

Council/ Committee:	Council	Agenda Item No.:	12
Date:	19th January 2011	Category	
Subject:	Hodthorpe and Belph Community Governance Review	Status	Open
Report by:	Head of Democratic Services		
Other Officers involved:	Democratic Services Officer Legal and Land Charges Officer		
Director	Solicitor to the Council		
Relevant Portfolio Holder	Councillor A. Syrett, Portfolio Holder for Arts and Leisure and Equalities Champion		

RELEVANT CORPORATE AIMS

SOCIAL INCLUSION – Developing healthy, prosperous and sustainable communities

Considering whether the community of Hodthorpe and Belph would have better self governance by the creation of a separate Parish Council.

The Council has a duty to review Community Governance arrangements for Parishes in accordance with the Local Government and Public Involvement in Health Act 2007.

TARGETS

Not applicable.

VALUE FOR MONEY

Not Applicable as Parish Council raise their funds via Council Tax precepts.

THE REPORT

As Members will be aware, a petition was received from 314 residents of the 528 electorate of Hodthorpe and Belph, in accordance with the Local Government and Public Involvement in Health Act 2007, requesting that a

separate parish be established for the Hodthorpe Ward of Whitwell Parish Council.

The Terms of Reference and timetable for the Review were agreed at the Council meeting held on 3rd November 2011.

Consultation letters have been sent to all residences and businesses within Hodthorpe and Belph and notices for display were sent to the Parish Council. A questionnaire to gauge support was also included on the Council's website.

All of the responses received have been in favour of the creation of a separate Parish Council, as itemised below:

- Four responses in support of via the questionnaire on the website,
- Email from a resident in support has also been received.
- Three letters in support have been received from local businesses
- A letter in support from the Head Teacher of Hodthorpe Primary School.
- Email in support from County Councillor K. Stevenson.

A meeting of the Hodthorpe Community Governance Review Working Party took place on 5th January 2011 when the lead petitioner and the two Parish Councillors for the Hodthorpe Ward presented the submission and answered questions for the Working Party. Councillor McGregor, one of the District Councillors who represents the community of Hodthorpe and Belph, spoke in support of the proposal and also answered questions of the Working Party. The notes of these presentations to the Working Group are attached to the report.

The Working Party considered the submissions, the answers to questions and support for the proposals and is prepared to recommend to Council the creation of a separate Parish Council for the community of Hodthorpe and Belph having concluded that the submission:-

- reflects the identities and interests of the community in that area, and
- is effective and convenient.

If the Council is minded to create a new parish, an Order must be made, known as a Reorganisation of Community Governance Order. The Order will include a map outlining the area affected and the reasons for it must be published. If established, a new parish (and the remaining Whitwell Parish Council) would be effective from 1st April 2011 with elections to be held on 5th May 2011.

ISSUES FOR CONSIDERATION

If the Council agrees to make the Reorganisation of Community Governance Order, it must publish the reasons for its decision. Possible reasons include:

- To allow local people a say in the way their neighbourhoods are managed - one of the characteristics of a sustainable community is the desire for a community to be well run with effective and inclusive participation, representation and leadership.
- The proposed new parish reflects a distinctive and recognisable community with its own sense of identity.
- Local community of interest and social focus lies within the part of the parish with its own separate identity.
- The proposed new parish will be reflective of the identities and interests of the community in that area and is effective and convenient.
- Establishing the new parish will give the local community the opportunity to influence decisions affecting their lives.
- There are clear boundaries defining the area
- The proposal does not require changes to the District and County boundaries.

If the Council agrees to make the Reorganisation of Community Governance Order the following factors need to be determined:

- **The date the Order shall come into force.** For financial and administrative purposes the Order should be from 1 April in any given year. It is recommended that the Order come into effect from 1 April 2011.
- **The numbers of parish councillors to serve on the newly created Parish.** The electorate for the last 5 years has varied between 525 to 540 and 17% of the electorate is over 70 and the number of young people is .04%.

Section 16 of the Local Government Act 1972 specifies that the minimum number of councillors for a Parish Council should not be less than 5, there is no maximum number.

There is no stipulation on the numbers of Parish Councillors in The Local Government and Public Involvement in Health Act 2007.

Guidance on Community Governance Reviews produced by The Local Government Boundary Commission for England's recommendation is that if the electorate is less than 500 there are between 5 and 8 councillors; for electorates of 501 and 2500 there are between 6 and 12 Councillors.

The guidance from the National Association of Local Councils is that the minimum number of councillors should be 7 and the maximum 25.

Given there may be a slight drop in the electorate it is recommended that 5 councillors would be appropriate.

- **The name of the Parish.** It is recommended that the new Parish be named Hodthorpe and Belph Parish Council.
- **Electoral Arrangements.** The date of elections to the newly formed Parish needs to be fixed. As the current arrangements for the District and Parishes within the District are on an all out basis every year, it is recommended that elections take place on 5th May 2011, to coincide with the District and Parish elections and to meet the wishes of interested parties and every four years thereafter.
- **Warding arrangements.** Whether the newly formed Parish Council should be warded – in view of the size it is recommended that the Parish is unwarded.

IMPLICATIONS

Financial : None
 Legal : As in the report
 Human Resources : None

RECOMMENDATIONS that

1. **a new parish of Hodthorpe and Belph should be constituted,**
2. **the existing Whitwell Parish Council area be altered accordingly,**
3. **the electoral arrangements for the proposed new parish of Hodthorpe and Belph be that elections be held on 5th May 2011 and every four years thereafter.**
4. **the boundaries for the proposed new parish, be as set out on the map attached,**
5. **the name for the new parish be Hodthorpe and Belph Parish Council, the remaining parish council be named as Whitwell Parish Council.**
6. **the Chief Executive Officer be authorised to make changes to the proposals in consultation with the Community Governance Review Working Party.**

ATTACHMENT: **Yes**
 FILE REFERENCE:
 SOURCE DOCUMENT: Submission from petitioner, copies of responses