

**Northumberland County Council
Community Governance Review 2022
Terms of Reference**

**A Review of the electoral arrangements of the Parish of Hepscott
under the Local Government and Public Involvement in Health Act 2007**

Background

Northumberland County Council has resolved to undertake a Community Governance Review (CGR) of Hepscott Parish in Northumberland County.

In undertaking the review, the Council will be guided by Part 4 of Chapter 3 of the Local Government and Public Involvement in Health Act 2007 (referred to as 'the 2007 Act'), the relevant parts of the Local Government Act 1972, Guidance on CGR's issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010. Also, the following Regulations which guide, in particular, consequential matters arising from the review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

The Northumberland (Electoral Changes) Order 2011 made changes to the electoral arrangements for the county of Northumberland. The Order made specific reference to the parish of Hepscott by abolishing the then existing wards and replacing them with 2 new wards, namely

- Hepscott Ward and
- Hepscott Stobhill Manor Ward

The Order also set out that Hepscott parish would have a representation of 7 councillors with 5 for Hepscott ward and 2 for Hepscott Stobhill Manor ward.

Northumberland County Council has a duty to keep parish arrangements under review and in the light of changes made by The Northumberland Council (Reorganisation of Community Governance) (Morpeth and Hepscott) Order 2021, it is considered timely to conduct a CGR in the parish of Hepscott to consider the consequential electoral arrangements for Hepscott Parish and ensure that effective local governance arrangements that promote community cohesion are maintained or improved.

Section 81 of the 2007 Act requires the Council to publish its Terms of Reference for the Review which clearly set out the focus of the review. This document, when published, will fulfil this requirement.

The Council is required to have regard to guidance issued by the Government and the publication 'Guidance on Community Governance Reviews' issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010 has been used in drawing up the Terms of Reference and timetable for the review.

What is a Community Governance Review?

A CGR is a legal process whereby Principal Authorities (Northumberland County Council in this instance) can consider the following:

- creating, merging, altering or dissolution of parish councils.
- the naming of parishes and the style of any new parish councils,
- the electoral arrangements for parish councils, i.e., the ordinary year of election, council size, the number of parish councillors and parish warding
- grouping of parishes under a common parish council or de-grouping parishes.

A CGR must reflect the identities and interests of communities and should take account the impact of community governance arrangements on community cohesion and the size, population and boundaries of a local community or parish.

Who will undertake the review?

As the principal authority, Northumberland County Council is responsible for undertaking CGRs within its area. The Council has also extended the terms of reference to include electoral registration and boundary matters to oversee the review process and to make final recommendations to the Council for approval following extensive consultation.

The primary contacts for the review are:

- Lesley Bennet, Senior Democratic Services Officer.
- Helen Lancaster, Senior Manager – Legal Services.
- Mark Crawford, Elections Manager.

Consultation

Before making any recommendation or publishing final proposals the Council will take full account of the views and suggestions of by local people and organisations and will comply with the statutory consultation requirements by:

- Consulting local government electors and other persons or bodies who appear to the Council to have an interest in the review.
- Taking into account any representations received in connection with the review.
- Notifying consultees of the outcome of the review; and,
- Publishing all decisions taken and the reasons for such decisions.

In particular, the Council will consult:

- Local government electors/residents in the Parish of Hepscoth.
- The Parish Council of Hepscoth.
- Northumberland County councillors (as appropriate); and
- Northumberland Association of Local Councils (NALC)

Information about each stage of the review will be published on the Council's website and available for inspection at Northumberland County Council, County Hall, Morpeth, NE61 2EF. Press releases and other publicity will be issued where appropriate.

Timeline and Key Stages

8 September 2022	Issue press release and publish terms of reference and notices within the Parish
7 October 2022	Deadline for any comments/objections
18 November 2022	Publication of draft proposals
23 December 2022	Publish final recommendations
18 January 2023	Report to Council informing it of the outcome of the review
Spring 2023	Making of the relevant order, subject to the Council's decision

Electoral Forecasts

When considering the electoral arrangements of the parish, the Council must consider any likely future change in the number or distribution of electors within five years from the day the review commences.

The review will use the latest electorate figures available at a parish level together with the estimated delivery of new dwellings within the five-year period taken from the Council's most recent statutory development plan.

Scope of the Review

The Review includes all aspects of community governance arrangements of existing parishes, including:

- To consider the names of any existing parishes/parish councils
- To consider the boundaries of any existing parish and whether any existing parishes should be split or amalgamated to constitute any new parish or if any new parish councils should be created along with the number of parish councillors to be elected for any parish council, whether new or existing.
- To consider whether any new or existing parish council should be divided into wards (or continue to be divided into wards), including the number and boundaries of any such wards, the number of councillors to be elected for any such ward, and the name of any such ward.
- If considered desirable to effect any changes, whether or not any alterations should be made to the ordinary year of election for any new or existing parish/town council.
- To consider whether or not any recommendations should be made to the Local Government Boundary Commission for England for any subsequent alterations to the electoral divisions of Northumberland County Council.

Considerations

Legislation requires that the Council must ensure that community governance within the area:

- reflects the identities and interests of the communities in the area,

- is effective and convenient and takes into account any other arrangements for the purpose of community representation or engagement in the area.

In considering proposals for change, the Council will take the following into account:

- Parish status (council or meeting)
- Electorate – existing and forecast growth.
- The review aims to ensure that parishes reflect community identity and interest and that they are viable administrative and democratic units.
- Parishes with 150 or fewer local government electors cannot have a council and can only be a parish meeting (unless the parish already has a council). Between 151 and 999 local government electors the review can recommend that the parish should have a council (optional) and where the parish 1000 or more local government electors the review must recommend that the parish has a council.

Parish boundaries

The Council will consider the effect of new and forecast development activity on existing parish boundaries. Parish boundaries should be easily identifiable and reflect the separation of settlements recognised locally as having their own identity. These boundaries should generally reflect the areas between communities with low populations or physical barriers such as rivers or man-made features such as railways or motorways.

Council size (number of councillors)

The minimum number of parish councillors that a council can have is five. A quorum for a parish council is three or a third, whichever is the greater number.

National research guidance suggests the following levels of representation for parish councils:

Electorate	Councillor Allocation
Less than 500	5 – 8
501 – 2,500	6 – 12
2,501 – 10,000	9 – 16
10,001 – 20,000	13 – 27
Greater than 20,000	13 – 31

Government guidance is that each area should be considered on its own merits having regard to population, geography, and the pattern of communities. The Council will pay particular attention to existing levels of representation and existing council sizes which have stood the test of time.

In considering requests to change the number of councillors on any individual parish council, the Council will review the electoral history for the parish including the number of contested elections that have been held, the number of vacant seats following normal parish elections (every 4 years) and the history of co-options (i.e., has the council been able to fill vacancies).

Parish Warding

The Council is required to consider the following points when deliberating whether a parish should be divided into wards for the purposes of elections:

- whether the number or distribution of the local government electors for the parish would make a single election of councillors impracticable or inconvenient,
- whether it is desirable that any area, or areas, of the parish should be separately represented on the council.

The Government's guidance is that warding of parishes may not be justified for largely rural areas based predominantly on a single centrally located village. Conversely, warding may be appropriate where a parish encompasses a number of villages with separate identities or where there has been urban overspill at the edge of a town into a parish.

In considering parish wards the Council will ensure that electoral equality is retained (the principle that each person's vote should be of equal weight so far as is possible). This will be achieved by keeping the councillor/elector ratio similar across any warded areas.

Parish names and alternative styles for parishes

The Council will endeavour to reflect existing or historic place names and will consider any ward names proposed any local interested parties. The Council will be mindful of Section 75 of the Local Government Act 1972 with regards to changing the name of a parish and subsequent notification and to Sections 87 and 88 of the 2007 Act and related guidance.

Alternative styles for parishes were introduced by the 2007 Act which could replace the 'parish' style – community, neighbourhood, or village. Town status continues to be available to a parish (S247 of the Local Government Act 1972) but for as long as a parish has an alternative style it will not be able to have the status of a town and vice versa.

At the request of a parish the County Council as principal authority can change the name of a parish to reflect the style adopted.

If an existing parish is under review the Council will make recommendations as to whether the geographical name of the parish should change but it will be for the parish council or meeting to resolve whether the parish should have one of the alternative styles or retain the 'parish' style.

Grouping of parishes

Under Section 91 of the 2007 Act a CGR can recommend the grouping or de-grouping of parishes. In some instances, it may be appropriate to group parishes to allow a common parish council to be formed. De-grouping may also offer the reverse possibility where local communities have expanded.

Any grouping or de-grouping needs to be compatible with the retention of community interests and it would be inappropriate to use it to build artificially large units under single parish councils. However, it could offer a possibility for parishes with less than 150 electors to be grouped with other parishes under an elected parish council despite being unable to form a parish council in their own right.

Ordinary year of election

As the County Council is elected every four years on an 'all out' basis it is proposed to keep the ordinary year of election for parish councils on the same date.

Reorganisation of Community Governance Orders and Commencement

The review will be completed when the Council resolves to accept the final recommendations and authorises completion of the Reorganisation of Community Governance Order.

Copies of the Order, supporting maps and documents setting out the reasons for the decisions taken will be placed on deposit at Northumberland County Council, County Hall, Morpeth, NE61 2EF, on the Council's website and otherwise publicised in accordance with the requirements of the 2017 Act. Hepscott parish will be notified of the outcomes of the review.

Copies of the Order will be sent to:

- the Secretary of State for Housing, Communities and Local Government
- the Local Government Boundary Commission for England
- the Office of National Statistics
- the Director General of the Ordnance Survey
- the Audit Commission
- Northumberland Association of Local Councils (NALC)

Consequential matters

In the interests of maintaining coterminous boundaries of principal authority electoral areas and the boundaries of parishes, recommendations may be made to the Local Government Boundary Commission for England to make related changes to county electoral area boundaries.

Setting up new parish councils or grouping/de-grouping councils may require additional consequential provisions including:

- the transfer and management or custody of property
- the setting of precepts
- provisions with respect to the transfer of any functions, property, rights, and liabilities
- provisions for the transfer of staff

In these matters the Council will be guided by the relevant legislation.

Date of Publication

These terms of reference will be published on 8 September 2022.