

Report of the City Solicitor to the meeting of Governance and Audit Committee to be held on Thursday 22 July 2021

D

Subject:

Community Governance Review for a new Local Council in the Windhill and Bolton Woods area

Summary statement:

This report provides feedback from the Community Governance Review for a proposed new Local Council in the Windhill and Bolton Woods area which was triggered by receipt of a petition to the Council from local residents.

EQUALITY & DIVERSITY:

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.

In line with the Public Sector Equality Duty, any disproportionate impacts on protected characteristic groups were also considered. An equality impact assessment has been undertaken and no impacts were identified in terms of protected characteristics. However, residents on low incomes/low wages, with the likely introduction of a Local Council precept are more likely to be adversely affected.

Parveen Akhtar
City Solicitor

Portfolio:

Corporate

Report Contact: Damian Fisher
Phone: (01274) 437062
E-mail: Damian.fisher@bradford.gov.uk

Overview & Scrutiny Area:

Corporate

1. SUMMARY

This report provides feedback from the Community Governance Review for a proposed new Local Council in the Windhill and Bolton Woods area which was triggered by receipt of a petition from local residents.

2. BACKGROUND

- 2.1 A Local Council is a tier of local government. It can be known as a parish, town, 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 20 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 setting 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 precepts charged by the Local Councils in the Bradford District vary for Band D households from £13.50 per year in Wrose, to £82.00 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 Following the receipt of a valid petition, City of Bradford Metropolitan District Council (the Council) must undertake a Community Governance Review (CGR) of polling districts 28A, 28D, 28E and 28F within the Windhill and Wrose ward. Wrose already has a Parish Council and this petition is related to the Windhill and Bolton Woods areas. A CGR may be considered at a future date to include polling district 28G into Wrose Parish Council.
- 2.7 The petition area contained 5916 local government electors at the date the petition was submitted, and therefore required at least 444 signatories to be valid. The petition attracted 457 valid signatures, and this triggered a Community Governance Review in accordance with the Local Government and Public Involvement in Health Act 2007. The aim of the review was 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 (see Appendix 2). The Terms of Reference were agreed by the Governance and Audit Committee on the 21st January 2021.

Consultation process

- 2.10 In order to determine the interest of local people in a new Local Council, the consultation was facilitated by the Shipley Area Coordinator's Office. 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 3).
 - b) Postal communications were sent to stakeholders in the area (including businesses, schools and community organisations).
 - c) Information has been available on the Bradford Council website including an online survey, factsheet and a link to The Good Councillor's Guide.
 - d) The opportunity has been given to write to the Council using a freepost address or emailing a managed inbox.
 - e) 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 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 Windhill and Bolton Woods Community 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.
- 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, 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 Over the six week period of consultation 193 representations were made, with the numbers of responses to the different consultation formats as follows:
- Web survey - 93
 - Email - 2
 - Paper survey – 98

Due to the Covid pandemic it has not been possible to hold any public meetings

which under normal circumstances would have been planned in Windhill and Bolton Woods.

- 3.6 193 responses were received from 5916 electors which equates to a 3.26% representation. In terms of numbers out of the 193, 110 said yes and 83 said no. The low level of responses is unusual taking into account 457 signed the original petition and also the previous level of representations in the previous Community Governance review in Shipley which was 12%. This could be due to the pandemic in this particular review.

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 Windhill & Bolton Woods its own budget which it can control
 - Perception of a lack of focus on Windhill & Bolton Woods by Bradford Council
 - A small amount to pay for the potential benefits
- 3.8 Many of supporting comments were around local people having a better understanding of local issues and a voice in the community. Some respondents felt that local people were more in touch with the issues that arise within the community and these could be better managed on a more devolved level. It was felt that currently Windhill and Bolton Woods very often gets forgotten when the whole district is considered.
- 3.9 There were many concerns about the lack of facilities for younger people and environmental issues such as littering and fly tipping. Having much needed investment would help address these concerns.
- 3.10 It was also commented that although the area has a number of very active community groups/centres that already look to improve the area and help enact the wishes of a vibrant and engaged community. A community council will help bring these efforts together and make it more effective.
- 3.11 Shipley Town Council has resolved to support the creation of a community council as they believe that it will be of benefit to Shipley and Windhill and Bolton Woods. They look forward to working together, if and when it is created.

Summary of comments against a new Local Council

- 3.12 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 Windhill & Bolton Woods 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.
- 3.13 The main concern over the creation of a new community council was having to pay additional money through the precept and that an extra layer of bureaucracy was not needed. It was commented that residents within the area already struggle to pay their Council Tax without having an additional precept.
- 3.14 Some felt that the 3 District Councillors already in place do enough for the area and therefore felt it would have been better to be included in Shipley Town Council as the main facilities that they use are in Shipley.
- 3.15 Residents that responded and lived in the Cote Farm area (28F) regarded themselves as living in Thackley and not the Windhill and Bolton Woods area and therefore, should not be included.

Local Council ward boundaries and numbers of local councillors

- 3.16 Guidance recommends that a Local Council which encompasses a number of areas with separate identities, as the Windhill and Bolton Woods proposal does, be warded in order to ensure fair representation. Therefore, should the proposal for a new Windhill and Bolton Woods Local Council be accepted, the area should be divided into wards, as outlined at point 3.18.
- 3.17 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.
- 3.18 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:

Proposed Local Council ward name	Polling district reference	Number of electors	Proposed number of local councillors
Bolton Woods	28A	1255	2
Crag and Owlet	28D	1569	2
Windhill, Woodend & Westroyd	28E	2240	2

Cote Farm	28F	852	1
Total	N/A	5916	7

Ordinary Year of Elections

- 3.19 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. The standard electoral cycle is for elections in 2019 and every four years after 2019.
- 3.20 In the case of a new Windhill and Bolton Woods Local Council, if approved, it is recommended, in line with the Communities and Local Government guidance, that elections be held in May 2022 along with the District Council elections and the term of office of the local councillors elected on this occasion is one year. The Local Council elections would thereafter, follow the standard electoral cycle.

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 this year's Spending Review.
- 4.3 The cost of running the community governance review was £960.12 for the mailout. We were unable to hold drop-ins due to Covid restrictions.
- 4.4 As a new Local Council would only be formally constituted after the first elections are held (in May 2022), should a new Local Council be formed, Bradford Council will set a 2022-23 local precept on its behalf at the Council Budget Meeting in February 2022.
- 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. In reaching a decision on the 2022-23 local precept amount the Council will seek the views of the Shipley Area Committee and District Ward Councillors. The Council will be mindful that Local Councils may in future be subject to referendum limits. 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 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 Appendix 3 of the Bradford Council and Local Council Charter – <https://www.bradford.gov.uk/media/4129/bradford-council-and-local-councils-charter-2015.pdf>
- 4.8 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 This report specifically relates to setting up new governance arrangements for the area of Windhill and Bolton Woods. Following the consideration of the matter by the Governance and Audit Committee, a report, which will record the recommendation of Governance and Audit, will be taken to full Council on 12 October 2021. As members will be aware, one of the functions of the Committee is to maintain an overview of the Council's Corporate Governance Framework, Constitution and the partnership arrangements. Full Council will make the decision on the outcome of the community governance review.

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 Following the undertaking of a community governance review, the Committee must make recommendations as to whether a new Local Council should be constituted. In deciding what recommendations to make, it must have regard to the need to secure that community governance reflects the identities and interests of the community in that area, and is effective and convenient. The Act also provides that it must take into account any other arrangements that have already been made (apart from those relating to parishes and their institutions) or that could be made, for the purpose of community representation or community engagement. It should take into account other influential factors, including the impact of community governance arrangements on community cohesion and the size, population and boundaries of the local community.
- 6.3 Guidance provides that the recommendations must take account of any representations received and should be supported by evidence which demonstrates that the recommended community governance arrangements would meet the criteria set out in the 2007 Act.

- 6.4 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.
- 6.5 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.

7. OTHER IMPLICATIONS

7.1 SUSTAINABILITY IMPLICATIONS

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

7.2 GREENHOUSE GAS EMISSIONS IMPACTS

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

7.3 COMMUNITY SAFETY IMPLICATIONS

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

7.4 HUMAN RIGHTS ACT

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

7.5 TRADE UNION

- 7.5.1 None

7.6 WARD IMPLICATIONS

- 7.6.1 There would be a direct impact on Windhill and Wrose ward, as should a new Local Council be recommended, 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 consults with all parish councils at Area Committee meetings.

7.7 IMPLICATIONS FOR CORPORATE PARENTING

- 7.7.1 None

7.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

- 7.8.1 There are no data protection and information security matters arising from the

proposal/decision.

8. NOT FOR PUBLICATION DOCUMENTS

8.1 None

9. OPTIONS

9.1 Option 1 – support for a new Local Council with the boundaries suggested in the community petition.

Members may choose to support the creation of a new Local Council for the Windhill and Bolton Woods area, to be named Windhill and Bolton Woods Community Council. The Local Council would be warded with the appropriate number of Councillors allocated as outlined at point 3.18.

9.2 Option 2 – Option 1 with the removal of Polling District 28F

9.3 Option 3 – refusal of a new Local Council.

Members may choose not to support the proposal of a new Local Council being set up in the Windhill and Bolton Woods area due to the low turn out of representations as detailed in 3.5 and also with regard residents in Polling district 28F who didn't identify themselves as living in Windhill and Bolton Woods. The council must have regard to the need to secure that community governance reflects the identities and interests of the community in that area and is effective and convenient.

9.4 Option 4 – Further review

Due to the low level of representation Members may support undertaking a further review sometime in the future (no sooner than 12 months from now) if there are no covid restrictions in place. Public meetings would also form part of the review. Following consultation with ward councillors, this is something they would support.

10. RECOMMENDATION

10.1 That Members recommend option 4 and this to be referred to Council on 12 October 2021.

11. APPENDICES

11.1 Appendix 1 – Map showing the proposed Local Council boundary

11.2 Appendix 2 – Terms of Reference

11.3 Appendix 3 – Letter to householders with survey and fact sheet

12. BACKGROUND DOCUMENTS

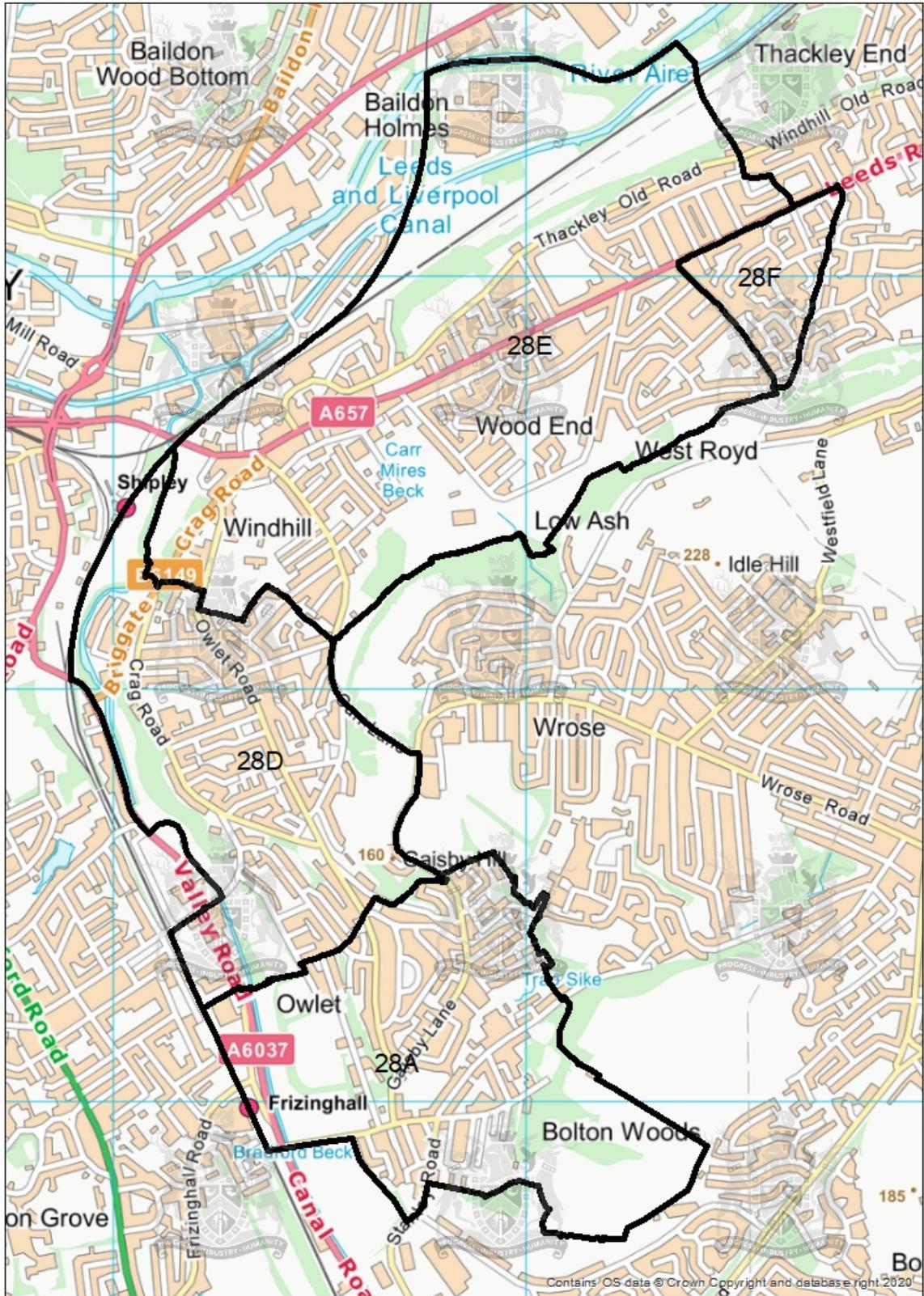
12.1 Report of the City Solicitor to the meeting of Governance and Audit Committee on 21 January 2021, document 'X', Terms of Reference for a Community Governance Review for a new Local Council in the Windhill and Wrose Ward.

- 12.2 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
- 12.3 Local Government and Public Involvement in Health Act 2007
<http://www.legislation.gov.uk/ukpga/2007/28/contents>

MAP OF PROPOSED LOCAL COUNCIL BOUNDARY

APPENDIX 1

Polling Districts 28A / 28D / 28E / 28F



Terms of Reference: Windhill and Bolton Woods Community Governance Review

Summary:

City of Bradford Metropolitan District Council (the Council) through its Governance and Audit Committee will undertake a Community Governance Review of the Windhill and Wrose ward polling districts 28A, 28D, 28E and 28F in order to consider the community governance arrangements within it. These Terms of Reference set out the terms of that review.

Legal basis for the Review:

The Council is obliged to undertake the review because it has received a request to that effect within a petition submitted to it under Section 80 of the Local Government and Public Involvement in Health Act 2007 (LGPIHA07). The Governance and Audit Committee has determined that the petition is valid.

Subject of the Review:

The Review is to consider whether to recommend the creation of a new parish and, if so, whether it should be named Windhill and Bolton Woods Community Council.

Conduct of Review:

The Governance and Audit Committee of the Council will undertake the Review in accordance with Article 9 of the Council's Constitution and in compliance with its duties set out in Section 93 of LGPIHA07. It will:

- i. Consider the relevant facts objectively, acting impartially, transparently and independently
- ii. Seek to ensure that the community governance arrangements within the area of the Review (as per the attached map) reflect the identities and interests of the community within it and are effective and convenient.
- iii. Take into account any other community governance arrangements (apart from those relating to parishes) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the same area.
- iv. Consult with Local government electors for the area under review and with any other person or body who appears to have an interest in the review and take their representations into account.
- iv. Record its conclusions within a final written report, together with its recommendations, the reasons for them and any consequential matters arising from its conclusions.

Provisional timetable for the Review

Date	Action
21 st January 2021	Terms of reference presented to Governance and Audit Committee
1 st April 2021	Subject to approval by the GAC, consultation period, with representations invited
31 st May 2021	Closing date for representations
TBC	Governance and Audit Committee to receive report with recommendations from the Governance Review
TBC	Subject to approval by the GAC, Council to receive report with recommendations

LETTER TO HOUSEHOLDERS WITH SURVEY AND FACT SHEET

Department of Place

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

Email: windhill.boltonwoodscc@bradford.gov.uk

Date: 13 July 2021

Dear Resident

HAVE YOUR SAY

**Proposal for a new Community Council for the Windhill and Bolton Woods area
(Crag, Owlet, Bolton Woods, Gaisby, Thackley Old Road, West Royd, Windhill and
Wood End areas)**

Bradford Council is now undertaking a consultation to establish whether the people of Windhill and Bolton Woods want their own community 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 Windhill and Bolton Woods area.

A parish or community 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 on the Council's website.

www.bradford.gov.uk/consultations/current-consultations/consultation-and-engagement/
(within 'Windhill and Bolton Woods Community Governance Review').

To help Bradford Council reach a decision on whether the community 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/ 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 **Windhill and Bolton Woods – New Parish**
- By emailing us at windhill.boltonwoodscc@bradford.gov.uk

The consultation will last until 15th May 2021, after which a decision will be made.

We very much hope you will take this opportunity to share your views with us to help the Council decide whether a new community council should be established and whether your neighbourhood should be included within it.

Yours sincerely

A handwritten signature in black ink that reads "D. Fisher" with a long horizontal stroke extending to the right.

Damian Fisher
ShIPLEY Area Co-ordinator

**PROPOSAL FOR A COMMUNITY COUNCIL FOR THE WINDHILL AND
BOLTON WOODS AREA
(CRAG, OWLET, BOLTON WOODS, GAISBY, THACKLEY OLD ROAD,
WEST ROYD, WINDHILL AND WOOD END AREAS)
SURVEY (HOUSEHOLD)**

The Council has received a petition from a group of local residents asking to establish a community council. However, before this can be progressed, Bradford Council has to undertake a Community Governance Review to ensure that all residents and other interested parties have a chance to have their say.

To help Bradford Council reach a decision on whether the community council should be established, we need to hear the views of local people. Please provide your views through this survey.

You can support the establishment of a community council for Windhill and Bolton Woods or not. To help Bradford Council make a balanced decision please provide your reasons and identify which area you reside or work in.

Q1 Would you like a new community council covering the Windhill and Bolton Woods area?

Yes No (please tick)

If yes, what are your reasons for wanting a new community council?

If no, what are your reasons for not wanting a new community council?

Q2 Where do you live in Windhill and Bolton Woods? (please tick)

- Crag/Owlet
- Bolton Woods/Gaisby
- Thackley Old Road
- Wood End/West Royd/Windhill
- Other

If other, please state:

Q3 Where do you work in Windhill and Bolton Woods? (please tick)

- I don't work in Windhill and Bolton Woods
- Crag/Owlet
- Bolton Woods/Gaisby
- Thackley Old Road
- Wood End/West Royd/Windhill
- Other

If other, please state:

THANK YOU FOR COMPLETING THIS SURVEY

PLEASE RETURN THIS SURVEY TO BRADFORD COUNCIL BY FREEPOST:

- **On the front of your envelope please write FREEPOST BRADFORD COUNCIL**
- **On the back of your envelope please write WINDHILL AND BOLTON WOODS – NEW PARISH**

**Alternatively, you can scan and email the survey to
windhill.boltonwoodsc@bradford.gov.uk
PROPOSED NEW COMMUNITY COUNCIL FOR THE WINDHILL & BOLTON WOODS
AREA**

**(CRAG, OWLET, BOLTON WOODS, GAISBY, THACKLEY OLD ROAD, WOOD END,
WEST ROYD, WINDHILL AREAS)**

Fact Sheet

Why is Bradford Council undertaking a review/consultation?

Having received a petition from a group of residents asking for a community council to be established in the Windhill and Bolton Woods 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 community council?

A community council is a tier of local government. It can be known as a parish, town, community or village council. Most community 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 community council and who looks after the administration of its activities.

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

What can a community council do?

A community council would not replace Bradford Council, but it can provide additional services in its area. A community 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 community 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 community council into account when making their decisions, although they don't have to agree with them. A community council could also access additional sources of funding specifically aimed at parish or town councils.

The people who run a community council

As well as a paid clerk (often part time), the community council requires a number of local volunteers to stand as community councillors to represent the people of the community. 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 it varies from 5 to 30.

Do community councillors get paid or receive allowances?

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

Raising money for a community council

A community 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 community 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 community council does not charge businesses any additional money. The money raised by a community council can only be spent for the benefit of people living in the area of that community 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 community 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 £13.50 in Wrose to £82.00 in Burley in Wharfedale for a band D property, which equates to a **monthly** charge of £1.13 in Wrose and £6.83 in Burley in Wharfedale for a Band D property. For guidance, Shipley Town Council, established in 2020, has a 2021-22 annual precept of £30.01 for a band D property equating to £2.50 per month.

A list of the annual precepts for all the parishes, town councils and community councils is included at the end of this fact sheet.

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

Results of previous Community Governance Reviews

By way of an example the results of the two most recent Community Governance Reviews in Bingley and Shipley are detailed below:

Bingley (2015) – 11,000 properties received a letter. 770 representations were received which was 7% of the properties. Of this 7%, 63% were in favour of the Town Council and 37% were against.

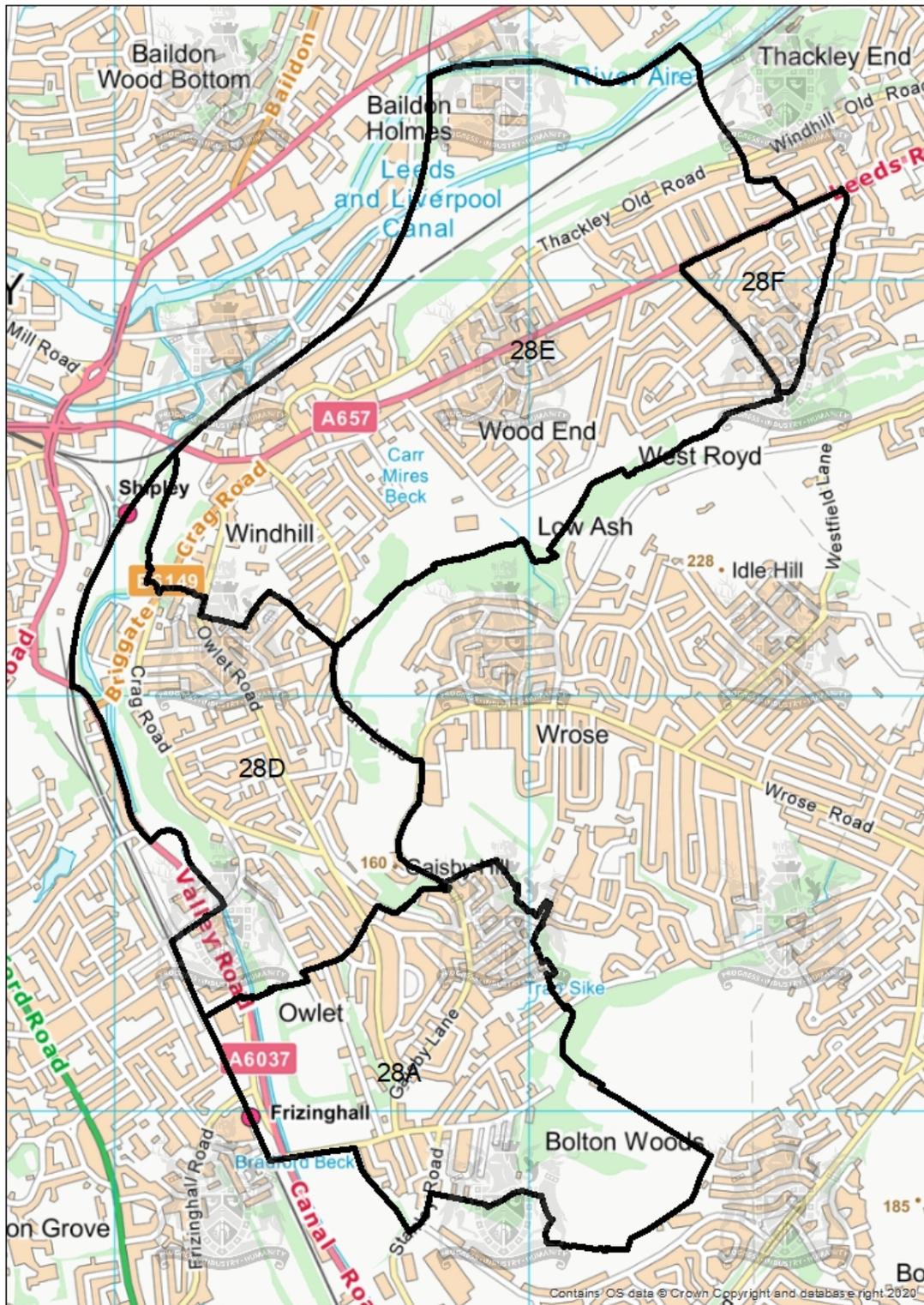
Shipley (2019) – 7,350 properties received a letter. 860 representations were received which was 12% of the properties. Of this 12%, 77% were in favour of the Town Council and 23% were against.

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 community council, it will appoint a shadow council first, to help establish the new community council's finances, the arrangements for the election of councillors and the first meeting. Following this, the community council will be left to run its own affairs.

A map of the proposed area for a Windhill and Bolton Woods Community Council

Polling Districts 28A / 28D / 28E / 28F



Annual Council Tax precepts 2020/2021

Parish/town	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Addingham	37.50	43.76	50.01	56.26	68.76	81.27	93.76	112.52
Baildon	32.55	37.98	43.40	48.83	59.68	70.54	81.38	97.66
Bingley	14.71	17.17	19.62	22.07	26.97	31.88	36.78	44.14
Burley	54.66	63.78	72.89	82.00	100.22	118.45	136.66	164.00
Clayton	20.01	23.35	26.69	30.02	36.69	43.36	50.03	60.04
Cullingworth	20.96	24.46	27.95	31.44	38.42	45.41	52.40	62.88
Denholme	30.00	35.00	40.00	45.00	55.00	65.00	75.00	90.00
Harden	30.00	35.00	40.00	45.00	55.00	65.00	75.00	90.00
Haworth, Crossroads and Stanbury	30.00	35.01	40.01	45.01	55.01	65.02	75.01	90.02
Ilkley	31.40	36.65	41.88	47.11	57.57	68.05	78.51	94.22
Keighley	26.46	30.87	35.28	39.69	48.51	57.33	66.15	79.38
Menston	36.00	42.00	48.00	54.00	66.00	78.00	90.00	108.00
Oxenhope	23.33	27.22	31.11	35.00	42.78	50.56	58.33	70.00
Sandy Lane	12.00	14.00	16.00	18.00	22.00	26.00	30.00	36.00
Shipley	20.00	23.34	26.67	30.01	36.68	43.35	50.01	60.02
Silsden	19.14	22.33	25.52	28.71	35.09	41.47	47.85	57.42
Steeton / Eastburn	29.94	34.94	39.93	44.92	54.90	64.89	74.86	89.84
Wilsden	23.83	27.80	31.78	35.75	43.70	51.64	59.58	71.50
Wrose	9.00	10.50	12.00	13.50	16.50	19.50	22.50	27.00

Terms of Reference: Windhill and Bolton Woods Community Governance Review

Summary:

City of Bradford Metropolitan District Council (the Council) through its Governance and Audit Committee will undertake a Community Governance Review of the Windhill and Wrose ward polling districts 28A, 28D, 28E and 28F in order to consider the community governance arrangements within it. These Terms of Reference set out the terms of that review.

Legal basis for the Review:

The Council is obliged to undertake the review because it has received a request to that effect within a petition submitted to it under Section 80 of the Local Government and Public Involvement in Health Act 2007 (LGPIHA07). The Governance and Audit Committee has determined that the petition is valid.

Subject of the Review:

The Review is to consider whether to recommend the creation of a new parish and, if so, whether it should be named Windhill and Bolton Woods Community Council.

Conduct of Review:

The Governance and Audit Committee of the Council will undertake the Review in accordance with Article 9 of the Council's Constitution and in compliance with its duties set out in Section 93 of LGPIHA07. It will:

- v. Consider the relevant facts objectively, acting impartially, transparently and independently
- vi. Seek to ensure that the community governance arrangements within the area of the Review (as per the attached map) reflect the identities and interests of the community within it and are effective and convenient.
- vii. Take into account any other community governance arrangements (apart from those relating to parishes) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the same area.
- iv. Consult with Local government electors for the area under review and with any other person or body who appears to have an interest in the review and take their representations into account.
- viii. Record its conclusions within a final written report, together with its recommendations, the reasons for them and any consequential matters arising from its conclusions.

Provisional timetable for the Review

Date	Action
21 st January 2021	Terms of reference presented to Governance and Audit Committee
1 st April 2021	Subject to approval by the GAC, consultation period, with representations invited
31 st May 2021	Closing date for representations
TBC	Governance and Audit Committee to receive report with recommendations from the Governance Review
TBC	Subject to approval by the GAC, Council to receive report with recommendations