Appendix 4

Cheltenham Borough Council

Council – 17 December 2012

Scrutiny Task Group Report – Community Governance Review

Accountable member	**The Leader, Councillor Steve Jordan**
Accountable officer	**Jane Griffiths, Commissioning Director**
Ward(s) affected	**Benhall and the Reddings, Warden Hill, Park, Leckhampton, Charlton Park, College, Battledown**
Key Decision	**Not applicable**
Executive summary	Cheltenham Borough Council has been asked by 3 of our parish councils to conduct a community governance review, in order to consider changes to their boundaries. It is good practice to conduct a review every 10 – 15 years and the last review in Cheltenham was carried out in 2002. A Scrutiny Task Group was set up in June 2012 to scope the review in terms of the areas to be consulted and how the consultation would be carried out. The group has met 4 times and has prepared its report and a draft consultation document. Both are attached to this report.
Recommendations	**Council is recommended to:** **1. Give approval for a Community Governance Review to be undertaken as detailed in the Scrutiny Task Group report, using the consultation document attached as Appendix 1 to the task group report** **2. Consider the implications set out in this report when deciding whether to adopt the recommendations of the Scrutiny Task Group Report**

DRAFT

Financial implications	The costs highlighted in the report at 3.3.1 of the task group report will be met from existing revenue budgets as set out in paragraph 3.3.2. **Contact officer: Andrew Sherbourne,** **andrew.sherbourne @cheltenham.gov.uk, 01242 264337**
Legal implications	The Local Government and Public Involvement in Health Act 2007 (Sections 79 to 102) provide the framework for reviews of parish boundaries and the existence of parishes under what is called a Community Governance Review. This framework is supported by Guidance dated March 2010 from the Department of Communities and Local Government and the Local Government Boundary Commission for England. The principal council, in this case Cheltenham Borough Council, **may** carry out general reviews of their area, specific reviews if requested by a parish council or **must** carry out a review if an appropriate petition is presented to it under Section 80 of the Act. If a review is to be carried out then the Council must draw up appropriate terms of reference for it and consult the County Council and electors in the area(s) under review and others having an interest in the possible changes e.g. local businesses, Health Authority, Schools. Consultation can be by way of mail shots and voting forms, community meetings and other methods of ensuring the community knows what is proposed. The proposals should be referenced upon maps of an appropriate scale. The basis of the review is to reflect the identities and interests of the community under review, with a prime consideration of community cohesion and effective and convenient governance. The boundaries of the parishes need to be carefully considered and relate to the communities and local landmarks/natural boundaries. The review will make recommendations on what should happen, including changes to boundaries, parishing areas and warding of parishes. The recommendations must be given effect by formal Order. The costs of the consultation may be borne by the principal council, the parishes or both. **Contact officer: Gary Spencer, One Legal , gary.spencer @tewkesbury.gov.uk, 01684 272699**
HR implications (including learning and organisational development)	Resource will be required to manage the survey process, which appears to be covered from within existing budget provision. **Contact officer: Amanda Attfield,** **amanda.attfield @cheltenham.gov.uk, 07920 284313**
Key risks	**If the review is not carried out, there is a risk of damaging our relationship with the 3 parish councils that have requested it.**
Corporate and community plan Implications	The review is one of the improvement actions for 2012 / 13 under the objective 'Our residents enjoy a strong sense of community'

DRAFT

Environmental and climate change implications	None
Report author	Helen Down, Participation and Engagement Team Leader *helen.down@cheltenham.gov.uk* 01242 774960
Appendices	1. Risk Assessment 2. Task group report

DRAFT

Risk Assessment

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likeli-hood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the community governance review is not carried out, there is a risk of damaging relations with the parish councils who have requested it and helped to develop the proposals.	Jane Griffiths	31.10.13	2	2	4					

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

DRAFT