

SWT Community Governance Review Working Group

18.01.22 at 4pm

Attendees 18.01.22: Cllr D Perry (Chair), Cllr M Rigby (Vice-Chair), Cllrs N Cavill, S Coles, J Hunt, L Lisgo, A Sully, L Whetlor.

Officers: K. Williams, J. Williams, P. Fitzgerald, P. McLean, M Prouse, J. Kemmish

1. Structural Change Order Update

The Chair and Councillor Perry updated Councillors on the Working Group with the meetings that had taken place with the Ministry regarding the Draft Structural Change Order which would give effect to the new Unitary Council. The Order had been agreed to be amended to allow for an election to take place in 2023 if required.

2. Close of Stage 1 Consultation and Preliminary Results

Councillors had been sent the entirety of the consultation responses for them to start to review.

3. Provisional Options for Draft Recommendations

The Specialist in Governance went through a slide pack on the Statutory Guidance which set out the various considerations and factors that the Working Group would have to take into account in terms of justifying their decisions, alongside the consultation responses.

4. Next Steps/Timetable

A legal advice note drafted by the Council's Deputy Monitoring Officer Kevin Williams had been circulated prior to the meeting advising the amendment of the CGR timetable.

The stage two consultation, which was planned to last for six weeks, was adequate in length. The consequence of the decision to issue the declaration of poll on 21st March 2022 is that the stage two consultation must terminate before 21st March 2022. This is beyond legal dispute. On this basis the stage two consultation could only run for at most five and a half weeks. This is a shade too short for a consultation of this kind and is inadequate. It would open the council to a serious risk of legal challenge. It is not legally permissible to start the stage two consultation under the current timetable, suspended during purdah, and re-commence it after the May election.

A Special Full Council, on a preferred option, can be held, as long as that decision is made and publicised before 21st March 2022. Thereafter the Council will conduct the stage two consultation after the May elections.

Resolved that the CGR Working Group :

1. Supported the decision of the CEO and DMO to amend the timetable.

2. Requested that arrangements for a Special Full Council on 3rd March 2022 were made to discuss a preferred option to go out to Stage Two Consultation, after the May Election.

The Clerk emailed around the following schedule following the meeting:

1. Further Working Group meetings on:
 - Wednesday 26th January 2022 at 4pm
 - Tuesday 1st February 2022 at 3pm
2. Final Report ideally must be signed off by Working Group – Monday 7th February 2022 at 3pm
3. Report to SMT – Wednesday 16th February 2022
4. Report deadline for Full Council – 21st February 2022
5. Report published – 23rd February 2022
6. Meeting date of Special Full Council – 3rd March 2022

5. Any Other Business

No other business was raised.

The meeting closed at 5.40pm