

COUNCIL	AGENDA ITEM 11 (iii)
10 DECEMBER 2008	PUBLIC REPORT

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HAMPTON VALE AND HAMPTON HARGATE COMMUNITY GOVERNANCE REVIEW

R E C O M M E N D A T I O N S
FROM: SOLICITOR TO THE COUNCIL
That Council:
<ol style="list-style-type: none"> 1. approves the terms of reference set out in Appendix A to this report for the purpose of carrying out a community governance review of Hampton Hargate and Hampton Vale; and 2. agrees to establish a Governance Arrangements Committee comprising 3 members in accordance with the political balance rules for the purpose of carrying out its statutory functions in relation to community governance reviews under the Local Government and Public Involvement in Health Act 2007.

1. PURPOSE OF REPORT

- 1.1 The report seeks Council's approval of recommendations to implement community governance arrangements.

2. BACKGROUND

- 2.1 A community governance review is a review of the whole or part of the Council's area for the purpose of making recommendations with regard to creating, merging or abolishing parishes, the naming of parishes, the electoral arrangements of parishes and grouping arrangements for parishes. Under the Local Government and Public Involvement in Health Act 2007 (hereafter referred to as "the Act"), local authorities have a statutory duty to undertake such reviews.
- 2.2 In addition to the statutory provisions, the review should have regard to government guidance and comply with the terms of reference adopted by the Council in accordance with Section 81 of the Act. The terms of reference must specify the area subject to review and be published as soon as practicable after the Council has adopted them. The Council must commence the review when the terms of reference are published.
- 2.3 There are provisions for community governance petitions and such petitions must meet the conditions laid out in Section 80 of the Act. Petitions must be signed by a specified percentage of electors. Once a petition has been received the Council must conduct a community governance review which allows the petition to be considered.

3. HAMPTON HARGATE & HAMPTON VALE

Under Section 7 of the Local Government and Rating Act 1997, a petition was submitted to Peterborough City Council containing signatures exceeding 10% of local government electors of Hampton Hargate and Hampton Vale (in accordance with Section 80 of the LG & PIHA 2007). The petition requested the formation of a local government parish council for the neighbourhood of Hampton Hargate and Hampton Vale. This petition has been verified using the electoral register.

The proposed timetable for the community governance review is as follows:

1.	Petition verified	November 2008
2.	Terms of reference to be approved and published by Council	December 2008
3.	Approved terms of reference (Terms of Reference) to be published along with timetable for review.	January 2009
4.	12 month review begins.	On the date of publication of the terms of reference
5.	Submissions to be invited	January/February 2009
6.	Draft proposals to be prepared	March/April 2009
7.	Consultation on draft proposals	May – August 2009
8.	Final proposals to be prepared	September/October 2009
9.	Final proposals to be prepared and approved by Council	December 2009
10.	Council publishes Decision	December 2009
11.	Council makes Reorganisation Order	Thereafter

Terms of reference have been drafted for the community governance review and are attached at **Appendix A** for approval.

4. GOVERNANCE ARRANGEMENTS COMMITTEE

- 4.1 The Council is permitted by statute and its Constitution to appoint committees to carry out its functions. It is recommended that Council agrees to establish a committee to carry out community governance reviews. Seats on Council committees and other bodies to which section 15 of the Local Government and Housing Act 1989 apply should be allocated proportionally according to the proportion of seats held by each political group on the Council as a whole unless Council agreed to exempt the proposed committee from political balance requirements (under Section 17 of the Local Government and Housing Act 1989) subject to no member of the Council objecting to this exemption. In accordance with the table set out at **Appendix B**, this committee if politically balanced would comprise 2 (Con); 1 (PIF); 0 (LD) and 0 (Lab) members.
- 4.2 In order to maintain perceptions of the impartiality of the Committee, it is recommended that Ward councillors should not be members of the committee. However, it is proposed that the relevant ward councillors will be invited to attend meetings of the committee to ensure that they are consulted and kept informed throughout the review process.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 To propose a full governance review of the city of Peterborough. This is not considered to be appropriate at this stage due to the continued growth of the city.
- 5.2 To allocate the review to the Community Development Scrutiny Panel. However, it is considered that a Committee dedicated to the task of undertaking the review would be more appropriate.

6. LEGAL IMPLICATIONS

- 6.1 These are contained within the body of the report.

7. FINANCIAL IMPLICATIONS

- 7.1 The cost of carrying out these reviews is at present unknown but is expected to be met from existing budgets. Council has a statutory obligation to carry out community governance reviews. There is no funding available from central government.

8. REASONS FOR RECOMMENDATIONS

- 8.1 The recommendations fulfil the Council's statutory responsibilities and identify a robust process for carrying out community governance reviews.

9. BACKGROUND DOCUMENTS

- 9.1 Local Government and Housing Act 1989
Local Government & Public Involvement in Health Act 2007

GOVERNANCE ARRANGMENTS COMMITTEE

Terms of Reference

1. To carry out the Council's statutory functions in relation to Community Governance Reviews under the Local Government & Public Involvement in Health Act 2007.
2. Reviews will be conducted in accordance with Part 4 of the Local Government & Public Involvement in Health Act 2007.
3. To undertake a community governance review of Hampton Hargate and Hampton Vale following receipt of a petition from more than 10% of local government electors residing in the said area to constitute a local government parish council for the neighbourhood of Hampton Hargate and Hampton Vale.