



COMMUNITY GOVERNANCE REVIEW

WORSTHORNE WITH HURSTWOOD PARISH – INCREASE OF COUNCILLOR SEATS

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

TERMS OF REFERENCE

THESE TERMS OF REFERENCE HAVE BEEN PUBLISHED BY THE COUNCIL

ON: 03 OCTOBER 2022

**SUBMISSION AND COMMENTS ON THIS TERMS OF REFERENCE DOCUMENT
SHOULD BE MADE BY 07 NOVEMBER 2022**

1. INTRODUCTION:

Request from Worsthorne with Hurstwood Parish Council

1.1 Worsthorne with Hurstwood Parish Council has requested that the number of seats on Worsthorne with Hurstwood Parish Council be increased by two members. The Parish Council currently has 7 seats and would like to increase it by 2 to 9.

1.2 The request has been made by Worsthorne with Hurstwood Parish Council following their meeting held on 24 January 2022, to ensure fair representation within the Parish and to allow the Parish council to take on more responsibility and events.

1.3 In accordance with Section 82 of the Local Government and Public Involvement in Health Act 2007 (the Act), Burnley Borough Council (the Council) may conduct a Community Governance Review.

The Legislative framework

1.4 In undertaking the Review, the Council will be guided by Part 4 of the LGPIHA 2007. This Act has transferred powers to principal councils that previously, under the Local Government Act 1997, has been shared with the Electoral Commission's Boundary Committee for England.

1.5 The Council is also required to have regard to Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Act by the government Department for Communities and Local Government and the Electoral Commission. The link for this is
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf

1.6 Section 81 of the Act requires the Council to publish its Terms of Reference document in a review.

What is a Community Governance Review (CGR)?

1.7 A CGR is an opportunity for local authorities to consult with local people and organisations and to make changes to community governance if necessary. The council is required to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and
- Is effective and convenient.

A CGR can be a review of the whole or part of the district council area to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of new parishes;
- The electoral arrangements for parishes (ordinary year of election; council size, number of councillors to be elected to the council and parish warding), and
- Grouping parishes under a common parish council or de-grouping parishes.

1.8 This review will consider the request of the Parish Council to increase its size by two members. As this request does not have any impact on the governance arrangements of any neighbouring parishes, it is considered appropriate to conduct this review as a one-off review.

Parish governance in our area

1.9 Parish Councils play an important role in terms of community empowerment at the local level. The aim is to ensure that the electoral arrangements of parishes, such as the warding arrangements and the allocation of councillors, are appropriate, equitable and understood by their electorate.

Timescale and Authority for the Review

1.10 The Review must be concluded within a period of 12 months starting with the day on which the District Council publishes the terms of reference of the review, and is concluded when the Council publishes the recommendations made in the review.

1.11 As the principal authority, Burnley Borough Council is responsible for undertaking any CGR within its electoral areas. Any reports recommending any CGR, its term of reference, recommendations and whether to implement any changes will be taken to full Council for consideration and approval before a Community Governance Order is made.

2. CONSULTATION

How the Council proposes to conduct consultations during the Review

2.1 The Council has now drawn up and published this Terms of Reference document. This document lays out the aims of the Review and the legislation that guides it.

2.2 In coming to its recommendations in this review, the Council will take account of the views of local people. The Act requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the Review and to take the representations that are received into account by judging them against the criteria in the LGPIHA 2007.

2.3 The Council is mindful of the government's guidance that "CGRs should be conducted transparently so that local people and other local stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind these decisions". The Council will endeavour to ensure that local government electors and any other person or body that appears to have an interest in the Review have every opportunity to express their views. The Council recognises the importance of ensuring full consultation and that more effective proposals will be developed if all stakeholders have a full opportunity to contribute to the Review.

2.4 The Council will consult with the following individuals/organisations during the Review:

- Electors of the parish by placing public notices on the Parish Council notice boards and on the Borough Council website.
- Worsthorne with Hurstwood Parish Councillors
- District Councillors for the Cliviger with Worsthorne Ward
- County Councillor for the Burnley Rural Division.
- Local MP

2.5 In accordance with the Act, representations received in connection with the Review will be taken into account, and steps will be taken to notify consultees of the outcome of the Review. The Council proposes to use its website, direct personal communication and placing of key documents on deposit at the Council Offices to achieve these objectives. The Council has to be mindful of the costs of a Review, and it will endeavour to ensure that the consultation process is cost effective and that only reasonable costs are incurred.

Timetable for the Review

2.6 Publication of this Terms of Reference document formally begins the Review.

2.7 Our timetable for this Review is as follows:

Action	Relevant Date
Terms of reference are published and Borough Council notifies stakeholders. Publicity and engagement with stakeholders and individual submissions invited	03 October 2022 – 07 November 2022
Consideration of submissions received	08 November 2022 – 29 November 2022
Draft recommendations and proposals prepared.	30 November 2022 – 6 January 2023
Publish draft recommendations and go out for second consultation.	9 January 2023 – 13 February 2023
Consideration of submissions received and final proposals prepared.	14 February 2023 – 14 March 2023
Final recommendations published	15 March 2023 - 5 May 2023
Full Council approval	?
Council to make Order	Thereafter

3. ELECTORATE

3.1 The Council has used the latest published electorate figures for the 2022 Register of Electors published in September 2022 in providing the parish electorate. For Worsthorne with Hurstwood parish this was 2282

4. THE PRESENT STRUCTURE AND ELECTORAL ARRANGEMENTS OF THE PARISH

4.1 Worsthorne with Hurstwood Parish Council is not warded and has 7 members that cover the parish. So the ratio of Councillors to electors based on an electorate of 2282 is 1:326

5. PROPOSED ELECTORAL ARRANGEMENTS

5.1 The proposal from Worsthorne with Hurstwood Parish Council is to increase the total number of Councillors from 7 to 9. This would result in the representation changing from 1:326 to 1:254

5.2 In its Guidance, the government states “that the conduct of parish council business does not usually require a large body of councillors”. The Local Government Act 1972 states that the number of parish councillors for each parish council shall not be less than five. However there is little further guidance on appropriate numbers of parish councillors to be elected to a council. There is no maximum number and there are no rules relating to the allocations of councillors. In 1988 NALC (National Association of Local Councils) published guidance on suggested numbers of Councillors to be allocated depending on the size of the population being represented, as follows

Electors	Councillors	Electors	Councillors
Up to 900	7	10400	17
1400	8	11900	18
2000	9	13500	19
2700	10	15200	20
3500	11	17000	21
4400	12	18900	22
5400	13	20900	23
6500	14	23000	24
7700	15	Over 23000	25
9000	16		

5.3 The government has advised in its guidance that “it is an important democratic principle that each person’s vote should be of equal weight so far as possible, having regard to its population, geography and the pattern of communities”

5.4 While the Council is anxious to ensure that the allocation of councillors is broadly equitable across all parishes in the district, it is also appreciated that different levels of representation between urban and rural parishes have long been considered to be appropriate, because there has long been a recognition that population scarcity in more rural parishes creates particular challenges with regard to representation.

6. REORGANISATION OF COMMUNITY GOVERNANCE ORDER AND COMMENCEMENT

6.1 The review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order and the document(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council's offices and on their website.

6.2 Any revised electoral arrangements will come into force at the next elections to the parish council which will be 2 May 2024.

7. HOW TO SUBMIT YOUR VIEWS

7.1 Anyone wishing to submit a written representation regarding this review should send to democracy@burnley.gov.uk or Electoral Services, Burnley Borough Council Town Hall, Manchester Road, Burnley, BB11 9SA, ensuring you include your name and address.

Should you require any further information or need clarification on the review process please contact:

Alison Stirling - Elections Officer, astirling@burnley.gov.uk or 01282 477261.

8. PUBLICATION OF THE TERMS OF REFERENCE

8.1 These Terms of Reference will be published on the Borough Council's website www.burnley.gov.uk and will be available for inspection at the Town Hall, Manchester Road, Burnley, BB11 9SA during normal office hours from 3 October 2022.

8.2 Notices advertising this Community Governance Review and the availability of these Terms of Reference will also be posted within the Parish of Worsthorne with Hurstwood.

Date of Publication

3 October 2022