

**COPELAND BOROUGH COUNCIL**

**COMMUNITY GOVERNANCE REVIEW – WHITEHAVEN**

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT  
2007**

**REVIEW TERMS OF REFERENCE**

DRAFT

**Published by Copeland Borough Council 8 January 2014  
Representations to be made by 19 February 2014**

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## **1 INTRODUCTION**

1.1 Copeland Borough Council at its meeting on 5 December 2013 passed a resolution to conduct a Community Governance Review in the unparished wards of the Borough in and around the town of Whitehaven to establish whether there is public support for a parish tier of governance in the town.

1.2 The Council at its meeting on 5 December also delegated authority to the Whitehaven Community Governance Review Panel (“the Panel”) to consider and determine all stages of the Review, with the exception (in the event of new parishing arrangements being introduced) of the making of a Community Reorganisation Order, the final stage in the process, which will be reserved to the Council itself.

## **2 LEGISLATIVE BACKGROUND**

2.1 The Local Government and Public Involvement in Health Act 2007 provides for local authorities (district councils in two-tier areas) to undertake Community Governance Reviews of any part of their areas, and thereby to make changes to parishing arrangements in those areas. Changes can include creation of new parishes in unparished areas, merging or abolition of parishes, boundary changes or changes to electoral arrangements (number of councillors, terms of office, warding arrangements etc.)

2.2 Reviews can be triggered by a local authority itself deciding to undertake a review; or by a specified percentage of the electorate of an area signing a petition for a review, in which case the local authority concerned is obliged to conduct a review. In this case, the Council has itself decided so to do.

2.3 In undertaking the Review, the Council and the Panel will be guided by the following legislation and statutory guidance:

- The Local Government Act 1972 and the Local Government and Public Involvement in Health Act 2007
- Statutory Guidance on Community Governance Reviews issued by the Department of Communities and Local Government in 2008 and updated in 2010
- The Local Government (Parishes and Local Councils) (England) Regulations 2008 and the Local Government Finance (New Parishes) Regulations 2008

## **3 TERMS OF REFERENCE**

3.1 Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish Terms of Reference for a Community Governance Review. This sets out:

- How the review will be conducted
- Projected timescales
- What the review will focus on

- Factual electoral and parish information

#### **4 AREA TO BE SUBJECT OF REVIEW**

4.1 The area to be reviewed will be the unparished part of the Borough of Copeland as shown hatched on the plan at Appendix “A”, namely the following wards:

Bransty (part)  
Harbour  
Hensingham  
Hillcrest  
Kells  
Mirehouse  
Sandwith (part)

#### **5 WHAT IS A COMMUNITY GOVERNANCE REVIEW**

5.1 A Community Governance Review considers the following topics for the review area:

- Parish areas – creating, merging, altering or abolishing parishes
- Naming of parishes
- Electoral arrangements for parishes – number of councillors to be elected, parish warding including boundaries, number of councillors per ward
- Consequential matters – e.g. effects on existing parishes, if any, setting a budget and precept for a new council, the electoral cycle

5.2 The review will consider all options for future parish governance in Whitehaven, including:

- Establishing one new parish council for the review area
- Establishing two or more parish councils for the review area
- Retaining the status quo

#### **6 PARISH GOVERNANCE**

6.1 The Council values the important role that parish council play in their local areas both in terms of community empowerment and the delivery of local services. Ultimately the recommendations made in a Community Governance Review should bring about improved community engagement, more cohesive communities and better local democracy.

6.2 In considering this review the Council should deliberate the need for parishes to reflect distinctive and recognisable communities of interest, with their own sense of identity and, therefore, the feeling of local community and the wishes of local inhabitants and other interested bodies.

6.3 Government guidance indicates that electors should be able to identify clearly with the area or parish in which they are resident because it considers that this sense of

identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride. The Council considers that an adequate infrastructure should exist to support that community of identity which in turn justifies parish governance. We envisage this infrastructure as comprising meeting points, community facilities, local school, neighbourhood stores, community organisations, voluntary groups, etc., through which the community builds its sense of local identity.

## **7 ELECTORATE AND DEMOGRAPHICS**

7.1 The population projections are at a district level from 2011 to 2021.

The projected populations for Whitehaven have used two different assumptions:

- Current spread of development (35.9%)
- Core Strategy proportion for Whitehaven (45%)

This would suggest an estimated population for Whitehaven of:

- 25,557 – 25,612 in 2017
- 25,701 – 25,792 in 2021

7.2 More detailed information on population projections appears at Appendix “B”.

## **7 CONSULTATION**

7.1 The 2007 Act requires a local authority conducting a Community Governance Review to consult local government electors in the review area, and any other person or body who appears to have an interest in the review. The Council is required to take into account any representations received during consultation.

7.2 The Council propose to consult with local government electors in the area over two phases: **Consultation Phase 1** will be on the general principle of introducing a parish tier of governance in Whitehaven and will use the following consultation mechanisms:

- Key documents on the Council website
- Key documents on deposit at the Council Offices
- Posters displayed at key locations
- Press releases
- Drop-in sessions and/or public meetings at locations throughout the unparished area on at least 6 occasions in consultation period.

7.3 Depending on the outcome of Phase 1, **Consultation Phase 2** will include an illustrative example of how a parish council/s for Whitehaven would look, including as much detail as possible, including illustrative costs. Consultation Phase 2 will include all the

consultation mechanisms listed above for Phase 1, but will also include a mail-out to all properties in the review area.

## 8 TIMEFRAME FOR REVIEW

8.1 The following is an **estimated** timeframe for the review:

Action	Timescale
Pass Resolution to conduct Review and appoint Panel	Council, 5 December 2013
First Panel Meeting	w/c 16 December
Publish Terms of Reference	8 January 2014
Undertake Initial Consultation on Proposal to Establish Parish Council(s)	8 January – 18 February
Analyse Consultation Responses & Prepare Detailed Proposals	18 February – 9 April
Undertake Second Consultation on Detailed Proposals	9 April – 21 May
Analyse Response to Second Consultation & Draft Final Proposals	26 May – 30 June
Council Considers Final Recommendations	July or September 2014
Community Reorganisation Order made	After Council
Any New Parish Council comes into Existence	1 April 2015
First Elections to New Council	May 2015

**Please note these are ESTIMATED timescales which we will do our best to keep to. Any changed timescales will be advertised on our website and elsewhere.**

## 9 WHO UNDERTAKES THE REVIEW?

9.1 The Council at its meeting on 5 December 2013 delegated authority to the Whitehaven Community Governance Review Panel to undertake and determine all stages of the Review, except the making of a Community Reorganisation Order – the final stage of the process to bring a new Council into existence – which will be reserved to full Council. The Panel will be meeting regularly during the review period.

## 10 HOW TO SUBMIT YOUR VIEWS


10.1 You can have your say on the matters being considered during the review by writing to:


Whitehaven CGR  
Democratic Services  
Copeland Borough Council  
The Copeland Centre  
Catherine Street  
Whitehaven CA28 7SJ

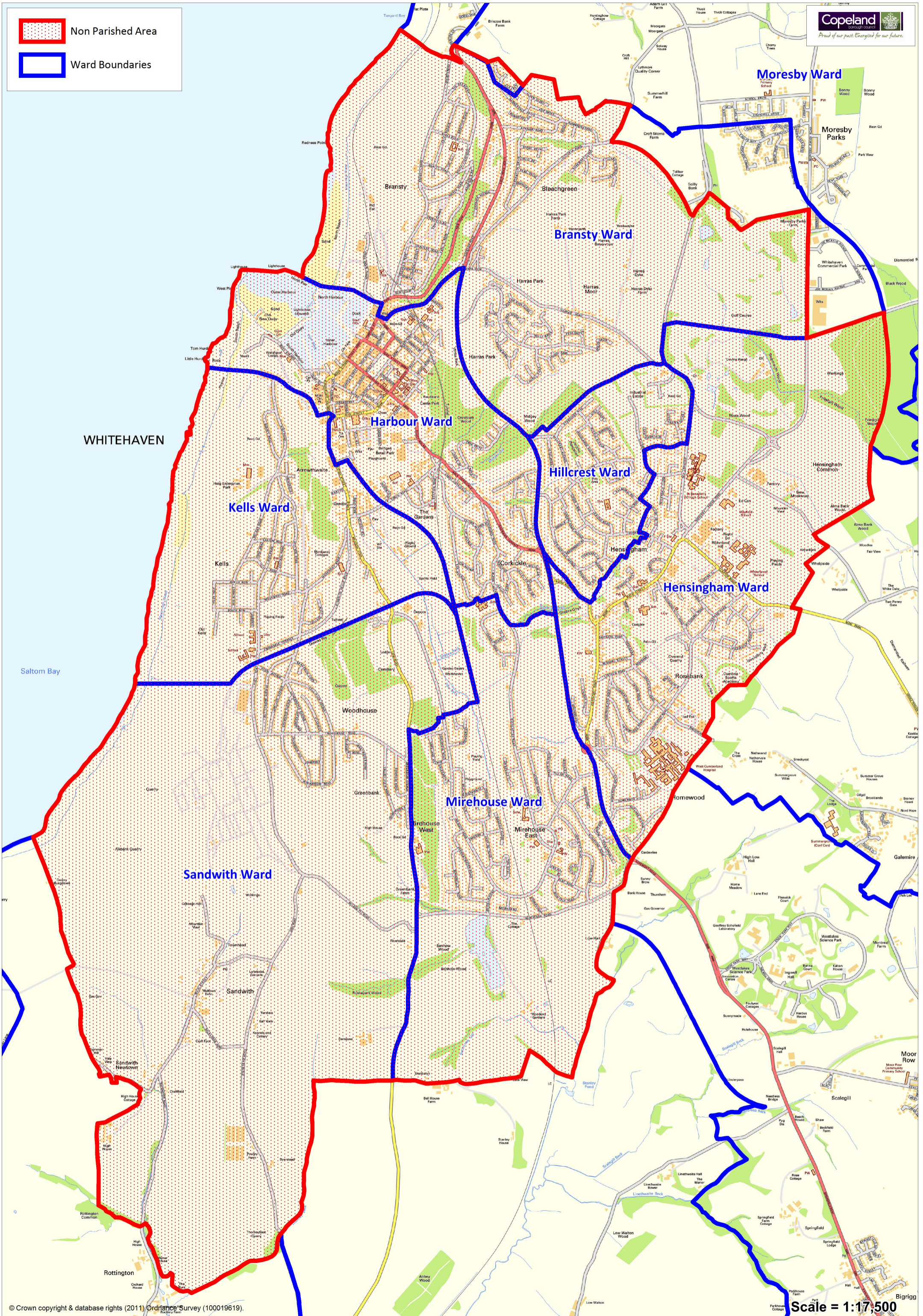
Or by e-mail to: [whitehavencgr@copeland.gov.uk](mailto:whitehavencgr@copeland.gov.uk) – please give your full name and address.

Deadline for Consultation Phase 1 – 18 February 2014.

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 Non Parished Area

 Ward Boundaries





**Based on Current Proportions:**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Whitehaven	25342	25378	25414	25450	25486	25521	25557	25593	25629	25665	25701
Copeland	70,600	70,700	70,800	70,900	71,000	71,100	71,200	71,300	71,400	71,500	71,600

Current proportion: 35.9%

**Based on Core Strategy Proportions:**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Whitehaven	25342	25387	25432	25477	25522	25567	25612	25657	25702	25747	25792
Copeland	70,600	70,700	70,800	70,900	71,000	71,100	71,200	71,300	71,400	71,500	71,600

Change in Population (Copeland)		100	200	300	400	500	600	700	800	900	1,000
Change in Population (Whitehaven)		45	90	135	180	225	270	315	360	405	450

Core Strategy Proportion: 45%

**Copeland age groups**

	Age	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Copeland	0-15	12,000	11,900	11,800	11,800	11,800	11,800	11,900	11,900	11,900	11,900	12,000
Copeland	16-64	45,200	44,800	44,500	44,200	44,000	43,700	43,600	43,400	43,200	43,100	42,800
Copeland	65+	13,400	14,000	14,500	14,800	15,100	15,500	15,700	16,000	16,200	16,500	16,900

	Age	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Copeland	0-15	17.00%	16.83%	16.67%	16.64%	16.62%	16.60%	16.71%	16.69%	16.67%	16.64%	16.76%
Copeland	16-64	64.02%	63.37%	62.85%	62.34%	61.97%	61.46%	61.24%	60.87%	60.50%	60.28%	59.78%
Copeland	65+	18.98%	19.80%	20.48%	20.87%	21.27%	21.80%	22.05%	22.44%	22.69%	23.08%	23.60%