

<b>Meeting:</b>	<b>Council</b>
<b>Meeting date:</b>	<b>Friday 12 October</b>
<b>Title of report:</b>	<b>Request by Cradley Parish Council to change its name to Cradley and Storrige Parish Council</b>
<b>Report by:</b>	<b>Solicitor to the Council</b>

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

Bishops Frome & Cradley

## **Purpose and summary**

To approve the change of name of Cradley Parish Council to Cradley and Storrige Parish Council.

In accordance with Section 75 of the Local Government Act, 1972, Cradley Parish Council has requested this change to better reflect the community's connection with local area and character of the Parish. It is reserved to Council to approve the making of an order to give effect to the requested change.

## **Recommendation(s)**

**That:**

- (a) **the name of Cradley Parish Council is changed to Cradley and Storrige Parish Council with effect from 12 October 2018.**

## **Alternative options**

1. **Do nothing:** This is not recommended as there is no clear rationale to refuse this request by the Parish. Section 75 of the Local Government Act (LGA), 1972 states that 'at the

request of a parish council, the council of the district in which the parish is situated may change the name of the parish’.

2. **To delay the name change until a proposed community governance review is undertaken.** A parish may also change its name by way of a community governance review (CGR) under the Local Government and Public Involvement and Health Act 2007. It is for the principal authority to carry out such a review. This is not recommended as the next round of anticipated CGRs will be in 2021 – the next year predicted to be free of elections. While CGRs are arguably more consultative they can take up to 12 months to complete. Therefore the name change can more easily be expedited under Section 75 of the LGA, 1972.

## Key considerations

3. Cradley Parish Council approached Herefordshire Council in April to note their interest in and to seek advice upon changing their parish name. The parish council noted that for some time it has been widely recognised that the name of the Parish Council serving the residents and businesses of Cradley Parish does not incorporate the name of the village of Storridge.
4. As recorded in the public minutes of the 12 June Cradley Parish Council meeting, the parish council resolved to change the name to Cradley and Storridge Parish Council. The Vice-Chair and acting parish clerk of Cradley Parish Council wrote to the democratic services manager on 18 June 2018 formally requesting the name change. The consultation report is attached at Appendix 1 and a draft Notice is attached at Appendix 2 to this report.
5. As noted above, Section 75 of the Local Government Act (LGA), 1972 states that ‘at the request of a parish council, the council of the district in which the parish is situated may change the name of the parish’. If the decision is taken to change the name of the Parish Council, legislation requires that Herefordshire Council to publicise this. The council will seek to do this by publicising the name change on the council’s public web-site, through social media, local newsletters and by displaying information on local notice boards.

## Community impact

6. Herefordshire Council has adopted a code of corporate governance which describes the systems, processes, culture and values of the Council. It has been established to ensure we provide the right services, to the right people in a timely, open, and accountable way. The code sets out the framework for maintaining high standards of corporate governance in order to achieve the council’s vision of “people, organisations and businesses working together to bring sustainable prosperity and well-being for all, in the outstanding natural environment of Herefordshire.”
7. Seven principles have been established to underpin our governance processes, of those principles, of key relevance to this decision is a commitment to Ensuring openness and comprehensive stakeholder engagement. And, implementing good practices in transparency, reporting, and audit to deliver effective accountability. Herefordshire Council must ensure that those making decisions and delivering services are accountable for them.
8. There are no foreseen or anticipated community impacts if this change of name is agreed. The proposed change is considered by the parish council to be more inclusive and gives

the community a more intrinsic identity to the residents and businesses living and working in the locality.

## **Equality duty**

9.

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a decision has no impact on service delivery or policy, we do not believe that it will have an impact on our equality duty..

## **Resource implications**

11. As noted in paragraph 5 above, if the decision is taken to change the name of the parish council Herefordshire Council must publicise this change. The measures suggested in 5 above will involve a small cost, limited to £50, utilising social media to directly notify members of the Cradley Parish. In addition, Cradley Parish Council will utilise their own communications channels, such as the parish web-site and local newsletters, to formally note the change to the name.

## **Legal implications**

12. Section 75 of the Local Government Act, 1972 states that 'At the request of the parish council ... the council of the district in which the parish is situated may change the name of the parish.'

13. Notice of any change of name made under this section —

- a. shall be sent by the district council concerned to the Secretary of State, to the Director General of the Ordnance Survey and to the Registrar General; and
- b. shall be published by the district council in the parish and elsewhere in such manner as they consider appropriate.

14. A change of name made in pursuance of this section shall not affect any rights or obligations of any parish or of any council, authority or person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of name.

## Risk management

15.

Risk / opportunity	Mitigation
R1: Those opposed to the proposed name change may feel a stronger sense of disassociation with their local identity.	M1: The name change will recognise the principle settlements within the parish and re-inforce community connections with the parish as a whole.

## Consultees

16. There is no legal requirement for any public consultation. However, during April to June 2018, the parish council undertook consultation with the local community on proposals to change the name of the parish council. Notices were placed on all the parish notice boards and in the local newsletter for the months of April and May inviting comments by 8th June 2018.
17. Nine responses were received, of those eight were in favour of the proposed name change and one was opposed. This equated to 88.9% for the proposed change with 11.1% opposed to it.

## Appendices

- Appendix 1: Report from the task and finish group – change of name from Cradley Parish Council to Cradley and Storridge Parish Council.
- Appendix 2: Notice of Change of Name of Cradley Parish Council

## Background papers

None Identified