



**COMMUNITY GOVERNANCE
REVIEW OF THE
UNPARISHED AREA OF
KETTERING TOWN**

Terms of Reference

Kettering
Borough Council

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1. INTRODUCTION

1.1 Aims of the Review

As a result of a request from the Local Government Reform Advisory Committee at its meeting held on 30th January 2019, the Council has resolved to undertake a community governance review pursuant to Part 4 of the Local Government and Public Involvement in Health Act 2007 (2007 Act). The decision to undertake such a review requires the Council to publish a terms of reference document which sets out the following :

- how the review will be conducted;
- expected timescales;
- what the review will focus on; what the key considerations should be:
- factual electoral and parish information; and
- a consultation strategy.

1.2 Why undertake a Community Governance Review and what is it?

A Community Governance Review provides an opportunity for principal authorities to review and make changes to community governance arrangements within their area.

A Community Governance Review is a review of the whole or part of the borough to consider one or more of the following:

- Creating, naming, merging, grouping, altering or abolishing Parishes
- Altering the boundaries of existing parishes
- Making changes to or recommending the electoral arrangements of a parish council
- Consequential matters (i.e. the effect on existing parishes, dealing with parish assets, resolving issues relating to employees of existing parishes, setting a precept for a new parish council, setting a date for the first elections and the subsequent electoral cycles.)

The Government Guidance requires that ultimately the recommendations arising out of the review should bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.

1.3 Scope of the Review

With the impending reform of local government in the County, the Council has resolved to undertake a review in relation to

- the possibility of creating a Parish for the currently unparished area of Kettering Town;
- the creation of a Town Council for Kettering, including the size of the Council and warding arrangements
- the creation of boundaries for that area taking into account the existing boundaries of Parishes directly adjacent to the Town area particularly those directly affected by the East Kettering Sustainable Urban Extension (SUE)
- the need to review the current boundary between the currently unparished area of Kettering and Cranford Parish, to recognise the impact the East Kettering urban extension would have on the identity of that parish. (At a previous Community Governance Review in 2014, it was agreed in principle that the boundary would change to accommodate all of the urban extension within the unparished area, either from 2018 or from the point at which houses were being built within Cranford's current area. That development has just begun).
- The impact on the creation of a Parished area for the town of Kettering on other parishes directly affected by East Kettering SUE, principally Barton Seagrave and to a lesser extent Burton Latimer. (Barton Seagrave Parish Council has also recently asked for a review of its boundaries with Burton Latimer and the current unparished area of Kettering to be reviewed at the next opportunity).
- The intention of this review is to resolve the future status of Kettering and to address its eastern boundary with adjacent parishes, and take the opportunity to be clear about the relationship of the urban extension to affected parishes. It is not intended to be a wider Borough wide review.

1.4 Legislation and Guidance

In undertaking this review the council will be guided by the following legislation and government guidance:

- Local Government and Public Involvement in Health Act 2007 (part 4),
- Local Government Act 1972,
- Guidance on community governance reviews issued by the Department for Communities and Local Government,
- Consequential matters arising from the review may be impacted by the Local Government (Parishes and Parish Council) (England) Regulations 2008 and Local Government Finance (New Parishes) Regulations 2008.

1.5 Who undertakes the review?

This review is being carried out by the council's Democratic Services and Electoral Services team. Martin Hammond, one of the Council's Executive

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Directors, will act as review manager.

The Review Team will report initially to the Council's Local Government Reform Advisory Committee as required. Any modification to the Terms of Reference at any stage of the review will need to be approved by Council. Following the consultation process, any recommendations to change existing arrangements will be considered by full Council at meetings throughout the process, identified in the timetable shown in Paragraph 2.3 below. Final recommendations will also be agreed by Council, who will then create a re-organisation order (if required).

1.6 Timetable for the review

The review must be completed within twelve months, beginning with the date of publication of the terms of reference – the timetable is detailed below:

Stage	Likely timescale/date
Decision at full Council to undertake a community governance review and how that should be overseen by members.	27 th February 2019 Council Meeting
Full Council agree terms of reference	27 th February 2019 Council Meeting
Consultation plan and details of any new Town Council role to be worked up and then approved by full Council	Throughout March 2019 with report submitted to 24 th April 2019 Council Meeting
First Consultation stage	1 st May 2019 to 30 th June 2019
Take submission and consultation results back to Council	25 th September 2019 Council Meeting
Publish draft recommendations for further consultation	1 st October 2019 to 15 th November 2019
Final recommendation to full Council	11 th December 2019 Council Meeting
Make re-organisation order	January 2020
Elections to Parish Council	May 2020

2. Consultation

2.1 The Consultation process

Before making any recommendations the Borough Council will consult with the following;

- Local Government Electors in the areas under review and any other person/organisation who appears to have an interest
- Elected members for all Councils within the Borough
- The Member of Parliament for the Kettering Constituency
- The parish councils affected by the review
- The Northamptonshire County Council
- Other district and Borough Councils within North Northamptonshire
- The North Northamptonshire Shadow Authority (if in being)
- Local businesses
- Community bodies

A range of organisations operate within the area of the review and may be interested in submitting their views. Existing parish councils will have a clear interest, along with many community groups and special interest groups.

When taking account of any written representations the Council must have regard to the need to secure that community governance within the area under the review:

- Reflects the identities and interests of the community in the area;
- Provide effective and convenient local government.
- Take into account any other arrangements for community representation or engagement in that area.

The Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them.

2.2 How to take part in the Consultation

Full details of the consultation and how to respond will be published in accordance with the agreed review timetable. Representation will be accepted in any written, typed or similarly recorded format and should be addressed to:

The Review Team
Democratic Services
Kettering Borough Council
Bowling Green Road
Kettering
NN15 7QX

or may be emailed to democracy@kettering.gov.uk

All communications must contain the name and residential address of the person submitting their views.

3. CREATING A PARISH FROM A NON-PARISHED AREA

3.1 Parish areas and existing community arrangements

When creating a Parish area, It is important to ensure that people are able to clearly identify with the newly formed Parish in which they live, and that the Parish strongly reflects distinctive areas of interest, with their own sense of identity and the feeling of local community whilst balancing that with an acknowledgement of the importance of historic traditions in that area.

Further to this, the council will be mindful of other forms of community governance in consideration of whether parish governance is most appropriate in certain areas. However, the council also notes that the distinction between parish councils and other forms of governance is that they are democratically elected tiers of local government, with directly elected representatives, and are democratically accountable for the specific powers they possess. When considering representations for the new Parish, the council will therefore pay heed to the existence of other community groups (or similar) existing in the area.

3.2 Electoral Areas covering the unparished area of Kettering currently

The entire area covered by Kettering Borough Council is currently divided into seventeen wards represented by 36 members. Within the town of Kettering itself there are 9 wards represented by 20 members which cover the unparished area of the Borough, namely All Saints (3 members) Avondale Grange (2), Brambleside (2), Ise Lodge(3), Northfield (1), Pipers Hill (2), St Michaels & Wicksteed (3), St Peters (2) and William Knibb (2). The electorate for the Kettering Town wards totals 38,650 as at February 2019. (Individual electorates by Polling District along with those of the areas that abut the unparished area of Kettering are shown at **Appendix 'A'**)

The other 8 Wards in the Borough are represented by 16 members with an electorate of 36041 at February 2019. Of those 8 wards, 5 have Parishes within them that abut the boundary of the unparished area of the Town of Kettering. These are Barton Seagrave (Barton Ward), Cranford, Warkton and Weekley (Queen Eleanor & Buccleuch Ward), Rushton (Welland Ward), Rothwell (Rothwell Ward) and Thorpe Malsor, Broughton, Cransley and Pytchley (Slade Ward).

In terms of County Council Electoral Divisions, the town of Kettering is served by 5 areas each represented by 1 member. The divisions are Clover Hill, Ise (which includes some Parish areas), Northall, Wicksteed and Windmill. There are in total 8 County Divisions in the Kettering Borough area. An analysis of the relationship between Borough Wards and County Divisions within Kettering is attached at **Appendix ' B '**.

When undertaking the review, the Borough Council must take into account any demographic trends and new urban developments in these areas that may alter the population significantly in the five years following the conclusion of the Review. A summary of developments planned for the review area is attached at **Appendix 'C'**.

3.3 Parish boundaries

When considering parish boundaries for a newly parished area, the Borough Council will therefore need to consider boundaries that should be easily identifiable physical markers. These may include boundaries such as streams, parks, canals, railways, roads, or other barriers that have little in common with the parish to which they may have been allotted. They may also be based on existing governance boundaries.

3.4 Future Role of a Parish Council for the Town of Kettering

The Review Team will need to give the Borough Council the opportunity to consider the future role of a Parish Council for the un-parished area of Kettering in terms of the following:

- The powers available to a new Council
- How to use these powers and which ones to use
- The need to appoint charter trustees with a view to maintaining the continuity of a town charter as is required after a district with the status of a borough has been abolished, until such time as a parish council is established.
- The continuity of the existing civic function of the Borough and associated matters (insignia, roles etc.)
- Ensuring the continuity of the market charter rights in the town of Kettering
- Any other matters of a similar nature to all of the above that need determination

If the establishment of a new council is the result of this review, the Borough Council will need to consider how it is established and resourced in its first year, including setting a precept for it for that first year.

4. Electoral Arrangements

4.1 What does 'electoral arrangements' mean?

An important part of our review will comprise giving consideration to 'electoral arrangements' – the way in which a council is constituted for a parish and covers:

- the ordinary year in which elections are held,
- the forming of a parish council,
- the number of councillors to be elected to the council,

- the division of the parish into wards for the purposes of electing councillors,
- the number and boundaries of any such wards,
- the number of councillors to be elected to any such ward,
- the name of any such ward.

4.2 Ordinary year of election

It is currently unclear apart from the first ones under the new arrangements for local government in Northamptonshire in May 2020, when the elections for Parish Councils will take place going forward. In the past, it has been the case that Parish Elections are held in the same year as Borough Council elections, and going forward, it is anticipated that this will remain the case. However, as yet an electoral cycle for the new local government arrangements in Northamptonshire has not been determined by the Ministry of Housing, Communities and Local Government. (MHCLG).

4.3 Forming a parish council

There are strict rules governing when a parish council may be formed that relate to the number of electors in the area. It should be noted that the legislation states that where the number of electors is 1,000 or more, (as would be the case for a new Parish within the Kettering Town area, a parish council must be created,

4.4 Number of parish councillors

Under legislation, the following factors must be considered when deciding number of councillors to be elected:

- the number of local government electors for the parish,
- any change in that number which is likely to occur in the period of five years beginning with the day the review starts,
- the number of councillors should not be less than 5.

The council will follow government guidance which states that “each person’s vote should be of equal weight so far as possible, having regard to other legitimate competing factors, when it comes to the election of councillors”.

4.5 Parish warding

Each parish may be divided into wards – under legislation, the council must consider:

- whether the number or distribution of local government electors would make a single election impracticable or inconvenient, and;
- whether it is desirable that any areas of the parish should be separately represented on the council.

Warding arrangements should be easily understood by, and have relevance to, the electorate in a parish. They should reflect clear physical and social differences: one parish comprising different parts. Each case will be considered on its own merits and must meet the two tests laid out in the Act (detailed above).

4.6 The number and boundaries of parish wards

In reaching conclusions on boundaries between parish wards, the council will take into account community identity and consider whether any ties or linkages may be broken by the drawing of particular boundaries. Proposals intended to reflect community linkages and identity must be soundly justified with demonstrable evidence of those identities and linkages.

Ward boundaries should be easily identifiable physical markers, such as streams, parks, canals, railways, roads, or other similar barriers that have little in common with the parish ward to which they may have been allotted, and should be clearly understood.

Another consideration for the council when undertaking a review is that ideally the district/borough/county electoral divisions should not split an unwarded parish and no parish should be split by a boundary. This is merely a recommendation, but will still be taken into account when carrying out this review.

4.7 The number of councillors to be elected for parish wards

The same criteria as outlined in 4.4 above will need to be applied to reaching conclusions as to the appropriate number of electors for each Ward.

However, when allocating an appropriate number of Councillors to wards, the council needs to take into account that if one or more wards of a parish are seen to be overrepresented by councillors, the residents of those parishes could be perceived to have more influence over the parish council. During the review the council will need to consistently show the ratios of electors to councillors that would result from its proposals and promoting equality of votes.

4.8 Naming of parish wards

The council will aim to reflect existing local or historic place-names and will give significant consideration in favour of ward names proposed by local interested parties.

5. COMPLETION OF REVIEW

This review will be deemed completed when the outcome is published on the website, at the main council offices, at libraries within the borough and at other local contact points.

5.1 Reorganisation of Community Governance Order

If the outcome of the review requires that the council adopts a 'Reorganisation of Community Governance Order' the review will not be deemed complete until copies of the Order, maps that show the effects in detail, and the documents which set out the reasons for the decisions that the council has taken are available at the council's offices, on the website, libraries and local contact points. The maps will be deposited with the Secretary of State at the Department of Housing, Communities and Local Government and at the council's office at Bowling Green Road, Kettering. An indication of when the provisions in the Order will take effect will be given – for financial and administrative purposes this will be on 01 April in the designated year.

5.2 Electoral arrangements for new or existing parish councils

The electoral arrangements for a new or existing parish council will come into force at the next local government elections. This is currently expected to be May 2020. For future years' elections the date will be decided when it is clear what the electoral cycle for the new principal area authorities in Northamptonshire will be. It is the responsibility of the Ministry of Housing, Communities and Local Government to determine this.

5.3 Consequential matters

The Reorganisation Order may cover consequential matters that could include:

- the transfer and management of property,
- the setting of precepts for new parishes,
- provision with respect to the transfer of any functions, property, rights and liabilities,
- provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

In these matters the council will be guided by regulations that have been issued following the 2007 Act.

5.4 Existing and future local government electoral area boundaries

It now appears likely that the new local government bodies in Northamptonshire will have 3 member electoral areas based on the electoral divisions on the Northamptonshire County Council for their first

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terms of office. The Local Government Boundary Commission for England have indicated that it is the Commission's intention to conduct a full scale review of electoral boundaries in Northamptonshire in or around 2021/22. It is important that this should be borne in mind by all members of the Council and the Review Team when formulating recommendations and decisions.

Where any such matters affect Northamptonshire County Council, the council will also seek the views of the county council in accordance with the government's guidance.

Date of publication of these terms of reference: 1st March 2019

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Appendix A - Current Electorates for Parished/Non-Parished Polling Districts within or abutting the Proposed Review Area

Polling District	Electors
KA - All Saints Ward PD 1	1,708
KB - All Saints Ward PD 2	1,460
KC - All Saints Ward PD 3	824
KD - All Saints Ward PD 4	1,019
KE - All Saints Ward PD 5	652
KF - All Saints Ward PD 6	114
KG - Avondale Grange Ward PD 1	983
KH - Avondale Grange Ward PD 2	1,385
KI - Avondale Grange Ward PD 3	1,509
KJ - Barton Ward PD 1	2,262
KK - Barton Ward PD 2	1,958
KL - Barton Ward (No Parish) PD 3	540
KM - Brambleside Ward PD 1	1,910
KN - Brambleside Ward PD 2	1,789
KO - Burton Latimer Ward PD 1	1,474
KP - Burton Latimer Ward PD 2	1,631
KQ - Burton Latimer Ward PD 3	2,276
KR - Burton Latimer Ward PD 4	1,843
KW - Ise Lodge Ward PD 1	2,336
KX - Ise Lodge Ward PD 2	3,389
KY - Northfield Ward	2,033
KZ - Kettering Pipers Hill Ward PD 1	1,651
LA - Kettering Pipers Hill Ward PD 2	898
LB - Kettering Pipers Hill Ward PD 3	1,483
LC - Cranford	386
LH - Warkton	106
LI - Weekley	140
LJ - Rothwell Ward (Tresham) PD 1	3,168
LK - Rothwell Ward (Trinity) PD 2	3,223
LL - Broughton	1,822
LM - Great Cransley	245
LR - Pytchley	374
LS - Thorpe Malsor	97
LT - St Michaels & Wicksteed Ward PD 1	2,747
LU - St Michaels & Wicksteed Ward PD 2	1,455
LV - St Michaels & Wicksteed Ward PD 3	1,380
LW - St Peters Ward PD 1	2,307
LX - St Peters Ward PD 2	1,687
MC - Rushton, Glendon Ward	43
MD - Rushton, Pipewell Ward	48
ME - Rushton, Rushton Ward	365
MJ - William Knibb Ward PD 1	1,315
MK - William Knibb Ward PD 2	839
ML - William Knibb Ward PD 3	958
MM - William Knibb Ward PD 4	819
Total	60,651

Appendix B - Relationship between Borough wards and Polling Districts and the County electoral divisions in Kettering

Burton & Broughton	Ise	Northall
Broughton (LL)	Cranford (LC)	William Knibb No. 1 (MJ)
Pytchley (LR)	Barton No 3 (KL)	William Knibb No. 2 (MK)
Burton Latimer No 1 (KO)	Ise Lodge No.1 (KW)	William Knibb No.3 (ML)
Burton Latimer No 2 (KP)	Ise Lodge No.2 (KX)	William Knibb No.4 (MM)
Burton Latimer No 3 (KQ)	Grafton Underwood(LE)	Northfield (KY)
Burton Latimer No 4 (KR)	Warkton (LH)	St Peters No.1 (LW)
	Weekley (LI)	St Peters No.2 (LX)
Rothwell & Mawsley	Geddington(LD)	
Rushton Glendon Ward (MC)	Newton (LG)	Windmill
Rushton Rushton Ward (MD)	Little Oakley (LF)	Avondale Grange No.1 (KG)
Rushton Pipewell Ward (ME)		Avondale Grange No.2 (KH)
Mawsley (LP)	Wicksteed	Avondale Grange No.3 (KI)
Loddington (LO)	Barton No. 1 (KJ)	Pipers Hill No.1 (KZ)
Orton (LQ)	Barton No. 2 (KK)	Pipers Hill No.2 (LA)
Rothwell No 1 (LJ)	St Michaels & Wicks. No. 1(LT)	Pipers Hill No.3 (LB)
Rothwell No 2 (LK)	St Michaels & Wicks. No. 2 (LU)	All Saints No.5 (KE)
Harrington (LN)	St Michaels & Wicks. No.3 (LV)	
Thorpe Malsor (LS)		
Cransley (LM)	Clover Hill	
	All Saints No. 1 (KA)	
Desborough	All Saints No.3 (KC)	
Desboro Loatland No.1 (KS)	All Saints No. 4 (KD)	
Desboro Loatland No. 2 (KT)	All Saints No. 6 (KF)	
Desboro St Giles No.1(KU)	Brambleside No.1 (KM)	
Desboro St Giles No. 2 (KV)	Brambleside No.2 (KN)	
Braybrooke (MA)	All Saints No.2 (KB)	
Dingley(MB)		
Brampton Ash (LZ)		
Wilbarston Wilbarston Ward (MI)		
Stoke Albany (ME)		
Ashley (LY)		
Sutton Bassett (MF)		
Weston-by-Welland (MG)		

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Appendix 'C' - Summary of Housing Property Developments planned for the review area in the next five years

Kettering Town Wards

Ward	2019/20	2020/2021	2021/2022	2022/2023	2023/2024	Total
All Saints	42	65	23	0	0	130
Avondale Grange	1	0	0	0	0	1
Brambleside	5	4	0	0	0	9
Ise Lodge *	4	3	0	0	0	7
Northfield	3	14	0	0	0	17
Pipers Hill	0	2	0	0	0	2
St Michaels & Wicksteed	14	0	40	10	10	74
St Peters	76	95	140	121	96	528
William Knibb	29	23	41	36	0	129
Totals	174	206	244	167	106	897

East Kettering

Site	2019/20	2020/2021	2021/2022	2022/2023	2023/2024	Total
East Kettering	119	328	384	371	327	1529

Wards adjacent to the Town of Kettering

Ward	2019/20	2020/2021	2021/2022	2022/2023	2023/2024	Total
Barton*	0	3	30	30	0	63
Queen Eleanor & Buccleuch*	4	3	0	0	0	7
Rothwell	5	27	0	0	0	32
Slade	55	104	105	100	100	464
Welland	0	0	16	17	0	33
Totals	64	137	151	117	100	569

Annual and 5 year Totals of the above Tables

2019/20	2020/2021	2021/2022	2022/2023	2023/2024	Total
357	671	779	655	533	2995

NB: *Excludes East Kettering Site figures