

Review of Community Governance in the Parish of Penketh by Warrington Borough Council

Background

On 27 October 2020, Warrington Borough Council received a petition from the electors of Penketh Parish requesting that the Council undertake a community governance review to abolish the Parish Council. The petition contained 557 validated signatures.

On 5 January 2023 Warrington Borough Council published its terms of reference to conduct a Community Governance Review for the area.

The terms of reference were to consult and consider whether the proposal submitted by the way of the petition was convenient and reflective of the identities and interests of the community in that area.

Initial Consultation

Initial consultation took place on 5 January 2023 – 19 February 2023 involving the Cheshire Association of Local Councils, residents and local organisations of the area.

Taking part in the consultation was through the following methods:

- Online survey and QR code
- Paper copy of the survey on request
- Comments could also be submitted via email and post

Promotion of how to take part in the consultation was as follows:

- A press release was issued externally and to all elected borough councillors
- Half page advert in the Warrington Guardian
- Posters issued to community groups and public buildings in the area
- Relevant information was also published on the Councils website and across social media

Analysis of responses

73 responses were received to the initial consultation, a breakdown is provided below:

- 89% (65 responses) were from residents living in the Penketh Parish Area
- 4% (3 responses) from Borough or Parish Councillors
- 4% (3 responses) from local community groups in the Parish Area
- 3% (2) responses classified as 'other'

Participants were asked if Penketh Parish Council should be abolished, of the 73 responses received:

- 49% (36 responses) were against the Parish of Penketh being abolished
- 43% (31 responses) were in favour
- 8.22 % (6 responses) responded don't know whether the Parish Council should be abolished

Overall 63 open comments and 10 uploaded files were received. Details of comments received are shown in the appendix to this report. (Breakdown of Yes, No, Don't know)

In favour of the abolition of the Parish Council there was concerns about the lack of openness and transparency and lack of value for money. A large proportion of the comments also related to issues relating to the current administration of the Parish Council which are outside the remit of the Community Governance Review process.

A number of the responses relate to the new administration now running the Parish Council and reference that the petition related to the old administration. Whilst acknowledging that they are having issues in the administration of the Parish Council and have been unable to recruit an independent Clerk it should be noted that they do regularly have more than sufficient number of candidates at any election. In addition the next all out elections are scheduled to take place in May 2024, where the administration of the Parish Council could change.

It is noted that some of the comments seeking abolition also refer to issues that would be considered police matters and not a matter for the Review.

In terms of statutory consultees only Cheshire Association of Local Councils (CHALC) have responded to say that they recognise that Penketh Parish Council is not operating as a functioning entity due to relationships and despite support from CHALC and the Borough Council previously no progress has been made to get the Parish Council functional. They feel that the Parish council should be retained and efforts redoubled by both the Borough Council and CHALC to support them in becoming a fully functioning entity.

The Law, Duties and Guidance

Under section 93 of the Act, the Council must comply with various duties when undertaking a community governance review, including:

- I. Having regard to the need to ensure community governance within the area under review reflects the identities and interests of the community in that area, and is effective and convenient.
- II. Taking into account any other arrangements, part from those relating to parishes and their institutions that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review.
- III. Taking into account any representations received in connection with the review.

Under Section 100 of the Act, the Council must also have regard to guidance issued by the Secretary of State. In March 2010, the Department for Communities and Local Government and the Local Government Boundary Commission, published guidance on Reviews of Community Governance.

The guidance makes it clear that the abolition of a parish councils is exceptional and should not be pursued unless there is evidence of clear and sustained support for such action.

Reasons for draft recommendation

Taking into account the guidance, the statutory obligations and the results of the consultation exercise, the abolition of the Parish Council would not evidence community cohesion or reflect the interests of the community for the area.

There has there been no suggestion of what alternative could be provided to secure a more effective and convenient governance for the area to replace the Parish Council. This is in addition to the fact that the majority of responses were in favour of retaining the parish council. Therefore it is not considered that there are the exceptional circumstances or clear and sustained support as required by the Secretary Of State to justify the abolition of Penketh Parish Area.

Draft Recommendation

That Penketh Parish Council be retained and the petition to abolish is refused

Any comments on these draft recommendations must be received by no later than 24 April 2023.

Via the online survey found at: warrington.gov.uk/penketh-parish-council-CGR

By post to: Warrington Borough Council, Electoral Services, Town Hall, Sankey Street, Warrington WA1 1UH