

SUPPLEMENT TO THE AGENDA FOR

Audit and Governance Committee

Wednesday 25 September 2013

11.00 am

The Library, The Shire Hall, Hereford

7. COMMUNITY GOVERNANCE REVIEW

Pages

3 - 10

MEETING:	AUDIT AND GOVERNANCE COMMITTEE
DATE:	25 SEPTEMBER 2012
TITLE OF REPORT:	COMMUNITY GOVERNANCE REVIEW - ROSS-ON-WYE
REPORT BY:	HEAD OF GOVERNANCE

Note: This item is put to the Audit and Governance Committee under Paragraph 4.2.6.1 (b) of the Council's Constitution, expressly that: "The Chairman of the meeting considers that for reasons of special circumstances, the item should be considered at the Meeting as a matter of urgency."

1. Classification

Open.

2. Wards Affected

County-wide

3. Purpose

To review the membership of the Community Governance Review Sub-Committee and appoint a Chairman and Vice-Chairman to that sub-committee.

4. Recommendation

THAT:

- (a) The members of the Community Governance Review Sub-Committee be agreed, on the basis of a membership of five (three members of the Conservative Group, one member of It's OUR County and one member of the Herefordshire Independents); and
- (b) a Chairman and Vice-Chairman be appointed from the sub-committee membership.

5. Alternative Options

- 5.1 Council has agreed that a community governance review of the areas of Ross Town Council and Ross Rural Parish Council would be conducted in the autumn of 2013. There are no alternative options therefore.

6. Reasons for Recommendations

- 6.1 Council has committed to an autumn 2013 start date for a CGR. This provides some certainty for the Town and Parish involved. The first meeting of the Community Governance Review Sub-Committee will be arranged shortly, and it is therefore essential that the membership is agreed urgently.

7. Key Considerations

- 7.1 At its meeting on 11 May 2012, the Audit and Governance Committee noted that the Council had decided to undertake a community governance review of the areas of Ross Town Council and Ross Rural Parish Council in the autumn of 2013. Council had empowered the Audit and Governance Committee to undertake community governance reviews and to make recommendations to Council on the matter.
- 7.2 On 21 September 2012, the Audit and Governance Committee set up a sub-committee for this purpose, and agreed a membership of Councillors AM Atkinson, CNH Attwood, PGH Cutter, AJ Hempton-Smith and JA Hyde. The original report and the relevant extract from the minutes are appended to this report.
- 7.3 Councillors Atkinson and Hyde are no longer members of the Audit and Governance Committee, and therefore the membership now requires revision.

8. Appendices

- 8.1 Appendix 1 – Extract from the minutes of the Audit and Governance Committee meeting dated 21 September 2012
- 8.2 Appendix 2 – Report to the Audit and Governance Committee dated 21 September 2012

EXTRACT FROM THE MINUTES OF THE AUDIT AND GOVERNANCE COMMITTEE HELD ON 21 SEPTEMBER 2012

MINUTE 22: COMMUNITY GOVERNANCE REVIEW

[Note: This additional item was put to the Audit and Governance Committee under Paragraph 4.2.6.1 (b) of the Council's Constitution, expressly that: "The Chairman of the meeting considers that for reasons of special circumstances, the item should be considered at the Meeting as a matter of urgency."]

The Committee considered a report about the setting-up of a sub-committee for the purpose of conducting community governance reviews (CGRs), appointing a Chairman that sub-committee, and instructing the sub-committee to conduct a review and make recommendations to the Audit and Governance Committee as to the future community governance of the Ross Town Council and Ross Rural Parish Council areas.

Council had previously decided that a community governance review of the areas of Ross Town Council and Ross Rural Parish Council, would take place in the autumn of 2013, and had empowered the Audit and Governance Committee to undertake all community governance reviews and to make recommendations to Council on the matter.

Members agreed to proceed with the CGR for Ross Town and Ross Rural Parish Councils, and appointed the members that had been nominated by Group Leaders to the sub-committee. It was further agreed that Councillor Hempton-Smith would chair the sub-committee, and that members would appoint their own Vice-Chairman at their first meeting. It was noted that, once an initial meeting date has been agreed for the sub-committee, the Assistant Director Law, Governance and Resilience would bring forward a report by way of training.

RESOLVED: that

- (a) a Community Governance Review Sub-Committee be formed with a membership of five (three members of the Conservative Group, one member of It's OUR County and one member of the Herefordshire Independents);**
- (b) the nominations of Councillors AM Atkinson, CNH Attwood, PGH Cutter, AJ Hempton-Smith and JA Hyde, be approved;**
- (c) Councillor AJ Hempton-Smith be appointed Chairman of the sub-committee, and a Vice-Chairman be appointed from the sub-committee membership at its first meeting; and**
- (d) the Sub-Committee be instructed to conduct a review and make recommendations to this Committee as to the future community governance of the Ross Town Council and Ross Rural Parish Council areas.**

MEETING:	AUDIT AND GOVERNANCE COMMITTEE
DATE:	21 SEPTEMBER 2012
TITLE OF REPORT:	COMMUNITY GOVERNANCE REVIEW - ROSS-ON-WYE
REPORT BY:	ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE

CLASSIFICATION: OPEN

Wards Affected

County-wide

Note: This item is put to the Audit and Governance Committee under Paragraph 4.2.6.1 (b) of the Council's Constitution, expressly that: "The Chairman of the meeting considers that for reasons of special circumstances, the item should be considered at the Meeting as a matter of urgency."

Purpose

To set up a sub-committee for the purpose of conducting community governance reviews (CGRs), to appoint a Chairman and Vice-Chairman to that sub-committee, and to instruct the sub-committee to conduct a review and make recommendations to this Committee as to the future community governance of the Ross Town Council and Ross Rural Parish Council areas.

Recommendation

THAT:

- (a) a Community Governance Review Sub-Committee be formed with a membership of five (three members of the Conservative Group, one member of It's OUR County and one member of the Herefordshire Independents);
- (b) the nominations of Councillors AM Atkinson, CNH Attwood, PGH Cutter, AJ Hempton-Smith and JA Hyde, be noted;
- (c) a Chairman and Vice-Chairman be appointed from the sub-committee membership; and
- (d) the sub-committee be instructed to conduct a review and make recommendations to this Committee as to the future community governance of the Ross Town Council and Ross Rural Parish Council areas.

Key Points Summary

- At its meeting on 11 May 2012, the Audit and Governance Committee noted that the Council had decided to undertake a community governance review of the areas of Ross

Town Council and Ross Rural Parish Council in the autumn of 2013. Council had empowered the Audit and Governance Committee to undertake community governance reviews and to make recommendations to Council on the matter.

- On 6 July 2012, the Audit and Governance Committee agreed that it would set up a sub-committee for this purpose when it met in September 2012 (Agenda Item 4, Minute 4 on Page 1 of this agenda refers).
- The Local Government Boundary Commission for England is currently reviewing this Council's electoral arrangements and the Commission's Chairman has specifically asked the Council to desist from a CGR while that review is in progress. The Commission should have concluded its research by the autumn of 2012, and will publish its draft recommendations in November 2012 and open a further and final phase of consultation with local people. The Commission is likely to publish its findings in spring 2013 and any ensuing changes will be made at the time of the local elections in 2015.

Alternative Options

1. Council has decided to undertake a CGR of Ross Town and Rural Parish area, and therefore other options have been discounted.

Reasons for Recommendations

2. Council has committed to an autumn 2013 start date for a CGR. This provides some certainty for the Town and Parish involved and provides a longer period for awareness-raising and community engagement.

Introduction and Background

- 3.1. CGRs are best handled by a small group of Members, who can then make recommendations to Council. Council has decided to expand the remit of the Committee to undertake CGRs in the future, so that expertise is built up for any future CGRs in other areas.
- 3.2. It is recommended that five members will be a practical number to conduct CGRs effectively. The sub-committee will need to be politically proportionate, and Group Leaders have nominated the following members of the Audit and Governance Committee:
 - Three members of the Conservative Group: **Councillors AM Atkinson, PGH Cutter and JA Hyde;**
 - One member of the It's OUR County Group: **Councillor AJ Hempton-Smith;**
 - One member of the Herefordshire Independents Group: **Councillor CNH Attwood.**
- 3.3. The Audit and Governance Committee is also required to appoint a Chairman and Vice-Chairman from the sub-committee membership.
- 3.4. Once an initial meeting date has been agreed for the sub-committee, the Assistant Director – Law, Governance and Resilience will bring forward a report to a first meeting by way of training.

Key Considerations

- 4.1 The request for a CGR in this instance appears to fulfil the criteria for review
- 4.2 Any review provides an opportunity to consider boundaries, numbers of members and warding arrangements
- 4.3 The proposal links to the corporate priority of locality working

Community Impact

5. The community impact of the present arrangements and the potential for change is described earlier in this report. On initial appraisal, there are no equalities issues.

Financial Implications

6. There is no budget for CGRs and the cost of printing, stationery, room hire, advertisements and a postal ballot would have to be met from a special budget in the financial year 2013/14. Funding will be considered as part of the budget process for 2013/14.

Legal Implications

7. The Council must have regard to the mandatory statutory guidance under the 2007 Act in the conduct and timing of any review. Failure to comply could result in a judicial challenge.

Risk Management

8. If the Council does not proceed with a CGR, then the existing arrangements may damage community engagement and democratic representation at the local level.
9. In the event that a local referendum is conducted as part of the review, it should be borne in mind that the following projects are currently programmed for the elections team:
 - Personal Identifier Refreshers
 - Neighbourhood Planning referendums
 - Implementation of Local Government Boundary Review
 - Implementation of Parliamentary Boundary Review
 - Implementation of Individual Registration
10. Without additional budget provision identified and appropriately trained staff being made available there is a risk of statutory deadlines being missed and mistakes being made.

Consultees

11. The Committee will make appropriate arrangements for consultation and a ballot. The proposals in this report have been discussed with local Ward Members.

Appendices and Background Papers

None.

