

# NORTH YORKSHIRE COUNCIL

19 July 2023

## REPORT OF THE STANDARDS AND GOVERNANCE COMMITTEE TO COUNCIL

### Final Recommendations on the Community Governance Reviews relating to the unparished town centres in Harrogate and Scarborough

#### **1.0 PURPOSE OF THE REPORT**

- 1.1 To consider the recommendations of the Standards and Governance Committee made at the meeting of 5 July 2023 in relation to the Community Governance Reviews for the unparished parts of Harrogate and Scarborough, along with proposed minor amendments to parish boundaries in Scarborough affecting three parish councils.

#### **2.0 BACKGROUND**

- 2.1 On 19 July 2022 the Executive approved the terms of reference for a Community Governance Review (CGR) for the unparished parts of Harrogate and Scarborough. A CGR provides a principal council with the opportunity to consider what the most effective parish governance arrangements might be for an area as set out in the Local Government and Public Involvement in Health Act 2007.
- 2.2 Attached at Appendix A to this report is a copy of the report which was considered by the Standards and Governance Committee on 5 July 2023. The report outlines the process undertaken for the CGR, which included two periods of public consultation, and set out at paragraph 14.0 final recommendations in relation to the unparished parts of Harrogate and Scarborough.
- 2.3 The report's final recommendations were for new town councils to be created for Harrogate and Scarborough with effect from 1 April 2024. The report made further recommendations for minor amendments to be made to the boundaries of three parish councils adjoining the unparished area of Scarborough.
- 2.4 Under the council's constitution the terms of reference of the Standards and Governance Committee provide for it to make recommendations to Council in respect of community governance reviews.

#### **3.0 DELIBERATIONS OF THE STANDARDS AND GOVERNANCE COMMITTEE**

- 3.1 The report's recommendations for the creation of the new town councils also included recommendations in relation to warding patterns and the number of councillors to be elected for each town council. For both town councils it was proposed to use the existing division boundaries as statutory guidance states that a parish ward should not be divided by the boundary of a principal council division.
- Harrogate – it was proposed that there should be 10 wards, with 2 councillors for each ward (with the exception of the small ward of Saltergate for which 1 councillor was proposed) giving a total of 19 councillors.
  - Scarborough – it was proposed that there should be 5 wards, with 3 councillors for each ward, giving a total of 15 councillors

- 3.2 Councillor Sam Gibbs attended the meeting to make representation on behalf of Councillor Michael Harrison who proposed a variation to the recommendations with particular reference to Harrogate, but which could also apply to Scarborough. Councillor Harrison proposed that the recommendations be amended to remove the proposed warding arrangement in favour of a single election of councillors to a town council consisting of one ward and suggested that a total of 10 councillors should be elected for Harrogate. If members felt unable to support a single election to a single ward, Councillor Harrison suggested that 1 councillor be elected to each ward, giving a total of 10 councillors for Harrogate.
- 3.3 The Committee discussed the merits of having single member wards rather than multiple member wards based on the division warding pattern. A suggestion had been put forward during the consultation that the warding pattern used for the former Harrogate Borough Council could be used, which would result in 19 single member wards, and comply with the statutory guidance that a parish ward not be divided by a division boundary. A proposal was made at the meeting that this warding pattern be adopted for Harrogate, and that there also be 15 single member wards for Scarborough. A map of the proposed warding pattern for Harrogate is included at Annex A.
- 3.4 The current Scarborough division boundaries are the same as the former Scarborough Borough Council ward pattern, there is no pre-existing warding pattern which can be used. To create a warding pattern of 15 single member wards would require each of the 5 divisions to be divided into 3 equal size wards. Should members wish to pursue this option work would need to take place over the summer and early autumn with a draft available for initial consultation with members later in the year. As there is no pre-existing warding pattern in Scarborough which can be used work will need to take place to draw up a proposed warding pattern which meets statutory criteria in relation to ensuring an equal distribution of electors whilst using easily defined boundaries and reflecting community identity and linkages. It will be necessary to consider the five year electoral forecast for each of the proposed new wards. This piece of work is not achievable in a short period of time.
- 3.5 Members were advised that the warding patterns recommended in the report had previously been consulted upon and received the support of a majority of respondents. Should Council resolve to implement alternative warding patterns a further round of consultation would be required before any town councils could be created to ensure that any revised proposals had been fully consulted on. This would be likely to change the implementation date to 1 April 2025.
- 3.6 The proposed recommendations specified in the report were voted against (with the Chair using his casting vote) and an alternative motion was passed by the Standards and Governance Committee, namely recommending that a further consultation exercise should be undertaken to reflect the desire to change the warding patterns to create single councillor warding. It was recognised by the Standards and Governance Committee that the timeframe set out in the original report and appendices will need to be amended accordingly to allow for this further consultation.

#### **4.0 LEGAL IMPLICATIONS**

- 4.1 The legal implications of the Community Governance Review are considered in the Standards and Governance Committee report of 5 July 2023. However, the Committee has made recommendations to change the warding pattern of the proposed Town Councils and therefore the legal implications of this change need to be considered.
- 4.2 Stage 2 of the consultation which was undertaken over a 9 week period from 2 March to 5 May 2023 where each household within the area was written to with a letter and information

pack. This part of the consultation had a proposal of creating a Town Council in Scarborough with 5 wards, with 3 councillors in each ward and a Town Council in Harrogate of 10 wards with 19 councillors. The result of this consultation showed that 65.5% of those responding supported the creation of the proposed Town Council in Harrogate and 69.9% of those responding supported the creation of the Town Council in Scarborough.

- 4.3 For Harrogate, of the 1,104 respondents who agreed with the creation of a town council, 968 agreed with the proposed warding pattern, and in total 1,058 respondents agreed, even if they did not agree with the creation of a parish council. Therefore the majority of those responding agreed with the proposed warding pattern, albeit there were some comments that stated they would like to see more wards and that the previous Borough Council's warding pattern should be used for the Town Council.
- 4.4 For Scarborough, of the 511 respondents who agreed with the creation of a town council, 484 agreed with the proposed warding pattern, and in total 541 respondents agreed, even if they did not agree with the creation of a parish council. Therefore the majority of those responding agreed with the proposed warding pattern.
- 4.5 As the public were not consulted on the revised warding pattern, there is a legal risk in proceeding with a revised warding pattern without a further consultation exercise. Indeed currently there is not a draft proposed warding arrangement for Scarborough as this would require officers to do additional work to produce new warding arrangements for Council to consider. Therefore if Council is minded to revise the warding patterns, the legal recommendation is for a further consultation exercise to be undertaken and for the results of that consultation to be considered afresh by a future Council meeting. This will give the public the chance to give their views on the proposed warding pattern and for the Council to make an informed decision.
- 4.6 If Council are minded to create new Town Councils for April 2024, then it would be acceptable to consider the responses to the original proposed warding patterns and proceed on the basis that it has been consulted upon.
- 4.7 On the basis of the above, Council have at least two choices to consider namely:

#### **OPTION 1: RESOLUTIONS TO CREATE TOWN COUNCILS FOR 1 APRIL 2024**

- 4.7.1 Council could consider the original recommendations in the report to the Standards and Governance Committee on 5 July 2023 (which the Standards and Governance Committee ultimately rejected) and proceed with the proposed warding arrangements identified in Stage 2 of the consultation to create the Town Councils in April 2024. In such circumstances the Council would need to resolve the following recommendations:
- A) *HARROGATE*
- (1) *to create a new parish for the unparished area of Harrogate*
  - (2) *the new parish be named Harrogate*
  - (3) *the new parish have a parish council and to name that parish council Harrogate Town Council*
  - (4) *the parish come into effect from 1 April 2024 for administrative purposes, and the first election for the town council be 2 May 2024 for a reduced term of three years, with ordinary elections taking place in 2027 and every four years thereafter*
  - (5) *the parish be divided into wards, named*

*Bilton & Nidd Gorge  
Bilton Grange & New Park  
Coppice Valley & Duchy  
Fairfax & Starbeck  
Harlow & St Georges  
High Harrogate & Kingsley  
Oatlands  
Saltergate  
Stray, Woodlands & Hookstone  
Valley Gardens & Central Harrogate*

- (6) *there should be 19 councillors elected to the parish*
- (7) *the number of parish councillors to be elected for each ward shall be*
- |   |          |
|---|----------|
| <i>Bilton &amp; Nidd Gorge</i>                | <i>2</i> |
| <i>Bilton Grange &amp; New Park</i>           | <i>2</i> |
| <i>Coppice Valley &amp; Duchy</i>             | <i>2</i> |
| <i>Fairfax &amp; Starbeck</i>                 | <i>2</i> |
| <i>Harlow &amp; St Georges</i>                | <i>2</i> |
| <i>High Harrogate &amp; Kingsley</i>          | <i>2</i> |
| <i>Oatlands</i>                               | <i>2</i> |
| <i>Saltergate</i>                             | <i>1</i> |
| <i>Stray, Woodlands &amp; Hookstone</i>       | <i>2</i> |
| <i>Valley Gardens &amp; Central Harrogate</i> | <i>2</i> |
- (8) *the change take effect on 15th October 2023 for electoral purposes (ahead of publication of the revised register planned for 1 December 2023)*
- (9) *the boundaries of the new parish and wards should be as shown on the map at Appendix 1.*
- B) SCARBOROUGH**
- (1) *to create a new parish for the unparished area of Scarborough*
- (2) *the new parish be named Scarborough*
- (3) *the new parish have a parish council and to name that parish council Scarborough Town Council*
- (4) *the parish come into effect from 1 April 2024 for administrative purposes, and the first election for the town council be 2 May 2024 for a reduced term of three years, with ordinary elections taking place in 2027 and every four years thereafter*
- (5) *the parish be divided into wards, named*
- Castle  
Falsgrave & Stepney  
Northstead  
Weaponness & Ramshill  
Woodlands*
- (6) *there should be 15 councillors elected to the parish*

(7) *the number of parish councillors to be elected for each ward shall be*

Castle	3
Falsgrave & Stepney	3
Northstead	3
Weaponness & Ramshill	3
Woodlands	3

(8) *the change take effect on 15th October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)*

(9) *the boundaries of the new parish and wards should be as shown on the map at Appendix 1.*

C) **EASTFIELD**

(1) *the north-eastern boundary line of Eastfield Town Council be extended towards the A165 to match the Eastfield Division and Ward boundaries (and consequentially excluding the 3 known anomalous properties at Osgodby)*

(2) *the changes take effect on 01 April 2024 for administrative purposes.*

(3) *the change takes effect on 15th October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)*

(4) *the changes should be as shown on the map at Appendix 1*

D) **NEWBY AND SCALBY**

(1) *to extend Newby & Scalby Town Council boundary to include all of Charles Williams Apartments, to become coterminous with the Newby Division)*

(2) *the changes take effect on 01 April 2024 for administrative purposes.*

(3) *the change takes effect on 15th October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)*

(4) *the changes should be as shown on the map at Appendix 1*

E) **OSGODBY**

(1) *to extend Osgodby Parish Council boundary to include those 3 properties currently outside of the parish, at the norther boundary line, and to become coterminous with the Cayton Division*

(2) *the changes take effect on 01 April 2024 for administrative purposes.*

(3) *the change takes effect on 15th October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)*

(4) *the changes should be as shown on the map at Appendix 1*

- *if Council recommends creation of parish councils and changes to existing parishes authority be granted to the Assistant Chief Executive (Legal and Democratic Services) in consultation with the Corporate Director of Resources to implement the*

*decisions including making reorganisation orders which amongst other things will set the precept for the first year of the town councils to take effect from 1 April 2024.*

## **OPTION 2: DEFER THE DECISION TO CARRY OUT FURTHER CONSULTATION ON WARDING ARRANGEMENTS**

4.7.2 In order to create a proposal for single wards within Scarborough, additional work will need to be undertaken to create a proposal that can then subsequently be consulted upon. The Standards and Governance Committee recommended for Harrogate to use the former Borough Council warding arrangements, and again this proposal will need to be consulted upon. Therefore the recommendations of the Committee were to carry out this further process and those are the recommendations put forward in this report.

4.7.3 It is a matter for Council to determine how to proceed.

### **5.0 RECOMMENDATION**

5.1 That Council are requested to

- i) consider the consultation results and equality impact assessment
- ii) defer making resolutions to conclude the Community Governance Review in order for the following additional work to be undertaken:
  - (a) for the Assistant Chief Executive Legal and Democratic Services to draft up proposed warding arrangements for Scarborough Town Council to be 15 single member wards
  - (b) to propose the preferred warding arrangements for Harrogate Town Council to be 19 single member wards on the former Borough warding arrangements
  - (c) for the Assistant Chief Executive Legal and Democratic Services to carry out the necessary consultation on the revised warding arrangements and for the results of that consultation to be considered at a future Standards and Governance Committee and Council meeting.

Chair of the Standards and Governance Committee: Councillor Clive Pearson

County Hall  
Northallerton

11 July 2023

## **APPENDICES:**

**Appendix A** - [Final Recommendations on the Community Governance Reviews relating to the unparished town centres in Harrogate and Scarborough](#)

[Appendix 1 – Harrogate Final Recommendations](#)

[Appendix 2 – Scarborough Final Recommendations](#)

[Appendix 3 – Eastfield Final Recommendations](#)

[Appendix 4 – Newby and Scalby Final Recommendations](#)

[Appendix 5 – Osgodby Final Recommendations](#)

[Appendix 6 – Equality impact assessment screening form](#)

[Appendix 7 – Initial climate change impact assessment form](#)

**Annex A** – Proposed warding arrangements for Harrogate Town Council as suggested by the Standards and Governance Committee.

## **BACKGROUND DOCUMENTS:**

Executive report of 10 January 2023 – [Draft Recommendations on the Community Governance Reviews relating to the unparished town centres in Harrogate and Scarborough](#)

## **REPORT AUTHORS:**

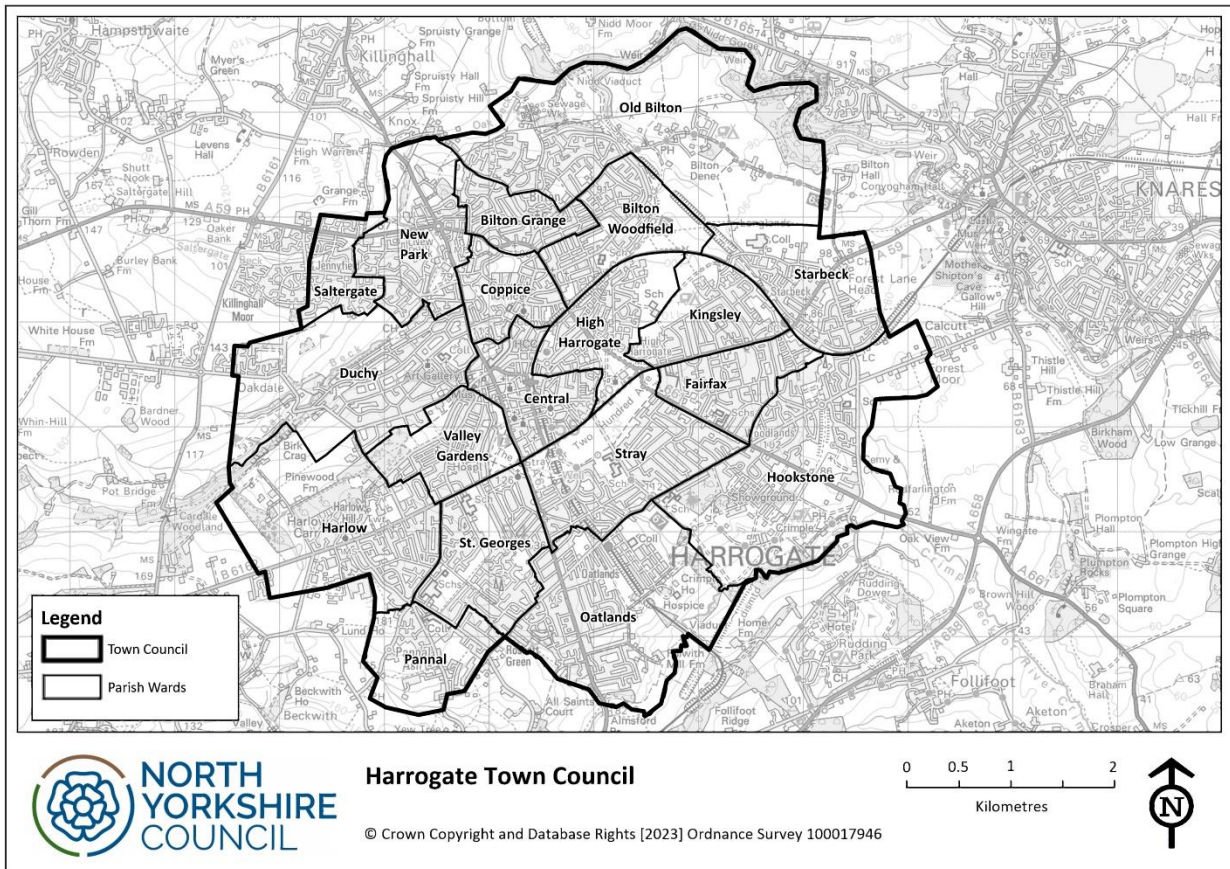
Barry Khan – Assistant Chief Executive Legal and Democratic Services

Elizabeth Jackson – Democratic Services Manager

Kerry Russett – Head of Democratic Services and Corporate Modernisation

**Note:** Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

A) HARROGATE



Proposed warding arrangements for Harrogate Town Council as suggested by the Standards and Governance Committee.