

# Community Governance Review – proposed establishment of Rochester Town Council

## What is a community governance review?

A community governance review enables a principal council like Medway to review and 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.

## What is community governance?

It is the way in which local communities are represented and governed at local authority level. This may be 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 are able to influence decisions that affect them.

## What is a town or parish council?

A town or parish council is an elected body made up of local people representing the interests of their community. The creation of a new town or parish council would be in addition to and not instead of Medway Council.

## Who can undertake a community governance review?

Since 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 in those reviews. In making that decision, they will need to take account of the views of local people. Councils must also take into the account the guidance on undertaking community governance reviews published jointly by the Department for Communities and Local Government and the Local Government Boundary Commission in 2010.

## How does a community governance review get started?

Community governance reviews can be started in two ways:

- If the Full Council meeting of all Councillors agrees to it
- By a petition signed by local electors:
  - For an area with less than 50 local electors, the petition must be signed by at least 37.5% of them
  - For an area with between 500 and 2500 local electors, the petition must be signed by at least 187 of the electors; and
  - For an area with more than 2500 local electors, the petition must be signed by at least 7.5% of them

## Why is Medway starting a review now?

Medway has received a valid petition signed by 1623 electors from the Rochester area, who have requested that a town council for Rochester is set up. As the petition met the required criteria, Medway Council must now carry out a review.

### **Who will undertake the review?**

As the principal authority, Medway Council is responsible for carrying out the community governance review in its electoral area. The full Council is responsible for overseeing this process and for agreeing final recommendations before a community governance order is made. Full Council has established a working party which includes elected Medway Councillors and officers to conduct the consultation, consider the representations received and make recommendations to Full Council.

### **When does the review start?**

The Terms of Reference of the review were adopted by Medway Council at its full Council meeting on 26 January 2017. The law requires principal councils to publish the terms of reference under which a community governance review is to be undertaken and it can be seen

<http://www.medway.gov.uk/thecouncilanddemocracy/communitygovernancereview.aspx>  
here.

### **How long does community governance review take?**

Legislation requires community governance reviews to be completed within 12 months.

### **Who decides the outcome?**

Medway Council. The views of Local people and local groups will be considered by Medway Council and will help to inform the recommendations to full Council meeting. The consultation will allow Medway Council to reach a final decision about any changes that should come into effect.

### **How can residents and other interested bodies have their say?**

All interested groups and residents in the area of the proposed parish council will be invited to give their views. The local electorate will be specifically consulted. The Council has produced a consultation document to help people think about the issues and explain how to submit their views.

### **I've recently moved into the area, and didn't receive a survey; can I have my say on the proposal?**

If you have registered to vote and can vote in local government elections you can complete and submit your views on the proposal. Contact the Electoral Services team on 01634 332030 to check if you are registered and to find out how to complete the survey.

### **Why do some areas of Medway have a parish council, but others do not?**

This is largely historical. Prior to local government re-organisation in 1974, most urban areas of England had an Urban District Council serving a single town. Since its creation in 1998, Medway Council has governed a larger area than its predecessors. The parish councils have continued to exist following re-organisation, but no new ones have been created.

### **Is the creation of a new parish/town council the only option in areas that don't currently have one?**

No. Whilst the petition recommends the establishment of a Parish council with the style of a Town Council, a review could also explore whether alternative forms of local government would be more suitable for an area including

- Area committees
- Neighbourhood management programmes
- Area or community forums
- Residents and tenants or community associations
- Parish meeting

### **What must Medway Council take into account when undertaking a community governance review?**

Medway 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 the review, Medway 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 indicates 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.

### **How is the new governance proposal assessed?**

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.

### **What will the community governance review consider?**

Based on the feedback and comments it receives and evidence produced –

- Should a parish be created?
- What name should the parish be given?
- Should the parish have a parish council or one of the alternative styles?
- Should the parish council be termed a Town Council?
- What electoral arrangements should be put in place for the new parish council
  - when ordinary elections should be held
  - the number of councillors to be elected and
  - whether the parish council be warded (divided into sub-areas)

### **Will the community governance review change Medway Council wards?**

Borough boundaries can only be amended by the Local Government Boundary Commission for England. The community governance review does not have the power to change them directly. However, Medway Council can recommend ward boundary changes to the Commission as a result of 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 your existing Council Tax.
- The town or parish council will decide what funds it will need. The amount will depend on what services and facilities are provided by the town/parish council to the local community.
- The precept will depend on the size of the town or parish council, the services it provides and the number of properties in the area covered.
- Until the town or parish council has been set up it is not possible to say exactly how much the precept will be.
- The precept will be collected with your existing council tax
- Town and parish councils can also apply for grants and loans.

### **What does a town or parish council do?**

A town or parish council has statutory powers over and above those already provided by Medway Council. Any town or parish council created as a result of a Community Governance Review would work with Medway Council to agree which services it would like to be involved in delivering.

The following is a list of areas which could be under the control of a parish/town council:

- Allotments
- Burial Grounds, Cemeteries, Churchyards and Crematoria
- Bus Shelters
- By-laws – the power to make bye-laws concerning: baths and washhouses (swimming pools), cycle parks, mortuaries and pleasure grounds
- Clocks – public clocks can be provided and must be maintained
- Community Centres, Conference Centres, Halls, Public Buildings
- Drainage – of ditches and ponds
- Entertainment and the Arts
- Footpaths
- General Spending – parish councils can spend a limited amount of money on anything they deem of benefit to the community that is not covered by the other specific responsibilities described in this list
- Gifts – parish councils may accept gifts
- Highways – lighting, parking places, right to enter into discussions about new roads and road widening, consent of parish council required for diversion or discontinuation of highway, traffic signs and other notices, tree planting and verge maintenance
- Land – acquisition and sale of
- Legal proceedings – power to prosecute and defend any legal proceedings in the interests of the community, power to take part in any public enquiry
- Litter - provision of litter-bins and support for any anti-litter campaigns
- Planning – parish councils must be notified of, and display for residents, any planning applications for the area. Any comments submitted to the planning authority by the parish council must be taken into account
- Postal and Telecommunication Facilities – power to pay a public telecommunications operator any loss sustained in providing services in that area
- Public Conveniences – provision and maintenance of public toilets
- Recreation – provision of recreation grounds, public walkways, pleasure grounds, open spaces, village greens, gymnasiums, playing fields, holiday camps and boating ponds
- Rights of Way – footpath and bridleway maintenance
- Seats (public)
- Signs – danger signs, place names and bus stops signs
- Tourism – financial contributions to any local tourist organisations allowed
- Traffic Calming
- War Memorials
- Water Supply – power to utilise stream, well or spring water and to provide facilities for general use

Further details on parish, town or community councils can be found at [www.createacouncil.nalc.gov.uk](http://www.createacouncil.nalc.gov.uk) or [www.kentalc.gov.uk](http://www.kentalc.gov.uk)

### **How many town or parish Councillors would there be?**

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

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

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

At present there are nine councillors and one MP who represent the Rochester area. This could increase by an additional 15 (approximately) parish councillors.

### **Are town or parish Councillors paid an allowance?**

Parish and town councilors are not usually paid an allowance, but may incur costs which can be reimbursed to them.

### **Should I express an opinion in the survey about how I feel the proposed town/parish council area reflects the community?**

Yes. People should feel like they have an association with the area and that they are part of a distinct community.

### **Why has each survey got a unique reference number?**

We have given each survey a unique number as a way of minimising duplicate submissions.

### **Why do you want my name and address?**

We need to check that surveys are only being completed by people or organisations from the proposed town/parish council area.

The council will not see your name and address alongside your comments.

### **I've lost the survey so haven't got my unique reference number. What should I do?**

Email [Rochesterreview@medway.gov.uk](mailto:Rochesterreview@medway.gov.uk) giving your name and address or organisation name and address.

If you are registered to vote or are an organisation within the area you will be issued with a new unique survey reference number.