

COMMUNITY GOVERNANCE REVIEW – WHITEHAVEN - CONSULTATION

EXECUTIVE MEMBER: Councillor Peter Kane

LEAD OFFICER & REPORT AUTHOR Tim Capper, Democratic Services Manager

Why has this report come to the Panel

To consider options for consultation with local government electors and others during the Community Governance Review.

Recommendation: that the proposals for a two phase consultation as outlined in the report are approved.

1 Introduction

1.1 Under Part 4 of the Local Government and Public Involvement in Health Act 2007, principal authorities undertaking Community Governance Reviews of parts of their areas are required to consult with local government electors in the area under review, and with any other individuals or bodies who appear to have an interest in the review.

1.2 Other than the statutory duty to consult set out above, there are no requirements as to how a local authority should consult, except that consultation must take place with any other local authority in the area, so formal consultation will be required with Cumbria County Council; otherwise, it is for each authority to decide for itself the method and extent of consultation. In particular, there is no requirement to hold a referendum as part of the consultation.

2 Proposals for Consultation

2.1 It is proposed to hold two phases of consultation – Phase 1 which will be an informal consultation to gather the views of electors on the concept of a parish tier of governance. The second, Phase 2 will be a mail out to all households in the unparished area and will seek views on a specific worked-up proposal for a parish council (or councils) in the town.

3 Phase 1 Consultation

3.1 The first stage will be an informal consultation period, where views are sought from all interested parties and individuals within the Whitehaven unparished area. This stage of consultation will include:

- Public drop-in sessions held in locations across the Whitehaven wards – at least one in each ward is suggested, but all would be open to all electors from the unparished area. It is suggested that members of the Panel should be involved in these.
- Information and response form on our website
- Meetings with interested groups and parties, such as business organisations, health groups, schools, trade unions, voluntary groups etc. Some of these could be more formally constituted evidence-gathering sessions based on the overview and scrutiny model that some members may be familiar with.
- Press releases and if necessary advertisement space in the local media

3.2 To ensure that as many views as possible are captured, this stage would not be about getting a 'yes' or 'no' response from the public, but would instead try to capture peoples' thoughts and concerns, so that these could be addressed by the Council prior to the second round of consultation.

3.3 As such the feedback mechanism would be a short questionnaire with space for people to give their views.

3.4 At this stage we would not write directly to all affected households but would instead use the local print and broadcast media, social media, posters, community organisations and word of mouth to promote the consultation process.

3.5 It is proposed that the Phase 1 Consultation will run from 8 January to 18 February 2014.

4 Phase 2 Consultation

4.1 The second stage of consultation would come after the responses to the first have been analysed, and issues raised have been addressed – where appropriate.

4.2 There may be a decision for the Panel to make on whether to move to Phase 2 at all – if, for example, the overwhelming result of Phase 1 is that there is no appetite for parish governance in the town.

4.3 Phase 2 consultation will take place once the proposals for a town council, such as size, boundaries, number of councillors, cost, potential precept, etc, are fully worked up, taking into account all views expressed in Phase 1. A consultation document will be sent to all households in unparished area.

4.4 This document would outline the proposals and give people the chance to vote for whether they support or oppose the formulation of proposed parish(es). The document will

be sent out with a pre-paid reply envelope. The results from this consultation will be used to guide the Panel's final recommendations to Council.

4.5 The Panel will wish to note that it would be possible to hold a full referendum as part of the Phase 2 Consultation, but as noted above this is not a requirement of the legislation on Community Governance Reviews. However this would need to be a free-standing referendum, as it is not possible, for legal reasons, to hold a local referendum as a combined poll with, for example, the European Parliamentary Elections on 22 May 2014. With all the electoral arrangements for a full referendum (polling stations, staffing, postal votes, verification & count etc), it is estimated that the cost of a free-standing referendum would be at least £40,000, which would need to be met by the Council.

5 Conclusion

5.1 The proposals in this report will enable the Council to consult local government electors comprehensively and as required by the legislation.

Consultees: Communications Manager

Appendices – None