What is Community Governance?

It is the way in which local communities are represented and governed at local authority level and through the involvement of other statutory and voluntary agencies and community groups and by the efforts of local people themselves. It is also about the way in which individuals and groups within the community are listened to and able to influence decisions that affect them.

What is a Community Governance Review?

A community governance review enables a principal council such as Lancaster City Council to review, put in place or make changes to community governance systems and structures e.g. by creating, merging, abolishing or changing parish or town councils in the review area. Lancaster City Council will be starting a community governance review in January 2018.

What is a town or parish council?

Town and parish councils are not run by Lancaster City Council they are quite separate elected bodies made up of local people representing the interests of their community. If any new town or parish councils are made as a result of the review, they will be in addition to, and not instead of, Lancaster City Council.

Who can undertake a Community Governance Review?

Since 13 February 2008, district councils, unitary county councils and London borough councils (all principal councils) have had responsibility for undertaking community governance reviews and have been able to decide whether to action the recommendations made in those reviews. In making that decision, they will need to take account of the views of local people. Principal councils are also required to have regard to the guidance on undertaking community governance reviews published jointly by the Department for Communities and Local Government and the Local Government Boundary Commission.

How can a Community Governance Review Be Instigated?

Community Governance Reviews can be instigated in two ways:

- by a resolution passed by the principal council (i.e. the district or unitary council for the area); (Lancaster City Council passed such a resolution on 27 September 2017)

- by a petition signed by local electors as follows:
1. for an area with less than 500 local electors, the petition must be signed by at least 50% of them
2. for an area with between 500 and 2,500 local electors, the petition must be signed by at least 250 of the electors
3. for an area with more than 2,500 local electors, the petition must be signed by at least 10% of them.

Who will undertake this review?

As the principal authority, Lancaster City Council is responsible for undertaking a Community Governance Review in its electoral area. The full Council is responsible for overseeing this process and for agreeing draft and final recommendations before a Community Governance Order is made. However, the work will be undertaken through a committee of councillors.

How long does a Community Governance Review take?

Legislation requires Community Governance Reviews to be completed within a year.

Who determines the Terms of Reference for community governance reviews?

The 2007 Act requires principal councils to determine and publish the terms of reference under which a community governance review is to be undertaken. It also requires that the terms of reference specify the area under review. If any modifications are made to the terms of reference, these must also be published.

When does the Review start?

Individuals and organisations who want to raise issues to be considered by this review can do so by Friday 12 January 2018. The Terms of Reference for the review will then be written and published. This will start the clock for the review but it is expected the review will be completed in the Autumn of 2018.

When would any changes come into force?

On the same day as the next scheduled normal parish and town council elections. For Lancaster that will be Thursday 02 May 2019.

Who decides the outcome?

The principal council (i.e. Lancaster City Council) following consultation with local people and local groups. There are a number of phases to the process which are outlined below:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Report to Council to commence review</td>
<td>September 2017</td>
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<tr>
<td>Initial consultation stage to establish</td>
<td>November to December</td>
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<tr>
<td>what issues need to be addressed during</td>
<td>2017</td>
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<tr>
<td>the review</td>
<td></td>
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<tr>
<td>Consideration of submissions and the</td>
<td>January to March 2018</td>
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<td>preparation of</td>
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the terms of reference and draft recommendations and processes for consultation

<table>
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<tr>
<th>Event</th>
<th>Date</th>
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<tr>
<td>Consultation on draft terms of reference and recommendations</td>
<td>March to May 2018</td>
</tr>
<tr>
<td>Consideration of responses to consultation and preparation of final recommendations</td>
<td>June to August 2018</td>
</tr>
<tr>
<td>Council to approve final recommendations and any re-organisation orders</td>
<td>September 2018</td>
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</table>

**How can residents have their say?**

All interested groups and residents will be invited to give their views. Where changes to existing parish arrangements or new parish arrangements are proposed, we will consult with the local electorate.

**Why undertake a Community Governance Review?**

A community governance review can be undertaken in response to demographic changes such as a rise in population, for example as a result of significant new housing development. A review may also be triggered by national considerations, e.g. the provision of new rights to communities through the Localism Act 2011. A review can also be triggered if a petition is presented to the principal council asking for a review to be undertaken, and the **Local Government and Public Involvement in Health Act 2007** places a duty on principal councils to respond to such a petition. Sections 39-43 of the Act set out prescriptive criteria, which the petition must meet in order to be legally valid. The objective of undertaking a community governance review is to ensure that local governance will continue to be effective and convenient, and will reflect the identities and interests of local communities.

**Why do some areas have a parish or town council, but others do not?**

The answer is largely historical. Prior to local government reorganisation in 1974, most urban areas of England had an Urban District Council serving a single town. Since its creation in 1974, Lancaster City Council, in common with many Borough and District councils, has governed a larger area than its predecessors. While some of the local councils in urban areas, e.g. Carnforth Town Council and the parish councils in the rural areas continued to exist following reorganisation in the 1970s, other councils such as the former Rural and Urban District Councils, were subsumed into the larger City Council.

**Is the creation of new parish/town councils the only option in areas which don't currently have one?**

No. A review will also explore whether alternative forms of local governance would be more suitable for an area including:

- area committees
- neighbourhood management programmes
• tenant management organisations
• area or community forums
• residents and tenants associations
• community associations.

**What must Lancaster City Council take into account when undertaking a Community Governance Review?**

Lancaster City Council is required to take into account:

• the impact of existing community governance arrangements on community cohesion and
• the size, population and boundaries of any local community or proposed parish or town Council.

In carrying out a Community Governance Review, Lancaster City Council must also consider the wider picture of community governance. This includes taking account of well-established forms of community governance such as local residents associations and community forums.

These can be considered as either alternatives to or stages towards establishing parish or town councils. Guidance does, however, indicate that parish and town councils are set apart from these other kinds of governance by the fact that they are a democratically elected tier of local government and can set a budget and possess specific powers.

**What are the criteria by which options for the future will be judged?**

*Government guidance* indicates that characteristics of good community governance to be considered in assessing the options when undertaking such a review include:

• a sense of civic pride and civic values
• a strong, inclusive community and voluntary sector
• a sense of place - with a positive feeling for people and local distinctiveness
• effective engagement with the local community at neighbourhood level
• strong leadership
• the ability of local authorities to deliver quality services economically and efficiently
• an area that is of a size that is viable as an administrative unit of local government.

Local people might consider these characteristics when submitting their views.

Who will Lancaster City Council consult with?

Before making any recommendations or publishing final proposals, the Council will take full account of the views of local people. The Council will comply with the statutory consultative requirements by:

• Consulting local government electors within the area under review consulting any other person or body (including a local authority) which appears to the Council to have an interest in the Community Governance Review (e.g. Lancashire County Council)

• Taking into account any representations received in connection with the Community Governance Review

Is there a difference between a town and parish council?

No, they both have the same statutory powers and can provide the same services. The only differences are that a town council has decided that it should be known as a town council instead of a parish council, and a town council usually has a Mayor.

How are town and parish councils funded?

Town and parish councils are funded through a sum of money called a ‘precept’ – this is a separate charge which is added to, and collected along with, your existing Council Tax.

The town or parish council will decide what it will need for the coming year and that depends on what services and facilities are needed by the local community.

Town and parish councils can also apply for grants and loans. As the precept will depend on the size of the town or parish council, the services it provides and the number of properties across which it is spread, it is not possible to say how much a precept would be for an area which does not currently have a town or parish council.

What does a town or parish council do?

A town or parish council has statutory powers which could include the following services, over and above those already provided by Lancaster City Council:

<table>
<thead>
<tr>
<th>Service or Facility</th>
<th>What can a town or parish council do?</th>
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<tbody>
<tr>
<td>Allotments</td>
<td>Acquire, maintain and provide burial grounds, cemeteries and crematoria. Maintain monuments and</td>
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<tr>
<td>Category</td>
<td>Description</td>
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<tr>
<td>Memorials and contribute towards the</td>
<td>towards the expenses of cemeteries</td>
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<tr>
<td>Burial grounds, cemeteries and crematoria</td>
<td>Acquire, maintain and provide burial grounds, cemeteries and crematoria. Maintain monuments and memorials and contribute towards the expenses of</td>
</tr>
<tr>
<td>Bylaws</td>
<td>Make bylaws for pleasure grounds, cycle parks, baths and washhouses, open spaces, burial grounds, mortuaries and post-mortem rooms</td>
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<tr>
<td>Commons and common pastures</td>
<td>Enclose, regulate and manage commons and provide common pasture</td>
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<tr>
<td>Community Centres</td>
<td>Provide and equip buildings for use by athletic, social or educational clubs</td>
</tr>
<tr>
<td>Crime Prevention</td>
<td>Spend money on various crime prevention measures</td>
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<tr>
<td>Entertainment and the arts</td>
<td>Provide entertainment and support for the arts</td>
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<tr>
<td>Highways</td>
<td>Repair and maintain public footpaths and bridleways. Light roads and public places. Provide litter bins, parking places for vehicles, bicycles and</td>
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<td></td>
<td>motor-cycles, roadside seats and shelters, bus shelters, traffic signs and other notices. Plant trees and maintain roadside verges</td>
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<tr>
<td>Litter</td>
<td>Provide litter bins</td>
</tr>
<tr>
<td>Mortuaries and post mortem rooms</td>
<td>Provide mortuaries and post mortem rooms</td>
</tr>
<tr>
<td>Open Spaces</td>
<td>Acquire and maintain land used for open spaces</td>
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<tr>
<td>Public conveniences</td>
<td>Provide public conveniences</td>
</tr>
<tr>
<td>Recreation</td>
<td>Acquire land for and provide recreation grounds, public walks, pleasure grounds and manage and control them. Provide gymnasiums, playing fields,</td>
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<td></td>
<td>holiday camps and boating pools</td>
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<tr>
<td>Town and country planning</td>
<td>Be notified of planning applications and submit comments on them to the local planning authority</td>
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<tr>
<td>Tourism</td>
<td>Contribute to organisations encouraging tourism</td>
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<tr>
<td>Traffic calming</td>
<td>Spend money on community transport schemes</td>
</tr>
<tr>
<td>Transport</td>
<td>Spend money on community transport schemes</td>
</tr>
<tr>
<td>War memorials</td>
<td>Maintain, repair, protect and adapt war memorials</td>
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</tbody>
</table>
Any town or parish council created as a result of the Community Governance Review would work with Lancaster City Council to agree which of the above services it would like to be involved in delivering. Further details on parish, town or community councils can be found at www.createacouncil.nalc.gov.uk or www.kentalc.gov.uk

How many town or parish councillors would there be?

If it is agreed to establish a town or parish council, one of the issues that will need to be decided is how many councillors will be elected.

Town or parish councillors can be elected to represent the whole of the parish area or smaller neighbourhoods within the area, called wards.

Any councillors elected to the town or parish council would be in addition to the existing local ward councillors who are members of Lancaster City Council. It is possible for the same people to be elected to the borough council and a town or parish council.

Are town or parish councillors paid an allowance?

Parish and Town councillors are not usually paid an allowance, but may incur costs which can be reimbursed.

Can I express a view about the existing parish councils?

You can express a view about existing parish councils in the Lancaster district during the first consultation stage.

Should I express an opinion about the area to be included in a town or parish council in my area?

Yes, it is important that the size, population and boundaries of any local community or proposed parish or town council ensure a sense of place - with a positive feeling for people and local distinctiveness.

What are Area Committees?

Some Councils operate systems of area committees. These may be given authority to exercise some of the council’s powers. They are made up of the councillors representing the local area covered by the committee, and they may have other representatives “co-opted” to them.

A Co-optee is someone who has not been elected directly to the council, but who has a seat on the area committee to represent an organisation which has a legitimate interest in the way the area is governed.

They may be a member of a Parish Council in an area where one operates, or a member of a residents’ association or community or voluntary group. Lancaster City Council does not currently operate any area committees.
What are Area, Community or Neighbourhood Forums?

These are sometimes set up and run by local authorities to give communities a say on local issues. There are none of these currently in the Lancaster City Council area.

What are Community Associations?

Community Associations are set up locally by members of a community. They usually have a democratically elected management committee and they may include local councillors.

They can influence the way local authorities and other organisations provide services in their area. They usually cover either a specific geographical area or a particular interest such as a sport or hobby.

They do not have powers to raise money through a precept or the Council Tax, are often run by volunteers, and may be set up as a charity.