

Appendices: 1



**NORTHAMPTON**  
BOROUGH COUNCIL

# **COUNCIL**

## **24<sup>th</sup> February, 2020**

**Agenda Status: Public**

**Chief Executive**

<b>Report Title</b>	<b>Community Governance Review and next steps</b>
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### **1. Purpose**

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- 1.1 To report to Full Council the recommendations as set out below of the Cross Party Working Group at its meeting on the 18<sup>th</sup> February, 2020. These recommendations of the Cross Party Working Group follow the previous recommendations of the Cross Party Working Group at its meeting on the 13<sup>th</sup> January, 2020 and the decisions made by Full Council at its meeting on the 20<sup>th</sup> January, 2020.
- 1.2 To date Full Council has already made the following main decisions at its meeting on the 20<sup>th</sup> January, 2020, which were to create:
- a) A Town Council for Northampton as based on option A in the Opinion Research Services (ORS) report.
  - b) A new Community Council for Far Cotton & Delapre.
  - c) A new Parish Council for Kingsthorpe.
- 1.3 As an essential and important part of the above decisions it is now necessary to consider and then decide on the recommendations put forward by the Cross Party Working Group at its meeting on the 18<sup>th</sup> February, 2020 which are:
- a) Working arrangements for the Town Council to include warding arrangements and number of councillors.
  - b) Number of Parish Councillors for Far Cotton & Delapre Community Council.
  - c) Number of Parish Councillors for Kingsthorpe Parish Council.
  - d) The content and approval of the necessary statutory orders to implement a), b), c) & above.

- e) The future work that will have to be considered in order to implement further decisions to be made over the coming months on matters such as office accommodation for the new councils, financing, transfer of the Mayoralty etc which will also be part of the said statutory orders by way of a series of amendments.

## **2. Recommendations**

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### 2.1 It is recommended that Full Council:

- a) Considers the recommendations of the Cross Party Working Group at its meeting on the 18<sup>th</sup> February, 2020 and set out in full, in its report and plan now attached as Appendix 'A', and which are:
- i) That a Community Governance Reorganisation Order be made creating a Northampton Town council of 21 wards and 25 councillors as shown in red on the enclosed plan; a Far Cotton and Delapr  Community Council (unwarded) with 12 councillors; and a Kingsthorpe Parish Council of five wards and 15 councillors both as shown in blue on the enclosed map (see Appendix 1).
  - ii) That the term of office of the new councillors shall be for 5 years from 2020 onwards for four year terms.
  - iii) That the Chief Executive be authorised to convene the first meetings of the new councils. The first meeting of the Town Council being planned for Monday 18<sup>th</sup> May at 6.00pm at the Guildhall.
  - iv) That it be noted that the new Town Council and likewise the new Parish and Community Councils will not be exercising their full civic functions until April 2021
  - v) That from 1<sup>st</sup> April 2020 until the first meetings of the new councils, those borough councillors serving borough council wards in those new Council areas shall have responsibility for those new councils
  - vi) That the Chief Executive, after consultation with the Cross Party Working Group and subject where necessary to reports to Full Council, be authorised to prepare schedules of land and property to be transferred to the new councils including civic plate and historic artefacts to the new Town Council and to approve the budget requirement (grant to be paid) of the new councils and this delegation to also include any necessary amendments to the reorganisation orders for other matters that need to be included.
  - vii) That the new councils will be known/titled as:
    - Northampton Town Council
    - Far Cotton & Delapre Community Council
    - Kingsthorpe Parish Council

## **3 Issues**

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### 3.1 The Community Governance Reorganisation Order

To formally and legally create the new councils it will be necessary for Full Council at its meeting on the 24<sup>th</sup> February, 2020 to authorise the making of

three separate orders for each of the new councils under section 82 of the Local Government & Public Involvement in Health Act, 2007. This will deal with the establishment and naming of the new councils, electoral arrangements. i.e. number of councillors and wards, calling the first meetings and other related matters.

The enclosed report to the Cross Party Working Group on the 18<sup>th</sup> February, 2020 sets out in detail all the relevant issues relating to working arrangements, elections etc (Appendix A) in addition, elected members should note that a plan is also enclosed with the report showing the warding etc for the new councils (also in Appendix A).

- 3.2 Over the coming months consideration will have to be given to such matters as office accommodation for the new councils and also there will be a whole range of other issues to be considered relating to the Mayoralty, transfer of assets etc which will need to be discussed and decided upon by the Cross Party Working Group.

Council should note that the existing Borough Council will continue as a legal entity until midnight on 31<sup>st</sup> March 2021 and will therefore be responsible for and continue to fund all those services which will only be transferred to the new councils in April, 2021. This will apply to any offices, property etc. which will also only transfer in 2021.

- 3.3 The above transfers when agreed will have to be the subject of amendments to the three statutory orders for each of the three new councils. These orders are part of the formal process for setting up new councils.
- 3.4 Council should also note from section 4.1 of the enclosed report to the Cross Party Working Group (Appendix A) that there will be publicity for the new councils and an event for prospective candidates to be organised on Thursday 12<sup>th</sup> March, 2020. This event will be organised by Northampton CALC which is assisting the Council in setting up the new councils.

#### **4. Financial update**

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##### **4.1 Initial set-up costs incurred by NBC**

In July 2018 Council agreed to delegate a budget of up to £30,000 to undertake any specialist activity associated with undertaking a community governance review. Then in January 2020 Council agreed an additional budget of £100,000 to cover the period to the end of the financial year 2019/20. This gives an overall budget of £130,000 – this money is coming from NBC's reserves.

Actual spend to date from this budget is £117k and has paid for staff costs, canvassing costs and legal services. It is anticipated that there will be further staff and admin costs incurred, as well as payments to NCALC. It is estimated that the total cost will be in the region of £200k. Once these further costs are confirmed, it is anticipated that Council will be required to decide whether to agree to provide funding for these additional costs.

##### **4.2 Election Costs**

Election costs are not included in the above set up costs. The exact amount of the election cost is not yet known but is broadly anticipated to be in the region

of £100k. This figure will be further refined moving forwards. These costs may be met by NBC or passed on to the new Councils.

#### 4.3 New Council year 1 costs (2020/21)

It is anticipated that NBC will give a grant to the new councils in 2020/21 to cover necessary costs of their first year of operation (which might be considered a 'shadow council year'. It is anticipated that the new councils will only have minimal operating costs in year one while they establish themselves, with the ability to deliver a greater level of service in their second year (2021/22) for which they will be able to set their own precept. Additional funding may be provided on a loan basis to be repaid from the future precept.

#### 4.3 Precepts to be raised by the new councils in year 2 onwards (2021/22 onwards)

Year 2021/22 will be the second year of operation of the new councils. The new councils will be able to set their own precept for this year.

#### 4.4 Use of NBC reserves

Where the costs described above are to be met by NBC, these costs will need to come from NBC's reserves. NBC's existing reserves are earmarked for existing risks and projects. Any sums to be spent on the above items are likely to result in the need for NBC to find further savings, or to redirect reserves that had been planned to be used elsewhere. Therefore, all future financial decisions need to recognise the financial constraints that NBC is currently operating within.

### **5. Resources and Risk**

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5.1 None over and above those identified within this report.

### **6. Legal**

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6.1 The Council has followed a community governance process under the relevant legislation and any legal issues that may arise will be reported to future meetings of the Cross Party Working Group.

### **7. Environmental Implications (including climate change issues)**

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7.1 None at this stage.

### **8. Other implications**

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8.1 None at this stage.

### **9 Background Papers**

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9.1 Report to Cross Party Working Group on Tuesday 18<sup>th</sup> January, 2020 enclosed as Appendix (A)

**George Candler**  
**Chief Executive**

<b>Appendices:</b>
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**NORTHAMPTON**  
BOROUGH COUNCIL

## **CROSS PARTY WORKING GROUP COMMUNITY GOVERNANCE REVIEW**

**Tuesday 18th February, 2020**

<b>Report Title</b>	<b>Community Governance Review (CGR) Statutory Orders &amp; Working Arrangements for Town/Parish/Community Council</b>
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### **1. Purpose**

1.1 Following the last meeting of the Cross Party Working Group on 13<sup>th</sup> January, 2020 and Full Council on 20<sup>th</sup> January, 2020 at which both meetings considered the results of the consultations carried out by Opinion Research Services (ORS) into the proposal to set up a Town Council for Northampton and the separate consultation process for the proposal to establish a community council for Far Cotton & Delapre and a parish council for Kingsthorpe, it is now necessary to begin the initial and important stages of implementing the above decisions. As stated the decisions are now made to create:

1.2

- a) A Town Council for Northampton as based on option A in the ORS report (Appendix 1)
- b) A new parish council for Kingsthorpe as shown in the enclosed plan (Appendix 1)
- c) A new community council for Far Cotton & Delapre (Appendix 1)

As a vital and initial part of the above it is now necessary to consider and decide upon:

- a) Working arrangements for the Town Council to include warding arrangements and number of councillors
- b) Number of parish councillors for Kingsthorpe parish council (Appendix 1)
- c) Number of parish councillors for Far Cotton & Delapre community council (Appendix 1)
- d) The content and approval of the necessary Statutory Order to implement the Council's decisions
- e) The further work that will have to be considered in order to implement the said decisions such as office accommodation for the new councils, financing arrangements for the transfers of the Mayoralty etc.

## **2. Recommendations**

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- 2.1 That the Working Group considers the following with a view to making appropriate recommendations to Full Council at its meeting on the 24<sup>th</sup> February 2020
- i) That a Community Governance Reorganisation Order be made creating a Northampton Town Council of 21 wards and 25 councillors as shown in red on the enclosed plan; a Far Cotton and Delapre Community Council (unwarded) with 12 councillors; and a Kingsthorpe Parish Council of five wards and 15 councillors both as shown in blue on the enclosed map (see Appendix 1).
  - ii) That the term of office of the new councillors shall be for 5 years from 2020, and from 2029 onwards for four year terms.
  - iii) That the Chief Executive be authorised to convene the first meetings of the new councils. The first meeting of the Town Council being planned for Tuesday 19<sup>th</sup> May at 6.00pm at the Guildhall.
  - iv) That it be noted that the new Town Council and likewise the new parish and community council will not be exercising its full civic functions until April, 2021
  - v) That from 1<sup>st</sup> April 2020 until the first meetings of the new councils, those councillors serving borough council wards in those new Council areas shall have responsibility for those councils
  - vi) That the Chief Executive, after consultation with the Cross Party Working Group and subject where necessary to reports to full Council, be authorised to prepare schedules of land and property to be transferred to the new councils including civic plate and historic artefacts to the new Town Council and to approve the budget requirement (grant to be paid) of the new councils and this delegation to also include any necessary amendments to the reorganisation order.

## **3. Issues**

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### **3.1. The Community Governance Reorganisation Order**

To formally create the new councils it will be necessary for Northampton Borough Council at its full Council meeting on 24<sup>th</sup> February 2020 to make an Order under section 82 of the Local Government and Public Involvement in Health Act 2007. This will cover the establishment and naming of the new councils, electoral arrangements (ie number of councillors and wards), the calling of their first meetings and other related matters. This report sets out the matters to be determined in order to draft the Order. It is critical that the Order is made at the Council meeting if the electoral services team is able to complete the statutory processes to hold elections to the new councils on the next ordinary elections on Thursday 7<sup>th</sup> May 2020. Guidance from the MHCLG states that new parish electoral arrangements come into force at ordinary parish elections so they usually would otherwise have to wait until the next scheduled parish elections. It will also be necessary to delegate power to the Chief

Executive in consultation with the Cross Party Working Group to make further amendments to the Community Reorganisation Order.

### 3.2. Northamptonshire County Association of Local Councils (Northants CALC)

The Council at its last meeting also accepted a proposal from Northants County Association of Local Councils (Northants CALC) for supporting the creation of the new councils including interim clerking support. Officers of Northants CALC are supporting officers of the Council on all matters relating to the new councils, including the production of this report.

### 3.3. Electoral Arrangements

The first key issue to determine is the number of councillors and wards for each of the new councils. The 1972 Act, as amended, specifies that each parish council must have at least five councillors; there is no maximum number. There are no rules relating to the allocation of those councillors between parish wards but each parish ward must have at least one parish councillor. In practice, there is a wide variation of council size between parish councils. The Local Government Boundary Commission for England (LGBCE) advises that it has no reason to believe that the pattern of council size to population has altered significantly since research undertaken in 1992 which found parishes with populations 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.

The National Association of Local Councils in its Circular 1126 suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

### 3.4 Northampton Town Council

With an electorate of 94,668 and an estimated population (based upon the 2011 census) of 130,000+, the new Town Council will be the largest in England and Wales. The electoral arrangements for the other current largest Town Councils are as follows:

	Aylesbury	Banbury	Salisbury	Shrewsbury	Sutton Coldfield	Weymouth	Weston s Mare
Electorate	36,989	32,257	29,765	37,223	73,172	40,823	62,566
No members	25	22	23	17	24	29	31*
No electors/member	1480	1466	1294	2190	3049	1407	2,019
No wards	13	12	8	17	4	12	15

\*Weston super Mare has the largest number of councillors.

Having regard to practise elsewhere, the guidance and expediency given the very tight timescales for completing the Order it would seem wise to follow as closely as possible existing Borough Wards which would produce a total of 25 councillors. This gives a target member/ elector ratio of 1:3,750. Maintaining the

current Borough Council arrangement of one councillor for most existing Borough wards would broadly achieve this, although some adjustments would be needed as below. All the following arrangements for 21 wards are shown on the enclosed map in red as well as number of councillors for each ward. (Appendix 1)

3.5 Single Member Existing Borough Wards unchanged (15)

Brookside (3,989 electorate), Boothville (3,489), Eastfield (3,856), Headlands (3,940), Kingsley (4,266), Parklands (4,277), Phippsville (3,217), Semilong (4,064), Trinity (3,150), Westone (4,520), Kings Heath (4,266), Park (2,029), Rectory Farm (3,803) Rushmills (2,881), Riverside (3,721)

3.6 Two Member existing Wards unchanged (4)

Abington (7,643), Talavera (8,164)

3.7 Three Member existing Ward unchanged (3)

Castle (11,178)

3.8 New Ward (1)

That part of Delapre and Briar Hill not included in the new community council with an electorate of 3,163 is sufficient to form a new town ward. This could be named simply Briar Hill Ward for Town Council purposes.

3.9 Minor change to existing single member Ward (1)

Spencer (4,056) plus PD NSND7 not included in New Duston parish (13 electors) making total electorate 4,069

3.10 Major change to existing single member ward (1)

That part of Old Duston ward not included in Duston Parish (PD NSOD5 (1,447 electors)) is much smaller than the criteria for a separate new ward but could be added to St James but this would give a total electorate of 5,371 making it rather large although not large enough to become a two member ward. This need not be the end of the story and it will be possible to conduct another shortened Community Governance Review to look at any anomalies in ward boundaries or any other issues which arise from this Order.

3.11 Far Cotton and Delapre Community Council

This will be a single ward council with an electorate of 8,173 electors. Existing parishes within the Borough, their electorate and number of councillors are as follows:



Parish	Electorate	No. of councillors
Great Billing	7,032	14
Duston	13,086	12
Great Houghton	543	8
Hardingstone	1,801	10
Wootton	6,156	11
East Hunsbury	7,585	12
Hunsbury Meadows	1,714	8
West Hunsbury	3,566	7
Upton	5,312	10
Collingtree	896	7

Given the above variation, a council comprising 12 councillors would seem appropriate. (see note below about GPC) (Appendix 1)

### 3.12 Kingsthorpe Parish Council

Kingsthorpe comprises five existing Borough Wards with a total electorate of 17,240. Continuing the practise of following existing Borough Wards as far as possible with three members per ward would produce a total of 15 parish councillors. (Appendix 1)

### 3.13 General Power of Competence (GPC)

A further aspect to be borne in mind when determining the number of parish councillors, is of course the likelihood of securing sufficient candidates for all seats. Council Officers and Northants CALC will be working to encourage participation in the coming parish elections and a more detailed report on this aspect will be presented to future meeting.

The number of contested seats at this election is one of the key criteria enabling the new parishes to adopt the General Power of Competence (GPC). Parish Councils generally have limited powers compared with principal (Borough and County) councils. However, the Localism Act 2011 enables “eligible” Parish Councils in England which meet a set eligibility criteria to do anything that individuals generally may do. The resolution to do so must be repeated at each subsequent annual meeting. The criteria are

- two thirds or more of the councillors have been elected, rather than co-opted or appointed;
- the clerk to the parish council holds the Certificate in Local Council Administration (CiLCA) or equivalent;
- the clerk to the parish council has completed the relevant training (i.e. training in the exercise of the general power provided in accordance with the

national training strategy for parish councils adopted by the National Association of Local Councils.)

The Acting Town Clerk to the proposed Town Council meets this criteria so it will be essential for the efficient operation of its business during the first term of office that all seats are contested in the coming election.

### 3.14 Term of Office

The terms of office of the new councillors will be prescribed in the Order and will need to be consistent with electoral terms for most other councils affected by Local Government Reorganisation in Northamptonshire. This has resulted in the current and next term of office being five years. With the last year of ordinary elections being 2015, then the terms of office for the new councillors are therefore recommended to be until 2020, then until 2025 and from 2029 onwards for four year terms.

### 3.15 Convening the first Meetings

The Order will need to specify who will be convening the first meetings of the new councils and when they will be held. It is recommended that the Chief Executive of the Borough Council be authorised to convene these first meetings. A person appointed by him could attend each meeting and call for nominations for Chairman.

The date of the first meeting must take place no later than 14 days after the day on which the councillors elected to the new parish council take office. In the case of the Town Council, assuming members will wish for the meeting to be held in the Council Chamber at the Guildhall and having regard to other scheduled meetings, it is recommended that the first meeting of Northampton Town Council be held on Tuesday 19th May at 6.00 p.m.

### 3.16 Temporary Authority until New Councils' AGM

The new councils will come into legal effect on 1 April 2020 but it will be necessary to make arrangements for who is to have authority between then and the first meetings of those councils up to six weeks later. Following precedent from other areas it is recommended that the new parishes shall be represented by those persons who immediately before 1 April 2020 are elected borough councillors for those respective areas.

### 3.17 Historic Artefacts and Civic Plate

The Council has determined that one of the key functions of the new Town Council will be to protect, maintain and enhance the town's unique and historic heritage. As the Town Council will be operating in parallel to the existing Brough Council for its first year, it would clearly not wish confuse or impact on the status of the current Mayor. Although the new Town Council will have the right to style its chairman as "Town Mayor" it is proposed that the Town Council does not undertake any major civic role until its second Annual Meeting in May 2021 and that during its first year there shall be a Chairman and Vice Chairman of the Town Council. Accordingly, the mayoral chains, robes, badge of office, maces,

civic plate and other associated artefacts can be transferred to the Town Council on 1 April 2021. In view of the short time available to prepare a comprehensive list it is recommended that the Chief Executive, after consultation with the Cross Party Working Group and subject to reports to full council, be authorised in the Order to compile a schedule of artefacts and plate to be transferred by that date.

It is intended that, in order to demonstrate continuity of the Mayoralty at the Town Council Annual Meeting in May 2021 the last Borough Mayor could be in attendance to take part in a brief “handing over ceremony” of the civic plate during the election of the first Town Mayor and Deputy Town Mayor.

### 3.18 Transfer of Property and Services

In order that the new Town Council has time to become established and to develop its service delivery capacity it is proposed that transfer of any land, property or other services be phased over two or three years. The first tranche of property and services to be transferred on 1st April 2021 shall include allotments, closed churchyards and appropriate office accommodation. The Working Group at future meetings will need to consider what transfer of assets etc is appropriate to the new Councils.

### 3.19 Grants to the new Councils

The Order would usually specify for the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 a “budget requirement” or grant to be paid to each new parish council. However, as once again there is insufficient time to finalise these amounts it is recommended that in the Order the Chief Executive is authorised to specify the amount of the grant to be paid to each of the new parishes.

## **4. Matters for Consideration**

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- 4.1 In addition to the time critical work being undertaken to prepare the Reorganisation Order, Northants CALC has also begun work on the following areas –

Website	the domain name ( <a href="http://northamptontowncouncil.gov.uk">northamptontowncouncil.gov.uk</a> ) has been purchased and a website has been procured as per the project plan. The website will go live as soon as NBC give the green light (most probably the week of the 17 Feb when the papers for the council meeting on the 24 Feb are available)
Elections:	an event will be hosted by Northants CALC at the Guildhall (venue still to be booked) on Thursday March 12 to encourage prospective candidates to find out more about being a town/parish/community councillor. The event will be led by Danny Moody (Chief Exec) with support from Marie Reilly (Training Manager) or Lesley Sambrook Smith (Deputy Chief Exec) as required. Northants CALC have prepared election material and Diana Bowden will provide candidate packs. An additional event is to be arranged in the town centre during the day to try to encourage people to stand for

election. This will be before the March 12 event, however input from NBC is required as to the most suitable venue in the town centre.

GANNT chart: GANNT chart has been prepared and is being used by Northants CALC to manage the project. Critical next steps are preparation of staff recruitment pack and identification of suitable office premises.

Next steps: New policy documents for NTC. The Acting Town Clerk when appointed to the Town Council intends producing regular updates for existing borough councillors on progress being made. This could possibly be extended to local community groups to keep them abreast of developments.

Our immediate actions post-election will include new councillor inductions, and “visioning” session for new councillors to help determine the future strategies of the Town Council.

The Community Governance Re-Organisation Orders The decisions made by this Working Group and then considered by Full Council on the 24<sup>th</sup> February 2020 will need to be incorporated into three Community Governance Reorganisation Orders, one for each of the new councils. These three Orders will over the coming months have to reflect the decisions of Full Council and any other decisions made under the proposed Delegated Powers to the Chief Executive in consultation with the Working Group.

Financial Report A Financial Report will be brought to the next meeting of this Working Group.

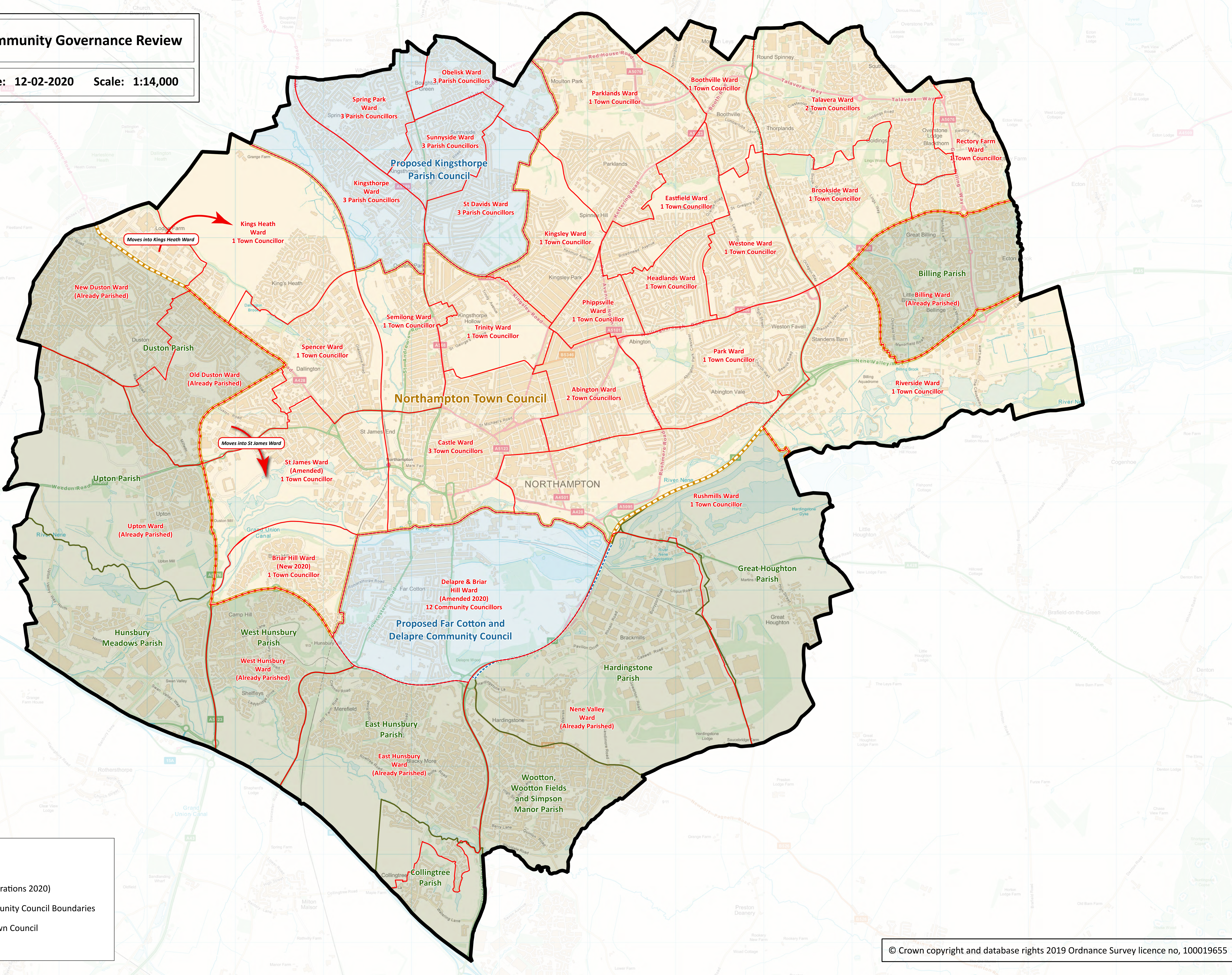
**George Candler  
Chief Executive**



NORTHAMPTON  
BOROUGH COUNCIL

# Community Governance Review

Date: 12-02-2020 Scale: 1:14,000



Moves into Kings Heath Ward

Moves into St James Ward

**Legend**

- Northampton Boundary
- Ward Boundaries (with Alterations 2020)
- Proposed Parish and Community Council Boundaries
- Proposed Northampton Town Council
- Parish Boundaries