

Special Advisory Group

2 May 2017

Time 9.30 am **Public Meeting?** Yes **Type of meeting** Advisory group

Venue Committee Room 4 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

Membership

Chair Cllr Andrew Johnson (Lab)

Labour

Cllr Mary Bateman
Cllr Milkinderpal Jaspal
Cllr Roger Lawrence
Cllr Elias Mattu
Cllr Rita Potter
Cllr Stephen Simkins

Conservative

Cllr Paul Singh
Cllr Wendy Thompson

Liberal Democrat

Quorum for this meeting is three Councillors.

Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

Contact Dereck Francis
Tel/Email 01902 555835 or dereck.francis@wolverhampton.gov.uk
Address Democratic Support, Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

Website <http://wolverhampton.moderngov.co.uk/>
Email democratic.support@wolverhampton.gov.uk
Tel 01902 555043

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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence |
| 2 | Declarations of interests |
| 3 | Minutes of the previous meeting - 17 March 2017 (Pages 3 - 6)
[For approval] |
| 4 | Matters arising
[To consider any matters arising from the minutes of the previous meeting] |

DECISION ITEMS

- | | |
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| 5 | Community Governance Review Update (Pages 7 - 20)
[To provide an update on the progress of the community governance review to the advisory group, to enable it to fulfil its delegated responsibility to oversee the review] |
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Special Advisory Group

Minutes - 17 March 2017

Attendance

Members of the Special Advisory Group

Cllr Andrew Johnson (Chair)
Cllr Mary Bateman
Cllr Milkinderpal Jaspal
Cllr Rita Potter
Cllr Stephen Simkins
Cllr Paul Singh
Cllr Wendy Thompson

Employees

Dereck Francis	Democratic Support Officer
Jaswinder Kaur	Democratic Services Manager
Colin Parr	Head of Governance

Part 1 – items open to the press and public

Item No. Title

- 1 Apologies for absence**
Apologies for absence were submitted on behalf of Cllr Roger Lawrence.
- 2 Declarations of interests**
No declarations of interests were made.
- 3 Minutes of the previous meeting (13 January 2017)**
Resolved:
That the minutes of the meeting held on 13 January 2017 be confirmed as a correct record and signed by the Chair.
- 4 Matters arising**
With reference to Minute 6 (Community Governance Review), Cllr Andrew Johnson reported that the two community consultation events in Tettenhall had taken place. Both meetings had been well attended and a wide range of views had been expressed. One issue that had repeatedly been raised by residents was whether there would be a referendum if it became clear that there was support for a parish council. Cllr Johnson had responded by informing the meetings that, if there were a groundswell of opinion for a further vote before a parish council is put in place he would recommend to the Advisory Group that it recommend to Council that there should be a specific referendum vote on the matter.

Cllr Milkinder Jaspal gave his support to the approach Cllr Johnson had expressed at the community consultation events on the question of a referendum.

Cllr Wendy Thompson commented that residents of Tettenhall would want to know about the precept and the services required prior to any vote being taken. Cllr Andrew Johnson replied that the style and functions provided would determine the level of the precept, and the services to be devolved to the parish council would have to be negotiated after the parish council had been established.

5 **Changes to the Constitution**

Cllr Milkinder Jaspal presented the report on proposed changes to the Constitution for recommendation to Council for approval. The changes had been highlighted by the Constitution Review Group. Some related to operational changes within the Council's structures and others reflected changes to regulations and guidance.

Members of the Advisory Group sought clarification of the proposed change to the Councillors Allowance Scheme concerning expenses in relation to the West Midlands Combined Authority (CA). The Advisory Group was informed that it related to travel and subsistence expenses for any city of Wolverhampton Council Councillor required to attend a meeting of the CA, including the Audit Committee and the Scrutiny Committee of the CA. The travel and subsistence costs would be paid for by the CA. In response to requests for further detail on the CA meetings that would be eligible for the travel and subsistence expenses, Colin Parr, Head of Governance undertook to provide the Advisory Group with a schedule of the CA meetings going forward for which the expenses would be payable.

It was noted that, under the change to 'Protocols for Dealing with Petitions at Full Council Meetings', the threshold for the number of signatories to a petition that would trigger a debate on the petition by Full Council was 5000+ and not 52,0500+ as indicated in the report.

Resolved:

That the Council be recommended to note revisions to the Constitution, specifically:

- a. To amend the petitions scheme in line with the revised petitions scheme.
- b. To remove reference to the Petitions Committee following the dissolution of the Petitions Committee.
- c. To amend terms of reference for the Pensions Committee as detailed in Appendix A to the report.
- d. To amend the delegations to the West Midlands Joint Committee as detailed in Appendix B to the report.
- e. To update the delegations for officers to reflect changes in responsibilities.
- f. To amend the Councillors' allowances scheme to state West Midlands Combined Authority related expenses can be claimed.

6 **Development of the Constitution**

Cllr Milkinder Jaspal presented, for information, a report on an outline of the process for developing the Constitution. The work would be carried out in house by Democratic and Legal Services with the majority being carried out over the summer period. It was envisaged that the work would be completed in readiness for Council in November 2017.

Resolved:

That the process for the development of the Constitution be noted.

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Special Advisory Group

2 May 2017

Report title	Community governance review update	
Cabinet member with lead responsibility	Councillor Andrew Johnson Resources	
Key decision	No	
In forward plan	No	
Wards affected	All	
Accountable director	Kevin O'Keefe, Governance	
Originating service	Democratic Services	
Accountable employee(s)	Martyn Sargeant	Head of Democratic Services
	Tel	01902 555045
	Email	martyn.sargeant@wolverhampton.gov.uk
Report to be/has been considered by	n/a	

Recommendation for action or decision:

The Advisory Group is recommended to:

1. Agree the costs for the review.

Recommendations for noting:

The Advisory Group is asked to note:

1. The arrangements for the survey fieldwork.
2. The changes to the timetable for delivering the review.

1.0 Purpose

- 1.1 To provide an update on the progress of the community governance review to the advisory group, to enable it to fulfil its delegated responsibility to oversee the review.

2.0 Background

- 2.1 The Council received a formal request for a community governance review, specifically in relation to Tettenhall Wightwick and Tettenhall Regis, to which it has a statutory obligation to respond. As the request meets the legislative criteria for triggering a review, the Council has agreed to undertake a community governance review during 2017. The review will be in two parts – a specific review focused on the two Tettenhall wards and a wider review looking at the city as a whole.
- 2.2 A principal authority can initiate a community governance review of its own volition or in response to a petition from local electors. Guidance from the government in 2010 recommended that a community governance review should take place every ten to 15 years. A review should consider the arrangements for parish councils (including, where they are already in existence, whether they should be discontinued) with the objective of ensuring that local government arrangements are ‘effective and convenient’ as well as reflecting ‘the identities and interests of the community in that area’.
- 2.3 The working timetable agreed by the advisory group is as follows:

Date	Activity
Oct 2016	Draft terms of reference submitted to Special Advisory Group for approval.
Nov 2016	Terms of reference submitted to Council for approval.
Oct 2016 – Jan 2017	Preparation of detailed project plan, consultation documents and costs.
Jan 2017	Approval of consultation documents by Special Advisory Group.
Feb – April 2017	(a) Web consultation in respect of city-wide community governance review. (b) Local consultation in respect of Tettenhall community governance options.
April – May 2017	Survey fieldwork (to be carried out by professional market research organisation).
May – June 2017	Preparation of final report and recommendations.
June 2017	Consideration of report and recommendations by Special Advisory Group.
July 2017	Consideration of report and recommendations by Council.

3.0 Consultation

- 3.1 During the main public consultation period, there are two separate surveys, one for Tettenhall specifically and one for the wider city. These can be accessed through the Council's website:

Tettenhall: <http://www.wolverhampton.gov.uk/cgrtettenhall>

City-wide: <http://www.wolverhampton.gov.uk/cgrcitywide>

Unsurprisingly, there has been greater engagement with the Tettenhall survey. To date there have been 127 responses to the Tettenhall survey and 51 responses to the city-wide survey.

- 3.2 Copies of the consultation booklet have been sent to every local government elector in the two Tettenhall wards. Copies have also been distributed to all the city's libraries and to various stakeholder representatives, and electronic copies are available on the Council's website.
- 3.3 During March 2017, two community consultation events were held in the Tettenhall wards. These were well-attended (71 and 67 attendees respectively) and were structured around a presentation from the Cabinet member, followed by a question and answer session. Copies of the notes from each of the meetings are attached as appendices one and two.
- 3.4 There have also been a small number of email and letter submissions, making comments on the review.

4.0 Survey fieldwork

- 4.1 At its meeting in January, the Special Advisory Group agreed not to conduct a postal ballot of Tettenhall residents but instead to commission professional fieldwork, both for Tettenhall and the wider city. The primary objective was to ensure a representative sample could be obtained, which would then be a robust basis for decision-making. (Turnout for ballots of this nature is typically poor – the turnout for the local plan referendum in Tettenhall was around 15%.)
- 4.2 An invitation to tender for the work was issued in February but, unfortunately, no proposals were received. In light of this, the timetable was reviewed and an approach made to a specific company to ask them to take on the project, subject to them being able to meet the deadline and deliver the work within budget. The fieldwork will therefore consist of two elements:
- (1) A representative telephone survey of at least 500 Tettenhall residents, seeking their views on the possibility of a parish council and the associated precept.

(2) A web survey of residents, using the Council's email database, split across three areas of the city – south-east, south-west and north-east (to give a more localised response). This would be dependent on response levels but could be expected to provide as many as 1,000 replies.

- 4.3 A priority for this phase of the review is that the results are robust. The fieldwork company has advised that its software will enable it to prevent people forwarding on the web survey, which should stop any chance of localised campaign groups influencing the outcome. The software is also able to detect if people are submitting the same responses (e.g. where people have received a briefing note on what to say).
- 4.4 Work on preparing the surveys will take place during April and commence at the end of the month or in early May. Fieldwork is projected to take about four weeks with the report being ready in mid-June. Although this will affect the timetable, it shouldn't affect the review end date, with a report submitted to the advisory group in early July, followed by consideration at Council later in the month.

5.0 Financial implications

- 5.1 The costs incurred in the first part of the review have primarily arisen from document printing and postage and total £14,000. A quote of £36,000 has now been received for the survey fieldwork. Both elements of expenditure will be funded from the £50,000 budget set aside for community governance review in 2017/18.

[GE/13042017/F]

6.0 Legal implications

- 6.1 Under the Local Government and Public Involvement in Health Act 2007, decisions on whether to implement parish council arrangements and the associated electoral provisions were delegated to principal authorities, with due regard to the views of local people. This legislation was updated in the Legislative Reform (Community Governance Reviews) Order 2015.

[TS/10042017/Y]

7.0 Equalities implications

- 7.1 Any proposals arising from the review will be subject to an equalities analysis but there are no specific implications arising from this report.

8.0 Environmental implications

- 8.1 There are no environmental implications arising from this report.

9.0 Human resources implications

9.1 There are no human resources implications arising from this report.

10.0 Corporate landlord implications

10.1 There are no corporate landlord implications arising from this report.

11.0 Schedule of background papers

Report to the Special Advisory Group, 13 January 2017: *Community Governance Review – draft consultation document*

<http://wolverhampton.moderngov.co.uk/ieListDocuments.aspx?CId=165&MId=5971&Ver=4>

Report to the Special Advisory Group, 21 October 2016: *Community Governance Review*

<http://wolverhampton.moderngov.co.uk/ieListDocuments.aspx?CId=165&MId=5968&Ver=4>

The Kings School, Regis Road Tuesday 7 March: 7 – 8:30pm.		Attendance: 71
Name	Comments	
David McGlynn	<ul style="list-style-type: none"> • Very concerned about CGR for Tettenhall • Had not heard of 'neighbourhood plan for Tettenhall wards' and did not know of Tettenhall District Community Council • He and his neighbours do not want to pay additional council tax. His internet research indicates there is not a cap on parish council tax increases 	
Darren Shapedew	<ul style="list-style-type: none"> • Originally from Sutton Coldfield • Was interested in knowing how the referendum vote was carried out. Either via postal vote or going somewhere to vote M.S. Responded: information provided 	
Sue Massey	<ul style="list-style-type: none"> • Has no issue with the local plan • Feels that having another layer of local democracy would be a great luxury – She will be able to pay the additional £70 a year however many people in Tettenhall will struggle • Is concerned that attention and resources will be diverted to the parish council over CWC • Due to the increase in council tax to supplement social care, she would rather pay more tax for that than pay for the costs of administering a Parish • 'Wolverhampton is a well-run council' and doesn't feel the need for a parish council 	
Mike Clevdon	<ul style="list-style-type: none"> • Has served on a parish council for 15 years • Finds that people don't attend parish meetings from his experience • A parish does not have enough bite in planning applications • Falls into band E and is against having a parish council due to increases • Finds the councillors very good and helpful 	
Graham Dodd	<ul style="list-style-type: none"> • Feels all 6 councillors in the area and the local MP are all contactable and If he has any problems with local democracy he will approach them or the 60 councillors in the City • Tettenhall does not need another layer of local democracy • Cannot pay for the privilege of having another tier 	

<p>Jill Porteus</p>	<ul style="list-style-type: none"> • Question: Can political parties be part of a parish? Cllr A.J. responded: Yes, they can have political parties or people can often stand as independents for parish councils
<p>Chris Crowsher</p>	<ul style="list-style-type: none"> • 'Very well presented document which gives very useful information' • Concerned about the decision process as the document does not list services and their costs as these are not obtainable yet. • Question: Do residents get a say in the information presented in the package for recommendation before the final decision is taken? Cllr A.J. responded: CWC would not be saying what that package of service and cost is. If a parish was concluded, then people would stand for election where their views and related services would be put forth on a particular platform. Once elected, they would negotiate with CWC on how and what services will be provided. • Question: Will there be a vote? M.S. responded: No vote, CWC will be doing a survey by a professional field work company to ensure a representative sample is obtained from across the area.
<p>Claire Everson</p>	<ul style="list-style-type: none"> • Question: in what remit will the professional work be undertaken? • Feels a vote in the two wards will more of a democratic way M.S. responded: Professional firm can advise of a robust methodology to ensure older people and younger people get their say
<p>Lady in blue (name not disclosed)</p>	<ul style="list-style-type: none"> • Feels the meeting location is not democratic M.S. responded: we are happy to attend other meetings by invite
<p>Lady in red scarf (name not disclosed)</p>	<ul style="list-style-type: none"> • Question: Will survey representatives have all the information to explain to residents so they can make a proper decision? • Cllr A.J. responded: until a decision is taken to take up a parish council it is impossible to know what kind of parish council it will be and what its expenditure will be
<p>Philip Blaze</p>	<ul style="list-style-type: none"> • Feels a land slide of opinion would be against a parish council

Lady from health watch (name not disclosed)	<ul style="list-style-type: none"> • Represents a number of disabled people • Would like to see more bus shelters with places to sit • Wants a village type atmosphere/ culture
Lady in black top (name not disclosed)	<ul style="list-style-type: none"> • Has no issue with CWC. • Queried how a parish council would run, Cllr A.J. explained the process
Richard Walden	<ul style="list-style-type: none"> • Received no information of the neighbourhood plan • Question: if a parish was formed is there a rebate on main council tax by CWC? • Cllr A.J. responded: No, precept will be paid over and above CWC council tax
Gentleman (name not disclosed)	<ul style="list-style-type: none"> • Cannot see the benefit of having a parish council when you can go directly to CWC with your concerns
Alex	<ul style="list-style-type: none"> • Cannot see the benefits of a parish council listed in the booklet Cllr A.J. responded: to refer to the case studies in booklets provided showcasing for and against and advised the gentleman to research further • Would like to see proposals by people on how they want a parish to be run and what services it would provide
Oliver Clairgate	<ul style="list-style-type: none"> • Is against a parish council • Has experience of two previous councils that did nothing • Question: if a parish is set up can we get rid of it? M.S responded: yes – in a similar process triggered there would have to be a petition to CWC then we would have a statutory obligation to review and consult if it is to be abolished
Shirley Norton	<ul style="list-style-type: none"> • Question: How many doors would be knocked? M.S. responded: currently awaiting methodology as we are out for tender at the moment so we do not know
Cyril Randles	<ul style="list-style-type: none"> • Chair of Tettenhall district community council • Explained why the neighbourhood plan came about and why the review was triggered • A parish would provide a local voice for Tettenhall and would give continuity to the local voice

	<ul style="list-style-type: none"> • Would be costly but costs would vary depending on services
John Rowley	<ul style="list-style-type: none"> • Is 'for' the idea of a parish • Parish council gives opportunity to replace city with volunteers to plug gaps of the CWC that the council cannot fulfil • Question: if Finchfields and Castlecroft decide against a parish council can they be disregarded? Cllr A.J. responded: No the area as a whole will need to be in favour of a parish, but the council will respond to the proposal put to it in respect of Tettenhall
Richard Rowland	<ul style="list-style-type: none"> • Worried about the professional field work • Queried if Tettenhall district community council can set up a public debate with the press present Cllr A.J. responded: Yes, this is possible but CWC cannot set this up
Lady in Pink (name not disclosed)	<ul style="list-style-type: none"> • Feels money goes to other problem areas over Tettenhall even though Tettenhall residents input large % of council tax in to CWC • People feel their views are not being listened to • Feels it would be nice to have a parish council for people to put forth their views
Lady (name not disclosed)	<ul style="list-style-type: none"> • Would like a vote on this
Show of hands:	<ul style="list-style-type: none"> • Majority of the room voted 'Don't know' followed second by votes against the council and lastly minimal votes in favour of a parish

Tettenhall College, Wood Road Thursday 16 March: 7 – 8:30pm.		Attendance: 67
Name	Comments	
David Lavell	<ul style="list-style-type: none"> • Has not received a penny of the imposed rises as part of his state pension • Feels that a parish in Tettenhall will be a bad thing for the community and wishes for current governance to be left as is • Does not want to pay additional precept to supplement a parish 	
Lesley Fianne	<ul style="list-style-type: none"> • Queried how Tettenhall District Community Council triggered the review 	
Raymond Barry	<ul style="list-style-type: none"> • Feels that that last thing Tettenhall requires is another tier of bureaucratic government • Would like to see a referendum vote as surveys do not accurately predict and are not reliable 	
Gentleman (name not disclosed)	<ul style="list-style-type: none"> • Is not sure what a parish council does and does not see the point of one 	
Cyril Randles	<ul style="list-style-type: none"> • Chair of Tettenhall district community council • Explained why the neighbourhood plan came about and why the review was triggered • He received feedback that residents wanted more local powers and that a parish would provide a stronger local voice for Tettenhall • Examples given of local parish councils and some of their powers • Explained that a parish would be costly but if you do not like what a parish is imposing then you can vote them out to ensure costs are kept down • A parish cannot run a library however it can assist <p>Cllr A.J. responded: West Midlands Combined Authority will not be taking over functions of the CWC</p>	
Derek Planter	<ul style="list-style-type: none"> • Has attended the neighbourhood plan meetings • Comments made about Vision 2030 • Is concerned that adding extra bureaucracy and cost is not needed <p>Cllr A.J. responded: Vision 2030 is not anything to do with Agenda 2030</p>	

Christine Blake	<ul style="list-style-type: none"> • The decision to discontinue green dustbins during the winter has disadvantaged the area
District Community Council member (name not disclosed)	<ul style="list-style-type: none"> • The council are bound to consider the groups opinions • Sees the parish council as another pressure group • Parish council will support the rate payers to ensure the council spend money locally • Feels that a parish has some influence and that it might be a useful influence in Tettenhall
Debbie Coates	<ul style="list-style-type: none"> • Neither for or against • Would like to know more about other local parish councils and learn about the benefits they are seeing as a result • Does like the concept of a local louder voice • Would prefer a proper electoral vote over a survey
Gentleman (name not disclosed)	<ul style="list-style-type: none"> • Refers to 106 agreement – has an understanding that the council have control over 106 agreement. He believes a parish would have an influence however would like clarification • Feels there would be a benefit of having a local organisation <p>Cllr A.J. responded: A parish would be a statutory consultee over how monies would be spent</p>
Gentleman (name not disclosed)	<ul style="list-style-type: none"> • Existing councillors should pick up local issues • Has not heard of any benefits that a parish would bring • No need for extra bureaucracy
Anne-Marie Bright	<ul style="list-style-type: none"> • Has no issues of a local survey • Queried if full council would override a decision to implement a parish if this is what the survey results recommended <p>Cllr A.J. responded: Full council would consider all the consultation responses</p>
Gentleman (name not disclosed)	<ul style="list-style-type: none"> • Is concerned that the referendum stage will be bypassed <p>Cllr A.J. responded: if there is a groundswell response then he would recommend a referendum to SAG but they would then consider this option</p>
David McGlynn	<ul style="list-style-type: none"> • Very concerned about CGR for Tettenhall

	<ul style="list-style-type: none"> • Had not heard of ‘neighbourhood plan for Tettenhall wards’ and did not know of Tettenhall District Community Council • He and his neighbours do not want to pay additional council tax. • Is against the parish council
Gentleman (name not disclosed)	<ul style="list-style-type: none"> • Queried how the council can define support for a parish if a vote is not carried out
Paul Highland	<ul style="list-style-type: none"> • Explained that Sutton Coldfield Observer reported ‘all is not well’ and they are not getting what they are paying for • The Future parish council will have no influence on planning
Gentleman (name not disclosed)	<ul style="list-style-type: none"> • Queried what the age demographic was at the previous community meeting for 18-50 year olds <p>Cllr A.J. responded: Similar turnout to this meeting, with minimal representation of 18-50 year olds</p>
Simon Dewy	<ul style="list-style-type: none"> • Adverse to the notion of a parish council
Betty Jones	<ul style="list-style-type: none"> • Her and her husband cannot afford to pay the extra precept • Finds the council helpful – recently wrote a letter to the council and received a helpful reply
Cllr Andrew Wynne	<ul style="list-style-type: none"> • Is a local resident • Posed a question to Cyril Randles about his proposals and some of the costs he foresees • Has seen many local voluntary bodies set up by the council doing good work for Tettenhall
Gentleman (name not disclosed)	<ul style="list-style-type: none"> • Presented his council tax bill – paying £1103 in tax • Does not want to pay more and wishes to stop the rises before they begin to creep up
Cyril Randles	<p>In response to Cllr Andrew Wynne:</p> <ul style="list-style-type: none"> • Example given of Holme Valley which has an electorate of 30 thousand and pay a £12.00 precept on class D • Local parish councillors will be responsible for the local area. • Proposes the lower end of the precept averages of £12.00-£15.00 • He does not want to duplicate the efforts and services provided by CWC but does not foresee big changes to services

Lady (name not disclosed)	<ul style="list-style-type: none">• Feels people are not aware of what is going on locally and feels there should be more information out there
Gentleman (name not disclosed)	<ul style="list-style-type: none">• Queried where parish meetings will be held <p>Cllr A.J. responded: This is for the parish to decide Cyril Randles responded: Codsall South Staffordshire office would be the cheapest option</p>
Show of hands:	<ul style="list-style-type: none">• Majority of the room voted 'against' a parish followed second by votes 'for' a parish council and lastly minimal attendees voted to abstain.

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