

**Community Governance Review (Parishes) – Review
Outcome**

Timetable	
Meeting	Date
Democracy and General Purposes Committee	13 September 2023
Council	27 September 2023

Will this be a Key Decision?	Not Applicable
Urgency	Not Applicable
Final Decision-Maker	Democracy and General Purposes (Review) Council (Adoption)
Lead Head of Service	Director of Strategy Insight and Governance
Lead Officer and Report Author	Democratic and Electoral Services Manager
Classification	Public
Wards affected	All

Executive Summary

This report sets out the final Community Governance Review for approval to the Committee and requests that Council be recommended to adopt the outcome of the review and grant delegated authority to make the necessary orders.

Whilst the whole Borough was included in the Community Governance Review, the first Maidstone has conducted for some time, the recommendations of the review are mostly minor in nature

Purpose of Report

Decision

This report makes the following recommendation to the Committee:

1. That Community Governance Review set out at Appendix 1 be approved;
 2. That Council be recommended to:
 - (i) Adopt the outcome of the review; and
 - (ii) Give delegated authority to the Director of Strategy Insight and Governance to give effect to the Council's resolution; and
 3. The area of Grove Green be considered for a further Community Governance Review in a minimum of 2 years' time (2025/26), along with any other specific areas identified at that time.
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Community Governance Review (Parishes) – Review Outcome

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Having appropriate boundaries in place will impact on all Strategic Objectives indirectly by ensuring fair representation of community identities and allowing convenient and effective local government.</p>	Democratic and Electoral Services Manager
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>Having appropriate boundaries in place will impact on all cross-cutting objectives indirectly by ensuring fair representation of community identities and allowing convenient and effective local government.</p>	Democratic and Electoral Services Manager
Risk Management	Already covered in the risk section.	Democratic and Electoral Services Manager
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Democratic and Electoral Services Manager

Staffing	We will deliver the recommendations with our current staffing.	Democratic and Electoral Services Manager
Legal	<p>The review is being conducted by the Council in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007. The Council is required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State for Levelling Up, Housing and Communities and the Local Government Boundary Commission for England. This guidance has been considered in the Terms of Reference, the timetable, consultations, and the whole of the review.</p> <p>The consultations were carried out in accordance with the Council’s policy on consultations and will meet the Gunning or Sedley principles. According to those principles a consultation is only legitimate when: 1. proposals are still at a formative stage; i.e., a final decision has not yet been made, or predetermined, by the decision makers 2. there is sufficient information to give ‘intelligent consideration’; i.e. the information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response. 3. there is adequate time for consideration and response 4. ‘conscientious consideration’ must be given to the consultation responses before a decision is made. Decision-makers should be able to provide evidence that they took consultation responses into account. This report includes a summary of the changes the Stage 2 consultation process led to demonstrating those principles.</p> <p>If Council adopts the findings of the review it will be necessary to put Orders in place in accordance with the 2007 Act which would come into force on 1 April 2024.</p>	Democratic and Electoral Services Manager

Privacy and Data Protection	No impacts.	Democratic and Electoral Services Manager
Equalities	The review was conducted, including the consultations, taking the Council's equalities principles into account.	Democratic and Electoral Services Manager
Public Health	No impacts.	Democratic and Electoral Services Manager
Crime and Disorder	No impacts.	Democratic and Electoral Services Manager
Procurement	No impacts	Democratic and Electoral Services Manager
Biodiversity and Climate Change	No impacts	Democratic and Electoral Services Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 At its meeting in June 2023 the Committee considered the proposals that arose from the Stage 1 consultation, and work and discussion by the officer and member working groups. At that meeting the proposals to go forwards to Stage 2 consultation were agreed.
- 2.2 That consultation has concluded and the review proposals amended accordingly, with input from officers and a workshop with Committee members. The results of that work mean that the review work is now completed and the outcome, forming a series of boundary change recommendations is presented to the Committee.
- 2.3 Considering the scale of the review, the whole Borough, and the length of time since the last full Community Governance Review the recommendations of the review are fairly modest. Most parishes remain unchanged with a number of minor boundary changes proposed that were unchanged through the consultations. However, the review also includes a few more significant proposals:
- i. Barming Parish Council – Eastward extension – this proposal is recommended to go ahead but with a significantly reduced

and more precise footprint as a result of the Stage 2 consultation. It also recommends a small change to the South East corner of the proposed boundary around Fant Farm. This will require work with the Local Government Boundary Commission for England (LGBCE).

- ii. Boxley Parish – There are a number of changes that take place in and around Boxley Parish. Individually these are not considered significant, primarily because the proposal with Thurnham Parish has been changed significantly following the Stage 2 consultation. Cumulatively however these could be considered to make a significant change to Boxley Parish.
- iii. Loose – the most significant proposal in terms of changes to electorate for a parish is the combination of North Loose and Loose Parish Council. This will lead to an area that is currently not parished becoming parished. As a result of the stage 2 consultation this proposal has been amended slightly to include the area around Saxon Way. This will impact Tovil parish slightly, and will also require work with the LGBCE for knock on impacts to Borough Ward Boundaries.

- 2.4 The review also recommends a number of other minor proposals, and considers the issue of parish council size (number of parish councillors) for those impacted by the boundary changes (following the approach previously agreed by this committee).
- 2.5 The full review is set out at Appendix 1 to this report, however the section on Parish Warding arrangements is to follow and will be presented to the committee at the meeting. Conversations with the Local Government Boundary Commission relating to impacts on the wards (borough and parish) they put in place are underway and this includes, for example, the impact of including Saxon Way in Loose Parish and the proposed Barming Parish boundary not following the new borough ward boundary in Fant Farm.
- 2.6 In addition any changes to parishes where the LGBCE have put arrangements in place (Boughton Monchelsea, Boxley, Otham and Thurnham) will require their permission to go ahead. A further note on this will be provided to the Committee (to follow).

3. AVAILABLE OPTIONS

- 3.1 **Option 1** – to approve the review as set out at Appendix 1 as the culmination of 11 months’ work, 2 consultations and work by officers and Councillors. This has been carried out in accordance with national guidance, the terms of reference agreed by the committee and had the relevant objectives in mind throughout.
- 3.2 In order to implement the review the Council is required to adopt it and to make the necessary orders to facilitate it. It is therefore recommended that the Committee recommend to Council to adopt the findings of the review,

and to give delegated authority to the Director of Strategy Insight and Governance to give effect to the Council's resolution, which will include the making of an order(s) to come into force on 1 April 2024 such that the boundaries are in place for the elections in May 2024.

- 3.3 **Option 2** – to consider further information that may be presented at the meeting and amend the review proposals in some way. Given the extent of work that has gone into the review, these should be minor in nature. Any additional major changes to the review would require further consultation which cannot be achieved in the timescales before the review concludes (October) and for the Polling District and Polling Place review to take place in time for the new electoral register to be published. Instead major changes should be considered in 2 years' time in accordance with national guidance.
- 3.4 **Option 3** - There were comments received in the Stage 2 consultation in relation to Grove Green becoming its own parish, these are covered in the review. Given the extent of that change, the other changes taking place around Grove Green, and the fact it was not directly consulted on it is recommended that this is reviewed further in at least 2 years' time (2025/26).

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option 1 and Option 3 combined are the preferred option and basis for the recommendation made to the committee.

5. RISK

- 5.1 As set out in the legal considerations for this report, the main risks for the review arise as a result of it not being conducted properly. However, this review has been the result of extensive work in accordance with its terms of reference and objectives in accordance with the relevant Act and national guidance.
- 5.2 It is also likely that some of the changes proposed will have real impacts on the ground in Maidstone. The aim is that these are all positive impacts in terms of effective boundaries and communities. However, as with all change there is risk. The way in which this review has been conducted, including the consultations, helps to mitigate this risk.
- 5.3 Accordingly, the risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 2.7 This report is the latest in a series of Community Governance Review reports as the review has been conducted over the last year. The last report was considered by this Committee in June 2023, and sets out more information on the stages conducted. That report is listed under Background Papers.
- 2.8 Directly this report sets out the review outcome and how the Stage 2 consultation impacted the proposals in the review.
- 2.9 The Committee's input has been included at all stages, whether formally at committee meetings or via workshops with Committee Members.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Once agreed Council will be recommended to adopt the findings of the review and make the necessary orders through giving delegated authority to the Director of Strategy Insight and Governance.
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8. REPORT APPENDICES

Appendix 1: Community Governance Review 2022/23

9. BACKGROUND PAPERS

[Democracy and General Purposes Committee – 21 June 2023 – Community Governance Review \(Parishes\) – Stage 2 Consultation](#)

[Gov.uk – Guidance on community governance reviews](#)