

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

4 February 2013

Report of the Chief Executive

Part 1- Public

Delegated

1 COMMUNITY GOVERNANCE REVIEW

To grant delegated authority to permit the proposed Community Governance Review to be commenced during February 2013.

1.1 Introduction

- 1.1.1 Members may recall that the Borough Council has authority to take decisions about parish electoral arrangements under the Local Government and Public Involvement in Health Act 2007 (LGPIH). These decisions, which must be made in accordance with statutory guidance issued, do not require the involvement of the Secretary of State nor the national boundary review authorities. The process by which parish electoral arrangements may be amended is by way of a Community Governance Review.
- 1.1.2 Principal authorities such as Tonbridge & Malling Borough Council are required to keep parish electoral arrangements under review. Tonbridge & Malling Borough Council previously conducted a review of all parishes in 2008-09 and those arrangements, which specifically considered parish boundaries between East Malling & Larkfield and Ditton parishes, and electoral representation of all parishes, continue to be fit for purpose and appropriate.
- 1.1.3 Members will note that, at the time of writing, the draft Order following the recent review of borough wards, conducted by the Local Government Boundary Commission for England, has been laid before Parliament.
- 1.1.4 If the new ward arrangements are accepted then, in most cases, the new borough ward boundaries align to existing parish boundaries and no changes therefore need to be considered. However, the boundary between the revised West Malling & Leybourne and Downs & Mereworth wards does not follow the existing parish boundary between Leybourne and Ryarsh parishes. There is a strong argument, therefore, that this parish boundary be reviewed once the Order is accepted by Government (signifying the completion of that review).

1.2 CGR process

- 1.2.1 There is a formal process that must be followed when undertaking a CGR, including consideration and publication of the Terms of Reference; development and publication of Draft Proposals; formal consultation thereon; consideration of responses; and development of Final Proposals.
- 1.2.2 The detailed work is undertaken by the Electoral Review Working Group (ERWG) of this Council.
- 1.2.3 Final Recommendations from a CGR are discussed by the Electoral Review Working Group, before consideration by General Purposes Committee and finally adoption by Council.
- 1.2.4 Due to the need to complete the CGR during 2013, in order that a review of polling districts and polling places can commence in 2014 and to ensure electoral arrangements are in place in time for 2015 elections, there is a need to commence the CGR shortly. However, it was not possible to hold an ERWG before this meeting to discuss the details as the warding review is not yet formally complete.
- 1.2.5 Members are therefore asked to give delegated authority to the Leader of the Council (Chair of the ERWG) to permit the CGR to commence, subject to the ERWG endorsing the CGR and agreeing to the Terms of Reference and Draft Proposals.

1.3 Legal Implications

- 1.3.1 The Council is required to keep parish electoral arrangements under review, and to undertake a CGR to consider and implement any necessary changes. The review must be completed within one year of commencing, and must be completed within 2013 to allow sufficient time for any necessary Order to be made, and subsequent review of Polling Districts and Polling Places to take place.

1.4 Financial and Value for Money Considerations

- 1.4.1 The financial cost of undertaking the CGR will include the costs of publishing notices and consulting with stakeholders. It is anticipated that these costs can be met from existing budgets.

1.5 Risk Assessment

- 1.5.1 Failing to undertake the review may lead to electoral arrangements that are less effective and less convenient.

1.6 Equality Impact Assessment

- 1.6.1 No potential equality impacts have been identified in considering the preparation, conduct and implementation of a Community Governance Review.

1.7 Recommendations

- 1.7.1 It is recommended that:

- 1) The Leader of the Council (Chair of the ERWG) be granted delegated authority to permit the CGR to commence, subject to the ERWG endorsing the CGR and agreeing to the Terms of Reference and Draft Proposals.

Background papers:

contact: Richard Beesley

Nil

Julie Beilby

Chief Executive (Designate)

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	No potential equality impacts have been identified in considering the preparation, conduct and implementation of a Community Governance Review.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.