

Supplemental Item for Council

Tuesday 10 May 2022 at 7.00pm
in Second Floor Meeting Area, Council Offices, Market Street, Newbury

Part I

Page No.

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| 12. | Community Governance Review relating to Parish of Greenham (C4216)
To set out the requirements and procedure should the Council agree to undertake a community governance review of the Greenham Parish consisting of Common Ward and Sandford Ward, in accordance with the Local Government and Public Involvement in Health Act 2007 and associated government guidance. | 3 - 30 |
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Sarah Clarke

Service Director (Strategy & Governance)

For further information about this item, or to inspect any background documents referred to in Part I reports, please contact Vicki Yull (Principal Democratic Services Officer) on 07824 824 867, e-mail: executivecycle@westberks.gov.uk

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Community Governance Review relating to Parish of Greenham

Committee considering report:	Council
Date of Committee:	10 May 2022
Portfolio Member:	Councillor Howard Woollaston
Report Authors:	Shiraz Sheikh and Anita Stanbury
Forward Plan Ref:	C4216

1 Purpose of the Report

- 1.1 Following a formal request from Greenham Parish Council, this report sets out the requirements and procedure to undertake a community governance review (CGR) of the Greenham Parish consisting of Common Ward and Sandlesford Ward, in accordance with the Local Government and Public Involvement in Health Act 2007 (the 2007 Act) and associated government guidance.

2 Recommendations

- 2.1 The Council resolves to:
- proceed with a CGR of the parish of Greenham, in accordance with the requirements of the 2007 Act, and associated guidance, as described in this report;
 - approve the terms of reference in respect of the community governance review, including the proposed timetable, as set out in **Appendix B** to this report;
 - delegate authority to Governance & Ethic Committee to consider and approve draft proposals following initial consultation;
 - delegate authority to Service Lead – Legal & Democratic Services to approve minor amendments and/or typographical amendments pertaining to the final recommendations prior to submission to Local Government Boundary Commission, save for the power to make substantive amendments which is delegated to Governance & Ethics Committee.
 - delegate authority to Service Lead - Legal & Democratic Services to exercise powers under the 2007 Act in relation to the CGR.

3 Implications and Impact Assessment

Implication	Commentary			
Financial:	It is envisaged that the only costs to the Council will be in respect of officer time in conducting the CGR, which will be met from within existing budgets.			
Human Resource:	The CGR will have to be conducted within existing staff resources.			
Legal:	The Council has power under section 82 of the Local Government and Public Involvement in Health Act 2007 to conduct CGRs. A CGR must be conducted in accordance with the requirements set out in Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 (as amended) and guidance is issued by the Secretary of State under Section 100 (4) of the 2007 Act. These requirements are outlined in section 4.6 of this report.			
Risk Management:	There are currently no risks envisaged with this.			
Property:	There are no property implications.			
Policy:	None			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		

B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?				
Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:		X		
Core Business:		X		
Data Impact:		X		
Consultation and Engagement:	Councillor Tony Vickers, Councillor Howard Woollaston, Greenham Parish Council, Sarah Clarke (Monitoring Officer) and Joseph Holmes (Executive Director – Resources)			

4 Executive Summary

- 4.1 On 29th September 2020, Greenham Parish Council (GPC) submitted a written request (see **Appendix A** to this report) for the West Berkshire Council (Council) to conduct a community governance review (CGR). The Greenham Parish consists of Common Ward and Sandford Ward. The Sandford Ward was formed following the 2018 Local Government Boundary Commission for England (LGBCE) district boundary review which came into being in 2019 (the Local Plan process had anticipated a significant increase in housing but that has not materialised). Cllr Tony Vickers stood in 2019 local elections, unopposed in Sandford Ward and was elected by default. Since the 2018 district boundary review and the 2019 local elections, the anticipated Sandford development has come forward on the site but the decision is still pending following an appeal.

- 4.2 The proposal received from GPC is to retain Sandleford Ward, with only six (6) electors, and to retain a single parish council seat, whilst re-allocating four (4) of the five (5) parish council seats from Sandleford Ward to Common Ward (or a new Racecourse Ward). This GPC contend will achieve more equal representation for the people of Greenham Parish, until the Sandleford development is occupied by sufficient electors to merit more than one parish council seat. GPC also contend that the Sandleford development will not be achievable until 2027.
- 4.3 In addition, GPC are also requesting to split the current Common Ward into two (2) wards, by potentially creating "Racecourse Ward" to serve the current Racecourse development. The Racecourse development is fairly large, relatively new and completely separate to old Greenham.
- 4.4 An alternative option, not in GPC's request, could be that the Sandleford Ward should be reincorporated back into Common Ward, to improve overall community governance and oversight. This would increase the number of parish council seats in Common Ward from ten (10) up to fifteen (15) parish council seats in total for the four thousand (4000) plus electors. This would reduce the current Greenham Parish from two (2) down to one (1) ward. Sandleford Ward could, in the future, be reconsidered as a potential separate ward; post any Parliamentary Boundary Review amendments, and once elector numbers increase within the proposed Sandleford development, from the current six (6) electors.
- 4.5 The Boundary Commission will need to consent to the CGR as the review falls within the 5 years before the last one was conducted.
- 4.6 A CGR is undertaken by the principal council for the area (i.e. West Berkshire District Council) and is a review of the whole or part of the District to consider one or more of the following:
- Creating, merging, altering or abolishing parishes;
 - The naming of parishes and the style (i.e. whether to call it a town council or village council etc.) of new parishes;
 - The electoral arrangements for parishes (including the number of councillors to be elected to the council, and parish warding), and
 - Grouping parishes under a common parish council or de-grouping parishes.
- 4.7 The legal framework within which principal councils must undertake these reviews is set out in the Local Government and Public Involvement in Health Act 2007 (as amended).
- 4.8 The Council has power under section 82 of the 2007 Act to undertake CGRs at any time.

5 Supporting Information

Introduction

- 5.2 On 29th September 2020, Greenham Parish Council (GPC) submitted a written request (see **Appendix A** to this report) for the West Berkshire Council (Council) to conduct a Community Governance Review (CGR). The Greenham Parish consists of Common

Ward and Sandleford Ward. The Sandleford Ward was formed following the 2018 Local Government Boundary Commission for England (LGBCE) district boundary review which came into being in 2019 (the Local Plan process had anticipated a significant increase in housing but that has not materialised). Cllr Tony Vickers stood in 2019 local elections, unopposed in Sandleford Ward and was elected by default. Since the 2018 district boundary review and the 2019 local elections, the anticipated Sandleford development has come forward on the site but the decision is still pending following an appeal.

- 5.3 The delay in bringing this report is due to the operational challenges faced by the pandemic, the re-scheduled Police and Crime Commissioner election, a district by-election, a Neighbourhood Planning Referendum, three contested parish elections, and 13 uncontested parish elections. This was alongside an ongoing vacancy in the team. It is only therefore possible to consider at this stage.

Background

- 5.4 The 2007 Act amended the responsibility for parish area reviews from what is now the Local Government Boundary Commission for England (LGBCE) to principal councils, subject to adherence to regulations and directions issued by the former Department for Communities and Local Government (DCLG) and the Electoral Commission. Principal councils in this context include district councils in England. The process for considering a change is via a Community Governance Review (CGR).

- 5.5 A CGR is a review of one or more areas of the Council's area to look at one or more of the following:

- (a) Creating, merging, altering or abolishing parishes;
- (b) The naming of a parish and the style of new parish (i.e. whether to call it a "village", "community" or "neighbourhood" with the council similarly named as a "village council", "community council" or "neighbourhood council");
- (c) The electoral arrangements for parishes (including council size, the number of councillors to be elected to the council, and parish warding), and
- (d) Grouping parishes under a common parish council or de-grouping parishes.

- 5.6 A CGR may not change parliamentary or district boundaries; although it might lead to recommendations to the LGBCE to make consequential changes to ward or division boundaries.

Proposals

- 5.7 In summary, the proposal received from GPC is to retain Sandleford Ward, with only six (6) electors, and to retain a single parish council seat, whilst re-allocating four (4) of the five (5) parish council seats from Sandleford Ward to Common Ward (or a new Racecourse Ward), to achieve a perceived more equal representation for the people of Greenham Parish, until the Sandleford development is occupied by sufficient electors to merit more than one parish council seat.

Community Governance Review relating to Parish of Greenham

- 5.8 In addition, GPC are also requesting to split the current Common Ward into two (2) wards, by potentially creating “Racecourse Ward” out of the current Racecourse development. The Racecourse development is fairly large, relatively new and completely separate to old Greenham.
- 5.9 The reasons cited by GPC for making the request to reallocate four (4) of five (5) parish council seats from Sandleford parish ward to Common parish ward (or into a newly created Racecourse parish ward), are as follows:
- a) To achieve a more equal representation for the people of Greenham parish;
 - b) Until the Sandleford development is delivered, and occupied by sufficient electors to merit more than one parish council seat.
- 5.10 As a further alternate proposal, not proposed by GPC, Sandleford Ward could be reincorporated back into Common Ward. This will improve overall community governance and oversight of the current Sandleford Ward area and activities, from the better represented Common Ward.
- 5.11 This re-merging of wards, would increase the number of parish council seats in Common Ward from ten (10) up to fifteen (15) parish council seats in total for the four thousand (4000) plus electors. These council seats would then be retained within the single ward, or be split between Common Ward, and any potential new ward i.e. Racecourse Ward.
- 5.12 Sandleford Ward could, in the future, be reconsidered as a potential separate ward; post any Parliamentary Boundary Review amendments, and once elector numbers increase within the proposed Sandleford development from the current six (6) electors. With the added services challenges, it could be several years before electoral numbers make Sandleford Ward a viable option as a separate, stand-alone ward. GPC contend that this is unlikely to be until 2027.

Undertaking a Community Governance Review

- 5.13 The procedure required to conduct a CGR is:-
- a) to agree to the terms of reference (ToR) for the review, including specifying the area under review;
 - b) to then publish and consult on the terms of reference (ToR) with the local electorate and those with an interest;
 - c) taking into account representations received, to agree final recommendations, and if required, to make a community governance reorganisation order to give effect to agreed changes.
- 5.14 Suggested terms of reference for a CGR are (in this case) set out in **Appendix B** for the Council’s consideration. In addition to the reallocation of councillors within Greenham Parish Council, specifically from Sandleford ward to Common ward and for a creation of a new Racecourse ward covering the same area as the electors residing in polling district (GB2), the legislation also requires this Council to make recommendations on other related “electoral arrangements” for Greenham Parish Council, as follows:

Community Governance Review relating to Parish of Greenham

- a) The year in which ordinary elections of councillors are to be held;
- b) The division (or not) of the parish into wards for the purposes of electing councillors;
- c) The numbers of boundaries of any such wards;
- d) The number of councillors to be elected for any such ward;
- e) The name of any such ward.

5.15 It is suggested that the terms of reference (ToR) should propose, at this stage, that other than the reallocation of councillors from Sandleford to Common ward and creation of a Racecourse ward, no further changes be made to the electoral arrangements in respect of that parish council described in paragraph 5.14 above. Currently Greenham parish is divided into two wards i.e. Sandleford ward and Common ward.

5.16 Following the consultation, and taking into account the representations received, the Council must consider the following questions in relation to whether Greenham Parish Council should, or should not, reallocate councillors from Sandleford ward into Common ward, for the purpose of electing parish councillors accordingly; and whether the existing Common ward should be divided into a separate "Racecourse ward", into which these extraneous Sandleford ward seats would operate.

- a) Re the Sandleford Ward - whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient;
- b) Re the Common Ward - whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient
- c) Re the proposed Racecourse Ward - whether it is desirable that the area of the parish should be separately represented on the parish council.

5.17 Section 93 of the 2007 Act allows principal councils to decide how to undertake a CGR, provided that they comply with a number of duties prescribed in the Act, as follows:

- a) In conducting a CGR, the Council must consult with the following:
 - The local government electors in the area under review (i.e. the parish of Greenham)
 - Greenham Parish Council
 - Any other person or body which appears to have an interest in the review (e.g. local business, local residents' associations, amenity groups, local public and voluntary organisations – such as schools or health bodies)
- b) When undertaking a CGR, the Council must also;
 - Have regard to the need to secure that community governance in the area under review:
 - i. Reflects the identities and interests of the community in that area, and
 - ii. Is effective and convenient
 - Take into account any representations received in connection with the review.

5.18 A CGR must also take into account a number of influential factors, including:

- a) The impact of community governance arrangements on community cohesion; and
- b) The size, population and boundaries of a local community or parish.

5.19 It is anticipated that the consultation on the terms of reference (ToR) of this CGR will involve:

- a) Publication of the terms of reference (ToR) on both the District Council's website and Greenham Parish Council's website.
- b) Publicity for the CGR to be displayed, if applicable, in any parish magazine, and on parish notice boards and in community venues within the parish
- c) Press releases
- d) Communication with local community groups.

5.20 A suggested timetable for the conduct of the CGR is included within the draft terms of reference (ToR) see [**Appendix B**].

5.21 The Council is required to complete a CGR within a period of 12 months from the date it publishes the terms of reference.

6 Other options considered

6.1 There are two situations when the Council must conduct a CGR. The first is when a valid community governance petition has been submitted, and the second is when the requestor is a Neighbourhood Forum. Otherwise, the Council may conduct a CGR at its discretion. In this case, Greenham Parish Council is asking the Council to use its section 82 power.

6.2 Decline the request on the grounds that a full CGR process was undertaken less than five years ago.

6.3 In the absence of a petition, there is no duty on the Council to undertake a CGR in response to the request. Officer time would not be required, and would be available for other projects.

7 Conclusion

7.1 This report is the first step towards carrying out a CGR. Should the Council agree to carry out a CGR, the terms of reference in **Appendix B** will be published, and a six-week period of public consultation will take place. It is anticipated that a formal report on the outcome of the consultation will be submitted to full Council in October 2022.

7.2 If, following the CGR, and following approval of the same by the Local Government Boundary Commission for England (LGBCE), the Council decides to make a Community Governance Reorganisation Order in respect of the proposals; and reallocation of parish councillors between wards, and any subsequent increase or decrease in the number of parish councillors in the affected wards, as approved by the CGR, would take effect from the next scheduled parish elections in May 2023.

8 Appendices

- 8.1 **Appendix A** - Greenham Parish Council's written submission dated 29th September 2020, requesting a community governance review.
- 8.2 **Appendix B** - Proposed terms of reference (ToR) of the community governance review of the Greenham Parish Council (including Sandleford ward and Common ward)
- 8.3 **Appendix C** - A summary of the powers and duties of parish councils
- 8.4 **Appendix D** - A Map of the Parish of Greenham (the area under review)

Background Papers:

Boundary Commission Report re West Berkshire ([WBDC 2018 Boundary Review](#))

Subject to Call-In:

Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected: Common Ward and Sandleford Ward

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Mr N. Carter
West Berkshire District Council
Council Offices
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RG14 5LD

Cc Claire Ockwell, Electoral Services Manager

15th September 2020

Dear Mr Carter,

Greenham Parish Council would like to address the issue of the Sandford Ward and the gross imbalance of elector numbers between Sandford (7 electors, 5 Councillors) and the "Common" Ward (the rest of Greenham with over 4,000 electors, with 10 Councillors).

This imbalance primarily results from the WBDC Planning Department reporting to the Local Government Boundary Commission for England (LGBCE) in December 2017 that the Sandford development was about to start and that there would be about 1,000 voters living there by 2023. The creation of Wash Common District Ward, including that part of Greenham west of A339, meant that a new parish ward for Sandford had to be created. It was given 5 of the 15 councillors comprising this parish council on that basis.

-Two months later, planners recognised that the Sandford development was seriously delayed and it is now very unlikely that any new homes will be built before 2025. However LGBCE was unable or unwilling to amend its proposals.

Looking ahead to the local elections in 2023, Sandford potentially will still have a small number of electors, whilst the vast majority of Greenham voters would be proportionally, under represented when compared to the Sandford Ward. The current prediction of Planning is that no new homes are now required from the Sandford Park site until well after 2023. Therefore it is unlikely that the number of electors in Sandford Ward will increase significantly until 2027 local elections.

Without those five Sandford candidates, Greenham parish electors can only potentially elect 10 councillors for Common Ward, since it is unlikely that such a small number of electors will even nominate more than one or two of their five allocated parish representatives, even it were allowed. In 2019, only one candidate was nominated for 5 places on the council and we are still seeking people to be co-opted to make up the deficiency. This will almost certainly be repeated in 2023 unless the warding is adjusted: only 10 Common Ward councillors will be elected, thereby jeopardising the prospects of this council achieving Power of General Competence. Sandford Ward would probably be again faced with unfilled vacancies, to be filled by co-option.

To rectify this situation Greenham Parish Council requests that a Community Governance Review is undertaken by the District Council. Greenham Parish Council is keen to be involved in this process.

The Local Government and Public Involvement and Health Act 2007 outlines a number of obligations on principal authorities. The 2007 act was intended to streamline the process of making changes to parish boundaries and electoral arrangements:

- It places 'a duty on principal authorities to have regard to the need to secure that any community governance for the area under review, reflects the identities and interests of the local community in that area, and that it is effective and convenient; relevant considerations which influence judgements against these two principal criteria include the impact on community cohesion, and the size, population and boundaries of the proposed area'.
- The Act also states that it is important that principal councils seek to address parish boundary anomalies when they arise. This point can be applied here as changing the boundary (creating Wash Common District Ward) has resulted in the clear anomaly for Sandleford ward.
- When considering the criteria identified in the 2007 Act, principal councils should consider a number of influential factors, including the impact of community governance arrangements on community cohesion and the size, population and boundaries of a local community or parish. The current arrangements in Greenham Parish do not meet these criteria, as the number of councillors within the Sandleford ward is not proportionate to the population of that ward.
- Community cohesion is about local communities where people should feel they have a stake in the society, and in the local area where they live by having the opportunity to influence decisions affecting their lives. This may include what type of community governance arrangements they want in their local area. Greenham parishioners could feel that their stake in society is lessened by the reduced number of Councillors due to the boundary changes.

One suggestion for remedying this situation is for the creation of another parish ward, comprising the existing GB2 polling district and called Racecourse Ward. With the Newbury Racecourse development (1500 homes) nearing completion already and having a distinct identity of its own (as well as different tenure arrangements to most of Greenham parish), we feel that it merits having its own representatives at parish level. In addition, there are significant numbers of new homes being created from office conversions in Hambridge Lane (e.g. Overbridge Square).

A new Racecourse Ward could justifiably have four parish councillors, leaving Sandleford Ward with just one.

The Council looks forward to hearing from you so that the matter can be discussed in more detail.

Yours sincerely,

Lisa Blake
Clerk to Greenham Parish Council

Terms of Reference

Greenham Parish Council Community Governance Review (CGR) 2022 (Local Government and Public Involvement in Health Act 2007)

1. Introduction

1.1 What is a community governance review?

A community governance review is a review of the whole or part of the Council's 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 (the ordinary year of election; council size; the number of councillors to be elected to council and parish warding); and,
- grouping parishes under a common parish council or de-grouping parishes.

A community governance review is required to take into account:

- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of a local community or parish.

If the Council is satisfied that the recommendations from a community governance review would ensure that community governance within the area under review will reflect the identities and interests of the community in that area; and is effective and convenient, the Council makes a community governance order.

1.2 Scope of the review

The review will consider:

- The existing electoral arrangements and the boundaries of Greenham Parish Council, and all wards and ward boundaries therein.
- Parish warding – whether the parish should be divided into additional wards, and / or whether the parish should reduce existing wards, for the purpose of electing councillors, and to improve community governance. This includes considering the number and boundaries of any such wards, the number of councillors to be elected for any such wards and the name/s of any such wards.

All other matters that may be considered as part of a community governance review are out of the scope of this review and will therefore not be considered.

2. Consultation

2.1 How the Council proposes to conduct consultations during the CGR.

Before making any recommendations or publishing final proposals, the Council must consult local government electors for the area under review and any other person or body (including a local authority) which appears to the Council to have an interest in the review. The Council will therefore:

- publish a Notice and these terms of reference on the Council's website (www.westberks.gov.uk) and arrange for copies to be available for public inspection at West Berkshire District Council offices, Market Street, Newbury, RG14 5LD during normal office hours;
- send a copy of the Notice and these terms of reference to Greenham Parish Council, the Berkshire Association of Local Councils and Ward Members; and
- seek to arrange for the Notice to be published on Greenham Parish Council's website and notice board.

Before making any recommendations, the Council will take account of any representations received during consultations. The Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the community governance review are informed of the recommendations, and the reasons behind them.

The Council will notify each consultee and any other persons or bodies who have made written representations, of the outcome of the review.

3. Timetable for this community governance review

3.1 The community governance review will be concluded on the day on which the Council approves its final recommendations, in order for any changes to be implemented in preparation of the District/Parish elections in May 2023.

3.2 The table below sets out the timetable for the review.

Action	Timeframe	Outline of Action
Terms of Reference published	May 2022	Council publishes the terms of reference in accordance with full Council decision on 10 May 2022
Consultation	6 week period starting with publication of terms of reference	Council invites representations from interested parties

Draft proposals are prepared	June/ July 2022	Draft proposals to be considered by the special meeting of the Governance and Ethics Committee.
Draft proposals are published	July/ August 2022	Council publishes draft proposals
Consultation	6 week period starting with publication of draft proposals	Council invites representations from interested parties on the draft proposals
Final recommendations are prepared	September to October 2022	Results of consultation considered by the Local Government Boundary Commission, who shall recommend the extent to which the Council will give effect to the recommendations
Order made	November 2022	Council makes and publishes the community governance order
Order takes effect	March 2023	Dependant on the outcome and recommendations from the LG BCE review ***

4. Background information

- 4.1 The Local Government Act 1972 provides that any parish council must have at least five councillors. No maximum number is prescribed.
- 4.2 When considering the number of councillors to be elected for a parish the Council must have regard to the number of local government electors for the parish and any change to that number that is likely to occur within five years of the date on which these terms of reference are published.
- 4.3 Joint guidance issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England in 2010 provides further information on community governance reviews and the factors influencing size and membership of parish councils. On size, the guidance says:

“154. In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Research by the Aston Business School, Parish and Town Councils in England (HMSO 1992) found that the typical parish council representing less than 500 people had between five and eight councillors; those between 501 and 2,500 had six to 12 councillors; and those between 2,501 and 10,000 had nine to 16 councillors. Most parish councils with a population of between 10,001 and 20,000 had between 13 and 27 councillors, while

almost all councils representing a population of over 20,000 had between 13 and 31 councillors.

155. The LGBCE has no reason to believe that this pattern of council size to population has altered significantly since the research was conducted. Although not an exact match, it broadly reflects the council size range set out in the National Association of Local Councils Circular 1126; the Circular suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

156. In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, it should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government.

157. 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. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size."

4.4 The National Association of Local Councils Circular 1126 recommends:

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	45,000	25
9,000	16		

4.5 The electoral cycle for parish councils is for elections every four years.

5 Making representations

5.1 If you want to make a written comment about the community governance review please send them to: Community Governance Review, Electoral Services, West Berkshire District Council, Market Street, Newbury, RG14 5LD E-mail: GPCParishReview@westberks.gov.uk

5.2 Written comments must be received by latest 24 June 2022.

5.3 Should you require any further information regarding the review, please contact:

Clare Ockwell: Electoral Services and Land Charges Manager or

Anita Stanbury: Project Manager Digital democracy at

GPCParishReview@westberks.gov.uk or by telephone on: 01635 55 1111

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Powers and Duties of Parish Councils

FUNCTION	POWERS AND DUTIES	STATUTORY POWERS
Agency Arrangements	Power to arrange for the discharge of functions by another local authority	Local Government Act 1972 s.101
Allotments	Powers to provide allotments Duty to provide allotment gardens if demand unsatisfied	Small Holdings Allotments Act 1908 ss 23, 26 and 42
Archives	Power to make records held available to the public and support local archives	Local Government (Records) Act 1962, ss1 and 4
Baths and Washhouses:	Power to provide public baths and washhouses	Public Health Act 1936 ss 221, 222,223 and 227
Borrowing	Power to borrow money for statutory functions	Local Government Act 1972 Sch. 13
Burial Grounds, Cemeteries and crematoria*	Power to acquire and maintain	Open Spaces Act 1906, ss 9 and 10: Local Government Act 1972, s 214
	Power to provide	Local Government Act 1972, s.214
	Power to agree to maintain monuments and memorials	Parish Council and Burial Authorities (Miscellaneous Provisions) Act 19970, s. 1
	Power to contribute towards expenses of cemeteries	Local Government Act 1972
Bus Shelters	Power to provide and maintain	Local Government (Miscellaneous) Act 1953 s.4
Bye Laws	Power to make bye-laws for public walks and pleasure ground	Public Health Act 1875, s 164
	Cycle Parks	Road Traffic Regulation Act 1984 s.57 (7)
	Swimming pools, bathing places, baths and washhouses	Public Health Act 1936, s 223

	Open Spaces and Burial Grounds	Open Spaces Act 1906 ss 12 and 15
	Mortuaries and post-mortem rooms	Public Health Act 1936 s. 198
	Public Bathing	Public Health Act 1936 s. 231
	Hiring of pleasure boats in parks and pleasure grounds	Public Health Amendments Act 1907, s 44(2); Public Health Act 1961, s54
Charities	Duty to receive accounts of parochial charities	Charities Act 1960, s 32
	Power to appoint trustees of parochial charities	Charities Act 1993, s 79
Clocks*	Power to provide public clocks	Parish Councils Act 1957,s 2
Closed Churchyards	Powers (and sometimes duty) as to maintain	Local Government Act 1972, s.215
Commons Land and Common Pastures	Powers in relation to inclosure as to regulation and management and as to providing common pasture	Inclosure Act 1845; Local Government Act 1984, s 8(4); Smallholding and Allotments Act 1908, s.34
	Power to protect unclaimed common land from unlawful interference	Commons Registration Act1965,s.9
	Power to manage commons and village greens under a district council scheme	Commons Act 1899, ss 4 & 5
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Consultation	Right to be consulted by principal councils if directed by Secretary of State (England) or by Welsh Assembly (Wales)	Local Government and Rating Act1997, s21; Local Government Act 1972, s 33A
Community Centres and Village Halls	Power to provide and equip premises for use of clubs having athletic, social or educational objectives	Local Government (Miscellaneous Provisions) Act 1976, s.19

Crime Prevention	Powers to spend money on various crime prevention measures	Local Government and Rating Act 1997, s 31
	Power to (a) install equipment, (b) establish schemes and (c) assist others in so doing for the prevention of crime	Local Government and Rating Act 1997, s 31
Delegated Functions	Power to assume a function delegated by another authority Power to ensure effective discharge of Council functions Power to employ someone to carry out Council functions	Local Government Act 1972ss. 101, 111 and 112
Drainage	Power to deal with ponds/ditches	Public Health Act 1936, s. 260
Education	Right to appoint governors of primary schools	School Standards and Framework Act 1988, para 15 of Sch.10
Entertainment and the Arts*	Provision of entertainment and support of the arts	Local Government Act 1972,s145
Environment	Power to act for the benefit of the community by tackling and promoting awareness of environmental issues	Local Government Act 1972,ss 111 and 137
Flagpoles	Power to erect flagpoles in highways	Highways Act 1980, s 144
"Free Resource"	Power to incur expenditure not otherwise authorised on anything which in the council's opinion is in the interests of the area or part of it or all or some of the inhabitants	Local Government Act 1972,s139
Gifts	Power to accept	Local Government Act 1972 s139
Highways	Power to repair and maintain footpaths and bridleways	Highways Act 1980, ss 43 and 50
	Power to light roads and public places	Parish Councils Act 1957 s 3: Highways Act 1980, s 301: Local

		Government Act 1972,Sched. 14 para 27
	Provision of litter bins	Litter Act 1983, 5 and 6
	Power to provide parking places for vehicles, bicycles and motorcycles	Road Traffic Regulation Act 1984, ss 57 and 63
	Power to enter into an agreement as to dedication and widening	Highways Act 1980. ss 30 and 72
	Power to provide roadside shelters, and omnibus shelters	Parish Councils Act 1957, s 1
	Consent of Parish Council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway	Highways Act, 1980 ss 47 and 116
	Power to complain to District Council as to protection of rights of way and roadside waste	
	Power to provide traffic signs and other notices	Highways Act 1980, s 130
	Power to plant trees, etc., and to maintain roadside verges	Road Traffic Regulation Act 1984, s 72; Countryside Act 1968
	Power to complain to local highway authority that a highway is unlawfully stopped up or obstructed	Highways Act 1980, s 96
	Power to prosecute for unlawful ploughing of a footpath or bridleway	Highways Act 1980, s 130 Highways Act 1980, s 134
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1962,s11
Land	Power to acquire land by agreement, to appropriate land and to dispose of	Local Government Act 1972, ss 124, 126 and 127
	Power to accept gifts of land	Local Government Act 1972s139

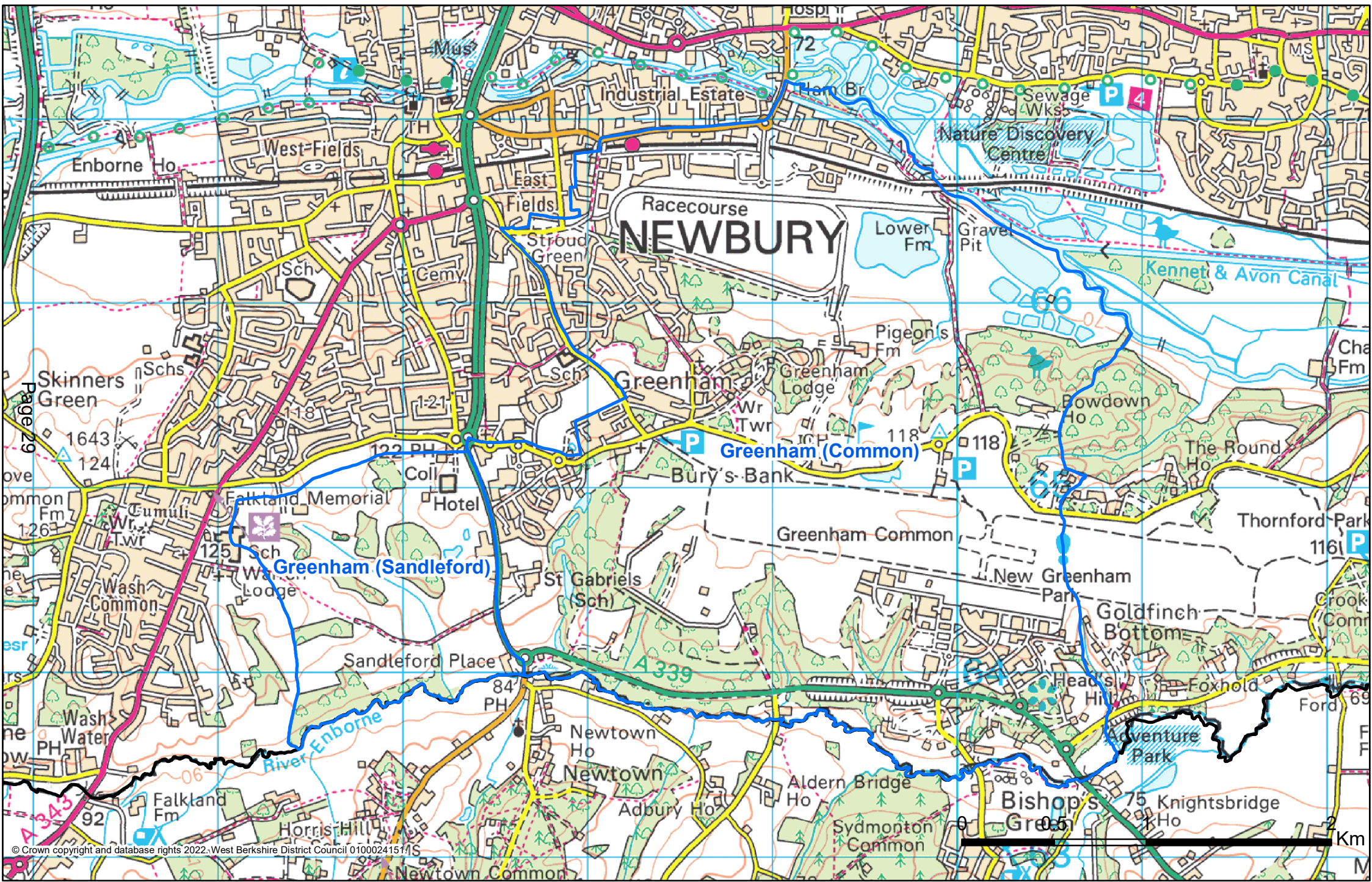
	Power to acquire land by compulsory purchase	Local Government Act 1972, s 125
	Power to obtain particulars of persons interested in land	Local Government (Miscellaneous Provisions) Act 1976, s 16
	Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them	Public Health Act 1875, s 16; Local Government Act 1972, Sched. 14, para 27; Public Health Acts Amendment Act 1980, s 44; Open Spaces Act 1906, ss 9 and 10; Local Government (Miscellaneous Provisions) Act 1976, s 19
Lighting	Power to light roads and public places	Parish Councils Act 1957, s Highways Act 1980, s 301
Litter* and dog fouling	Provision of receptacles Obligated to keep own land free of litter and dog faces	Litter Act 1983, ss 5 an Environmental Protection Act 1990; Litter (Animal Droppings) Order 1991
Lotteries	Power to promote	Lotteries and Amusements Act 1976, s 7
Mortuaries and post-mortem rooms	Powers to provide mortuaries and post-mortem rooms	Public Health Act 1936, s 198
Nature Reserves	Power to designate statutory to the nature reserves and marine nature reserves - English Nature can designate sites of specific scientific interest	National Parks and Access Countryside Act 1949, ss 15, 16 and 21; The Wildlife and Countryside Act 1982, ss 36 and 39 and Sched.12
	Powers to make management agreements with landowners and the English Nature to manage council-owned reserve land as a nature reserve	
Nuisances	Power to deal with offensive ditches, ponds and gutters	Public Health Act 1936, s 260
Open Spaces	Power to acquire land and maintain	Public Health Act 1875, s 164; Open Spaces Act 1906, ss 9 and 10; Commons Act 1899
	Power to acquire land for or to	Public Health Act 1875, s 164;

	provide recreation grounds, public walks, pleasure grounds and open spaces, and to manage and control them.	Local Government Act 1972, Sched 14, para 27; Public Health Acts Amendment Act 1980, s 44; Open Spaces Act 1906, ss 9 and 10; Local Government (Miscellaneous Provisions) Act 1976, s 19.
Parish Property and Records	Powers to direct as to their custody	Local Government Act 1972, s226
Parking Facilities	Power to provide parking places for motor vehicles, motorcycles and bicycles	Road Traffic Regulation Act 1984, ss 57 and 63
Planning	Right to be notified of and power to respond to planning applications	Town and Country Planning Act 1990, Sched. 1 para 8; Local Government Act 1972, Sched. 15 para 20.
Postal and telecommunications facilities	Power to pay the Post Office, British Telecommunications or any other public telecommunications operator any loss sustained in providing post or telegraph office or telecommunications facilities	Post Office Act 1954, s 51; Telecommunications Act 1984,s97
Public Buildings and Village Halls	Power to provide buildings for offices and for public meetings and assemblies	Local Government Act 1972 s 133
Public Conveniences	Power to provide	Public Health Act 19336, s 87
Public Enquiries	Power to make representations at public enquiries	Local Government Act 1982, s222
Publicise functions	Power to publicise council and local authority functions	Local Government Act 1982, s. 142
Raising of Finances	Power to raise money through them precept	Local Government Act 1982, s150
Records	Power to collect, exhibit and purchase local records	Local Government Act Records) Act 1962 ss 1 and 2
Recreation*	Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds,	Public Health Act 1875, s 164; Local Government Act 1972, Sched 14 para 27; Public Health

	and open spaces and to manage and control them. Power to provide gymnasiums, playing fields, holiday camps	Acts Amendment Acts 1890, s 44; Open Spaces Act 1906, ss 9 and 10; Local Government (Miscellaneous Provisions) Act 1976, s 19; Commons Act 1899
	Provision of boating pools	Public Health Act 1962, s 54
Seats and Shelters*	Power to provide roadside seats and shelters	Parish Councils Act 1957, s 1
Tourism*	Power to contribute to the encouragement of tourism	Local Government Act 1972, s. 144
Town and Country Planning	Right to be notified of planning applications	Town & Country Planning Act 1990, Sched. 1 para 8
Town Status	Power to adopt town status	Local Government Act 1972, ss 245 and 245B
Traffic Calming	Power to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s 26
Training	Power to train Councillors	Local Government Act 1972. s175.
Transport*	Power to (a) establish car sharing schemes (b) make grants for bus services, (c) provide taxi-fare concessions; (d) investigate public transport, road use and needs; (e) provide information about public transport services Community Transport Schemes	Local Government and Rating Act 1997, s 26-29
Village greens	Power to maintain, to make bylaws for and to prosecute for interference with village greens	Open Spaces Act 1906, s 15 Inclosure Act 1857, s 12, Commons Act 1876, s 29
War Memorials	Power to maintain,, repair, protect and adapt war memorials	War Memorials (Local Authorities Powers) Act 1923, s 1 as extended by Local Government Act 1948, s 133
Water Supply	Power to utilise well, spring or stream and to provide facilities for obtaining water there from.	Public Health Act 1936, s 125

Where a function is marked with an asterisk *. A council also has the power to give financial assistance to another person or body performing the same function.

NB: Please note that this is a guide to the powers and duties of Parish Councils and does not necessarily represent a comprehensive list of all powers and duties.



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