

1. **REPORT TITLE** **Proposed changes to Electoral Cycle - Town and Parish Councils**
- Submitted by:** **The Monitoring Officer**
- Portfolio:** **Policy, People & Partnerships**
- Ward(s) affected:** **All**

Purpose of the Report

To seek authorisation to make an Order under Section 53 of the Local Government and Public Involvement in Health Act 2007 to enable the Borough Council to make an Order to change the electoral cycle of Town and Parish Councils within its area.

Recommendation:

That an Order be made under Section 53 of the Local Government and Public Involvement in Health Act 2007 to change the electoral cycle of the Borough Council's Town and Parish Councils to bring them into alignment with the Borough Council.

Reasons

The Borough Council's move to whole Council elections (referred to below) affects the Town and Parish Councils within its area. Any Town or Parish Council elections that fall in the years when there are no Borough elections would have to meet the cost of their elections in the same way that they would if there was a by-election. This impacts on all the parishes within the Borough of Newcastle-under-Lyme.

1. **Background**

- 1.1 The Borough Council's power to change its electoral cycle is set out in Sections 31 to 36 of the Local Government and Public Involvement in Health Act 2007 (the Act), as amended in Schedule 2 of the Localism Act 2011.

At a meeting of the Borough Council held on 25th November 2015, it was resolved to move to all-out (whole Council) elections with effect from the elections to be held in May 2018.

2. **Proposal**

- 2.1 The Borough Council's move to whole Council elections affects the Town and Parish Councils within its area. Any Town or Parish Council elections that fall in the years when there are no Borough elections would have to meet the cost of their elections in the same way that they would if there was a by-election. Section 53 of the Act enables the Borough Council to make an Order to alter the years of the ordinary elections of Towns and Parishes so that they coincide with the date of whole Council elections by the Borough Council. The Order can make transitional provision for the retirement of Town and Parish Councillors at different times than would have otherwise applied during that transitional period.

It is therefore proposed that the Council make an Order under Section 53 of the Act (a draft of which is annexed to this report) which will come into force on 1st March 2017 so that elections of all Town and Parish Councillors for any town/parish within the Borough area will be held simultaneously on 3rd May 2018 and every fourth year thereafter.

3. **Issues**

The Town and Parish Councils have been consulted on the Borough Council's proposal to make an Order under the Act and a copy of the draft Order was also supplied for their information.

Only one adverse comment in response has been received. Silverdale Parish Council say that they do not feel it is for the Borough Council to determine the electoral cycle of the Parish Council. Additionally they commented that the Order should not have been drafted ready to be made until consultation had been held with the parish councils.

4. **Reasons for Preferred Solution**

4.1 As set out above, any Town or Parish Council elections that fall in the years when there are no Borough elections would have to meet the cost of their elections in the same way that they would if there was a by-election. Bringing Town and Parish Councils in line with Borough Council election dates would result in financial savings for the town and parish councils.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- creating a cleaner, safer and sustainable Borough
- creating a Borough of opportunity
- creating a healthy and active community
- transforming our Council to achieve excellence

6. **Legal and Statutory Implications**

There are none directly flowing from this report.

7. **Financial and Resource Implications**

Financial expenditure for town and parish councils would be reduced.

8. **Major Risks**

There are none directly flowing from this report.

9. **Earlier Cabinet/Committee Resolutions**

Report to Full Council on 26th November 2014

Report to Full Council on 9th September 2015

Report to Full Council on 25th November 2015

10. **Background papers**

The Local Government and Public Involvement in Health Act 2007

Localism Act 2011

Report to Council 16 April 2014 'Proposed Changes to Electoral Arrangements'

Report to Council 9 September 2015 'Governance Review Sub Committee – Update'