

MEETING:	COUNCIL
DATE:	2 MARCH 2012
TITLE OF REPORT:	COMMUNITY GOVERNANCE REVIEW - ROSS-ON-WYE
REPORT BY:	ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE

CLASSIFICATION: OPEN

Wards Affected

Ross-on-Wye East
Ross-on-Wye West

Purpose

To advise members of a request by Ross Town Council, supported by Ross Rural Parish Council, for a community governance review of their areas; to make provision for such reviews to be undertaken by Audit and Governance Committee; and to provide an aspirational timetable.

Recommendation(s)

THAT:

- (a) **the Council undertake a community governance review of the areas of Ross Town Council and Ross Rural Parish Council in the Autumn of 2013; and**
- (b) **the Audit and Governance Committee be empowered to undertake community governance reviews and to make recommendations to Council in that regard; and**

Key Points Summary

- The Local Government and Public Involvement in Health Act 2007 (the 2007 Act) makes provision for local authorities to undertake community governance reviews (CGRs) and for the Secretary of State to issue mandatory guidance. This guidance was issued in March 2010. The 2007 Act provisions are intended to enable citizens and community groups to make the best use of empowerment opportunities.
- A CGR may reflect the fact that communities expand over time with new housing developments, with existing parish boundaries becoming anomalous as new homes are built and people find they are in different parishes from their near neighbours. It can also deal with warding arrangements
- The guidance provides at paragraph 28 that a CGR should not be started when a review of the principal council's electoral arrangements is being undertaken. The Boundary Commission is reviewing this Council's electoral arrangements and should have concluded its work by the

Autumn of 2013. The Commission's Chairman has specifically asked this council to desist from a CGR while that review is in progress.

- CGRs are best handled by a small group of Members, who can then make recommendations to a full Council meeting. For this reason, it is suggested that the remit of Audit and Governance Committee be expanded to undertake CGRs in the future, so that expertise is built up for any future CGRs in other areas. That Committee may wish to form a sub-committee for the purposes of a CGR.

Alternative Options

1. Not to undertake a CGR and to leave existing parish boundaries unchanged. This would disregard the submissions in favour of review made by the Town Council and the agreement of the Parish Council involved.
2. To defer a decision until the results of the Boundary Commission's review are known. The situation in Ross is unlikely to have changed significantly but there remains some uncertainty about when the Commission's work will be complete. It is not yet known whether they regard Herefordshire as a type B review (42-50 weeks) or a type C review (up to 62 weeks).

Reasons for Recommendations

3. The recommendation that the Council commits to an Autumn 2013 start date for a CGR provides some certainty for the Town and Parish involved and provides a longer period for awareness raising and community engagement.

Introduction and Background

- 4.1. On 14th June 2010 the Ross-on-Wye Town Council resolved to make a formal request to this Council for a CGR of the HR9 postal area. Any decision was postponed until after the May 2011 elections had taken place.
- 4.2. On 20th December 2011 representatives of the Town Council met the Assistant Director Law Governance and Resilience and made a number of points in favour of a CGR including:
 - New housing and commercial developments had expanded the town's built up area into the rural parish area
 - The 2010 Ross Town Plan adopted by this Council covers both town and rural areas
 - There are 12 members of the Town Council, which meets regularly and has a number of main committees. Elections are contested (25 candidates for 12 seats). Ross Rural has 8 members and meets every 2 months. There have been no elections since 2003.
 - The Town Council maintains facilities such as play areas and a community centre which are enjoyed by inhabitants of the Ross Town and Rural areas alike.
- 4.3. The Town Council representatives said that, despite the terms of their 14th June 2010 resolution, they were now asking for a view of the town and parish council areas rather than a review of the whole HC9 area. Those areas are indicated on the attached plan and edged Brown (Ross Town) and green (Ross Rural) – see Appendix 1.
- 4.4. The Ross Rural Parish Council met on 4th January 2012 and their clerk has confirmed that they are happy to proceed with the request for a CGR.

Key Considerations

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

Community Impact

6. 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

7. 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

8. 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

9. If the Council does not proceed with a CGR, then the existing arrangements may damage community engagement and democratic representation at the local level

Consultees

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

Appendices

11. Plan of Ross Wards

Background Papers

12. Correspondence with Town and Parish Councils for Ross Town Council and Ross Rural Parish Council.