

28 February 2024**Agenda Item:10****REPORT OF THE SERVICE DIRECTOR – CUSTOMERS, GOVERNANCE AND
EMPLOYEES****BROXTOWE COMMUNITY GOVERNANCE REVIEW****Purpose of the Report**

1. This report informs Councillors about the process that is being followed by Broxtowe Borough Council, which is undertaking a Community Governance Review. It also summarises the proposals that are currently subject to consultation as part of the first phase of the review. The Committee is also asked to confirm that the Council reserves its position on submitting a formal response until the next phase of consultation by sending the courtesy letter attached to the report (**Appendix A**).

Information

2. The Local Government and Public Involvement in Health Act 2007 sets out the framework for principal councils to undertake community governance reviews of their local area. For Community Governance Reviews the principal authority in two tier areas is the district or borough council.
3. A Community Governance Review is a legal process through which the principal council will consult those living in the area, and other interested parties, on the most suitable ways of representing the people in the area identified in the review.
4. A review can consider one or more of the following options:
 - a. Creating, merging or abolishing parishes
 - b. The naming of parishes and the style of new parishes and the creation of town councils
 - c. The electoral arrangements for parishes (for instance, the ordinary year of election, council size, the number of councillors to be elected to the council and parish warding)
 - d. Grouping parishes under a common parish council or de-grouping parishes
 - e. Other types of arrangements including parish meetings
5. Community Governance Reviews can be instigated by a decision of the principal council or following receipt of a Community Governance Application from a neighbourhood forum. Alternatively, a review may be triggered by local people presenting a petition to the Council. For a petition to be valid it must meet specified criteria:

- a. It should define the area to which the review relates on a map or otherwise and refer to identifiable boundaries
 - b. It must specify one or more proposed recommendations for review
 - c. It must contain the requisite number of signatures of people included on the electoral register for the affected area. For an area of less than 500 local electors – 37.5%, for an area with between 500 and 2,500 local electors – at least 187, for an area with more than 2,500 electors, at least 7.5%
6. The Council is obligated to undertake a review if it receives a valid petition for the whole or part of the Council's area. However, it does not have to undertake a review if it has concluded a Community Governance Review within the last two years which, in its opinion, covered the whole or a significant part of the area of the petition or if the Council is currently conducting a review of the whole, or a significant part of the area to which the petition relates.
 7. The proposals on which consultation is being undertaken relate to all of the parishes in the north of the borough. They are summarised below.
 8. The first proposal that is subject to consultation would see the dissolution of Eastwood, Greasley and Kimberley Parish Councils to give effect, while the second would simply address boundary anomaly issues only. Consultation is also underway around how to treat Strelley.
 9. The main changes to county division boundaries arising from these proposals would predominantly relate to properties where the current boundary runs through the middle of properties. Any changes that would affect larger groups of properties would need to be assessed in final proposals so that the Council could either make representations requesting consequential amendments to its boundaries or recommending the area remains in the same Division and is dealt with administratively, as a new polling station. Members will have the opportunity to review the impacts, including the number of affected electors once the final draft recommendations are released for consultation.
 10. There are two main stages of consultation that form part of the Community Governance Review progress. During the first stage, Broxtowe Borough Council is consulting the affected communities on the proposals. The feedback from this will be used to determine a set of final draft recommendations, which will then be subject to a further period of consultation.
 11. The timetable for the review is outlined below:

Action	Timescale
<ul style="list-style-type: none"> Terms of reference published. Stakeholders notified with clear definition of remit of review 	1 December 2023
<ul style="list-style-type: none"> Local briefings and meetings (members/parish and town councils) 	1 December 2023 to 31 December 2023
<ul style="list-style-type: none"> Initial submissions invited from stakeholders on future arrangements under terms of reference 	1 January 2024 to 31 March 2024
<ul style="list-style-type: none"> Consideration of submissions received Draft recommendations prepared 	1 April 2024 to 31 May 2024

Action	Timescale
<ul style="list-style-type: none"> Draft recommendations to be considered by Council 	
<ul style="list-style-type: none"> Draft recommendations published for consultation Stakeholders notified 	1 June 2024 to 31 August 2024
<ul style="list-style-type: none"> Consideration of submissions received Final recommendations prepared Final recommendations published concluding the review 	1 September 2024 to 31 October 2024
<ul style="list-style-type: none"> Final recommendations considered by Council and decision made on arrangements with resolution to make a Reorganisation Order 	November 2024
<ul style="list-style-type: none"> Reorganisation Order made 	December 2024

12. The proposals that are currently subject to consultation could have a small impact on county division boundaries. The number of affected electors would depend on the proposal that comes forward during the second stage of consultation.
13. A Council undertaking a Community Governance Review may ask the Local Government Boundary Commission for England to make changes to boundaries at district/borough or county level to reflect revised parish boundaries to maintain coterminosity. This may be a representation that the County Council wishes to make during the second stage of the consultation, having had the opportunity to review the proposed boundaries.
14. The Commission may agree to any requested related alterations and make an Order to implement them. Changes would come into effect at the next ordinary elections for each Council, so there may be a period where boundaries are not coterminous.
15. If the Commission decided not to implement any proposed related alterations, the existing boundaries would remain in force.
16. If a principal council was satisfied that the identities and interests of local communities were still reflected, and that effective and convenient local government would be secured, then it may decide that it does not wish to propose related alterations to ward or division boundaries. Changes would therefore be dealt with administratively, through the creation and/or revision of polling districts.
17. Where proposals for related alterations are submitted to the Local Government Boundary Commission for England, it would expect to receive evidence that the principal council has consulted on them as part of its review.

Other Options Considered

18. The Council is under no duty to submit a response. Not submitting a response at this stage of the review would not prejudice the Council's ability to respond to any further phases of consultation.

19. The Council could choose to submit a full response at this time, but any response would not be able to give due consideration to preferences and concerns submitted by local communities that would be affected by the review.

Reason/s for Recommendation/s

20. Broxtowe Borough Council is undertaking consultation on proposals relating to the governance arrangements of its parishes. Any individual, group or body could submit a response, which would be taken into account when preparing any final recommendations.
21. At this stage it is recommended that the Council adopts a watching brief, as it is not required to respond at this stage, and simply responds with a courtesy letter to the Borough Council that it will reserve its position during the next stage of the consultation.
22. By reserving any comments until the consultation on the final draft proposals, the Council will be able to refer to any local submissions made by other consultees made during phase one in its formal response.
23. If any individual Councillor or group wished to make comments on the proposals at this stage, they are able to send them directly to Broxtowe Borough Council.

Statutory and Policy Implications

24. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

25. This report has no financial implications.

Implications for Residents

26. From the perspective of the County Council, the proposals may mean that residents note in a different polling station to previous elections.
27. There are wider impacts of the review, which will be for Broxtowe Borough Council to consider when it develops its final proposals and subsequently votes on the final recommendations.

RECOMMENDATION

- 1) That the Chief Executive be authorised to submit the letter at **Appendix A** to the report as a courtesy response to the consultation on Broxtowe Borough Council's draft proposals, reserving its position for any formal response until phase 2 of the consultation.

Marjorie Toward

Service Director – Customers, Governance and Employees

For any enquiries about this report please contact:

Jo Toomey, Advanced Democratic Services Officer
Telephone: 0115 977 4506
Email: jo.toomey@nottcc.gov.uk

Constitutional Comments (LPW 09.02.2024)

28. The recommendations fall within the remit of Governance and Ethics Committee by virtue of its terms of reference.

Financial Comments (PAA29 29/01/2024)

29. There are no specific financial implications arising directly from the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- [Community Governance Review \(broxtowe.gov.uk\)](https://www.broxtowe.gov.uk)
- [The Local Government and Public Involvement in Health Act 2007, Chapter 3](#)
- [The Legislative Reform \(Community Governance Reviews\) Order 2015 \(S.I. 2015/998\)](#)
- [Local Government Boundary Commission for England – Guidance on community governance reviews](#)

Electoral Division(s) and Member(s) Affected

- Eastwood – Councillor Kane Oliver
- Greasley and Brinsley – Councillor Elizabeth Williamson
- Nuthall and Kimberley – Councillor Philip Owen
- Stapleford and Broxtowe Central – Councillor Dr John Doddy, Councillor John ‘Maggie’ McGrath