

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

13 November 2014

Report of the Chief Executive

Part 1- Public

Delegated

1 COMMUNITY GOVERNANCE REVIEW

1.1 Background

- 1.1.1 Members will recall that a Community Governance Review was conducted in 2013, resulting in Members agreeing that the boundary between Ryarsh and Leybourne parishes should be amended so it follows the new ward boundary.
- 1.1.2 The Local Government Boundary Commission for England led us to believe during the Review that they had given consent for the changes to be made. The Boundary Commission have advised us in the last week that, this indication was not correct and formal consent was not granted by the Commission at the time.
- 1.1.3 Officers have been in liaison with the Commission to resolve this technical difficulty, and I am pleased to confirm that formal consent has now been granted, and was received only yesterday.

1.2 Legal Order

- 1.2.1 Following receipt of that consent, we must revoke and remake the legal Order that amends the parish boundary. This is a procedural matter, and the new Order simply confirms the move of the parish boundary in line with Member approval from last year.

1.3 Legal Implications

- 1.3.1 Pursuant to section 86 of the Local Government and Public Involvement in Health Act 2007, the Local Government Boundary Commission must agree to any change to protected electoral arrangements (which is the case here).
- 1.3.2 The correct legal procedure must be followed for the Order, and so the boundary changes themselves, to be lawful.

1.4 Financial and Value for Money Considerations

- 1.4.1 There are no financial considerations in making the Order.

1.5 Risk Assessment

- 1.5.1 There is no risk attached to making the Order. There are considerable reputational and operational risks associated with any failure to make the Order as the necessary boundary changes could not take place in time for the publication of the new Register of Electors, due on 1 December 2014.

1.6 Equality Impact Assessment

- 1.6.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.7 Recommendations

- 1.7.1 Members are **RECOMMENDED** to:

- 1) Agree to revocation of the 2013 Order and the making of a new Order to implement the previously agreed boundary changes between Ryarsh and Leybourne parishes.

Background papers:

contact: Richard Beesley

Nil

Julie Beilby
Chief Executive