

**Barrow Borough Council**

**19 October 2021**

**Community Governance Review of Parishes in the Barrow  
Borough Council Area**

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**Report from:** Chief Executive

**Report Author:** Debbie Storr, Head of Legal and Governance

**Wards:** (All Wards);

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**1.0 Summary and Conclusions**

1.1 To consider whether the Council wishes to explore the undertaking of a Community Governance Review (CGR) and to set up a working group to consider the practicalities and potential timescales and terms of reference for any such review for report back to Council.

**2.0 Recommendation**

**2.1 It is recommended that Council:-**

- (1) Consider whether it wishes to look into conducting a Community Governance Review in accordance with the Local Government and Public Involvement in Health Act 2007 and if so to indicate whether this should be for the whole Borough or just the unparished area of the Borough;**
- (2) Agrees to the establishment of a cross party Community Governance Working Group (CGWG) of 5 Members to consider the practicalities of any such review, Terms of Reference and timetable for a CGR for recommendation to full Council and to make appointments to the group so that it is comprised of three Labour Members and two Conservative Members.**

**3.0 Background and Proposals**

3.1 The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) transferred full responsibility for parish reviews, now called Community Governance Reviews, to principal councils in England.

3.3 Currently there are 2 Parishes and 1 Town Council within the Borough which have been in existence since 1987. There have been no recent community governance reviews in Barrow. Following the Government’s announcement for the creation of new unitary authorities within Cumbria Members may consider it appropriate to consider a review of parishes within the Borough area.

- 3.4 A CGR is the process used to consider whether existing parish arrangements should be changed in any way. This may consider the creation, abolishing, merging or altering of parish councils and any subsequent electoral arrangements. New parishes may be created as a result of the geography of the area, the make-up of the local community, or sense of identity. All parishes must fall within the existing Borough boundary.
- 3.5 On the creation of a town and parish council, the only function they have a duty to take on is allotments as in a parished area they become the allotment authority. Typically parish and town councils look after facilities such as allotments, parks, playgrounds, public seats, public toilets, cemeteries and burial grounds, village greens, etc. They can provide and support crime prevention services, traffic calming measures and co-ordinate community and voluntary sector activity. The exact responsibilities vary between councils and to some extent the activities carried out by any new parish or town council created as a result of a CGR would be shaped by the review and will then be within the remit of those elected to any new parish or town council.
- 3.6 A new parish council would be able to hold any relevant historic property, including those of a civic and ceremonial nature, hold and manage land and buildings, ranging from allotments through to community buildings and assets and potentially develop and support new community services.
- 3.7 Parish councils are also able to perform functions on behalf of other local authorities. Any new parish or town council created as a result of CGR could therefore perform functions on behalf of the new unitary for East Cumbria (when the new unitary is created). It would be a matter for the new unitary council to decide which, if any, functions it wanted a parish/town council to carry out and it would be a matter for the parish/town council to decide which functions it wished to take on.
- 3.8 Guidance on Community Governance Reviews issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010 is referenced as a background document for members.
- 3.9 Once a CGR has commenced legislation requires that it must be completed within 12 months from the date the Council begins the review. The Council must agree the Terms of Reference of any CGR before it commences.
- 3.9 If Members wish to consider a CGR there are a number of queries to be addressed upon which external advice is being sought. If Members wish for a CGR to be considered further it is proposed that a Community Governance Working Group be established to consider any advice which may be received with regards to timing and the local government reorganisation process and to consider a draft timetable and terms of reference for report back to Council.

#### **4.0 Consultation**

The Cumbria Association of Local Councils (CALC) are supportive of a CGR.

#### **5.0 Alternative Options**

5.1 The Council could decide not to undertake any review.

#### **6.0 Contribution to Council Plan Priorities**

6.1 A CGR would enable consideration of where improvements can be made to the delivery of local governance within the Borough.

#### **7.0 Implications**

##### **Financial, Resources and Procurement**

7.1.1 There will be finance, resource and procurement implications arising from any review which would be considered along with the drafting of a terms of reference with report back to Council.

##### **Legal**

7.1.2 Any review would be undertaken with respect of all relevant legislation and statutory guidance. Additional advice is also being sought with regards to timing of any review, and impact (if any) of LGR.

7.1.3 The terms of reference of a community governance review are the terms on which the review is to be undertaken (Section 81(1)).

##### **Equality and Diversity**

7.2 Have you completed an Equality Impact Analysis? No but will be considered as part of any Review process.

##### **Risk**

No risks to raise in this report. These will be considered if members wish to progress.

##### **Contact Officers**

*dstorr@barrowbc.gov.uk*

##### **Appendices Attached to this Report –**

<b>Appendix No.</b>	<b>Name of Appendix</b>
	None

## Background Documents Available

Name of Background document	Where it is available
(1) Local Government and Public Involvement in Health Act 2007 (2) Local Government Boundary Commission for England – Guidance on Community Governance Reviews	<a href="https://www.legislation.gov.uk/ukpga/2007/28/contents">https://www.legislation.gov.uk/ukpga/2007/28/contents</a>  <i>see link below</i>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/8312/1527635.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf)