

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Council
2.	Date:	15th September 2010
3.	Title:	Parish Review/Community Governance Review
4.	Directorate:	Chief Executive's

5. Summary

Following the making of final recommendations under the Review and subject to the consent of the Local Government Boundary Commission to change protected electoral arrangements in certain parishes, the Council will make an Order to bring the provisions of the Review into effect.

This report seeks approval to various transitional provisions to be included in the Order as regards the proposed new Hellaby Parish Council.

6. Recommendations

- (1) That the Strategic Director of Finance be authorised to determine the initial budget requirement in respect of the new Hellaby Parish Council.
- (2) That the Ward Members for Hellaby represent the new parish from 1st April 2011, until the Councillors elected to the new parish council at the elections in May 2011 come into office.
- (3) That the Chief Executive be appointed Proper Officer for convening the Annual Meeting of the new parish council in 2011 and be responsible for the administrative of the affairs of the new parish until a Proper Officer is appointed by the new parish council.
- (4) That the Assistant Chief Executive (Legal and Democratic Services) be instructed to make and affix the Council's Common Seal to an Order giving effect to the recommendations under the Review, and include the above provisions in the Order.

7. Proposals and Details

The Council has carried out a Review of Community Governance Arrangements across the whole of the Borough, whether presently parished or unparished. The aim of the review has been to ensure that parish boundaries continue to reflect the identities and interests of the communities they serve, are meaningful, and facilitate the delivery of effective and convenient services. The review has also considered electoral arrangements within parishes, such as level of representation and Warding arrangements.

Final recommendations under the review were approved by the Council at its meetings in April and July of this year. In some cases, the final recommendations are subject to the approval of the Local Government Boundary Commission, insofar as they affect Town or Parish Councils which have protected electoral arrangements, and Boundary Commission approval has been sought and is awaited. One of the recommendations was for the creation of a new parish of Hellaby, out of part of the existing parish of Bramley, and the creation of a new Hellaby Parish Council. The Order will need to contain various transitional administrative arrangements in order to bring this about.

One such requirement is the need to specify in the Order a budget requirement for the new parish council in its first year. The Council will then be able to calculate the initial parish precept and allow for this when setting the Council Tax and issuing Council Tax demands before the new Parish Council takes office. The Parish Council following its election in May 2011, will then be able to calculate its own budget requirement, but they will not be able to exceed the amount specified in the Order which establishes the parish.

Options are presently being considered, based on the number of properties transferring to the new parish and Bramley's current precept, with some addition for the cost of the separate elections for the new parish and the likelihood that the new Parish Council will shortly appoint a Clerk and Financial Officer. Any committed expenditure that can be identified as regards the area of the new parish will be taken into account.

It is recommended that the Strategic Director of Finance be authorised to determine an initial budget requirement for inclusion in the Order, based on the best financial information available.

The new Parish Council will be created from 1st April 2011, but elections will not be held until May 2011, with the first meeting of the new Parish Council being held no later than fourteen days after the day on which the Councillors elected take office. It is proposed that in the interim period between 1st April 2011 and the initial meeting, the new parish should be represented by the Ward Members for the Borough Ward of Hellaby, in case any decisions should need to be taken during that period, which is perhaps unlikely. The Council adopted a similar procedure when the new parish of Maltby and Maltby Town Council were created ten years ago.

It is similarly proposed that the administration of the affairs of the new parish shall be undertaken by the Chief Executive until a proper officer is appointed by the new

parish council that the Chief Executive should be responsible for convening the initial annual meeting of the new Parish Council in 2011.

8. Finance

There is a need for the Council to specify the budget requirement for the proposed new parish council, in the order to enable the new parish council to operate during its first year.

9. Risks and Uncertainties

The recommendations from the review lead to a new parish council being established, thought must be given to arrangements for the administration and financing of the new parish council, including the determination of a budget for the parish council to administer once it is elected. Such provisions must be included in the border.

10. Policy and Performance Agenda Implications

Parish Councils play an important part in engaging with local people and providing local leadership. Government guidance on Community Governance Reviews included a presumption in favour of creating parishes where communities requested them.

At a local level, supporting and enhancing the role and function of Parish Councils is a high priority for the Borough Council, as reflected in key plans and strategies, such as the Sustainable Community Strategy, the Corporate Plan and the RMBC / Parish Charter.

11. Background Papers and Consultation

Review of Parish Boundaries, Report to CMT – 30 June 2008

Parish Boundary/Community Governance Review Phase Two –

- Recommendations, Report to Member Working Group – 04 March 2009.
- Guidance on Community Governance Reviews, Report to Member Working Group – 04 March 2009
- Report to Cabinet – 01 July 2009
- Report to Democratic Renewal Scrutiny Panel – 10 December 2009
- Responses to Consultation on draft recommendations
- Report to Cabinet, 7th April 2010
- Report to Council 28th July 2010

The Local Government and Rating Act 1997.

The Local Government and Public Involvement in Health Act 2007.

DCLG guidance and circulars available at www.communities.gov.uk

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