

# **Report of the City Solicitor to the meeting of Council on Tuesday 14 January 2020**



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## **Subject:**

**Community Governance Review for a new Local Council in the Shipley area**

## **Summary statement:**

**At its meeting on 28 November 2019 Governance and Audit Committee considered the Community Governance Review regarding a new Local Council in the Shipley area. This report presents to full Council the recommendations from Governance and Audit Committee in relation to the Community Governance Review and recommends that Council approve the Reorganisation Order appended to the report.**

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Parveen Akhtar  
City Solicitor

**Portfolio:**

**Corporate**

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**Overview & Scrutiny Area:**

**Corporate**

## 1. SUMMARY

At its meeting on 28 November 2019 Governance and Audit Committee considered the Community Governance Review regarding a new Local Council in the Shipley area. This report presents to full Council the recommendations from Governance and Audit Committee in relation to the Community Governance Review and recommends that Council approve the Reorganisation Order appended to the report.

## 2. BACKGROUND

- 2.1 A Local Council is a tier of local government. It can be known as a parish, town, and community or village council. It has members (councillors) elected by the people who live in its area. It has a clerk, who is an employee of the Local Council and who looks after the administration of its activities. A Local Council is an independent organisation and its decisions, assets and liabilities are solely its own responsibility.
- 2.2 In Bradford there are currently 19 Local Councils. They are supported by regional and national associations – Yorkshire Local Councils Association, and National Association for Local Councils. Funding is sometimes available from these bodies to support people in the set up of a new Local Council.
- 2.3 Local Councils are responsible for setting their own precept, with Bradford Council acting only as the billing authority. The precept charged by the Local Councils in the Bradford District varies for Band D households from £8.50 per year in Wrose to £67.53 per year in Burley-in-Wharfedale.

### **Bradford Council working with Local Councils**

- 2.4 To help manage relations and outline how Bradford Council and Local Councils aim to work together, a Charter was first produced and approved by Executive in 2006 and has most recently been updated in May 2015.
- 2.5 The Charter includes agreements on general communications, liaison activity, elections, financial arrangements, town planning and relevant parts of the Localism Act 2011 such as neighbourhood planning and standards committee arrangements. For example:
  - Bradford Council must respond to enquiries from Local Councils within five working days.
  - Bradford Council arranges liaison meetings with Local Council representatives to discuss shared issues.
  - Local Councils are consultees on planning applications that affect the people who live in their area, giving them direct communications from Bradford Council and the opportunity to provide views on relevant planning matters.
  - An explanation is provided on financial arrangements around precepting, options available should a service be transferred from Bradford Council to a Local Council, as well as routine administration matters.
  - Bradford Council should ensure that Local Councils are included in any consultation activity taking place which impacts on their geographical area.
  - Arrangements and responsibilities for elections are also included.

## **Community petition**

- 2.6 In 2018 a group of residents from the Shipley area formed a group called Campaign for Shipley Town Council (CSTC) - with the purpose of raising interest in a new Local Council for Shipley Ward. Following the receipt of a petition, City of Bradford Metropolitan District Council (the Council) undertook a Community Governance Review (CGR) of polling districts 22B, 22C, 22D and 22E within the Shipley ward. 22A is part of Baildon Town Council.
- 2.7 The petition area contained 10,429 local government electors at the date the petition was submitted, and therefore required at least 782 signatories to be valid. The petition attracted 999 valid signatures, and triggered a Community Governance Review in accordance with the Local Government and Public Involvement in Health Act 2007. The aim of the review is to ensure that local governance arrangements are secured which deliver effective and convenient local government which reflect the identities and interests of the community in that area. Councils should take into account other influential factors, including the impact of community governance arrangements on community cohesion, and the size, population and boundaries of a community.
- 2.8 A map identifying the position of the proposed new parish is attached in Appendix 1.

## **Community Governance Review**

- 2.9 The first requirement of a Community Governance Review is to set out Terms of Reference outlining how that review will be run. The Terms of Reference were agreed by the Governance and Audit Committee on the 19 September 2019.

## **Consultation process**

- 2.10 In order to determine the interest of local people in a new Local Council, a consultation was facilitated by Shipley Area Coordinator's Office to support the Community Governance Review. The following opportunities were made available for people to make their representations:
- a) A letter, survey and fact sheet was sent to all households in the area (see Appendix 2).
  - b) Postal communications were sent to stakeholders in the area (including businesses, schools and community organisations).
  - c) Four public drop in sessions were run in October covering each of the four proposed wards in the area – two of these were evening sessions, one was a weekday afternoon and the fourth was on a Saturday afternoon.
  - d) Promotional posters were distributed to local shops/outlets.
  - e) Information was available on the Bradford Council website including an online survey, factsheet and a link to The Good Councillor's Guide.
  - f) The opportunity was given to write to the Council using a freepost address or emailing a managed inbox.
  - g) QR (Quick Reference) link to the survey which is an internationally recognised way of allowing people to access web pages by scanning the code with their phone or device.



### **3. OTHER CONSIDERATIONS**

#### **Consultation considerations**

- 3.1 During the course of the consultation the issue has been raised by one interested party as to whether some form of referendum should form part of the consultation process. The difficulty with a referendum in this context is that whilst it might help to establish the level of public interest in the proposals, it would not provide the evidence necessary to weigh against the statutory criteria set out at paragraph 3.4 below. What is clear is that a referendum cannot be a substitute for the consultation process required for a Community Governance Review. The Council was obliged by law to conduct a Community Governance Review once a valid petition was received, and as part of that review the recommendations made by the petitioners had to be addressed, including the boundaries of the proposed parish and the name of the proposed parish council, namely Shipley Town Council. Having carried out the Community Governance Review, the Council must take into account any representations received in connection with the review in deciding what recommendations to make, and must publish its recommendations as soon as practicable after formulating them. In addition, the DCLG (Department for Communities and Local Government) guidance requires the Council to take into consideration the views of not only those who live in the area but those who work or have an interest in the area, whose views would not be captured in a referendum process.
- 3.2 Throughout the consultation Council officers sought the views of individuals, answered questions and provided standard information, but as the decision making body deliberately did not seek to influence or support any particular view. The consultation was open for anyone to respond to, though its promotion was kept local with contact made with residents, businesses, community groups, and other establishments operating in the area. People were asked to provide their views on the proposal as a means of providing elected members, as decision makers, with reasons for and against.
- 3.3 As the Community Governance Review undertook a qualitative consultation and was not a referendum, the numbers responding for or against cannot statistically be used to validate a result, as individuals could have responded on more than one occasion. This report therefore focuses on providing an analysis of views provided, to enable decision makers to take a balanced view of the legal tests in the Local Government and Public Involvement in Health Act 2007.
- 3.4 “The Act places a duty on principal authorities to have regard to the need to secure that any community governance for the area under review reflects the identities and interests of the local community in that area, and that it is effective and convenient; relevant considerations which influence judgements against these two principal criteria include the impact on community cohesion, and the size, population and boundaries of the proposed area.”

#### **Level of responses**

- 3.5 The consultation process ran from 19 September to 1 November 2019 and 860 representations were made, with the numbers of responses to the different consultation formats as follows:

- Web survey - 404

- Email - 14
- Paper survey – 442

3.6 In addition 65 members of the public attended the drop in sessions. There were more responses in favour of a new Local Council (77%) than there were against (23%).

### **Summary of comments in support of a new Local Council**

3.7 There were many reasons given in support of the proposed new Local Council which have been grouped and summarised as:

- Help with economic development
- Improved maintenance of green spaces
- Local people have a better understanding of local issues
- Local decision making
- Issues would be resolved more efficiently
- The community would be brought together
- The town and surrounding area would have a stronger voice
- Will give Shipley its own budget which it can control
- Perception of a lack of focus on Shipley by Bradford Council
- A small amount to pay for the potential benefits

3.8 Many of the supporting comments were around local people having a better understanding of local issues and a voice in the community. Some respondents felt that issues could be better managed on a more devolved level and that currently Shipley often gets forgotten when the whole district is considered. It was suggested that it would be easier to 'get things done' with a Local Council and that local funding would allow the people of Shipley to better target resources where they were needed. Other comments in support included the idea that with a Local Council there would be greater pride in the area, led by people who care for Shipley. This would consequently lead to greater motivation to make things happen and allow a say in Shipley's future. Examples were the provision of public toilets, traffic issues, flood defence, youth activities and community centres.

3.9 The role of a Local Council's voice on local planning applications was seen as important and useful, as a reliable means of sharing community views with Bradford Council. It was felt the area would have a stronger identity with the opportunity to work with district councillors to keep a focus on the parished area.

3.10 Further comments to take into consideration included references to areas that had been parished already and the good work they do eg Baildon, Bingley and Wrose and how they have benefitted from having a parish/town council. It was suggested that more responsibility could be given to communities through a Local Council which would give a greater feeling of ownership and involvement in the decision making process. In addition it was felt that such a body would help attract much needed investment to the area, bringing the community together. It was suggested that it was a small amount to pay for the potential benefits.

### **Summary of comments against a new Local Council**

3.11 There were many reasons given for not supporting the proposed new Local Council

which have been grouped and summarised as:

- The extra cost of the precept.
  - The potential for increases in the precept in future years as currently uncapped.
  - The area is not representative of the Shipley area.
  - Not needing another layer/level of bureaucracy.
  - General feeling of a Local Council not being needed and not being a good use of money and a waste of time.
  - Local district councillors who are democratically elected do a good job already.
- 3.12 Many of the comments against a new Local Council mentioned the concern over having to pay additional money through the precept and the extra layer of bureaucracy and that a new Local Council could increase the precept according to their own budget. There was also concern over 'double taxation' with council tax already being paid to Bradford Council. Further comment was made that some might not be able to pay the additional tax such as young working families and retired people. There was also concern over the capability of Local Councils to manage their finances.
- 3.13 It was suggested that additional Councillors would lead to too many people representing the area and confusion over who was making decisions and who they should raise concerns to.
- 3.14 It was suggested that there was already good work undertaken by volunteers who don't need to be voted for. Concern was raised by some that a new Local Council might not benefit the whole area equally and favour specific areas.

#### **Local Council ward boundaries and numbers of local councillors**

- 3.15 Guidance recommends that a Local Council which encompasses a number of areas with separate identities, as the Shipley proposal does, be warded in order to ensure fair representation. Therefore should the proposal for a new Shipley Local Council be accepted, the area should be divided into wards, as outlined at point 3.17.
- 3.16 In arriving at the proposed boundaries, comparisons have been made to the size and representation of other existing parishes within the Bradford Council district area. The guidance provided by the Department for Communities and Local Government has also been applied to the number of electors and level of local councillor representation, to ensure that the proposals fall within the tolerance levels provided.

- 3.17 The table below outlines the suggested wards along with the electorate number and consequent recommendation of numbers of local councillors for each Local Council ward:

<b>Proposed Local Council ward name</b>	<b>Polling district reference</b>	<b>Number of electors</b>	<b>Proposed number of local councillors</b>
Saltaire and Hirst Wood	22B	2818	3
ShIPLEY Centre and Dockfield	22C	1220	2
Nab Wood and Moorhead	22D	3727	3
Northcliffe and Norwoods	22E	2553	3
<b>Total</b>	<b>N/A</b>	<b>10318</b>	<b>11</b>

### **Ordinary Year of Elections**

- 3.18 Ordinary parish elections are held once every four years, with all councillors being elected at the same time. New parish electoral arrangements usually come into force at ordinary parish elections.
- 3.19 In the case of a new Shipley Local Council, if approved, it is recommended, in line with the Communities and Local Government guidance, that elections be held in May 2020 along with the District Council elections and the term of office of the local councillors elected on this occasion is three years and four years thereafter, following the standard electoral cycle.

### **Recommendation from Governance and Audit Committee**

- 3.20 The Committee met on 28 November 2019 and resolved that it be recommended to Council:
- That the establishment of a new Local Council in the Shipley area be supported – as a consequence of meeting the tests in the Local Government and Public Involvement in Health Act 2007, as outlined in paragraph 3.4 of Document “V”.
  - That with no significant opinion against a smaller or larger boundary, the Local Council follow the boundary as proposed and set out in the Community Governance Review Terms of Reference.
  - That the new Local Council being named Shipley Town Council, as set out in the petition received in May 2019 be supported.
  - That the Local Council area being split into wards as outlined at paragraph 3.17 of Document “V”, along with the suggested numbers of local councillors per Local Council ward be supported.

- That it be noted that it is a requirement of the 2007 Act that the Council must make available a document setting out the reasons for the decisions it has taken at the conclusion of a Community Governance Review and to publicise those reasons.
- That final approval for the establishment of a new Local Council in the Shipley area be referred to Council at its meeting on 14 January 2020.

### **Reorganisation Order**

- 3.21 A proposed reorganisation order is attached as Appendix 3. This Order deals with matters prescribed by law, including the area, name, calculation of budget requirement, parish council, elections, number of parish councillors, wards, annual meeting and transfer of property (allotments).

### **Shipley Town Council Proposed Precept 2020-21**

- 3.22 Local town and parish councils normally set their own precepts to cover their annual expenditure. This is then collected on their behalf by Bradford Council as part of the annual Council Tax bill. However, if the order for its establishment is approved, Shipley Town Council will have no elected members until after elections in May 2020 so the new town council will be unable to set its own precept for 2020-21. Therefore, should full Council approve the order it will, at the same time, set a budget for the first year of the new town council.

Appendix 4 sets out the details of the proposed budget for STC in its first year along with a number of key considerations that have been applied in compiling a budget for the proposed new town council.

## **4. FINANCIAL & RESOURCE APPRAISAL**

- 4.1 As previously stated Local Councils are independent bodies who run their own affairs. However, Bradford Council acts as the billing authority for any precept charged by Local Councils. The Bradford Council and Local Council Charter sets out all other arrangements on mutual financial arrangements.
- 4.2 The Localism Act 2011 imposed the need for local authorities, fire authorities, and Police and Crime Commissioners wishing to raise their council tax by more than 2% to hold a referendum. This cap has to date not been imposed on Local Councils but may be reconsidered as part of a future Spending Review.
- 4.3 The cost of running the community governance review was £3,866.28 which included mailouts, posters and venue hire for drop-ins.
- 4.4 As a new Local Council would only be formally constituted after the first elections are held (in May 2020), should a new Local Council be formed, Bradford Council will set a 2020-21 local precept on its behalf at the Council Budget Meeting in February 2020.
- 4.5 A precept figure cannot be included in the report at this stage as the council tax base for the next financial year has not yet been set. It is envisaged that the main cost will be that of a parish clerk. The Council will look at similar sized Local Councils and see for how many hours their clerks are paid and at what grade. The Council will make sure a budget is provided for set up costs such as a computer and printer along with web site



design. If it is known where the Local Council intends to hold its meetings, a forecast will be made of any rents that will have to be paid. Other running costs that will have to be factored in include printing and stationery and external audit fees and insurance.

- 4.6 The ongoing costs to Bradford Council in relation to Local Councils are through the costs of running elections and through its Standards Committee arrangements for dealing with alleged breaches of that Council's Members Code of Conduct.
- 4.7 Full details of the election cost arrangements are held within the Bradford Council and Local Council Charter. This requires it to meet the full cost of the first election of a new Local Council and subsequently 100% of the costs of polling stations and count stations of elections held on the same day as Council elections. Local Councils will pay 50% of shared costs (excluding the costs of polling stations and counting stations) and 100% of wholly attributable costs. Local Councils will pay 100% of the costs of stand alone elections.

## **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

- 5.1 Decisions on the recommendations of Community Governance Reviews are required to be taken by full Council.

## **6. LEGAL APPRAISAL**

- 6.1 The power to take decisions about the creation of Local Councils and their electoral arrangements is delegated to principal councils under part 4 of the Local Government and Public Involvement in Health Act 2007.
- 6.2 Where a parish has 1000 or more local government electors (as here), the review must recommend that the parish should have a council by virtue of S94 of the 2007 Act.
- 6.3 In undertaking the review, the Council must have due regard to the relevant parts of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972 and the Guidance on Community Governance Reviews issued by the Department for Communities and Local Government and the Local Government Boundary Commission.
- 6.4 Following the recommendations of Governance and Audit Committee on 28 November 2019, the next step in the process is for Council to consider giving formal approval for the Reorganisation Order attached as Appendix 3 to this report.

## **7. OTHER IMPLICATIONS**

### **7.1 EQUALITY & DIVERSITY**

- 7.1.1 One of the fundamental considerations that Bradford Council has had to have regard to through the Community Governance Review process, is to ensure that community cohesion is not impacted as a consequence of the Review and any decision arising from it. No impacts have been revealed.
- 7.1.2 In line with the Public Sector Equality Duty, any disproportionate impacts on protected characteristic groups were also considered. An equality impact assessment was undertaken and no impacts were identified. However with the likely introduction of a

Local Council precept, those on lower incomes are more likely to be adversely affected.

## **7.2 SUSTAINABILITY IMPLICATIONS**

7.2.1 There are no sustainability implications from the options to either implement or not approve a new Local Council.

## **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

7.3.1 There are no greenhouse gas emission impacts from the options to either implement or not approve a new Local Council.

## **7.4 COMMUNITY SAFETY IMPLICATIONS**

7.4.1 There are no community safety implications from the options to either implement or not approve a new Local Council.

## **7.5 HUMAN RIGHTS ACT**

7.5.1 There are no human rights implications from the options to either implement or not approve a new Local Council.

## **7.6 TRADE UNION**

None.

## **7.7 WARD IMPLICATIONS**

7.7.1 There would be a direct impact on Shipley ward, as should a new Local Council be approved, there would be an additional layer of governance in this area. This would create a new body for Bradford Council and Shipley Area Committee to consult with on local issues. Shipley Area Committee currently consults with all parish councils at Area Committee meetings.

## **8. NOT FOR PUBLICATION DOCUMENTS**

None.

## **9. OPTIONS**

9.1 Option 1 – approve the Reorganisation Order attached as Appendix 3 to this Report.

9.2 Option 2 – refuse to approve the Reorganisation Order attached as Appendix 3 to this report.

## **10. RECOMMENDATIONS**

10.1 That the Council approve the Reorganisation Order attached as Appendix 3 to this report and that the City Solicitor be authorised to affix the Council's seal to the Order to bring it into effect.

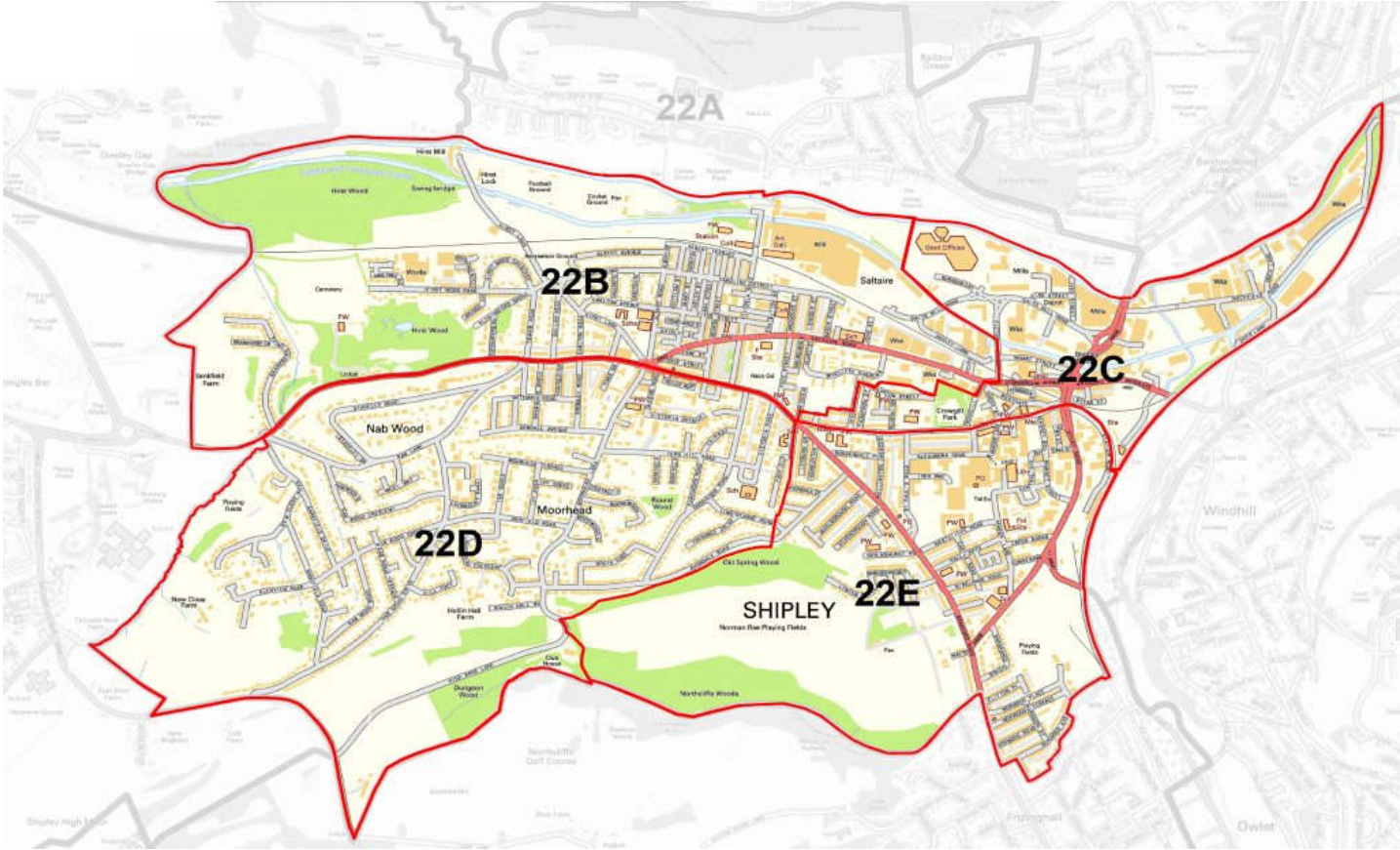
## 11. APPENDICES

- Appendix 1 – Map referred to in the Shipley Town Council (Reorganisation of Community Governance) Order 2020
- Appendix 2 – Letter to householders with consultation details and fact sheet
- Appendix 3 – Reorganisation Order
- Appendix 4 – Details of proposed budget for Shipley Town Council

## 12. BACKGROUND DOCUMENTS

- 12.1 Report of the City Solicitor to the meeting of Governance and Audit Committee on Thursday 28 November 2019, document 'V', Community Governance Review for a new Local Council in the Shipley area.
- 12.2 Report of the City Solicitor to the meeting of Governance and Audit Committee on 19 September 2019, document 'Q', Terms of Reference for a Community Governance Review for a new Local Council in the Shipley Ward.
- 12.3 Community Governance Review Guidance – Department for Communities and Local Government, and The Local Government Boundary Commission  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/8312/1527635.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf)
- 12.4 Local Government and Public Involvement in Health Act 2007  
<http://www.legislation.gov.uk/ukpga/2007/28/contents>

**Appendix 1 – Map referred to in the Shipley Town Council (Reorganisation of Community Governance) Order 2020**



## Appendix 2 – Letter to householders and Fact Sheet

### Department of Place

ShIPLEY Area Co-ordinator's Office  
Town Hall  
ShIPLEY  
BD18 3EJ

Email: [shipleyparish@bradford.gov.uk](mailto:shipleyparish@bradford.gov.uk)

Date: September 2019

Dear Resident

### HAVE YOUR SAY

#### Proposal for a New Town Council for the ShIPLEY area (ShIPLEY Centre, Dockfield, Saltaire, Hirst Wood, Nab Wood, Moorhead, Northcliffe and Norwoods areas)

Bradford Council is now undertaking a consultation to establish whether the people of ShIPLEY want their own town council.

This consultation (known as a Community Governance Review) is taking place because Bradford Council received a formal petition from a group of residents from the ShIPLEY area.

A parish or town council is a statutory body that is democratically elected. It can serve an area ranging from a small rural community to towns and small cities. It is independently run and raises a precept (a form of Council Tax) from the local community to spend on local priorities.

A fact sheet providing more information on parish councils, what they are and what they can do is included with this letter. A copy of the formal Community Governance Review Terms of Reference is available in ShIPLEY Library and on the Council's website [www.bradford.gov.uk/consultations/current-consultations/consultation-and-engagement/](http://www.bradford.gov.uk/consultations/current-consultations/consultation-and-engagement/) (within 'Proposed new town council for the ShIPLEY area' consultation).

To help Bradford Council reach a decision on whether the town council should be established, we need to hear the views of local people. We encourage you therefore to get in touch. You can do this in a number of ways:

- By completing our online survey – available at [www.bradford.gov.uk/consultations/current-consultations/consultation-and-engagement/](http://www.bradford.gov.uk/consultations/current-consultations/consultation-and-engagement/) or by scanning the QR code opposite
- By completing the enclosed survey and posting it to us using the following address details:
  - On the front of your envelope please write only **FREEPOST BRADFORD COUNCIL** (the new Royal Mail system requires no further address details)
  - On the back of your envelope please write **ShIPLEY – New Parish**
- By emailing us at [shipleyparish@bradford.gov.uk](mailto:shipleyparish@bradford.gov.uk)



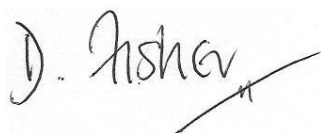
- By attending one of our drop in sessions (below) where you can meet Bradford Council officers:

Venue	Date	Time
St Peter's Church, Moorhead Lane, Shipley BD18 4JN	Monday 14 October	2pm to 4pm
Saltaire Methodist Church, Saltaire Road, Shipley BD18 3HJ	Thursday 17 October	6pm to 8pm
The Kirkgate Centre, 39A Kirkgate, Shipley BD18 3EH	Saturday 19 October	2pm to 4pm
Northcliffe Church, Hall Royd, Shipley BD18 3ED	Wednesday 23 October	6pm to 8pm

The consultation will last until 1 November 2019, after which a decision will be made.

We very much hope you will take the opportunity of sharing your views with us so that you can help the Council decide whether a new town council should be set up and whether your neighbourhood or village should be included in it.

Yours sincerely



Damian Fisher  
Shipley Area Co-ordinator

**PROPOSED NEW TOWN COUNCIL FOR THE SHIPLEY AREA  
(SHIPLEY CENTRE, DOCKFIELD, SALTAIRE, HIRST WOOD, NAB WOOD, MOORHEAD,  
NORTHCLIFFE AND NORWOODS AREAS)**

**Fact Sheet**

**Why is Bradford Council undertaking a review/consultation?**

Having received a petition from a group of residents asking for a town council to be established in the Shipley area, Bradford Metropolitan District Council is conducting a Community Governance Review under the Local Government and Public Involvement in Health Act 2007.

**What is a Community Governance Review?**

A Community Governance Review provides an opportunity for Bradford Council to review and make changes to local governance within an area. This will be supported by a consultation with local people. The aim of the review is to ensure that local governance continues to be effective and convenient, that it reflects the people and interests of local communities and considers the views of local people. The recommendations arising from the Community Governance Review should deliver improved community engagement, more cohesive communities and better local democracy.

**What is a town council?**

A town council is a tier of local government. It can be known as a parish, town, community or village council. Most town councils are non-political. It has members (councillors) elected by the people who live in its area. It has a clerk, who is an employee of the town council and who looks after the administration of its activities.

The range of services and amenities a town council can provide varies enormously. A town council is an independent organisation and its decisions, assets and liabilities are solely its own responsibility.

**What can a town council do?**

A town council would not replace Bradford Council, but it can provide additional services in its area. A town council's powers could include the provision of allotments, street cleaners, public toilets, seasonal events, youth activities, management of public gardens, play areas and community centres and the allocation of grants to local organisations.

A town council is a consultee on planning applications that affect the people who live in its area. Bradford Council planners will take the views of a town council into account when making their decisions, although they don't have to agree with them. A town council could also access additional sources of funding specifically aimed at parish or town councils.

**The people who run a town council**

As well as a paid clerk (often part time), the town council requires a number of local volunteers to stand as town councillors to represent the people of the parish. These volunteers do not need to be a member of a political party. The number required will be established through the Community Governance Review, but in other areas varies from 5 to 30.



## Do town councillors get paid or receive allowances?

No, town councillors do not get paid or receive any allowances for the work they do.

## Raising money for a town council

A town council raises money by charging a precept to all households in the area. This is in addition to any Council Tax paid to Bradford Council, the Police and Fire Authorities. The town council is required to set its own budget annually and Bradford Council is notified of how much is to be raised through the precept. This is then added to your Bradford Council Tax bill and will vary depending on the Council Tax band of your home. The town council does not charge businesses any additional money. The money raised by a town council can only be spent for the benefit of people living in the area of that town council.

Annual changes to the precept are not capped by Central Government (in the way that a percentage limit is applied to Council Tax). This means that the amount can be increased/decreased by the town council to meet its agreed budget.

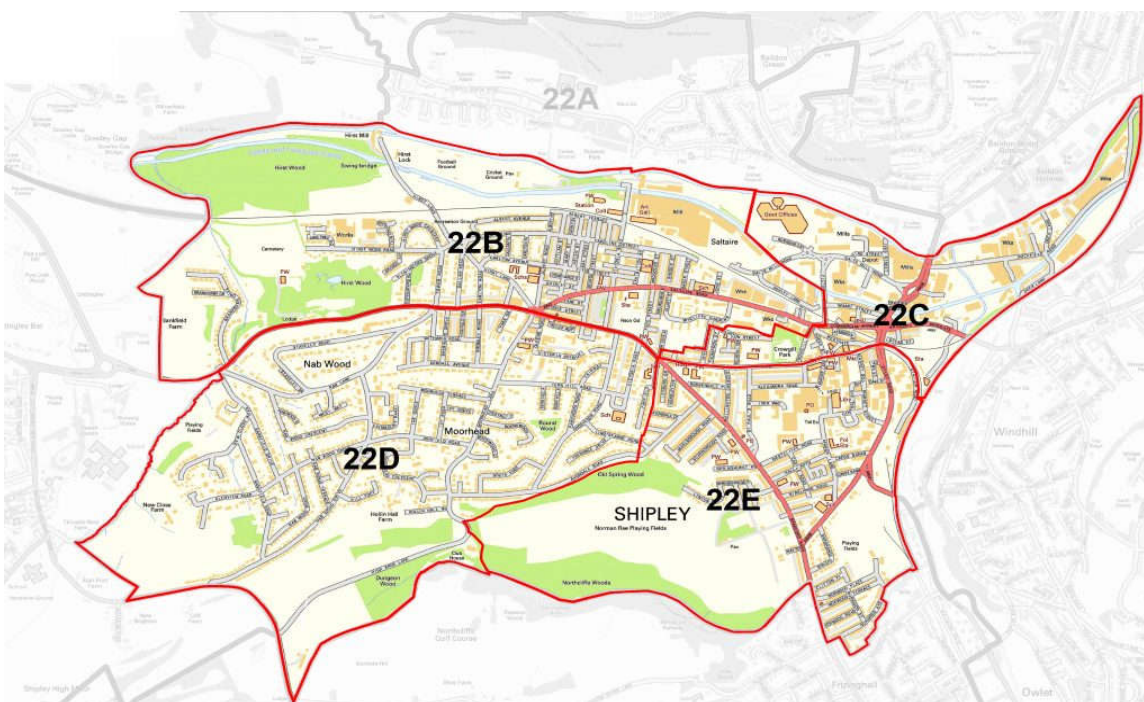
The level of precept charged by parish and town councils in the Bradford district varies from an **annual** charge of £8.50 in Wrose to £67.53 in Burley in Wharfedale for a band D property. For guidance, Bingley Town Council, established in 2016, had a 2018-19 precept of £16.31 for a band D property.

The first precept would be set by Bradford Council. In subsequent years the town council would prepare its own budget and determine the amount of the precept.

## What happens next?

At the end of the consultation period and after all the responses have been analysed, if Bradford Council decides to create a new town council, it will appoint a shadow council first, to help establish the new town council's finances, the arrangements for the election of councillors and the first meeting. Following this, the town council will be left to run its own affairs.

## A map of the proposed area for a Shipley Town Council





## **Appendix 3 – Reorganisation Order**

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

#### **ShIPLEY Town Council (Reorganisation of Community Governance) Order 2015**

Made 14 January 2020

Coming into force in accordance with article 1

The City of Bradford Metropolitan District Council (“the Council”) in accordance with Section 82 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) has undertaken a community governance review and made recommendations dated 28 November 2019.

The Council has decided to give effect to those recommendations and, in accordance with Section 93 of the 2007 Act, has consulted with the local government electors and other interested persons and has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient.

The Council has had regard to the Guidance on Community Governance Reviews issued under Section 100 of the 2007 Act.

The Council makes the following Order in exercise of the powers conferred by Sections 86, 98 and 240(10) of the 2007 Act.

#### **Citation and Commencement**

1. (1) This Order may be cited as the Shipley Town Council (Reorganisation of Community Governance) Order 2020.
- (2) It shall come into force on 1 April 2020.
- (3) Article 9 shall come into force on the ordinary day of election of councillors in 2020.

#### **Interpretation**

2. In this Order “map” means the map marked “Map referred to in the Shipley Town Council (Reorganisation of Community Governance) Order 2020” and deposited in accordance with Section 96(4) of the 2007 Act and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

“new parish” means the parish constituted by article 4

“ordinary day of election of councillors” has the meaning given by Section 37 of the Representation of People Act 1983; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, Section 8 of the Representation of the People Act 1983.

### **Effect of Order**

3. This Order has effect subject to any agreement under Section 99 (agreement about incidental matters) of the 2007 Act relevant to any provision of this Order.

### **Constitution of a New Parish**

4. (1) A new parish, comprising the area outlined with a red line on the map, shall be constituted within the Bradford District.  
(2) The name of the new parish shall be Shipley Town Council.

### **Calculation of Budget Requirement**

5. For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of Shipley the sum of £133,982

### **Parish Council for the Parish of Shipley**

6. (1) There shall be a parish Council for the parish of Shipley.  
(2) The name of that Council shall be “Shipley Town Council”.

### **Elections for the Parish of Shipley**

7. The election of all parish councillors for the parish of Shipley shall be held simultaneously on the ordinary day of election of councillors in 2020.

### **Number of Parish Councillors for the Parish of Shipley**

8. The number of councillors to be elected for the parish of Shipley shall be 11.

### **Wards of the Parish of Shipley and Numbers of Parish Councillors**

9. (1) The parish of Shipley shall be divided into four wards which shall be named Saltaire and Hirstwood, Shipley Centre and Dockfield, Nab Wood and Moorhead and Northcliffe and Norwoods.  
(2) Each ward shall comprise the area designated on the map by reference to the name of the ward and polling district and demarcated by red lines as in Appendix 1.  
(3) The number of councillors to be elected for each parish ward shall be Saltaire and Hirstwood - 3, Shipley Centre and Dockfield - 2, Nab Wood and Moorhead - 3 and Northcliffe and Norwoods - 3.

### **Annual meeting of Parish Council**

10. The annual meeting of the new parish council in 2020 shall be convened by the City Solicitor of the Council. The meeting shall take place no later than 14 days after the day on which the

councillors elected to the new parish council take office.

**Electoral Register**

11. The registration officer for the Council shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of this Order.

**Transfer of Property, Rights and Liabilities**

12. The land, property, rights and liabilities described in Schedule 1 shall transfer from the Council to the Parish Council of Shipley on 1 April 2020.

**Order Date**

13. 1 April 2020 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

Sealed with the common seal of the Council this day 14 January 2020

## Schedule 1

### LAND AND PROPERTY TO BE TRANSFERRED

<b>Property Description</b>	<b>No</b>	<b>Street</b>	<b>Locality</b>	<b>Town/City</b>	<b>Post Code</b>
Carlton Avenue Allotments	4	Carlton Avenue	Saltaire	ShIPLEY	BD18
Caroline Street Allotments	20	Caroline Street	Saltaire	ShIPLEY	BD18
Northcliffe Allotments	9	Bradford Road		ShIPLEY	BD18
Red Beck Allotments	39	Otley Road		ShIPLEY	BD18

## **Appendix 4 – Details of proposed budget for Shipley Town Council 2020/21**

Listed below are a number of key considerations that have been given in compiling an estimated budget for the proposed new Shipley Town Council. The budget is also presented alongside the consequent precept.

### **1. Set-up costs**

It is expected that some tasks will need to be carried out before the new Town Council formally comes into being and these will be borne initially by Bradford Council.

It is proposed that the estimated costs for Bradford Council in setting up STC should be recharged to the Town Council once established. These are principally once-only costs.

Set-up costs are estimated at £15,800

### **2. Operating costs**

These are the costs of being in business, estimated for 2020-21. They consist primarily of salary costs for a clerk – this is likely to be a full time equivalent post. Costs are estimated with reference to the National Association of Local Councils' terms and conditions and job profile guidance.

Many of the ordinary day to day running costs of being in business are unknown and can only be estimated, including the cost of renting office accommodation (although there are many alternatives available to the Town Council). These costs have been estimated using figures published by Ilkley Parish Council as a guide.

As this is the first year there will be no reserves brought forward. Therefore, provision for a revenue reserve is also included to allow for unexpected events or opportunities since the initial precept will be the Town Council's only source of income (excluding a small income from allotments) and it will not be able to raise additional revenue during the year. This reserve would also be used to provide, for example, for the costs of any stand alone by-elections which must be funded by the Town Council.

Operating costs are estimated at £63,100

### **3. Services**

Bradford Council cannot impose services on STC. The new town council will determine what services and community support it wishes to provide and how they should be resourced. However, if the first precept for 2020-21 does not include a budget for services the new STC will have no funds for the support and services it intends to deliver. A figure of £58,000 has been included here for illustrative purposes only – Members may substitute a different figure if they think it more appropriate.

### **4. Other income**

It is a statutory requirement that Bradford Council transfers its allotments, within the identified boundaries, to the new Town Council – these currently provide rental income of approximately £3,000 (~~but discounted—see below~~)

## **5. Other considerations**

At present unitary councils are unable to raise Council Tax by more than 2% without a referendum. At the current time Town and Parish councils are not constrained by this requirement but there has been much debate over recent years and it is not yet certain that Town and Parish councils will continue to be excluded from this regime for 2020-21.

There is a risk that if a precept was set to cover only the minimum level of set-up and operating costs and did not anticipate a level of service provision the proposed new Town Council would not be able to raise further funds in future periods without a referendum. Setting a precept at a level to be expected when it is fully operational enables any surplus from the first year and any operational savings available to be added to reserves and utilised in later periods. The Town Council also has the discretion to reduce the precept in future years.

The total proposed budget requirement for 2020-21 outlined above amounts to £133,900

Provisional estimates of the tax base for the new Town Council, based on the polling districts identified in the Community Governance Review, indicate 4'462 band D equivalents. A budget requirement of £133,900 would equate to an indicative charge of £30.01 per band D property. This is for illustration purposes only as the tax base for 2020-21 has not yet been calculated.

A break down of the figures is shown below:

### **Shipley Town Council proposed budget requirement 2020-21**

<b>PROPOSED PRECEPT 2020-21</b>	<b>£</b>
<b>Set-up costs</b>	
Furniture	2,200
IT equipment	3,200
Website design	1,600
Telephone	500
Recruitment	600
Interim accommodation costs - 2 months prior to first election	1,600
Interim clerk's salary - 2 months prior to first election	6,100
	<hr/>
	15,800
	<hr/>
<b>Operating costs</b>	
Accommodation and room hire	7,400
Clerk's Salary (10 months)	30,200
Training (councillors and clerk)	2,700
Telephone	700
Insurance	1,400
Audit	700
Newsletter, Publicity, advertising and website maintenance	5,400
Postage and stationery	2,200
Allowances	1,700
Repairs	700

Contingency / revenue reserve	10,000
	<u>63,100</u>
<b>Services costs</b>	
Projects, Christmas lights, awards, grants	58,000
<b>Other income</b>	
Allotments	-3,000
<b>Total estimated budget</b>	<b>133,900</b>
Band D equivalent properties	4,462
<b>Band D precept</b>	<b>30.01 *</b>