

North Yorkshire Council

Standards and Governance Committee

13 December 2023

Decision on whether to proceed with a Community Governance Review of Dishforth Parish

Report of the Assistant Chief Executive (Legal and Democratic Services)

1.0 PURPOSE OF REPORT

- 1.1 To consider a request from Dishforth Parish Council for a community governance review to increase the number of parish councillors on the parish council.
- 1.2 If the Committee support the request of the parish council for a community governance review, to make recommendation to Council that the draft Terms of Reference (Appendix 1) be approved.

2.0 THE REPORT

- 2.1 North Yorkshire Council has received a request from Dishforth Parish Council that it undertakes a Community Governance Review (CGR) of Dishforth parish to increase the number of parish councillors. The matter was discussed at a meeting of the Parish Council and the relevant extract from the minutes is below:

Extract from the minutes of the meeting of Dishforth Parish Council held on 25 July 2023:

8.f To inform the members concerning the increase in parish councillors. The request is hoping to be considered at NYC's Standard and Governance meeting in September.

Cllr Sturzaker requested an increase in parish councillors. Cllr Sturzaker highlighted the increase in parishioners due to the new developments and also with having only 5 councillors at present due to holidays, etc. there could be times when the council maybe inquorate. Cllr Sturzaker suggested an increase to either 7 or 8 councillors.

Resolved -The council approved the request for Dishforth Parish Council to be increased to 8 councillors. The clerk to contact NYC to request the increase.

- 2.2 Under the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act") the Council has the responsibility for undertaking community government reviews of the parish tier of local government. In undertaking a review the Council must have regard of the need to ensure that the community governance arrangements in place are effective and convenient and reflect the identities and interests of the community.
- 2.3 Under the 2007 Act the Council is statutorily obliged to undertake CGRs in response to a "Community Governance Petition" or "Community Governance Application". For all other requests, such as this request from Dishforth Parish Council, and also requests from division Members or local electors, there is a "may undertake" power to conduct a CGR.
- 2.4 At the meeting of the Committee held on 15 September 2023 a protocol was approved which set out how the Council would respond to such requests for community governance reviews

in the period from now until the conclusion of the Local Government Boundary Commission for England's (LGBCE) review of division boundaries for the county, expected to conclude in mid-2025. Following the LGBCE review it is intended to undertake a whole-county CGR. Where requests are received before mid-2025 a decision will need to be taken as to whether they are to be treated as urgent.

2.5 On 15 September the Committee agreed to delegate authority to the Assistant Chief Executive (Legal and Democratic Services) in consultation with the Executive Member for Corporate Services to determine if requests for CGRs should be treated as urgent. At a meeting held on 6 November to consider such requests it was agreed that the request from Dishforth Parish Council could be treated as urgent and brought forward to the Standards and Governance Committee.

2.6 Attached at Appendix 1 to this report are draft Terms of Reference for a review of Dishforth parish, setting out the issues to be considered, how a review would be undertaken and a proposed timetable for a review.

3.0 FINANCIAL IMPLICATIONS

3.1 There is no budget within Legal and Democratic Services for carrying out Community Governance Reviews. Any expenses incurred are likely to be in relation to the consultation process.

3.2 Should a CGR conclude that there be changes to the electoral arrangements a by-election would need to take place for the parish council in May 2025. The by-election would cost approximately £3,200 and would be recharged to the parish council.

4.0 LEGAL IMPLICATIONS

4.1 The Local Government and Public Involvement in Health Act 2007 gives principal councils the responsibility for carrying out Community Governance Reviews in their areas. The Act gives councils the powers in relation to the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes;
- The electoral arrangement for parishes (including the ordinary year of election; council size; the number of councillors to be elected to the Council and parish warding);
- Grouping or de-grouping parishes

5.0 EQUALITIES IMPLICATIONS

5.1 The public consultation will be undertaken in such a way as to ensure that a broad range of responses are obtained and no groups are excluded. An Equality Impact Assessment screening form is attached at Appendix 2.

6.0 CLIMATE CHANGE IMPLICATIONS

6.1 None

7.0 CONCLUSIONS

7.1 If the Committee resolve to support the request from Dishforth Parish Council for a Community Governance Review it will need to make recommendation to Council that the attached Terms of Reference be approved, at which point the CGR would formally commence.

8.0 RECOMMENDATIONS

That Standards and Governance Committee support the request from Dishforth Parish Council for a Community Governance Review and make recommendation to Council that the draft Terms of Reference for a Community Governance Review of Dishforth parish, attached at Appendix 1, be approved.

APPENDICES:

Appendix 1 – Draft Terms of Reference
Appendix 2 – Equalities impact assessment

BACKGROUND DOCUMENTS:

None

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)
County Hall
Northallerton
5 December 2023

Report Author – *Elizabeth Jackson, Democratic Services Manager*

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