

Cheltenham Borough Council

Council – 11 December 2017

Community Governance Review

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| Accountable member | Cllr Steve Jordan, Leader |
| Accountable officer | Pat Pratley, Chief Executive |
| Ward(s) affected | Pittville, St Pauls, Oakley, Prestbury, Up Hatherley, Warden Hill, Leckhampton, Park, Charlton Kings, Charlton Park, Battledown |
| Key/Significant Decision | Yes |
| Executive summary | <p>Council will recall that a cross party working group – the Community Governance Review Working Group (CGR Working Group) was set up to oversee the community governance review prompted by the receipt of a petition from Pittville Parish Council Campaign Group for the creation of a new parish council. The terms of reference were agreed by Council on 27 March 2017 and subsequently revised by Council at its meeting on 24 July 2017.</p> <p>At the July meeting, Council agreed a process for consulting a number of electors across Cheltenham to support the community governance review into the creation of a new parish council for Pittville and to consider alterations to boundaries of three parish councils; Charlton Kings, Leckhampton with Warden Hill and Up Hatherley, plus consultation on the anomaly areas in Merestones Drive and St Nicholas Drive.</p> <p>This report summarises the results of the consultation and brings forward recommendations from the CGR Working Group about how the council should proceed with the next phase of the review – the development of and agreement to a Reorganisation Order.</p> <p>Since the end of the consultation period, the CGR Working Group has met twice to:</p> <ul style="list-style-type: none"> • Review the results from the consultation; • Liaise with the parish councils who have proposed the changes; • Liaise with ward councillors that represent residents that might be affected by the proposed changes; • Liaise with the Elections and Registration Manager about the proposed parish warding, polling districts and allocation of parish councillors; • Develop its recommendations regarding the proposals to the proposed alterations, warding, polling districts and representation. <p>The CGR Working Group now seeks Council approval to the recommendations below. With regard to parish council boundary alterations, Council is being asked to support the changes as set out and to agree that notification of these proposed changes be given to those who were consulted. The formal Reorganisation Order will be referred to Council for approval in January 2018.</p> |

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| | <p>In addition, it is brought to Council's attention that a further request was received from Leckhampton with Warden Hill Parish Council to include an additional area of Leckhampton Hill within the enlarged parish. Council is being recommended to agree to carry out a further piece of consultation to inform the development of the Reorganisation Order.</p> |
| Recommendations | <ol style="list-style-type: none"> 1. That the creation of a parish council for Pittville not be supported 2. That the alteration of parish council boundaries be supported as follows: <ol style="list-style-type: none"> a. The boundary of Charlton Kings Parish Council be altered to include the additional four areas as shown in appendix 3. b. That the boundary of Up Hatherley Parish Council be altered to include an additional area as shown in appendix 4 which is an area wholly within Warden Hill Ward c. That the boundary of Leckhampton with Warden Hill Parish Council be altered to include the additional area as shown in appendix 5. d. That the boundary of Prestbury Parish council be altered to include the area of St Nicholas Drive as shown in appendix 6 3. That the removal of the Merestones Drive properties from Leckhampton with Warden Hill Parish Council is not supported following the results of the consultation. 4. That additional consultation is undertaken regarding the request to further extend the boundary of Leckhampton with Warden Hill Parish Council to include the area as set out in section 10 and as shown in appendix 7 and that the Chief Executive be requested to make and publicise recommendation(s) to Council upon the results of that consultation. 5. That the parish warding, polling districts and representation for the additional parished areas be supported as follows: <ol style="list-style-type: none"> a. For the four additional areas of Charlton Kings Parish Council as detailed in para 4.11; b. For the additional area of Up Hatherley Parish Council as detailed in 6.12; c. For the additional area of Leckhampton with Warden Hill Parish Council as detailed in para 8.14; d. For the additional area of Prestbury Parish Council as detailed in para 11.6 and 11.7. 6. That the Chief Executive, in consultation with the Borough Solicitor and Leader of the Council, be authorised to prepare the Reorganisation Order and that the Order be brought back to Council on January 2018 for approval. |

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| | <p>7. That householders residing in the properties originally written to are informed of the outcome of the consultation and the intentions of Council as set out in the above recommendations.</p> <p>8. That the Chief Executive be authorised to take such actions and decisions as are necessary to move forward and facilitate the recommendations and matters set out in this report, including consultation, if she so decides, with the CGR Working Group (which shall remain constituted with the current terms of reference and membership)</p> |
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| Financial implications | <p>The estimated cost printing and distributing letters to all the householders in line with recommendation 4 is approximately £3,000.</p> <p>This sum will have to be met from the council's general balances.</p> <p>Charlton Kings, Up Hatherley and Leckhampton with Warden Hill Parish Councils will need to include in their precepts for 2018/19 the estimated additional costs of setting up, and providing services to, their respective additional areas.</p> <p>The Tax Base for each parish, calculated in December 2017, will also need to include the additional areas.</p> <p>The estimated cost of adopting the additional areas to each Parish Council and the effect on their precepts and council taxes will also need to be identified in the Reorganisation Order, which must be approved before the Tax Bases are finalised by 31 January and before the Council Tax can be set for the affected parishes in February 2018.</p> <p>Contact officer Martyn Scull Martyn.Scull@Cheltenham.gov.uk Tel 01242 264351</p> |
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| Legal implications | <p>As indicated in the report, the Act dealing with Community Governance Reviews is the Local Government and Public Involvement in Health Act 2007 Part 4, Chapter 3. This Act lays down the procedure to be used and the various factors that must be taken into account.</p> <p>The duty under Section 93 of the Act is to consult the electors of the area under review, and other person/bodies with an interest in the review, and to try and secure a community that reflects the identities and interests of the community affected, as well as needing to make the area "effective and convenient". The council must also take into account arrangements for community representation and community engagement, as well as having regard to any representations made. Any recommendations must, under the Act, be published and any persons who may be interested in the review informed of the recommendations.</p> <p>With regard to the issues concerning Leckhampton rehearsed in section 8 of the report, it is permissible to look at the entirety of the area proposed to be added to the Leckhampton and Warden Hill Parish Council area. The council must be happy that the boundaries reflect the community and will be effective and convenient. Indeed the council may be of the view to remove an element of the proposed area out of the proposed extension may work against these principles especially as the area as a whole voted in favour of the extension.</p> <p>A draft form of Reorganisation Order is provided by the Government on their Communities and Local Government website for assisting Councils and is drafted to help cover most eventualities from the creation of a parish, to reorganisations of their boundaries, including wards and property transfers. The first draft of the Order(s) will be produced if Council accepts the recommendations of this report and will be included in the report to a future meeting of Council to enable that meeting to approve the actual Order(s).</p> <p>Contact officer Gary Spencer gary.spencer@tewkesbury.gov.uk 01684 272012</p> |
| HR implications (including learning and organisational development) | <p>None identified as a result of these recommendations</p> <p>Contact officer Julie McCarthy Julie.mccarthy@cheltenham.gov.uk 01242 264355</p> |
| Key risks | Please see risk assessment attached as appendix 1 |
| Corporate and community plan Implications | Supporting the creation and growth of parish councils in the borough supports the Corporate Strategy theme 'People live in strong, safe and healthy communities', as people are encouraged to get actively involved in their communities. |
| Environmental and climate change implications | Neutral impact on climate change. |

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| Property/Asset Implications | <p>None identified as a result of these recommendations</p> <p>Contact officer David Roberts <u>David.Roberts@cheltenham.gov.uk</u> Tel: 01242 264151</p> |
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1. Background

- 1.1 A campaign group in Pittville submitted a valid petition to Cheltenham Borough Council in January 2017, calling for the creation of a new parish council for Pittville. This meant that CBC was required under the Local Government and Public Involvement in Health Act 2007 to carry out a community governance review to decide whether or not a new parish council should be created.
- 1.2 Council on 27 March 2017 agreed the terms of reference for the working group which considered the proposals from the Pittville Parish Council Campaign Group and proposals to consider two small anomaly areas in Merestones Drive and St. Nicholas Drive. Council also invited proposals from three of the existing parish councils about consulting on extensions to their current boundaries as part of this review.
- 1.3 The consultation plans were agreed by Council on 24 July and over the summer nearly 9,400 electors were written to asking them whether they were in favour of their area becoming part of a parish council.
- 1.4 The closing date for responses was 8th October.

2. Consultation results and the CGR Working Group's initial response

- 2.1 The council received just over 3,000 responses to the consultation as shown in the table below with full details attached as **appendix 2**.

| Area | Paper | Online | Total | Total issued | % return |
|----------------|-------|--------|-------|--------------|----------|
| Charlton Kings | 367 | 84 | 451 | 1144 | 39.42 |
| Leckhampton | 655 | 131 | 786 | 3114 | 25.24 |
| Pittville | 1123 | 277 | 1400 | 3696 | 37.88 |
| Up Hatherley | 360 | 77 | 437 | 1421 | 30.75 |
| Anomalies | 10 | 0 | 10 | 21 | 47.62 |
| Total | 2515 | 569 | 3084 | 9396 | 32.82 |

- 2.2 The CGR Working Group were very pleased with the response which demonstrated good engagement with the community governance review.
- 2.3 At its meetings on 13 October and 21 November, the working group considered the responses and formulated its recommendations. These are in turn.

3. Proposed Parish Council for Pittville.

- 3.1 The CGR Working Group noted that, on a turn-out of nearly 38%, almost 60% of respondents had voted against the proposed parish council. The Working Group's recommendation is as follows:

That the creation of a parish council for Pittville not be supported.

4. Charlton Kings – four additional areas.

- 4.1** The CGR Working Group noted that on an overall turn-out of just over 39%, respondents in each of the four areas had voted in favour of their area being parished. The Working Group also noted the following response from Charlton Kings Parish Council:
- 4.2** *“Our Members were delighted both with the turnout and the conclusive results. These were clear evidence of overwhelming support in all four areas for joining the parish of Charlton Kings and demonstrate that there is an appetite for localism amongst our unparished neighbours. The Parish Council believes that there is now a clear mandate for implementing the boundary changes and Members presume that implementation will now follow as a matter of course, especially in view of the fact that, as stated in the report to Council on 24th July 2017, the growth of parish councils supports Cheltenham Borough Council’s Corporate Strategy”* Liz Dowie, Clerk & RFO to the Parish Council.
- 4.3** **In terms of boundaries, the Working Group’s recommendation is therefore as follows:**
- 4.4** **That the boundary of Charlton Kings Parish Council be altered to include the additional four areas as shown in Appendix 3.**
- 4.5** The CGR Working Group went on to consider the implications for parish warding, polling districts and representation for these additional parished areas
- 4.6** **Area 1** comprises of part of polling district EB and part of polling district ED (both Charlton Park Borough Ward). The electors in EB currently vote at Leckhampton Baptist Hall in Pilley Lane. However, the working group is proposing that this area is merged with the electors in EC to vote at Sacred Hearts Parish Hall in Moorend Road. This area would then be added to the West ward.
- 4.7** **Area 2** comprises of part of polling district ED. These electors already vote at Sacred Hearts Parish Hall where polling station EC currently vote (West Ward of the parish). This could then be added to the West ward. The working group is proposing that this area is merged into polling district EC.
- 4.8** If Areas 1 and 2 are added to the West Ward of the parish an additional two councillors would be required if the ratio of electors to councillors were to remain the same.
- 4.9** **Areas 3 and 4** comprise of part of polling district BA – these would be added to the North ward of the parish and added to polling district BB. An additional councillor should not be required. These electors would have to vote at Holy Apostles Church Hall, London Road instead of Holy Apostles Primary School, Battledown Approach.
- 4.10** The working group is aware that this does leave small residual parts of polling districts EB and ED that are not parished. From the advice of the Elections and Registration Manager, these polling districts will have to remain as they are until the next review of polling districts and stations.
- 4.11** **In terms of parish warding, polling districts and representation, the CGR Working Group’s recommendations are therefore as follows:**
- **Area 1; The parished part of EB and ED are merged with EC and vote at Sacred Hearts;**
 - **Area 2; This area joins EC and votes at Sacred Hearts;**
 - **Areas 1 and 2 are part of the West ward of the parish council;**
 - **West ward will be represented by two additional councillors;**
 - **Area 3 and 4 are added to the North Ward of the parish council;**
 - **Area 3 and 4 are added to polling district BB;**

- **There is a change of polling station for electors in areas 3 and 4, from Holy Apostles Primary School to Holy Apostles Church Hall;**
- **There is no requirement for an additional parish councillor to serve areas 3 and 4.**

5. Charlton Kings proposals - consultation and feedback

- 5.1** The parish council and ward councillors from Battledown, Charlton Kings and Charlton Park were invited to comment on the working group's proposals. The parish council were supportive of the recommendations. Responses were received from Cllr. Baker and Mrs McCloskey. Cllr. Baker felt that the proposals were logical, Cllr. Mrs McCloskey noted that residents in Areas 3 and 4 will have to travel a considerable distance to vote, virtually passing their previous polling station. She observed that this may put them off voting, particularly in local elections, and thus harm the democratic process.

6. Up Hatherley – additional area.

- 6.1** The CGR Working Group noted that whilst there was strong support from respondents in area 1 to be parished (66%), the majority of respondents in area 2 (53%) had indicated that they did not want their area to be parished. The Working Group also noted the following response from Up Hatherley Parish Council

"The results of this poll are almost exactly what we'd hoped for. A two-thirds majority being expressed in the area we have long maintained felt a strong affiliation for Up Hatherley. The equivocal result from the second area is also in many ways helpful as it specifically defines that area that does have these close historic ties. My hope now would be that the working group notes the results and recommends that the Full Council approves proceeding with the process in Up Hatherley area 1 but not in area 2. I am happy to call a special meeting of UHPC if you need that view ratified more formally but I have no doubt given discussions that we have already had within UHPC that this is exactly how we would wish to proceed." Adrian Bamford Chairman Up Hatherley Parish Council

- 6.2** At its meeting on 21 November, the Working Group went onto consider the implications for parish warding, polling districts and representation for these additional parished areas.
- 6.3** The working group noted that area 1 is currently split across borough wards with the majority being in Warden Hill ward which is within polling district TA and a smaller area along Hatherley Road in Park Ward which is within polling district KA.
- 6.4** The DCLG guidance states that the principal council would need to consider parish warding in circumstances where the parish is divided by district ward boundaries. This would mean that the area in Park Ward (Hatherley Road with 123 electors on 1 July) would have to be a separate parish ward with one councillor.
- 6.5** The Elections and Registration Manager has advised that Council need to be mindful of the need to ensure balanced representation in this area and highlighted DCLG guidance on community governance review which states that:

"If a principal council decides that a parish should be warded, it should give consideration to the levels of representation between each ward. That is to say, the number of councillors to be elected from each ward and the number of electors they represent.

It is an important democratic principle that each person's vote should be of equal weight so far as possible, having regard to other legitimate competing factors, when it comes to the election of councillors. There is no provision in legislation that each parish councillor should represent, as nearly as may be, the same number of electors. However, the Boundary Commission believes it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation between different parish wards. Such variations could make it difficult, in workload terms, for councillors to adequately represent the interests of residents. There is also a risk that where one or more wards of a parish are over-represented by councillors, the residents of those wards (and their councillors) could be perceived as having more influence than others on the council"

- 6.6** These 123 electors currently vote at St Stephens Parish Church as part of polling district KA which has a large electorate. Should the area become parished there would have to be a separate register for these electors as they would need to be offered both Borough and Parish ballot papers. The Elections and Registration Manager felt that this could cause confusion in the polling station (due to large electorate).
- 6.7** Given the concerns over the polling district arrangements, coupled with the concerns about disproportionate representation, the Working Group that met on 21 November, agreed to put forward a recommendation to only include the area wholly within Warden Hill ward and to exclude the area within Park ward.
- 6.8** However, Council need to be aware that on subsequent checking of the returns from the Hatherley Road (in Park Ward) showed that 78% of those who voted (of a 47% response rate) were in favour and 22% against. There is therefore a strong sense among local residents that they do wish to be included within Up Hatherley Parish Council.
- 6.9** In addition, the Chairman of Up Hatherley Parish Council has expressed his disappointment with the possibility of this area being excluded from Up Hatherley Parish Council. He feels that parish boundaries should reflect community boundaries and not been restricted by ward boundaries which he feels are more administrative.
- 6.10 Council are therefore asked to consider the recommendation at 6.12 in light of the strong community support for being parished.**
- 6.11** The Working Group have considered warding and representation for the remaining area (within Warden Hill ward) and are suggesting that this area be a new parish ward known as North Ward, and that it is represented by two parish councillors (to represent 720 electors).
- 6.12 The Working Group's recommendations are therefore as follows:**
- **That the boundary of Up Hatherley Parish Council be altered to include an additional area as shown in appendix 4 which is an area wholly within Warden Hill Ward;**
 - **That a new polling district is created to serve electors in this area that would vote at St. Margaret's Hall;**
 - **That this new area to be called North Ward;**
 - **That the area is represented by two parish councillors;**
 - **That the boundary not be extended to cover the area in Park Ward.**

7. Up Hatherley proposals - consultation and feedback

- 7.1 The parish council and ward councillors Park and Warden Hill wards were invited to comment on the working group's proposals. The parish council requested that the Council look at the voting intentions of the Hatherley Road residents to determine which way they voted and if polling arrangements can be sorted to ensure their inclusion. This has been carried out and is referred to in para 6.8. Cllr. Wilkinson requested that the views of the residents of that section of Hatherley Rd be taken into account when a final decision is made. Cllr. Mrs Ryder was happy with the proposals to enlarge the area of the parish council to include the area of Warden Hill ward. She had some reservations about the size of the polling district that would be created if the area in Park ward was taken into the parish council. Cllr. Oliver and Cllr. Harman agreed with Cllr. Mrs Ryder's comment.

8. Leckhampton – additional area.

- 8.1 The CGR Working Group initially considered the responses to the consultation by four smaller blocks. The results showed that respondents in three of the four blocks had voted in favour of their area being parished but that the fourth block, south of Charlton Lane had voted against being parished. Details of the consultation responses are set out in appendix 2.
- 8.2 Leckhampton with Warden Hill Parish Council sought clarification from the working group about the intentions of the council with regard to the possible sub-division of the area. The recommendation in the July council report referred to

"The addition of a consultation area for Leckhampton with Warden Hill Parish Council"

Yet the appended map illustrated the four blocks.

- 8.3 The consultation document issued to electors however, did not refer to the possibility of sub-dividing the consultation area, nor was this illustrated on the map.
- 8.4 The Parish Council's views on the matter, after some lengthy deliberation, were as follows:
- 8.5 *We are quite happy otherwise for just areas 1, 2 and 3 to come into the Parish or for all four areas to come in if you decide that is better.*
- 8.6 The CGR Working Group, having sought legal advice, considered the matter in detail and proposed to treat the four blocks as one area for the following logical reasons.
- The proposed extended parish boundary aligns with the Leckhampton ward boundaries
 - The polling district arrangements are much simpler
- 8.7 In addition, the Working Group was mindful that when taken as a whole, there was a majority of 56% in favour of being parished.
- 8.8 **In terms of boundaries, the Working Group's recommendation is therefore as follows:**
- 8.9 **That the boundary of Leckhampton with Warden Hill Parish Council be altered to include the additional area as shown in appendix 5.**
- 8.10 The Working Group went onto consider the implications for parish warding, polling districts and representation for this additional area.

- 8.11** The area to the west of Leckhampton Road comprises of polling district IC - This area would be added to the Leckhampton Parish Ward. These electors currently vote at Leckhampton Primary School in Hall Road where there are two polling stations as electors in polling district IB vote here as well. The two polling districts could be merged into one called IB as they would be both parished and vote at the same station. However there would be no changes to where electors would vote.
- 8.12** The area to the east of Leckhampton Road. If this is to be included it is suggested that these areas are kept together (currently polling district IA) and for these electors to continue to vote at Zion Hall, Pilley Lane.
- 8.13** Using the current ratio of councillors to electors to increase Leckhampton Parish Ward from 5 to 11 councillors.
- 8.14** **In terms of parish warding, polling districts and representation, the CGR Working Group's recommendations are therefore as follows:**
- **All areas to be added to the Leckhampton ward of the parish council;**
 - **To increase the number of parish councillors for Leckhampton Parish Ward from 5 to 11;**
 - **Areas to the west of Leckhampton Road to remain in IC (which could be merged with IB to create one polling district) and vote at Leckhampton Primary School;**
 - **Areas to the east of Leckhampton Road to remain in IA and vote at Zion Hall.**

9. Leckhampton proposals - consultation and feedback

- 9.1** The parish council and ward councillors Leckhampton and Warden Hill wards were invited to comment on the working group's proposals. The parish council replied that they did not see any problems with what was being proposed. In a joint response from Cllr Mrs Ryder and Cllr Oliver, they set out that they were happy to agree with what was being suggested by the working group for Leckhampton with Warden Hill at this present time. However, they went onto highlight that the size of the Leckhampton side of the Parish will now require more councillors, which in total will be 10 (now 11) leaving Warden Hill with only 7 councillors and that this may unbalance decision making. Cllr. Nelson indicated that he was happy with the recommendations.

10. Leckhampton Hill extension request

- 10.1** LwWHPC have, since the close of the consultation, returned to the council with a proposal to include an additional piece of land in the parish, see appendix 7.
- 10.2** The chair of the parish council, Adrian Mears said:
- 10.3** *"LwWH Parish Council is interested in incorporating this land into the Parish because it is important amenity space serving many residents in Leckhampton and Charlton Park. The Parish Council considered in 2014 putting the land forward as a Local Green Space. The land has a multitude of public footpaths. One of the important roles of the Parish Council is to maintain local footpaths, mainly on the Leckhampton Fields but also on Leckhampton Hill. The Parish Council also contributes funds to FOLK to support this role"*
- 10.4** The CGR Working Group has not had chance to consider this proposal and is therefore unable to put forward a recommendation to Council on this matter.

- 10.5** One Legal advises that, although unoccupied, the proposals for this piece of land would need be given a public consultation of similar style and length to that of the rest of the review to provide reasonable opportunities for the land owners and interested parties to express their views.
- 10.6** The officer recommendation, having taken legal advice, is that this additional boundary extension request be put out to public consultation to provide reasonable opportunities for land holders and interested parties to express their views. Therefore, it is intended that the proposal be put out for public consultation and for that consultation to close in early January and that the Chief Executive be requested to consider the responses and make a recommendation to Council so that the recommendation can be notified to consultees as early as possible before the Council meeting scheduled for later in January.
- 10.7** In terms of the consultation, it is proposed that all landowners within the area are written to as well as those electors within the proposed additional area LwWH Parish Council referred to in section 6 and appendix 5.
- 10.8** Initial light touch consultation has been undertaken with ward councillors for Charlton Park, in which the area sits, and with the Friends of Leckhampton Hill and Charlton Kings Common.
- 10.9** *"I see no reason why it should not be included in a parish. Charlton Kings Parish Council also does some good maintenance work on footpaths on private land within its parish, for example on Timbercombe Hill, with the various owners' consent. I hope they are successful..."* Julius Marstrand – Friends of Leckhampton and Charlton Kings Common (FOLK).
- 10.10** Therefore, the recommendation is as follows:
- 10.11** **That additional consultation is undertaken regarding the request to further extend the boundary of Leckhampton with Warden Hill Parish Council to include the area as shown in appendix 7**
- 11. Prestbury Parish Council – inclusion of St Nicholas Drive properties**
- 11.1** The Working Group noted that of the 8 properties consulted with, 5 responded (63% response rate). Of those, 3 out of the 5 (60%) voted to be included in Prestbury Parish. The map of the area in question is shown in appendix 6.
- 11.2** The Working Group went onto consider polling districts implications.
- 11.3** The properties currently sit in polling district MC. It is recommended that the 8 properties be merged with polling district MB. There will be no change to their polling station and they would continue to vote at the porta cabin in St Nicholas Church.
- 11.4** **The CGR Working Group's recommendations are therefore as follows:**
- 11.5** **That the boundary of Prestbury Parish council be altered to include the area of St Nicholas Drive as shown in appendix 6;**
- 11.6** **All 8 properties are added to the Prestbury North Ward;**
- 11.7** **These properties are added to polling district MB.**

12. The Reorganisation Order

12.1 If Council is minded to agree the recommendations of the CGR Working Group to alter the boundaries of the parish councils, it must make a reorganisation order. This is legal document that will set out the electoral arrangements, the precept, the transition arrangements and the transfer of any assets liabilities and services. It will set out in detail:-

- The additional areas to be covered by the Parish Councils
- The date on which the new boundaries will come into effect
- The electoral arrangements for the additional areas
- The date of elections to the Parish Council on its new boundaries
- The precept for householders living in the additional areas
- The effect on the parish precept of the additional areas
- Any interim arrangements

12.2 The reorganisation must become effective by no later than 1st April 2018 in order that elections can be held in May 2018.

13. Next Steps

13.1 The CGR Working Group was mindful of the DCLG guidance on community governance reviews and the requirements to both publish its recommendations and ensure that those who may have an interest are informed of them. It is also aware of recent case law whereby a judgement was taken against a principal council that had failed to inform residents of proposed changes - The Queen on the Application of Campbell Park Parish Council v Milton Keynes Council [2012] EWHC 1204 (Admin).

13.2 The working group is recommending that the council takes a precautionary approach and writes back to all the electors that were originally written to as part of the community governance review consultation.

13.3 The proposed timescales are as follows:

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| Full Council to agree recommendations from working group | 11 December 2017 |
| Inform those electors originally written to of the Council's intentions with regard to the community governance review | Letters distributed w/c 1 January 2018 |
| Agree and publish the Reorganisation order | w/c 22 January 2018 |
| Parish councils to agree precepts | By 31 January 2018 |
| Precept for new parish council included in council budget | 18 February 2018 |
| Re-publish electoral register and consequential electoral arrangements | 1 March 2018 |
| First elections to the new parish council boundaries | 3 May 2018 |

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| Report author | Contact officer: Richard Gibson Strategy and Engagement Manager Richard.gibson@cheltenham.gov.uk 01242 235 354 |
| Appendices | <ol style="list-style-type: none"> 1. Risk Assessment 2. Community Governance Review –summary of responses 3. Charlton Kings Parish Council proposed boundary alteration 4. Up Hatherley Parish Council – proposed boundary alteration 5. Leckhampton with Warden Hill Parish Council proposed boundary alteration 6. St. Nicholas Drive – properties to be added 7. Leckhampton Hill |
| Background information | <ol style="list-style-type: none"> 1. Community Governance Review Report to Council 27 March 2017 2. Community Governance Review Report to Council 24 July 2017 3. Guidance on community governance reviews – DCLG March 2010 |

| The risk | | | | Original risk score (impact x likelihood) | | | Managing risk | | | | |
|---|---|-----------------|-------------|--|----------------|-------|---------------|--|---------------|---------------------|------------------------------|
| Risk ref. | Risk description | Risk Owner | Date raised | Impact 1-5 | Likelihood 1-6 | Score | Control | Action | Deadline | Responsible officer | Transferred to risk register |
| | Reputational risk if Council does not approve recommendations put forward through the community governance review. | Chief Executive | 27.3.17 | 2 | 2 | 4 | Reduce | Report and recommendations based on the results of the consultation to be brought back to Full Council for approval. | December 2017 | Richard Gibson | |
| | Financial and reputational risk if the Reorganisation Order is not approved before 31 January 2018, since the revised Tax Bases for the affected areas must be declared on or before that date. If the Order is not approved in February 2018 the Tax Bases and the parish precepts including the additional areas will then be incorrect, resulting in incorrect council taxes for the affected parishes | Chief Executive | 27.3.17 | 5 | 2 | 10 | Reduce | The Reorganisation Order must be approved before 31 January 2018. | January 2018 | Richard Gibson | |
| Explanatory notes Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical) Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability) Control - Either: Reduce / Accept / Transfer to 3rd party / Close | | | | | | | | | | | |