

Cherwell District Council

Council

20 May 2020

Community Governance Review for Adderbury

Report of Chief Executive

This report is public

Purpose of report

To provide details of a Community Governance Review to be undertaken for Adderbury; requesting the formation of a Community Governance Review Working Group; approving the Terms of Reference for the review, and delegating authority to the Chief Executive to make minor amendments to the timetable for the review, if required.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Terms of Reference for the Adderbury Community Governance Review (appendix 1 to the report).
- 1.2 To delegate authority to the Chief Executive, in consultation with group leaders/spokespeople, to appoint two members from each of the Conservative and Labour groups, and one member from each of the Progressive Oxfordshire and Independent groups, to a Community Governance Review working group.
- 1.3 To delegate authority to the Chief Executive, in consultation with the Community Governance Review working group, to make minor amendments to the Terms of Reference, including the timetable for the review, if required.

2.0 Introduction

- 2.1 A Community Governance Review (CGR) is the process for making changes to parishes in a Council area. Changes that can be made include creating, merging or abolishing parishes; changing the boundaries between parishes; changing the style or name of a parish; and changing the number of Councillors for a parish.

3.0 Report Details

3.1 There are two ways for a CGR to be triggered. A local authority can choose when to carry out a review, either for a specific area or district-wide, or electors of an area can submit a petition signed by a proportion of electors.

3.2 In this instance, Cherwell District Council has received a valid petition from West Adderbury Residents Association, requesting that a Community Governance Review (CGR) be carried out pursuant to Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007 ('the Act') to consider the following Parish matter:

"The previously separate parishes of West Adderbury and East Adderbury were grouped to form the new, larger parish of Adderbury in the 1970s. We request that the area outlined in purple on the attached maps, which previously formed the separate parish of West Adderbury, be split (de-grouped) from the current parish of Adderbury to once again form a separate parish, to be known as West Adderbury. We further request that the parish of West Adderbury have its own parish council, to be known as West Adderbury Parish Council"

3.3 The map referred to is included at appendix 2 to this report, and has been reproduced by the Council's GIS mapping team, to show greater clarity as to the position of the proposed boundary.

3.4 The Act requires that on receipt of a valid petition, a principal council must complete a CGR within 12 months of validation of the petition. This means that final decisions must be taken on this CGR by 5 April 2021.

3.5 Whilst many regulations and requirements have been amended due to the ongoing Covid-19 (Coronavirus) situation, no amendments have been made to the Act. The Council is therefore still obligated to complete the review within the statutory timeframe.

3.6 It is not anticipated that the current situation will impact on the completion of the review. Once established, meetings of the Working Group will be held remotely. All other aspects of the review will be able to take place as they would do for any other CGR, as the process is based on consultation.

3.7 Any changes agreed during a CGR usually come in to force at the next ordinary year of election for the parish. Adderbury Parish Council was due to have elections in May 2020, however due to the current Covid-19 situation those elections have been postponed until May 2021.

3.8 The exact timing of any amendments to Adderbury Parish would need to be discussed by the CGR Working Group during consideration of the stage one consultation responses. Should residents support the separation of the parish, a number of arrangements will need to be made, including but not limited to, transfer of assets between the existing Parish Council and any newly created parish council, agreement on the management of open spaces, and discussions around the level of precept for any new parish council.

- 3.9 Once published, the Terms of Reference of a CGR form the legal basis and must be adhered to.
- 3.10 Amendments to the timetable for the review are not anticipated, however in the event that meeting dates have to be amended, for example due to the Covid-19 situation, it is requested that authority be delegated to the Chief Executive in consultation with the CGR Working Group to make minor changes to the Terms of Reference, including the timetable. Any such changes would be publicised.
- 3.11 Due to the time requirement associated with this review and the current restrictions in place, it is not possible to combine it with a District wide CGR at this time.
- 3.12 A District wide CGR will be scheduled for later in 2020/early in 2021, when all parish councils will be contacted and advised what a CGR covers and what can be requested for inclusion.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Due to the receipt of a valid petition the Council is required to undertake a CGR within a statutory timeframe. The recommendations included in the report will allow the Council to meet the requirement.

5.0 Consultation

- 5.1 No formal consultation has yet been carried out yet, however the timetable included in the Terms of Reference shows two public consultation stages, with the results of both being reported to full Council so that recommendations can be made for the next stage of the review.
- 5.2 West Adderbury Residents Association have been invited to make comments on the draft Terms of Reference, as the party who have submitted the petition.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to conduct a CGR. This is rejected, as the petition received from residents of Adderbury is valid, and the act requires the Council to complete a review within 12 months.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report. The costs of carrying out the review can be met from existing budgets.

Comments checked by:
Dominic Oakeshott – Assistant Director – Finance (Interim), 0300 003 0110,
dominic.oakeshott@cherwell-dc.gov.uk

Legal Implications

- 7.2 Upon receipt of a valid petition, the Council is required to undertake a Community Governance Review. In undertaking the review it must take steps to ensure that the outcome of the review reflects the identities and interests of the area being reviewed and the need to ensure effective and convenient community governance.

Comments checked by:
Nick Graham, Director Law and Governance, 01865 323 910,
nick.graham@cherwell-dc.gov.uk

8.0 Decision Information

Wards Affected

Adderbury, Bloxham and Bodicote.

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

N/A

Document Information

Appendix No	Title
One	Draft Terms of Reference
Two	Map showing proposed separation line in existing parish
Background Papers	
None	
Report Author	Emma Faulkner, Democratic and Elections Officer
Contact Information	democracy@cherwellandsouthnorthants.gov.uk 01295 221534