



Council

15 November 2023

Report Title	Community Governance Review – Final Recommendation on Petition Proposal to Create a New Town Council for Newton-le-Willows East & West
Cabinet Portfolio	Corporate Services
Cabinet Member	Councillor Martin Bond
Exempt Report	No
Reason for Exemption	N/A
Key Decision	No
Public Notice issued	N/A
Wards Affected	Newton-le-Willows East and West
Report of	Jan Bakewell Director of Legal & Governance Janbakewell@sthelens.gov.uk
Contact Officer	Elisa Love Team Manager – Electoral Services Elisalove@sthelens.gov.uk

Borough Priorities	Ensure children and young people have a positive start in life	
	Promote good health, independence, and care across our communities	
	Create safe and strong communities and neighbourhoods for all	
	Support a strong, thriving, inclusive and well-connected local economy	
	Create green and vibrant places that reflect our heritage and culture	
	Be a responsible Council	X

1. Summary

- 1.1 To present the outcome of the second stage consultation on the petition proposal from Newton & Earlestown Community Group to create a new town council for Newton-le-Willows East and West and the final recommendation from the Community Governance Review Cross Party Working Group (CPWG).

2. Recommendation for Decision

Council is recommended to:

- i) note the representations received during the second consultation stage in response to the draft recommendations approved by Council on 19 April 2023;
- ii) approve the final recommendation from the Community Governance Review Cross Party Working Group as follows:
 - a. having taken account of the results of the postal ballot of registered electors and the outcome of the two consultations held, not to proceed with the petition proposal to create a new town council for Newton-le-Willows East and West.

3. Purpose of this report

- 3.1 The purpose of this report is to update Council on the outcome of the second stage consultation that was held between 21 April and 14 July 2023 and to consider the final recommendation from the CPWG, having taken into account the results and feedback from both consultations with residents and stakeholders.

4. Background / Reason for the recommendations

- 4.1 At its meeting on 3 November 2021, Council agreed to undertake a Community Governance Review (CGR) for the borough following the local and parish elections in 2022. Council also noted the Community Governance Petition received from Newton & Earlestown Community Group to create a new town council for Newton-le-Willows East and West (formerly Earlestown and Newton wards).
- 4.2 At its meeting on 12 July 2022, Council approved the Terms of Reference for the CGR and agreed the proposed form of consultation for the borough wide CGR for the existing parish council arrangements plus the form of consultation for the Newton petition proposal to create a new town council. At this meeting, Council delegated authority to officers in consultation with a CGR Cross Party Working Group to undertake the review and make recommendations to Council in relation to the borough-wide review and the petition proposal.

- 4.3 The first consultation stage took place between 3 October 2022 and 30 December 2022. The outcome of the first stage consultation was set out in Appendix 2 to the Council report on 19 April 2023. At that meeting, having considered the results and outcome of the first stage consultation, Council approved the draft recommendation put forward by the CPWG not to proceed with the petition proposal. In accordance with the Terms of Reference, this draft recommendation then formed the basis for a further second stage consultation with residents and interested parties.
- 4.4 Second Stage Consultation
- 4.5 Following approval by Council on 19 April 2023, the draft recommendation was published, and a second consultation stage was held between 21 April and 14 July 2023.
- 4.6 At the start of the second consultation interested parties were provided with a copy of the Council report and information on how to submit their feedback and views on the draft recommendation. The outcome of the first stage consultation was also published in the St Helens Star and a press release from the Council was shared on its social media pages. Alongside this, the Council report and further information was published to the Council's consultation webpage and the CGR webpage with an online comments form.
- 4.7 Interested parties could also provide their views by email, letter or by using a paper feedback form made available at Newton-le-Willows Library and at the Town Hall reception.
- 4.8 Further social media posts and reminder emails were sent throughout the consultation period.
- 4.9 A total of 10 emails were received during this consultation all supporting the draft recommendation not to proceed with the petition proposal. Appendix 2 sets out each comment received in these emails.
- 4.10 The CPWG met on 18 September 2023 to consider the representations received during the second stage consultation. Taking account of the outcome of the first stage consultation, the postal ballot and representations received during the second stage consultation, the CPWG recommend to Council its final recommendation not to proceed with the petition proposal.
- 4.11 The next stage is for Council to consider the final Recommendation, which if approved, must then be published.
- 4.12 A public notice with reference to the relevant Council meetings will be displayed in noticeboards and published to the CGR webpage detailing the outcome of the Community Governance Review in relation to the petition proposal for Newton-le-Willows East and West.

4.13 The publication of the final recommendation will then conclude this part of the CGR.

5. Consideration of Alternatives

5.1 None. On 3 November 2021, Council made the decision to undertake a CGR following the local and parish Elections 2022. Council is required to make a decision following the outcome of both consultations in accordance with the CGR Terms of Reference.

6. Conclusions

6.1 The CPWG have considered all consultation responses and information provided regarding the petition to create a new town council for Newton-le-Willows East and West having regard to the criteria set out in the Local Government and Public Improvement in Health Act 2007.

6.2 The final recommendation has been discussed in detail by the CPWG and Council is invited to approve the final recommendations presented.

6.3 Approval of the final recommendation will therefore allow the Council to formally conclude the CGR process in relation to the petition proposal received from Newton & Earlestown Community Group

7. Legal Implications

7.1 Sections 79 to 102 of the Local Government and Public Involvement in Health Act 2007 set out a range of duties and powers and the process for a CGR. This covers the terms of reference for a review, consultation on recommendations, open decision making and publishing the outcome. Section 79 states the review must comply with the Act, have regard to the Guidance and comply with the terms of reference that the Council has adopted for the review.

7.2 In addition, the following legislation applies, namely the Local Government Act 1972 (as amended), the Local Government (Parishes and Parish Councils) (England) Regulations 2008, the Local Government Finance (New Parishes) Regulations 2008 and the Legislative Reform (Community Governance Reviews) Order 2015.

7.3 Guidance has been issued jointly by the Secretary of State for MHCLG and Local Government Boundary Commission for England ("LGBCE") (2010 version), which the Council must have regard to.

8. Equality Impact Assessment

8.1 An Equality Impact Assessment has not identified any implications arising from the proposed decision.

9. Social Value

9.1 None.

10. Net Zero and Environment

10.1 None.

11. Health and Wellbeing

11.1 None.

12. Equality and Human Rights

12.1 The proposal in the final recommendation has no detrimental impact on service users with any of the protected characteristics under the equalities legislation.

13. Customer and Resident

13.1 Both consultations have been undertaken with the aim to ensure maximum coverage with paper and on-line consultation surveys being made available at various public buildings.

14. Asset and Property

14.1 None.

15. Staffing and Human Resources

15.1 Staff resource from various teams across the Council have contributed to the work of the CGR, supporting the CPWG meetings and the consultation processes.

16. Risks

16.1 The process of the review and both consultations have been undertaken in accordance with the statutory guidance to minimise the risk of challenge.

17. Finance

17.1 The total cost of the public consultations which took place for the Newton-le-Willows East and West CGR was £16,181.88. This includes ballot paper printing, a royal mail response licence, consultation surveys and design costs for the letter to stakeholders.

17.2 The total estimated costs for both the petition proposal and the borough wide CGR are to be met within cash limits for the Corporate Services Directorate for 2022/23 and 2023/24.

18. Policy Framework Implications

18.1 None.

19. Impact and Opportunities on Localities

19.1 None.

20. Background Documents

20.1 Council Reports – 3 November 2021, 12 July 2022 and 19 April 2023.

20.2 Guidance on Community Governance Reviews – March 2020, Local Government Boundary Commission for England.

20.3 LGBCE's Electoral Reviews: Technical Guidance

21. Appendices

21.1 Appendix 1 – CGR Terms of Reference approved by Council on 12 July 2022.

21.2 Appendix 2 - Second Stage Consultation Responses for Newton-le-Willows East and West.

21.3 Appendix 3 – Equality Impact Assessment