



COMMUNITY GOVERNANCE REVIEW OF NEWHALL AND STANTON

TERMS OF REFERENCE

Introduction

On 21st January 2016, South Derbyshire District Council (“the Council”) approved these Terms of Reference created for the purposes of undertaking a Community Governance Review covering the unparished area of Newhall and Stanton.

A Community Governance Review (“the Review”) is a legal process whereby the Council can review and make changes to local governance arrangements within the whole or part of its District.

These arrangements will be determined following consultation with local people and will aim to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.

Legislation and Guidance

In undertaking the Review and implementing any outcome, the Council will be guided by the following legislation and guidance:-

- Part 4 of the Local Government and Public Involvement in Health Act 2007, as amended;
- The relevant parts of the Local Government Act 1972;
- The Local Government (Parishes and Parish Councils) (England) Regulations 2008;
- The Local Government Finance (New Parishes) (England) Regulations 2008; and
- The Guidance on Community Governance Reviews issued jointly by the Department for Communities and Local Government and the Local Government Boundary Commission for England (March 2010) (“the Guidance”).

Aim of the Review

In carrying out the Review, the Council aims to ensure that decisions affecting community governance within the Newhall and Stanton area are reflective of the identities and interests of the community and are both effective and convenient.

Other important considerations are the impact on community cohesion, the size, population and boundaries of the area and what (if any) arrangements have already been made or could be made for the purposes of community representation or community engagement.

Who is undertaking the Review?

The Council is responsible for undertaking any review within its electoral area.

All interested persons and bodies have the opportunity to submit representations throughout the process for consideration by Full Council (a meeting of all 36 South Derbyshire District Councillors) before any decisions are made.

Why is the Council undertaking the Review?

The Review has been instigated following the submission of a valid petition from the Newhall and Stanton Parish Council Campaign Group requesting that a Parish Council be constituted for the area of Newhall and Stanton. As this area does not already exist as a parish, the petition is treated to also include a request for a parish to be constituted.

How will the Council undertake the Review?

Specifically, the Council will consider the following:-

- Whether or not a parish be constituted for the area under review and if so the name and style of the parish;
- Whether or not, as a result of the Review, the area of any existing neighbouring parish needs to be retained, merged, altered or abolished;
- Whether or not any parish should have a Parish Council or any alternative and, if so, determine the electoral arrangements, i.e, the ordinary year of election, the size, the number of Councillors to be elected, the division of the parish into wards and the parish boundaries;
- Whether or not any grouping provision should be made; and
- Whether or not any other local community governance arrangements should be made.

Why constitute a Parish?

The Council recognises that all communities have individual local issues and any decisions made will reflect those issues and be in the best interests of Newhall and Stanton.

Government guidance states that the advantage of constituting an area as a parish is that parishes reflect distinctive and recognisable communities of interest with their own sense of identity. It further states that this identity and community lends strength and legitimacy to the parish structure, creates a common interest in local affairs, encourages participation in elections, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense a civic values, responsibility and pride.

What does a Parish Council do?

Parish Councils are the most local form of government. They collect money from council tax payers (via the District Council) known as a 'precept' and this is used to invest in the area to improve services or facilities. Parish Councils can take different forms, but are usually made up of local people who stand for election as a Parish Councillor to represent their area. They can be the voice of the local community and work with other tiers of government and external organisations to co-ordinate and deliver services and work to improve the quality of life in the area.

Alternative styles

Parishes may have alternative styles to 'Parish'. The alternative styles are 'community', 'neighbourhood' or 'village'. In addition, it should be noted that the style 'town' is still available to a parish. However, for as long as the parish has an 'alternative style', it will not also be able to have the status of a 'town' and vice versa. The use in these terms of reference to parish does not preclude one of the alternative styles being adopted.

Timetable for the Review

Action	Dates
Terms of Reference agreed by Full Council	Thurs 21 st January 2016
Publication of Terms of Reference	25 th January 2016
Consultation process – Invitation of initial submissions	1 st February 2016 to 13 th March 2016
Last date for submissions	13 th March 2016

Analysis/evaluation of submissions received and preparation of options available to Full Council	14 th March 2016 to 24 th April 2016
Draft decision made by Full Council	Thurs 19 th May 2016
Publication of draft decision	23 rd May 2016
Consultation on draft decision	23 rd May 2016 to 3 rd July 2016
Last date for submissions	3 rd July 2016
Analysis/evaluation of submissions received and preparation of options available to Full Council	4 th July 2016 to 14 th August 2016
Final decision made by Full Council	Thurs 22 nd September 2016
Publication of final decision and notification to interested parties	26 th September 2016
Preparation and publication of any Reorganisation of Community Governance Order	26 th September 2016

This programme and timeline may be adjusted after representations have been received by local people in response to the initial public consultation. This will allow the Council a degree of flexibility in the interests of ensuring that it manages the review process efficiently. Any adjustments to the programme and timetable will be published on the Council's website.

Electorate Forecasts

When considering any electoral arrangements arising as a result of this Review, the Council will consider any change in the number or distribution of electors which is likely to occur within five years from commencement of this Review. This data is as follows:-

District Area	Polling District	Electorate 2016	Electorate 2021
Newhall	NSA	1635	1635
Newhall	NSB	740	740
Newhall	NSC	2057	2507
Newhall	NSD	1318	1318
Newhall	NSE	445	750

Consultation

The Council has a duty under the Local Government and Public Involvement in Health Act 2007 to consult with the local government electors in the area under review and any other interested person or body. Throughout the process all representations will be taken into account before decisions are made.

The Council will:-

- Publish a release in the local press informing residents of the Review and inviting responses;
- Publish information on the Council's website;
- Consult with the residents of the Newhall and Stanton area;
- Consult with the South Derbyshire District Councillors for the Newhall and Stanton area and the neighbouring areas;
- Consult with the Derbyshire County Councillors for the Newhall and Stanton area and the neighbouring areas;
- Consult with the Member of Parliament for the District;
- Consult with Derbyshire County Council;
- Consult with any neighbouring Parish Councils and community representative groups; and
- Consult with any other person or body which appears to the District Council to have an interest in the Review.

The initial consultation period will end on 13th March 2016. Any representations must be received by that date or they may not be considered when the options are prepared for Full Council.

There will then be a further period of time for people to comment on the draft decision before the final decision is made.

The Council recognises that the development of strong, sustainable communities depends on residents' active participation in decision making and making a positive contribution to improving the place where they live. The Council is therefore committed to engaging effectively with the communities it serves and to enabling local people to participate meaningfully in decisions that affect their lives, where all people feel able to take an active part in influencing service delivery.

The Council welcomes all representations from any persons or bodies with a local interest who may wish to comment or make proposals on any aspect of the matters under review.

Please send any representations to:-

- cgreview@south-derbys.gov.uk; or
- South Derbyshire District Council
Legal and Democratic Services Section
Community Governance Review
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

If you have any queries relating to the Review, please contact us either by e-mail at democraticservices@south-derbys.gov.uk or by telephone on 01283 595722 / 01283 595848.

Further information about the Review is available on the Council's website and social network pages, detailed below:-

- www.south-derbys.gov.uk/communitygovernance
- www.twitter.com/south-derbys

Completion of the Review

The Council will clearly publish the outcome of decisions taken as a result of the review and the reasons behind those decisions, so as to conduct the process transparently, making local people and other interested parties aware of the decisions reached. Press releases will be issued at key points as detailed in the above timetable and key documents will be on deposit at the Council's offices.

Order and commencement

In the event of a Reorganisation of Community Governance Order being made, the provisions of such an Order will take effect from 1st April 2017 for financial and administrative purposes, depending upon the outcome of the Review.

Date of Publication of these Terms of Reference

25th January 2016