

NORTH YORKSHIRE COUNCIL  
STANDARDS AND GOVERNANCE COMMITTEE

15 September 2023

**Requests for Community Governance Reviews**

**1.0 PURPOSE OF REPORT**

- 1.1 To seek the Committee's approval to adopt a protocol setting out how the council will respond to requests for Community Governance Reviews (CGRs).

**2.0 BACKGROUND**

- 2.1 The Local Government and Public Involvement in Health Act 2007 devolves the power to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England.
- 2.2 More particularly CGRs provide the opportunity for North Yorkshire Council to review and make changes to community governance within their areas by encompassing the ability to create a parish, change the name of a parish, establish a separate parish council for an existing parish, alter the boundaries of existing parishes, abolish a parish, dissolve a parish council, change the electoral arrangements of a parish council (i.e. the number of parish councillors and ward boundaries), and group or de-group a parish under a common parish council .
- 2.3 A CGR can be undertaken following:
- a decision by the council to undertake a review of its parish arrangements
  - receipt of a request from a parish council for a community governance review to be carried out
  - receipt of a petition signed by local electors asking for a review to be undertaken.
- 2.4 The Council's constitution devolves the function to this Committee of making recommendations to Council in relation to CGRs. This also encompasses providing a response to a request for a CGR; if the Council receives a request it is empowered, but not obliged, to undertake a review.
- 2.5 Attached as an Appendix to this report is a draft protocol setting out how the council would respond to requests for CGRs.

**3.0 PROTOCOL**

- 3.1 The protocol sets out what CGRs can be used for, how they can be initiated and outlines the process for carrying out a review. The protocol covers the period up to the scheduled May 2027 elections and sets out the current context in which requests for CGRs will be considered.
- 3.2 In summary the protocol proposes that only requests for CGRs which are considered urgent will be considered before the commencement of the expected Local Government Boundary Commission for England's (LGBCE) review of division boundaries, or during the review. Following the conclusion of the review, expected

in 2025, a whole area CGR will be undertaken, which will include consideration of those requests which were not considered urgent.

- 3.3 The protocol sets out the considerations which will determine whether a request would be considered urgent. Authority is sought for the Assistant Chief Executive (Legal and Democratic Services) in consultation with the Executive Member for Corporate Services to be given delegated authority to assess each request and determine whether it is urgent. Should a request be considered urgent a report will be brought to the Standards and Governance Committee proposing terms of reference for a CGR.
- 3.4 Undertaking non-urgent CGRs prior to or during the LGBCE review could lead to a piecemeal approach as opportunities for improving community governance within broader localities might be missed if reviews were carried out on a single parish basis. There would also be the potential for a further review having to be undertaken within 2 years following the LGBCE review should changes be made which did not align with the recommendations of the LGBCE.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The costs of conducting a CGR must be borne by the North Yorkshire Council including the expenses incurred by undertaking public consultation, i.e., printing and postage and officer time.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 The Local Government and Public Involvement in Health Act 2007 makes provision for principal authorities to carry out CGRs and the duties of councils when undertaking a review.

#### **6.0 CLIMATE CHANGE IMPLICATIONS**

- 6.1 There are no significant environmental/climate change implications arising from this report.

#### **7.0 EQUALITIES IMPLICATIONS**

- 7.1 There are no significant equalities implications arising from this report

#### **8.0 RECOMMENDATIONS**

- 8.1 That the Standards and Governance Committee adopt the Community Governance Reviews – protocol for consideration of requests attached at Appendix 1.
- 8.2 That authority be delegated to the Assistant Chief Executive (Legal and Democratic Services) in consultation with the Executive Member for Corporate Services to determine if requests for Community Governance Reviews should be treated as urgent and brought forward to the Standards and Governance Committee to recommend approval of terms of reference to Council.

#### **Appendices:**

Appendix 1 - Community Governance Reviews – protocol for consideration of requests

**Background Documents:** None

BARRY KHAN

Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer  
County Hall  
Northallerton

7 September 2023

Report Authors: Jennifer Norton – Assistant Director (Legal)  
Elizabeth Jackson – Democratic Services Manager

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