

Report of:	Tony Parkinson - Returning Officer & Electoral Registration Officer
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Submitted to:	Corporate Affairs and Audit Committee
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Date:	22 July 2022
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Title:	Community Governance Review - Stage 1 - Draft recommendations for further consultation
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Report for:	Decision
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Status:	Public
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Strategic priority:	All
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Key decision:	Not applicable
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Urgent:	Not applicable
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Executive summary

The Corporate Affairs and Audit Committee were delegated authority to agree the Community Governance Review Terms of Reference; to consider representations made; and to approve initial recommendations from the first stage of the public consultation. Full Council will then consider and approve the final recommendations after both consultations have taken place.

This report provides the Committee with the details of the processes undertaken and results of the first consultation that included a Town-wide survey, a letter to a number of interested parties, a social media campaign and posters in community buildings etc, (see Appendix 1).

The Committee are asked to agree the proposed recommendations or make alternative proposals which will then be put out to further public consultation to allow for comments on the proposed recommendations.

Since agreeing the review timetable, the Local Government Boundary Commission for England have advised (April 2022) that any local authorities seeking change should submit their requests by 1 October 2022, to allow sufficient time for administrative and financial purposes (such as setting up the parish council and arranging its first precept). The order should take effect on the 1 April following the date on which it is made. Electoral arrangements for a new or existing parish council will come into force at the

first elections to the parish council following the reorganisation order. If the order was submitted by 1 October 2022, it would allow preparations for the conduct of those elections to be made.

Therefore the committee are also asked to agree to a revised time-table for final approval.

Purpose

1. To seek the Committee's views and approval for the initial recommendations, following the first stage of the public consultation exercise and approve an amendment to the Community Governance Review timetable.

Background and relevant information

2. The Local Government and Public Involvement in Health Act 2007 ("the 2007 Act") provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether or not to make changes to parish boundaries or size and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing parishes.
3. Council agreed that a full Community Governance Review be carried out to consider arrangements for parish councils, such as creating, merging, altering or abolishing parish councils, changing a parish council's boundary or the naming of parish councils and their electoral arrangements. This is the first Community Governance Review that Middlesbrough Council has ever undertaken.
4. Although the above legislation does not apply to community councils, full Council also agreed to include community councils in the consultation exercise as they also play a pivotal role in community engagement at a grass roots level.
5. The purpose of a review is to make sure that local governance is effective and convenient, and that it reflects the identities and interests of local communities.
6. If, following a review, the Council decides that changes should be made to the electoral arrangements, they may make an Order giving effect to these changes.
7. A working group made up of representatives from parish and community councils, Executive Members and officers of the Council from various departments have all had an input into designing the survey, reviewing the returns and drafting recommendations for the Committee's consideration.
8. The first consultation period ran between 4 January 2022 and 31 March 2022, which resulted in the detailed briefing paper (Appendix 1), which provides the methodology of the review, the findings of the survey, details of what was considered and the rationale for the recommendations in this report.
9. Since agreeing the review timetable the Local Government Boundary Commission for England have advised (April 2022) that any local authorities seeking changes to

Parish Councils should submit their requests by 1 October 2022 to allow sufficient time to consider the recommendations.

10. Therefore the Committee are also asked to agree to a revised time-table for final approval which will result in a reduced period of consultation from 6 weeks to 4 weeks.

What is Being Proposed?

What decision(s) are being recommended?

11. That the committee agree the draft recommendations (below) for further public consultation.

- I. That the Stainton and Thornton Parish Council boundary is retained and unaltered.
- II. That the number of parish Councillors to be elected for Stainton increases to 9 to cater for the large increase in the electorate.
- III. That Nunthorpe Parish Council is retained with the following proposed changes:
 - a. the Parish Council boundary for Nunthorpe Parish Council is extended to be co terminus with the Nunthorpe electoral ward boundary i.e. to include 1-29 Yew Tree Grove, TS7 8QX, 1-16 Milan Grove, TS7 0DQ (subject to a further consultation with those residents)
 - b. That the Principal Council electoral ward boundaries for Nunthorpe ward be amended to include 12-16 Milan Grove and the Brethrens area.
 - c. That the number of Nunthorpe Parish Councillors be reduced to 9 to mirror that of Stainton & Thornton Parish Council to ensure that electors have an equal voice within both communities.
- IV. That a further detailed review of community councils by the Stronger Communities Team be undertaken, to consider how we engage with community groups and assess what support is required/available.
- V. That delegated authority be given to the Chief Executive (in consultation with the Executive Member for Finance and Governance Portfolio Holder) to review the existing polling districts relating to the specific areas identified for Nunthorpe & Marton East and make such changes as they consider appropriate in the light of the Final Recommendations.
- VI. Agree a revised time-table for final approval which will result in a reduced period for the second consultation, from 6 weeks to 4 weeks.

Rationale for the recommended decision(s)

12. Initial recommendations are based on the outcome of the survey and the representations submitted by the public and Parish Council representatives.

Other potential decision(s) and why these have not been recommended

13. The Community Governance Review also considered the creation, merging, altering or abolishing parish councils.
14. There appeared to be a level of public support to maintain the current parish councils. There were some suggestions for creating new parish councils however there was not a strong level of response to support this proposal. There was also no evidence /comments submitted to show that a new parish council would improve community cohesion, or offer an improved level of community participation/representation as those areas suggested already had a community council covering the same geographical area.
15. In addition to responses from residents in relation to their views on community councils, Democratic Services and the Stronger Communities Teams received a number of communications seeking advice on constitutional and support/ training and how communities can disband or create new community councils. Community council constitutions were last reviewed in 2014 when community councils became independent bodies and the level of support provided by the Council has diminished over the years, and as such, community groups are struggling. Therefore there are no proposals to change the set up at this time until a more in-depth review can be undertaken

Impact(s) of the recommended decision(s)

Legal

16. Part 4 of the Local Government and Public Involvement in Health Act 2007 devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local governance arrangements. The Community Governance Review is being undertaken in accordance with this Act.
17. To implement the outcome of the review, the Council will be required to make a Reorganisation of Community Governance Order.
18. Section 93(6) requires the Council to take into account any representations received in connection with the Community Governance Review. It is reasonable to set a time period for representations to be made, in order to allow them to be properly considered.

Strategic priorities and risks

19. The report addresses the Councils community engagement priorities and reduces the risks of failure to comply with the law whilst promoting and maintaining good governance.

Human Rights, Equality and Data Protection

20. There are no direct equalities implications or data protection issues that have been identified as being relevant to this report.

Financial

21. There are no financial or budgetary issues identified as being relevant to this report.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
That a further detailed review of community councils and how they are supported be undertaken by the Stronger Communities Team.	Marion Walker	April 2023
That Scheme of Delegation be amended so that delegated authority be given to the Chief Executive (in consultation with the Executive Member for Finance and Governance Portfolio Holder) to review the existing polling districts and make such changes as they consider appropriate in the light of the Final Recommendations.	Scott Bonner	October 2022
The second stage of the Consultation is opened.	Sylvia Reynolds	July 2022

Appendices

1	Middlesbrough Council Community Governance Review 2022 report
2	Survey results Representations from respondents to First Consultation period.
3	

Background papers

Body	Report title	Date
The Local Government and Public Involvement in Health Act 2007 ("the 2007 Act")		2007

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APPENDIX 1 – CONSULTATION STAGE 1 BRIEFING PAPER

Middlesbrough Council Community Governance Review 2022

Contents

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1. Introduction and Background

- 1.1 The Local Government & Public Involvement in Health Act 2007 significantly changed the way that Community Governance Reviews are undertaken. It streamlined the process and delegated powers to principal authorities (districts and unitary authorities). They now have responsibility for undertaking such reviews, for deciding and for implementing the outcome.
- 1.2 The Act requires principal authorities to take account of certain criteria when conducting a review, namely:
 - The identities and interests of the community in an area; and
 - The effective and convenient governance of the area.
- 1.3 They are also advised to consider factors such as:
 - What impact proposed community governance arrangements might have on community cohesion; and
 - Whether the size (area), population and boundaries proposed for local governance make sense on the ground and contribute to the above criteria.
 - The guidance refers to people's sense of place and their historic attachment to areas.
- 1.4 Overall, local council arrangements should lead to: improved local democracy; greater community engagement; and better local service delivery.
- 1.5 Following a request from Nunthorpe Parish Council to have a minor amendment made to the parish council ward boundary the Council considered it timely to conduct a full Community Governance Review to ensure we complied with the best practice guidelines to conduct a full review of community governance arrangements every 10-15 years. This is the first full review Middlesbrough Council has undertaken since the introduction of the legislation.
- 1.6 Parish and community councils play a vital role in engaging with local people and helping to shape their communities therefore it was also agreed to seek public feedback on the current community council arrangements.
- 1.7 This gives us an opportunity to look at and make changes to governance arrangements at parish/community level. It also makes sure they reflect the identity and interest of local communities and that they are working effectively.
- 1.8 Full Council agreed on 1 September 2021 to undertake a full Community Governance Review. Corporate Affairs and Audit Committee were delegated authority to agree the Terms of Reference for the review (approved 9 December 2021), and to consider the representations and be responsible for the approval of draft recommendations to be published for stage two of the consultation.

What can the Community Governance Review change?

- 1.9 A Community Governance Review can make a number of changes to parish governance when there is clear evidence to do so.
- 1.10 It can make changes to parish areas – including:
- changes to boundaries between parishes
 - mergers of two or more parishes
 - creating a new parish out of part of one or more existing parishes
- 1.11 It can make changes to electoral arrangements within parish areas – including:
- changes to the number of parish councillors
 - introducing or changing parish warding arrangements
 - It can change the name of a parish
 - It can group together a number of parishes under a common parish council
- 1.12 Electoral Ward Boundary changes can be requested through the Local Government Boundary Commission for England.

2. Corporate objectives

- 2.1 The Community Governance Review will seek to ensure that community governance in Middlesbrough reflects the identities and interests of local communities, and is effective and convenient.

3. Parish Councils

- 3.1 Parish councils act as a sounding board for local opinion and have important rights of consultation. A parish council may also carry out a number of other local community based services and where agreement has been reached local services that are currently carried out by a local authority
- 3.2 It was proposed by the working group that given the timescale required for any recommendations for changes to ward boundaries to be adopted in time for the next local elections that the review should focus on the arrangements for parish councils such as creating, merging, altering or abolishing parish councils, changing a parish council's boundary or the naming of parish councils and their electoral arrangements.
- 3.3 It was agreed that consideration of any possible adoption or delegation of responsibilities of other services be deferred and form part of a different dialogue that the parishes can have with the Council over a longer period.
- 3.4 Middlesbrough Council currently has two parish councils Nunthorpe and Stainton & Thornton and these are classed as un-warded parish councils due to their geographic area being relatively small.
- 3.5 Parish councils may raise a 'precept' on the council tax bills produced by their local billing authority (unitary authority or district council). This is essentially a demand for a sum to be collected through the council tax system. Council tax-payers cannot refuse to pay it, and the billing authority cannot refuse to levy it. It is the only source

of tax revenue available to parish councils for development of other community facilities in the locality. But they may raise money from other sources if they so wish.

- 3.6 Once established a parish council has the unfettered right to raise money by precept (a mandatory demand). The Principal Council has no discretion / influence on this and residents cannot refuse to pay it.

4. Community Councils

- 4.1 As part of the first stage consultation residents were also asked for their views on community councils and the results of the key questions are as below;

4.2 Do you think Community Councils should continue?

- Yes 46%
- No - they should be abolished 35%
- I do not know 18%

Yes

- The Community Council suggests and the Parish Council takes it on.
- One could invigorate the other with more transparency, leadership and energy.
- Youths should be inspired knowing they can make a difference
- Community Council provides a more informal forum for local issues & allows residents to raise & discuss issues in a less restrictive atmosphere.

No

- We have elected councillors who should be doing this work.
- They have no power to do so anything - what is the point? We can all report information about issues to the police (and have nothing done with it) and request information.
- Duplication of community purpose.

4.3 Do you think there should be a community council and a parish council operating in the same area?

- 4.4 In the Areas that currently do not have a parish council the survey showed the majority of people were not in favour of having two representative forums

- No 70%
- Don't know 24%
- Yes 5%

- 4.5 When asked their views on whether an area should have a parish council and a community council the response in the two areas that currently have both representative forums the result was mixed.

4.6 Stainton & Thornton

- Yes 35%
- No 35%
- Don't know 29%

4.7 Nunthorpe

- No 54.0%
- Yes 24%

- Don't know 22%

4.8 Also following a discussion at the working group about the relationship between parish councils and community councils Stainton and Thornton would prefer to retain two separate councils, whereas Nunthorpe could see benefits of merging the community council and the parish council.

Nunthorpe Parish council representative argued that prospect of a merger between Nunthorpe Parish Council and Nunthorpe Community Council, would make more efficient use of their structure of volunteering, and avoid the issue of duplication and confusion between the two councils which is a very live topic in the community, and supports their argument for keeping a maximum of 11 Councillors in Nunthorpe.

4.9 However this sentiment was not mirrored in Stainton & Thornton where parish councillors, whilst acknowledging that some board members sat on both forums felt the two groups served different functions /purposes and had a greater attendance at their community council, than the parish council.

4.10 Since the survey was undertaken there has been an increase in the number of contacts with the Council from various community councils that are experiencing a number of operational issues or seeking support/ training for newly appointed Executive Members.

4.11 As a result of a number of areas of concern that were raised as part of the review, it is recommended that a full separate review on community councils is undertaken by the Stronger Communities Team. The concerns that were identified included:

- Community councils not meeting for 2 years due to Covid
- Loss of volunteers to take up board places
- Lack of support from the local authority to community councils
- Potential review of community council constitutions
- Support with funding

4.12 In addition to responses from residents in relation to their views on community Councils, Democratic Services and the Stronger Communities Teams received a number of communications seeking advice on constitutional and support/ training and how communities can disband or create new community councils. Community council constitutions were last reviewed in 2014 when community councils became independent bodies and the level of support provided by the Council has diminished over the years, and as such, community groups are struggling.

5. Working Group

5.1 A working group made up of representatives from parish and community councils, Executive Members and officers of the Council from various departments all had input into designing the survey, reviewing the returns and drafting recommendations for the Committee's consideration.

6. Consultations /Communications

- 6.1 A Community Governance Review must take account of the views of local people and therefore we commenced a two stage consultation exercise on the 4 January 2022.
- 6.2 Town and parish councils, local residents, groups and organisations, have been asked to give us their suggestions for any changes they would like to see considered in the review, (including no change).
- 6.3 The methods of consultation included;
- Placing posters at a number of council customer service centres, libraries, etc
 - Information on the Council website
 - Press adverts and local news releases
 - Letter to all Parish and Community Councils within Middlesbrough including posters that they could use to publicise the review within their areas
 - Letter to community groups within Middlesbrough (using the Council's welfare stakeholder database)
 - Letter to all Central MPs representing constituencies within Middlesbrough and local constituency offices of registered political parties
 - Email to all Councillors asking them to raise awareness within their wards
 - Social network sites
 - A working group consisting of parish and community council representatives, elected members and cross departmental officers
 - An online survey with paper copies made available in council buildings and upon request
- 6.4 As noted above, the first period of consultation ran for 13 weeks from 4 January 2022 to 31 March 2022.
- 6.5 The consultation invited respondents to participate in the consultation process. The Terms of Reference made it clear that the area of the Community Governance Review was limited to Middlesbrough Council who are the primary authority for conducting the review.
- 6.6 A dedicated page on the Council's website was set up to allow individuals to find out information about the Community Governance Review and to complete a survey online. News releases and social media were also used to publicise the Community Governance Review.
- 6.7 The survey was split into three areas with residents asked to fill in the survey that applied to them i.e.
- Nunthorpe and residents of Yew Tree Grove and Milan Grove
 - Stainton and Thornton
 - Rest of the Town
- 6.8 This allowed a slight variation in questions to those areas that didn't have a parish council, and specific questions in relation to changes requested by Nunthorpe Parish Council. There were no changes requested by Stainton & Thornton Parish Council.

6.9 A total of 128 responses were received by way of the survey during the consultation period and two written statements.

- 37 surveys were completed by residents of Nunthorpe. Included in the 37 surveys were responses from 3 residents of Yew Tree Grove and 7 residents from Milan Grove.
- 17 surveys were completed by residents of Stainton & Thornton
- 74 surveys were completed by residents living in other areas of Middlesbrough

Key questions posed during the consultation exercise included

6.10 Should Parish Council's Continue?

6.11 Generally Residents felt that the current Parish Councils provided them with representation from a local area, put the local community first and engaged to some degree but diversity of representatives could be improved.

- 65% of people who completed the survey and live in Nunthorpe thought that the parish council should continue
- 82% of people who completed the survey and live in Stainton & Thornton thought that the parish council should continue.

6.12 Comments from residents who thought that the 2 existing parish councils should be abolished included. Nunthorpe (30% - 11) and Stainton & Thornton (6% -1)

- Already have a community council & active ward member.
- Age demographic / diversity - not representative of the local community.
- Don't know what purpose it serves.
- Own agenda's.
- Does not add any value.
- Engages very little with the local community.
- I really don't see it performing a useful role

6.13 Over half of the people who responded from Nunthorpe and Stainton & Thornton said they were aware of the parish councils and felt that the precept they paid was value for money.

6.14 However, the response to paying an increased precept for additional activities to be undertaken was around 50/50.

6.15 In order to abolish a Parish Council, a principal Council would need to find evidence that the abolition of a parish council was justified, and that there was clear and sustained local support for such an action.

- 6.16 There are no proposals to recommend abolishing either of the two parish councils at this time. However, the request to make minor amendments to alter the Parish ward boundary and the electoral ward boundary for the Nunthorpe area is supported.
- 6.17 The reasoning for this is that the surveys carried out, show that there was still a great deal of support for both parish councils and therefore there would no qualifying criteria to warrant abolition of the current parish councils (example survey comments below).
- They do an excellent job, actively looking after the best interests of the Parish.
 - They are the people who know us very well and the area well. We can always refer to them if we need to
 - They are available for questions/ help with village matters and prominent in the community.
 - Their engagement with the community and the work they do in looking after the parish.
 - The parish council is the voice of the community and first port of call for residents.
 - We need the parish council to help safe guard the green spaces around Nunthorpe and ultimately give a voice against development.
 - They are important to voice local issues and opinions and get a fair deal for its residents
- 6.18 There appeared to be a level of public support to maintain the current parish councils.

Should current parish council's boundaries change?

6.19 Stainton & Thornton

- 65% of those that responded thought that the parish council boundary should remain the same in Stainton & Thornton.
- 29% thought there should be a different parish council boundary in Stainton & Thornton

6.20 Stainton & Thornton – alternative proposals for boundary change

- The whole of the area within the Stainton Village and Thornton village signs i.e. Strait Lane.
- Hemlington Road, Maltby Road and Seamer Road but NOT Stainton Way.
- The boundary should not go past the new Police Headquarters on Stainton Way.
- Stainton and Thornton should be included, the new "Ingleby Barwick" build should not. We are NOT Ingleby Barwick.
- All of the new development off Stainton Way from the community hub.
- It's important to keep some local governance for the villages It provides

It is recognized that electorate in the parish is growing due to a number of housing developments, however these houses still fall within the current parish Council and electoral ward boundary and there is no strong evidence base to suggest that a change

would increase participation / engagement or affect the local identity. Therefore no changes to the Parish council ward boundary are proposed at this time.

6.21 Nunthorpe

- 73% of those that responded felt that the boundary should be changed to include Yew Tree Grove and Milan Grove and the Brethrens area.

6.22 Comments from those against the proposed boundary changes in Nunthorpe included:

- They are in the Marton side of Stainton Way.
- It is Marton socially, geographically and in postal terms.
- I do not care where the boundary is. I should have a choice if I want to be included in it.
- Allow people that want this pointless service to pay for it, and those that do not to opt out

Do parish councils allow for appropriate representation and are value for money?

6.23 Residents felt that the parish councils provided them with representation from a local area, put the local community first, and engaged with the local community.

6.24 However responses in the survey also highlighted issues regarding the demographics/make-up of parish Council's and indicated a perception that the make-up of a Parish was not diverse enough to appropriately represent the varying age groups and diverse population.

Should any new parish Councils be created?

6.25 Of the 74 surveys completed by residents who lived in other areas of Middlesbrough, 58% of people thought that there should be no new parish Council created and 27% didn't know. 13% (10 people) thought that new parish councils should be established.

6.26 Whilst there were a number of suggestions for creating new parish councils (see below) there was not a strong level of response to support these. There was also no evidence / comments submitted to show that a new parish council would improve community cohesion, or offer an improved level of community participation / representation or that there was enough voluntary support in the community to formulate and sustain a functioning parish. Those areas suggested do have a community council covering their area and therefore already have a route for engaging with their communities and the local authority. On this basis it is not proposed to create any new parishes at this time.

6.27 Suggested new parish councils

- West Acklam.
- Marton parish council
- Marton or Marton in Cleveland
- East Marton
- Marton in Cleveland Parish Council
- The streets covered by Marton West and Marton East wards

- South of Mandale Road to Low Lane and west of Acklam Road to the A19.
- Coulby Newham parish
- Tollesby Hall estate and Marton Manor to be included with Marton.

6.28 Reasons against establishing new parish councils included:

- We pay enough council tax without adding to the burden, for an extra level of bureaucracy.
- We don't need another level of governance.
- The community council does not cost residents.
- If the aim is about "empowering communities" then we should be looking at the model of Stockton - ward budgets for councillors to be spent with local consultation. We don't need another sub group of local governance that has tax raising powers, especially given the majority of wards in Middlesbrough are classed as deprived and people are struggling as it is.
- We already have elected councillors in place and do not need more bureaucracy.
- Why when the council is responsible
- Parish councils within towns should be restricted to areas with a distinct identity, such as villages, and not be extended to a created community

6.29 Reorganisation of community governance orders creating new parishes, abolishing parishes or altering their area can be made at any time following a review.

6.30 However, for administrative and financial purposes (such as setting up the parish council and arranging its first precept), the order should take effect on the 1 April following the date on which it is made.

6.31 Electoral arrangements for a new or existing parish council will come into force at the first elections to the parish council following the reorganisation order. However, orders should be made sufficiently far in advance to allow preparations for the conduct of those elections to be made.

7. Council Size/Electoral Arrangements/Local Government Boundary Commission England Consent

7.1 An important part of the Council's review will comprise giving consideration to "Electoral Arrangements". The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward;
- The name of any such ward.

7.2 The Government has indicated that it would want the parish electoral cycle to coincide with the cycle for the district/borough council, so that the costs of elections can be shared. This already happens in Middlesbrough. The next elections are due in

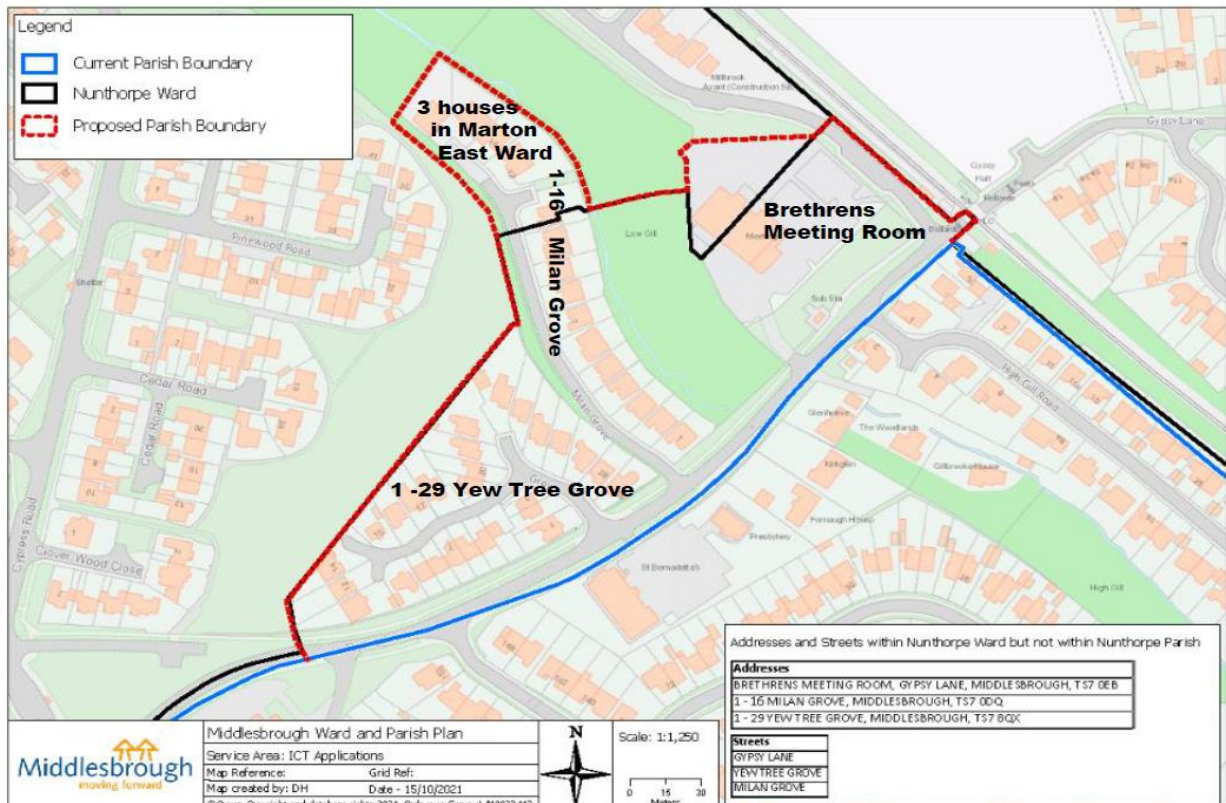
May 2023, and the Community Governance Review has been timetabled to fit that date, so no change to the usual election date/frequency is proposed.

- 7.3 However since agreeing the review timetable the Local Government Boundary Commission for England have advised (April 2022) that any local authorities seeking change should submit their requests by 1 October 2022 to allow sufficient consideration time. The Commission is responsible for making the Order to change ward and division boundaries following a Community Governance Review
- 7.4 Therefore the committee are also asked to agree to a revised time-table for final approval.
- 7.5 At present, Nunthorpe Parish Council ward boundary is not currently coterminous with the Nunthorpe electoral ward boundary and the request from Nunthorpe Parish Council seeks to rectify this.

- 7.6 There is also an anomaly in the ward electoral boundary that 3 houses in Milan Grove sit with in the Marton East ward (see full map at point 13)



- 7.7 The consultation responses also requested that Middlesbrough Council consider changes to the Nunthorpe electoral ward boundary to include the 3 houses in Milan Grove and the remaining area of the Brethrens Meeting area / car park (see map . The Council currently has an indicative planning application in for 7 properties that may straddle the current Nunthorpe ward boundary in this area that may repeat the issue currently faced by the 3 houses in Milan Grove if not altered.
- 7.8 Ward Councillors from Marton East and Nunthorpe have been consulted on the proposals and there are no objections to the proposed changes to the three houses in Milan Grove area in question. However, an objection was raised around the ward boundary at the Brethrens meeting space as it was felt the community would be better served if the Low Gill area was also considered along with local residents sense of identity. However this would have a greater impact on ward electorate and would therefore may be better served being looked at in more detail as part of the Local Government Boundary Commission full Ward Boundary review estimated to take place 2024/25. As an interim measure we would still propose to request a change in the boundary so that the whole of Brethren site fall into one electoral ward.



7.8 In reaching conclusions on the boundaries between parish wards, the Council has taken into account the desirability of fixing boundaries which are, and will remain easily identifiable, as well as taking into account any local ties which might be broken by the fixing of any particular boundaries. Therefore it is proposed the above changes be supported.

7.9 To implement the outcome of the review, the Council will be required to make a Reorganisation of Community Governance Order.

8 Numbers of Parish Councillors

8.1 Section 95 of the Local Government and Public Involvement in Health Act 2007 provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish and any change in that number likely to occur in the next five years. There is a minimum requirement of 5 Parish Councillors to be elected but no upper limit.

8.2 The National Association of Local Councils Circular suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

8.3 Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. In addition, historically many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election.

- 8.4 The Council has used the Register of Electors in providing the comparative parish electorate figures.

May 2019

Polling District	Streets	Properties	Voids	Electors	Number of Parish Cllrs
NUNTHORPE					11
TAM – Nunthorpe	20	407	16	747	
TBM - Nunthorpe	29	749	56	1438	
TCM - Nunthorpe	56	1052	97	1984	
Total	105	2208	169	4169	Ratio of Parish Cllrs to electors 1-379
STAINTON & THORNTON					7
PAM- Stainton & Thornton	59	1199	241	1650	Ratio of Parish Cllrs to electors 1-236

5 July 2022

Polling District	Streets	Properties	Voids	Electors	Number of parish Cllrs
NUNTHORPE					11
TAM – Nunthorpe	20	407	19	716	
TBM - Nunthorpe	28	688	34	1311	
TCM - Nunthorpe	61	1187	163	2097	
Total	109	2282	216	4124	Ratio of Parish Cllrs to electors 1-374
STAINTON & THORNTON					7
PAM- Stainton & Thornton	70	1533	217	2481	Ratio of Parish Cllrs to electors 1-354

- 8.5 Some of the comments reflected in the consultation also identified that the make-up of Parish councillors were not diverse in age and did not reflect of the community they served.
- 8.6 Comments in surveys also indicated that whilst some people were well aware of parish council activities some were not. Part of this could be reflective of the fact that there has been very little awareness materials for prospective parish councillors prior to an election or any competitive campaigning that encourage electors to participate or to encourage different demographics to stand for election for causes that are important to them.
- 8.7 As you will see from the tables above there is currently a high level of disparity in the ratio of electors that currently each Parish Councillor represents within the two parish councils. When considering the number of parish councillors required the authority may want to consider the services that the parish provides and the capacity of the number of Councillors to deliver them. They should also consider the parity of electors and each elector should having an equal voice wherever possible.
- 8.8 In Middlesbrough there have been very few local authority services that have been

devolved down to parish councils and therefore they both deliver very similar limited services.

- 8.9 There is a possibility a further 250 households in Nunthorpe in the next five years that could see an increase of approximately 500 electorate in the Nunthorpe Parish Council area.
- 8.10 However there has been a significant area of housing development in the Stainton & Thornton Parish (Hemlington Grange) area over the last two years, with further developments pending.
- There are 378 units to be completed on sites with full permission and currently under construction.
 - A further 575 units have outline planning permission for the remainder of the site.
 - Based on a basic estimate of two people per household would increase Stainton electorate by 1906.
- 8.11 Having analysed the statistics it is recommended that the principal authority considers reducing the number of Parish Councillors to 9 in Nunthorpe Parish Council (see ratio below).
- 8.12 There have been no contested Parish Council Elections in the last 12 years. Nunthorpe Parish have relied on co-opted members in order to fill vacancies and currently have 5 elected members and 7 co-opted members). Without amending the number of parish Councillors by either decreasing the number of Nunthorpe Councillors or increasing the number of Stainton & Thornton parish councillors the level of disparity in ratios of electors to parish councillors widens greatly.

NUNTHORPE				9
Predicted Electors			4624	Ratio of Parish Cllrs to electors 1- 514
STAINTON & THORNTON				9
Predicted Electors			4387	Ratio of Parish Cllrs to electors 1- 487

- 8.13 This ratio of electors to Parish Councillors is comparatively low when compared to local ward councillors who on average have over 2000 electors per elected ward members who have a much larger remit.
- 8.14 Reducing the number of Nunthorpe Parish Councillors would bring a level of Parity between the two parish councils on electors and could introduce that competition, raise awareness and increase community participation. It's also proposed the local authority also includes materials on parish councils as part of its election communication and engagement strategy for the forthcoming local elections in 2023.

9 Polling districts and other electoral issues

- 9.1 The Borough is divided into polling districts, which are then used to administer electoral registration and elections. Each parish must be in a separate polling district, unless special circumstances apply (e.g. if a parish only has a small number of electors and it would not be practicable for the parish to have its own polling district). Proper division into polling districts is required to ensure that electors are able to vote in the correct parish/ward/division at elections.
- 9.2 A review of polling districts is required every five years. The last full review of polling districts was carried out in 2019, the next review will be start in 2023 but completed December 2024 (subject to a Parliamentary election)
- 9.3 Changes to polling districts will be required if the outcome of the Community Governance Review includes boundary changes in Nunthorpe. A revision of polling districts would be required, and they would also be renamed to relate to the parish/town area that they would be transferred to.
- 9.4 The recommendations of this report therefore include delegated authority to the Returning Officer, in consultation with the Executive Portfolio Holder for Finance and Governance, to undertake an interim review of polling districts in Nunthorpe, in order to reflect any changes which arise out of the Community Governance Review.

10 Resources

- 10.1 There are no additional monetary resources to implement the review, however officer time will be required to draft a Reorganisation of Community Governance Order if the recommendations are approved.

11 Legal Implications

- 11.1 Guidance on undertaking Community Governance Reviews was issued in 2010 jointly by the Department for Communities and Local Government and the LGBCE. This report takes account of that Guidance, which is available at the following link:- <https://www.gov.uk/government/publications/community-governance-reviewsguidance>
- 11.2 In undertaking a Community Governance Review, the Borough Council has a number of statutory duties, set out in the Local Government and Public Involvement in Health Act 2007 (the Act). Under Section 93(3) of the Act, the Council must consult local government electors for the area under review (i.e. all local government electors in the Borough in this case) and any other person or body (including a local authority) which appears to the Borough Council to have an interest in the Review.
- 11.3 Under Section 93(4) of the Act, the Borough Council must have regard to the need to secure that community governance within the area under review:- a) reflects the identities and interests of the community in that area, and b) is effective and convenient.
- 11.4 Government guidance confirms that the Government is seeking to help create cohesive, attractive and economically vibrant local communities, building on the

Government's 'Sustainable Communities' strategy. Central to this concept is community cohesion. The impact of community governance on community cohesion is an issue to be taken into account when taking decisions about community governance arrangements.

- 11.5 Section 93(6) requires the Council to take into account any representations received in connection with the Community Governance Review. It is reasonable to set a time period for representations to be made, in order to allow them to be properly considered. As noted above.

12 Next Steps

- 12.1 Having started the Community Governance Review, the Council must now complete it within one year. Completion of the Community Governance Review takes place when final recommendations are published.
- 12.2 The Council must therefore work towards determining Final Recommendations. The Terms of Reference for the Community Governance Review have set out the process which the Council will undertake to reach that stage, namely a First Consultation stage (completed), the preparation and publication of Draft Recommendations (the subject of this report), a Second Consultation stage (consulting on those Draft Recommendations from 22 July to 21 August 2022), and the preparation and publication of Final Recommendations (taking into account the results of the Second Consultation process).
- 12.3 Once the final recommendations have been considered and approved by Full Council (7 September 2022), there are several steps that the Council must take in order to implement the recommendations. These include depositing copies of the Reorganisation Order which needs to be drawn up to give effect to the decisions. It must also publish maps and set out the reasons for the decisions taken as part of the review.
- 12.4 A number of organisations also need to be informed that the order has been made including: a) the Director General of Ordnance Survey; and) any other principal council whose area the order relates to.
- 12.5 All residents who have been affected by a Parish boundary change will be notified in writing.
- 12.6 If the consequential Ward Boundary alterations are agreed by the Local Government Boundary Commission for England they will come into force at the May 2023 Borough and Parish Council elections and will apply to the electoral register published on the 1 December 2022.

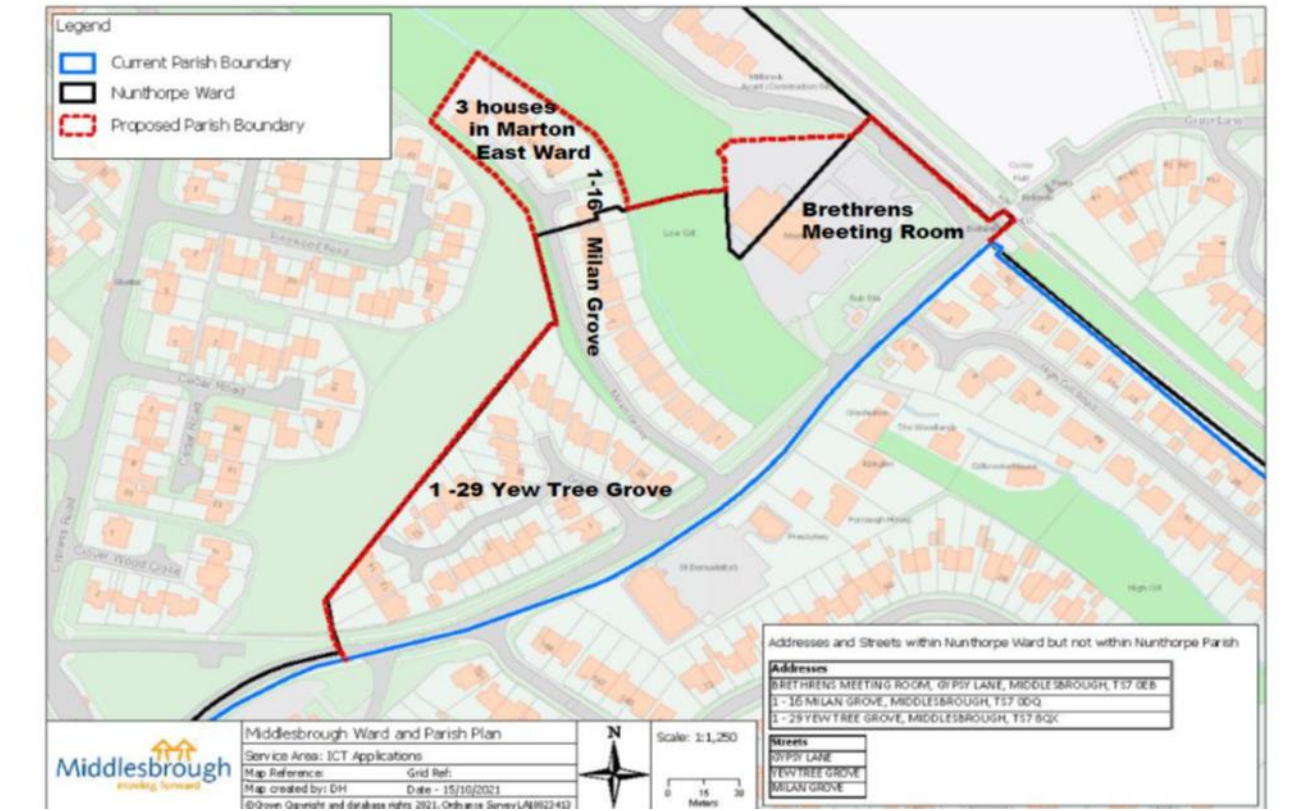
13 Equality

- 13.1 There are no direct equalities implications or data protection issues that have been identified as being relevant to this report. However the consult

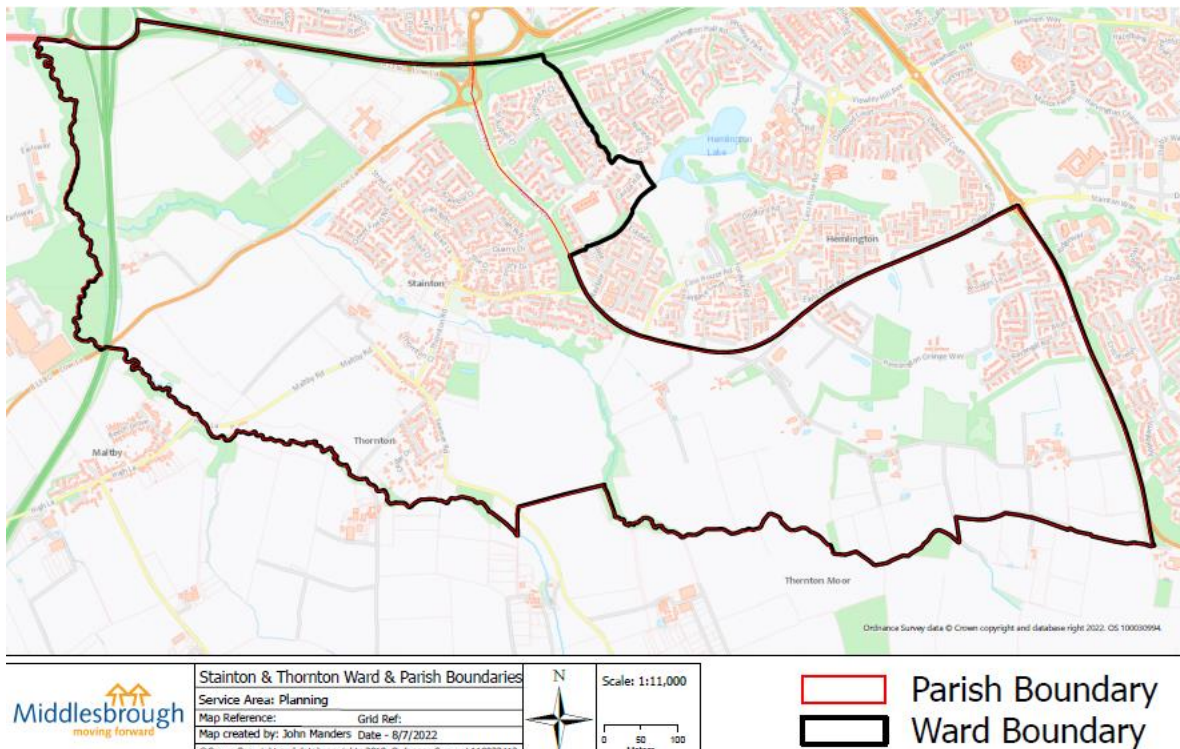
14 Maps

- 14.1 Please see maps detailed below:

The map below shows the current Nunthorpe ward boundary and parish council boundary it also details the parish council boundary subject to discussion.



Stainton & Thornton Ward & Parish Ward Boundaries



15 Timescale

Stage	Action	Timescale	Dates
Council	Agreement		28 July 2021
Commencement	Terms of reference published Stakeholders notified with clear definition of remit of review		4 January 2022
Preliminary Stage	Local briefings and meetings (members/parish councils)	2 Month	January 2022-February 2022
Stage One	Initial submissions invited from stakeholders on future arrangements under terms of reference	2 Months	March 2022-April 2022
Stage Two	Consideration of submissions received Draft recommendations prepared Consultation with relevant ward members Draft recommendations to be considered Corporate Affairs and Audit Committee	3 Months	May 2022-July 2022
Stage 3	Draft recommendations published for consultation Stakeholders notified	4 weeks	22 July 2022 to 21 August 2022
Stage 4	Consideration of submissions received by Final recommendations prepared Final recommendations approved by Council and decision made on arrangements with resolution to make a Reorganisation Order Final recommendations published concluding the review Reorganisation Order submitted	1 Month	September 2022-October 2022 22-29 August 2022 7 September 2022 9 September 2022 30 September 2022

	Orders come into effect at next elections		May 2023