shadoxhurst	7	1072
Smarden	9	1188
Smeeth	7	717
South Willesborough & Newtown (Newtown Parish Ward)	3	746
South Willesborough & Newtown (South Willesborough Parish Ward)	8	2451
Stanhope (Central Parish Ward)	7	1918
Stanhope (Speldhurst Close Parish Ward)	1	343
Stanhope (The Limes Parish Ward)	1	161
Stone-Cum-Ebony	7	367
Tenterden (Rolvenden & Tenterden West Parish Ward)	2	586
Tenterden (Tenterden North Town Ward)	5	1992
Tenterden (Tenterden South Town Ward)	4	2057
Tenterden (Tenterden St Michael`s Town Ward)	5	2097
Warehorne	5	271
Westwell	9	864
Wittersham	7	954
Woodchurch	9	1710
Wye with Hinxhill	11	1858