

Title	Community Governance Review Burton Green	
For further information about this report please contact	Gillian Friar Electoral Services Manager gillian.friar@warwickdc.gov.uk 01926 456105	
Wards of the District directly affected	Kenilworth Abbey and Stoneleigh	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	10 October 2011	
Background Papers	The Local Government and Public Involvement in Health Act 2007. Guidance on Community Governance Reviews issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England. Reports to Committee on 27 June and 10 October 2011	
Contrary to the policy framework:	No	
Contrary to the budgetary framework:	No	
Key Decision?	yes	
Included within the Forward Plan? (If yes include reference number)	No	
Equality & Sustainability Impact Assessment Undertaken	No (If No state why below)	
This is a matter relating to the possible establishment of a Parish Council and will not have any equality or sustainability implications.		
Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		Andrew Jones
Head of Service		Andrew Jones
CMT		
Section 151 Officer		Mike Snow
Monitoring Officer		Andrew Jones
Finance		Jenny Clayton & Lorraine Henson
Portfolio Holder(s)		Michael Doody
Consultation & Community Engagement		
The Community Governance Review being undertaken as a result of the receipt of a petition involved an initial consultation exercise. A further consultation exercise has been undertaken on the recommendations made at the meeting on 10 October 2011.		
Final Decision?	Yes	
Suggested next steps (if not final decision please set out below)		

1. SUMMARY

- 1.1 Following receipt of a petition in the following terms a community governance review was commenced in accordance with provisions of the Local Government and Public Involvement in Health Act 2007:

'Currently Burton Green is a Ward of Stoneleigh Parish Council. We the undersigned support the establishment of a separate Parish and Parish Council for Burton Green which will cover the area shown edged red on the attached plan and we request that Warwick District Council puts in place the necessary procedures to facilitate this'

- 1.2 The plan submitted showed the area of the existing Burton Green Ward of the Stoneleigh Parish.
- 1.3 The first stage of the review involved a consultation exercise and the results of the exercise were reported to the Committee on 10 October 2011. Having considered of all the relevant matters the Committee resolved as follows:
- 1) the establishment of a parish and parish council for the area of the existing Burton Green ward of the Ashow, Burton Green and Stoneleigh Joint Parish Council, be recommended;
 - 2) the name recommended for the Parish area should be Burton Green Parish;
 - 3) the name recommended for the Parish Council should be Burton Green Parish Council;
 - 4) the Parish Council should consist of seven councillors;
 - 5) the date for the next ordinary elections to be held on Thursday 7 May 2015 and every four years after that date;
 - 6) the four sitting Parish Councillors for Burton Green Ward should transfer to the new Parish Council to serve their remaining term until the day of the next ordinary elections in 2015;
 - 7) the vacant seats should be filled by co-option and the successfully elected councillors would serve on the parish council for the remaining term until the next ordinary day of election.
- 1.4 In accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 the recommendations were published and persons who might be interested in the review were informed.
- 1.5 The closing date for comments was 4 November 2011 and 4 have been received. Copies of the comments are attached.
- 1.6 The Committee now has to consider the comments received and decide whether it wishes to adopt the recommendations.
- 1.7 Should it agree to adopt the recommendations (with or without amendments) an Order will have to be made bringing the recommendations into effect.

- 1.8 The decision will need to be published and persons who might be interested will need to be informed. A copy of the Order, when made, will need to be made available for inspection.
- 1.9 Although not part of the recommendations, if a separate parish is established for Burton Green the existing Ashow, Burton Green and Stoneleigh Joint Parish Council will obviously cease to exist and will be replaced by the Ashow and Stoneleigh Joint Parish Council. This will need to be included in the Order.

2. RECOMMENDATION

- 2.1 The Committee is asked to consider all the information contained in this report and decide whether or not it wishes to adopt the recommendations which it made at its meeting on 10 October 2011.
- 2.2 Should the recommendations be adopted the officers should be authorised to carry out the procedures required by the Act and make the necessary reorganisation of community governance order.

3. REASONS FOR THE RECOMMENDATION

- 3.1 The Committee made certain recommendations at its meeting held on 10 October 2011. In accordance with the provisions of the Act these recommendations were published and comments have been received.
- 3.2 It is now necessary to decide, in the light of the comments received, whether the recommendations should be adopted.
- 3.3 When publishing its decision on whether or not to adopt the recommendations the Committee need to give the reasons for the decision.
- 3.4 The reason for any decision would be that the Committee considers that the decision:
 - 1) reflects the identities and interests of the community in that area, and
 - 2) is effective and convenient.

4. POLICY FRAMEWORK

4.1 Policy Framework

There are no relevant Council policies affected

4.2 Fit for the Future

The recommendations do not contribute to 'Fit for the Future'

BUDGETARY FRAMEWORK

- 5.1 Costs have been incurred in preliminary work and carrying out the consultation and further costs will be involved in completing the process. These are not expected to exceed £3,500 and can be met from within the electoral register general expenses budget.

5. ALTERNATIVE OPTION(S) CONSIDERED

- 6.1 The Committee has to decide whether or not it wants to adopt the recommendations.

6. BACKGROUND

- 7.1 A petition was received from local electors in Burton Green for a Parish Council to be established for the Burton Green Ward of Stoneleigh Parish.
- 7.2 The Local Government and Public Involvement in Health Act 2007 devolved decision making powers relating to parishes and their electoral arrangements to district councils.
- 7.3 Authority was delegated to the Chief Executive to undertake a community governance review should the petition be received which it was.
- 7.4 The Council had to comply with the duties set out in Section 93 of the 2007 Act when carrying out the review. However, subject to those duties it was for the Council to decide how to undertake the review.
- 7.5 In carrying out the review, the Council had to consult the following:
- a) the local government electors for the area under review;
 - b) any other person or body (including a local authority) which appears to the principal council to have an interest in the review.
- 7.6 At its meeting held on 10 October 2011 the Committee considered the petition
- 7.7 The Committee had regard to the need to secure that community governance within the area under review:
- a) reflected the identities and interests of the community in that area, and
 - b) was effective and convenient.
- 7.8 The Committee took into account the representations received in connection with the review.
- 7.9 The Committee made the recommendations set out in 1.2 above.
- 7.10 The recommendations were published and the officers took sufficient steps to secure that persons who might be interested in the review were informed of the recommendations.
- 7.11 The comments received following the publication of the recommendations are attached.

- 7.12 After taking a decision on the extent to which the Council will give effect to the recommendations made in a community governance review, the Council must publish its decision and its reasons for taking that decision. It must also take sufficient steps to ensure that persons who may be interested in the review are informed of the decision and the reasons for it.
- 7.13 If the Council decides to implement the recommendations made in its review, it does so by way of a Reorganisation Order. Further publicity must be given to the Order.