



NORTH
YORKSHIRE
COUNCIL

1 April 2023

Community Governance Review

Draft Recommendations

Scarborough Unparished Area

January 2023

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1. Background to the Review

- 1.1. A Community Governance Review (CGR) is a review of whole or part of a principal council's area for the purpose of making recommendations with regard to creating, merging or abolishing parishes and the naming and electoral arrangements of parishes. Where a parish of over 1,000 electors is created it must have a parish council. A parish council may be called a Town, Community, Neighbourhood or Village Council. The review is undertaken:
- In accordance with the legislation in Chapter 3 of the Local Government and Public Involvement in Health Act 2007:
 - Having regard to guidance published by the Secretary of State and the Local Government Boundary Commission for England; and
 - Complying with the terms of reference that the council has adopted for the review
- 1.2. A review is often undertaken when there have been changes in population or reaction to specific new issues to ensure that community governance for the area continues to be effective and convenient and reflects the identities and interests of the community. The aim of the review is to bring about improved community engagement, communities that are more unified, better local democracy and more effective and convenient delivery of local services.
- 1.3. The review offers two opportunities for residents to have their say. The first period of consultation has been undertaken, which forms the basis of these draft recommendations.

Revised* Timetable for Consultation and Recommendations	
August to October 2022	Initial consultation period
Nov 2022 to Jan 2023	Consideration of responses and drafting of recommendations
February to April 2023	Further consultation period on draft recommendations
April 2023 to June 2023	Formulation of final recommendations

* Reasons for revisions or delays are explained in Appendix A.

- 1.4. If the Executive approve the draft recommendations a second period of consultation is planned for February to April 2023, to allow final recommendations to be drafted and presented to North Yorkshire Council in the summer of 2023.

- 1.5. On 1 April 2023, a new unitary authority to be known as North Yorkshire Council will be created and will deliver all local services. The new council will replace North Yorkshire County Council and Scarborough Borough Council (SBC), along with the county's six other district councils.
- 1.6. A central pledge in the bid for a new unitary authority was 'double devolution' which will enable town and parish councils the opportunity to take on greater responsibilities. Currently the only parts of North Yorkshire which do not have a parish or town council are the towns of Scarborough and Harrogate, hence those areas have limited ability to take on these responsibilities. More information on Local Government Reorganisation (LGR) is available here [The new council and devolution for North Yorkshire | North Yorkshire County Council](#).
- 1.7. The new Council will be committed to keeping services local and empowering local communities; more information about this is available here: <https://www.northyorks.gov.uk>. There is more about how the North Yorkshire Council intends to promote local empowerment through communities, towns and parishes at page 83 of "A Unitary Council for North Yorkshire, The Case for Change" which is available here: <https://www.northyorks.gov.uk>
- 1.8. Harrogate and Scarborough currently have borough status, which entitles them to have a Mayor. To preserve the historic property, privileges, rights and traditions associated with a Mayor, the structural changes order approved by Government to allow the creation of the single North Yorkshire Council establishes charter trustee areas for both Harrogate and Scarborough from 1 April 2023. Whilst charter trustee areas are intended to protect the history and traditions of an area, they have no powers in respect of providing services to residents and the trustees may carry out ceremonial functions only. Charter trustees are the councillors on North Yorkshire Council representing the electoral divisions in the unparished areas. More information on charter trustees can be found here: [Previous consultations | North Yorkshire County Council](#)
- 1.9. In the event that a parish council is created for Scarborough, the charter trustee body would be dissolved. If no parish council is created the charter trustees will continue and would only be dissolved should a parish council be established in the future.
- 1.10. Parish and town councils play a key role in representing the views and promoting the needs of communities and can provide services to their residents. Parish councillors are directly elected to the parish council by the electors of the parish area. Parish Councils are mainly funded by a levy incorporated into local residents'

council tax bills, known as a precept. Parish Councils are also able to bid to a wide range of bodies for grant funding at a local level.

- 1.11. The terms of reference for the Scarborough area included three anomalous areas along the boundary lines of the unparished area, which following a Borough Council review of wards by the Local Government Boundary Commission for England (LGBCE) in 2017/18 saw changes made to wards which were once coterminous with the parish boundaries. The changes now mean that affected residents no longer fall within the same borough ward, county division and parish, with some remaining unparished. It is felt that these 3 anomalous areas could be addressed as part of this review, being consequential matters arising from the LGBCE review. These 3 areas consist of an unparished part of Eastfield (Middle Deepdale development), 3 properties at Osgodby, and Charles Williams Apartments which are currently split between being part parished within Newby & Scalby Town Council, and part unparished. Separate draft recommendations documents have been generated for each of those areas.
- 1.12. North Yorkshire County Council agreed to conduct this review at a meeting of the Executive on 19 July 2022. The report and the legal basis on which the review is conducted, along with the terms of reference for this review can be found here: [Agenda for Executive on Tuesday, 19th July, 2022, 11.00 am | North Yorkshire County Council](#). The Executive resolved that:
 - i) Community governance reviews be undertaken for the unparished parts of Harrogate and Scarborough, incorporating Eastfield Town Council.
 - ii) The Assistant Chief Executive (Legal and Democratic Services) in consultation with the relevant Executive Members be given delegated authority to approve the terms of reference once final typographical changes have been completed and to take any necessary action to progress the Community Governance Review.
- 1.13. The Local Government and Public Involvement in Health act 2007 requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account by judging them against the statutory criteria.
- 1.14. Following the resolution of the Executive to commence a review the terms of reference were published on the NYCC website and preparations finalised for the stage 1 consultation. The methodology used for the consultation is set out at Appendix A and the survey at Appendix B.
- 1.15. The tensions between the potential cost of the consultation and the need to offer all affected residents and interested parties the opportunity to respond were considered. Direct mail was chosen for all households within the areas under review. Other known stakeholders were contacted by email and the consultation

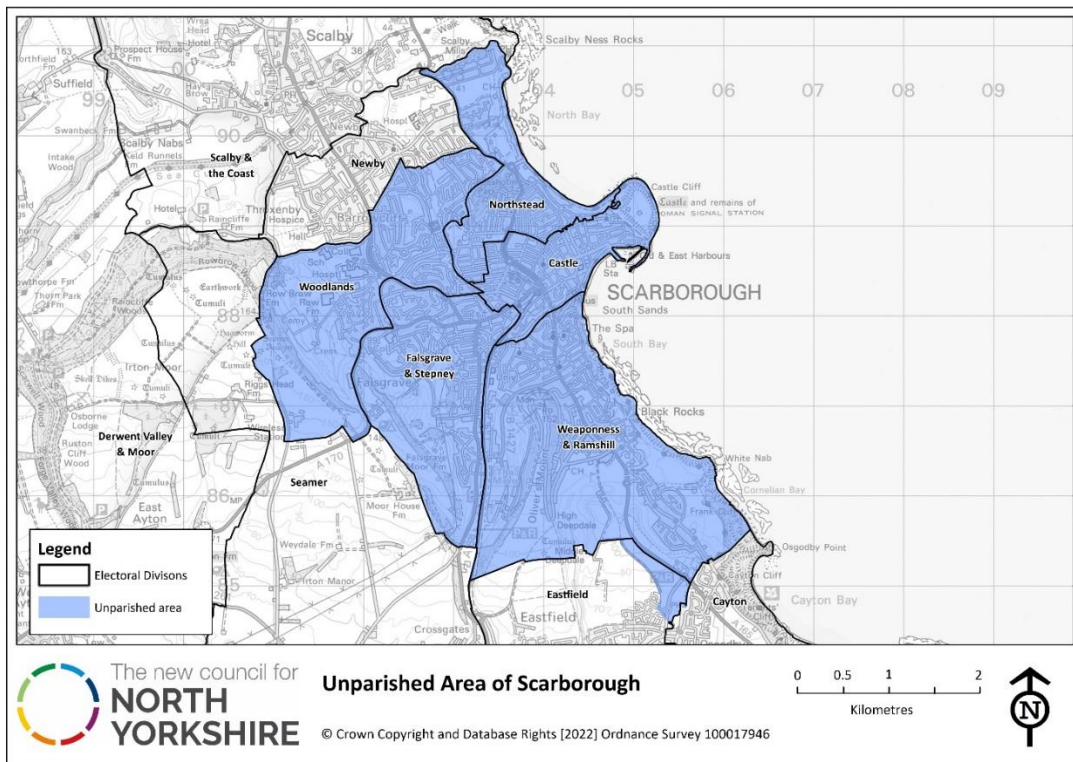
was also publicised by means of local press and resident newsletters and social media. Online responses were encouraged but alternatives were available.

2. Current Arrangements and History of the area

Current Arrangement

2.1. The unparished area of Scarborough includes the following current county council divisions. This area will comprise the charter trustee areas on 01 April 2023:

Division	Electorate (as at Dec 22)	Households (as at 1 June 22)
Castle	5,369	4,989
Eastfield - unparished part	84	44
Falsgrave & Stepney	6,137	4,213
Northstead	5,461	4,160
Weaponness & Ramshill	5,771	5,215
Woodlands	5,171	3,445
Totals	27,993	22,066



Relevant History

- 2.2. The current Scarborough Borough Council (SBC) was created in 1974 and comprised the Scarborough Borough and a number of Rural Districts. The footprint of the previous Scarborough Borough is the only part of the current borough to remain unparished.
- 2.3. There has been debate over the years on whether a town council be created particularly in relation to the perceived inequalities whereby Scarborough town residents receive the same services as residents of parish council areas, without paying an additional parish precept. It was generally considered that Scarborough was not disadvantaged in terms of having an additional voice at local level through not having a town council due to the fact that it is the largest town in the district and the home of the main council offices.
- 2.4. At SBC's Full Council meeting held on 06 September 2021 a motion was proposed to hold a referendum to ascertain the views of residents within the unparished area of the Borough in light of LGR. It was resolved that more information about options, processes, and timescales was needed before agreeing to a referendum.
- 2.5. A Member working group was subsequently established to consider all options, and it was agreed that a recommendation be made to NYCC Implementation Executive to undertake this CGR as soon as is practicable.
- 2.6. This issue was last addressed by SBC in October 2010 when in the absence of any evidence of popular support for a new parish in Scarborough, the Cabinet agreed to undertake a public consultation on whether electors in the unparished area wished to establish a new parish council – either one for the whole urban area or three (South Cliff Community Council, Scarborough West Community Council, Scarborough Castle and North Cliff Community Council):
 - The consultation received 472 responses – 77.5% voted against creating any parish or town council for the area and 22.2% voted in favour, hence SBC decided against commencing a CGR of the area.
 - The main two reasons cited by the no vote were that a community council was perceived as an additional and unnecessary level of bureaucracy, and they did not wish to pay a precept for a community council.
 - The majority of those who voted for community councils felt that they should be much smaller than the areas identified in the leaflet and several people suggested they should be based on the ward size.
 - The above views are 12 years old, and may have changed in light of LGR.

Five year electorate forecast

2.7. The electorate and 5 year electorate forecast of the unparished area is as follows:

Division	Electorate (Dec 2022)	Electorate Prediction (2027)	Predicted Electorate increase
Castle	5,369	6,027	658
Eastfield - unparished part	84	In excess of 84*	
Falsgrave & Stepney	6,137	6,170	33
Northstead	5,461	5,520	59
Weaponness & Ramshill	5,771	5,961	190
Woodlands	5171	5,171	0
Totals	27,993	Exceeds 28,933	Exceeds 940

* unable to give exact prediction for that area as developments listed are not split between polling districts, and cover a wider area into Eastfield Town Council

- 2.8. The increase in Castle Division is due to an expected increase of dwellings detailed within the SBC Local Plan as developments at St Thomas Hospital, Former Argos Building, Westwood Campus Site, Pavilion House, plus various smaller site developments, building conversions, changes in premises use, etc.
- 2.9. The increase in Eastfield Division (unparished part) is due to the expansion of the Middle Deepdale estate, detailed as Middle Deepdale (East), Eastfield (Kebbell Phase 4), and Land to North of Middle Deepdale (east of Deep Dale Valley), Eastfield (HA8) (Outline) Outline Remaining within the local plan, which were taken into consideration at the time that the LG BCE carried out their review in 2017/2018. This led to the creation of the unparished polling district of QC, with wards being extended, but the parish boundary remaining unchanged, hence this anomaly exists. This is explored further within the recommendations for Eastfield Town Council.
- 2.10. The small increase in Falsgrave and Stepney Division is due to an expected increase in dwellings detailed within the SBC Local plan as developments at Land off Springhill Lane, plus various smaller site developments, building conversions, changes in premises use, etc.
- 2.11. The small increase in Northstead Division is due to an expected increase in dwellings detailed within the SBC Local plan in relation to various smaller site developments, building conversions, changes in premises use, etc.

- 2.12. The increase in Weaponness & Ramshill Division is due to an expected increase in dwellings detailed within the SBC Local plan as developments at Villa Esplanade, The Breece West Street, 5 - 6 Esplanade Gardens, plus various smaller site developments, building conversions, changes in premises use, etc.
- 2.13. Electorate forecasting did not show any increase in the Woodlands Division as developments planned for within that area are for beyond the 5 year period.

3. Assessment of Submissions

- 3.1. The following table shows the number of households written to, with the number of submissions received, and response rate. As detailed at Appendix 1 responses were not limited to households only, anyone with an interest was invited to respond.

Households posted to	21,930
Responses received for area	538
Response rate	2.45 %

- 3.2. Submissions received, both in summary form and in full, can be found in the Scarborough Consultation Report at Appendix C. Some comments are quoted in this assessment where they may be helpful to illustrate a point.
- 3.3. Response rates in the table above were calculated by comparing the number of returns with the number of households directly consulted by means of a mail out inviting responses from all properties in the areas under review. The total number of responses in 2022 is 538 and in the 2010 consultation described at paragraph 2.6, the total number was 472.

The 2010 consultation was recalled in comments by some respondents:

“Having just dissolved SBC why introduce another layer of LG. In 2010 77% of respondents overwhelmingly rejected similar proposals”

“I remember when a poll was conducted previously on whether Scarborough should become parished and the result was overwhelmingly against it despite one major political party in favour of two parish councils for the area. One of the main reasons against was the introduction of a parish precept. I note that there is constant reference to elected parish councillors. Unless the situation has changed there used to be quite a few co-opted members. From my experience the calibre of some left something to be desired particularly on planning matters”

“I am glad that this is happening and I hope a Town Council will be created. When Scarborough Borough Council held a Community Governance review about 12 years ago, the idea of parishing the Scarborough Town area was rejected by residents, mainly on the grounds that they didn't want yet more politicians and they didn't want to have to pay more council tax. I hope that this time they will realise that the proposal will put them on a level playing field with nearly everywhere else in North Yorkshire, rather than being disadvantaged. I favour Proportional Representation but I suspect that the law will not allow it in this case. However I hope that the wards for the new council will be big enough to allow for PR to be introduced, should this be possible in future. Each ward should have at least two councillors so that if one is ill or away or dies there will still be a representative”.

- 3.4. Whilst the total number of responses in 2010 and in 2022 are similar, the outcomes are very different. In 2010 the majority (77.5%) were against creation of a new

parish council and 22.2% were in favour. In 2022, against a backdrop of changing local governance arrangements, the majority are in favour as shown in the table below:

Option	Number	Percentage
Option 1 – not to create a parish council	97	18 %
Option 2 – to create a parish council	376	69.9 %
Some other option	13	2.4 %
Don't know / not sure	52	9.7 %
	538	100 %

- 3.5. The report summarises the reasons people gave for their choice of option 1, not to create a parish council or option 2, to create one. Of those against, the most common reasons were additional costs, added bureaucracy or that it would be another tier of local government which seemed counter to the initiative behind the formation of the Unitary North Yorkshire Council.
- 3.6. The most popular reason for objecting to the creation of a town council related to the cost, including fears over increased council tax, and how it would be a waste of money. Comments were also received suggesting respondents were concerned they might end up paying twice for the same services. The second most popular reason was that there was no need to reintroduce two tier local government following the implementation of unitary status for the county.

“The creation of a new parish council would run counter to the logic which underpins the move to a unitary authority. Specifically, any forecast cost savings would be diluted and any new body could become an obstacle to North Yorkshire wide strategic planning. I understand the arguments about the benefits of local decision making, but feel that these are outweighed by the potential financial and operational benefits of a more strategic approach to local governance. Why remove one layer of councillors and then replace them with another?”

- 3.7. Of those in favour, the most common reasons tended to include “local” as a key theme, such as, local representation, local services, local decisions, and knowledge of local issues. Concerns were expressed by some that without a parish council, Scarborough would not benefit from the stated intention of North Yorkshire Council to encourage local empowerment through communities, towns and parishes.
- 3.8. There was a strong feeling that local democracy is important and people wanted a local body to champion Scarborough’s interests. Many stressed the need for decisions to be made locally, with an understanding of local issues. A town council would provide a place for the interests of local communities to be heard and actioned. It was felt that a town council would provide a point for local concerns to be considered and dealt with or taken forward to the unitary council. A number of

respondents felt that as the rest of the county was parished, Harrogate and Scarborough would be disadvantaged by remaining unparished and it would be more equitable for all areas to have the same level of democratic representation. Some also felt unparished areas could miss out on opportunities for funding.

“It's important to have local services devolved from a county-wide local authority. We shouldn't be left as the only area in North Yorkshire with charter trustee status, which would be the case if Harrogate were to vote to become a parish council while Scarborough voted against. This would mean that Scarborough town would go from having much control of its own affairs through a borough council, to suddenly having no direct control over their own area and instead being directly controlled from County Hall by all councillors. This would mean that the promise of devolution as outlined in the plans for a New Council for North Yorkshire would not be fulfilled in Scarborough, as we would be left in a worse position democratically”.

- 3.9. Those against, with concerns about additional costs and bureaucracy are considerably outnumbered in the consultation responses by others who are for creation of a parish council with concerns about local representation and that Scarborough should share equally in the benefits promised by the NYC from local empowerment through communities, towns and parishes as described at paragraph 1.7.
- 3.10. The report lists the 12 comments given by the 13 people who chose option 3, some other option. However, none of the suggested options are within the remit of this review and so they cannot be considered. Some respondents gave information about local groups which are active in the community though not necessarily able to provide an alternative form of governance to a parish council. They might form partnerships or relationships with it and their members might consider standing for election to a newly formed Scarborough Town Council. Community groups were included as stakeholders and included in the consultation as described in Appendix A, but if any mentioned by respondents were not included they will be added to the list of contacts for the second phase.
- 3.11. The report lists the 43 comments given by the 52 people who responded, “don't know” or “not sure.” The comments indicate that people didn't feel they understood the process or didn't have enough information to make an informed choice. This was often because they didn't feel they knew enough about the new unitary council arrangements or what services parish councils might provide. The hyperlinks at paragraph 1.7 above point to sources of additional information and will be provided at the next phase of consultation.
- 3.12. There does not appear to be an alternative form of local governance which could be considered in place of a parish council. Whilst active community groups exist in some areas there is no indication that they could take the place of a parish council.

The new Area Committees and Community Networks described at paragraph 1.7 should not be seen as an alternative to a parish or town council, indeed, the Community Networks will include representatives from parish councils. One respondent commented:

“It is fairer and easier to understand if the same system is in place across the whole county. The proposed nature of involvement in Area Committees in the documents about creating the new Unitary Authority involved Parish Councils - it is difficult to see how this could be achieved without a Parish/Town council for Scarborough”

One respondent suggested that a decision should be deferred:

“My response would be to say let’s wait until the new system has operated for a while to see how effective it is before more money is wasted on change. I say this along with, I’m sure from many people in Scarborough have seen the old council make so many bad decisions & investments over many years with little sign of improvement. I agree it may be useful to have some sort of local representation, but let’s see how the new system works for Scarborough”.

However, others felt that formation of a parish council is overdue:

“It is necessary to have local representation to submit opinions on proposals by the new unitary authority and should have been in place from 1st April 2023 This lack of procedure by SBC has not been explained and warrants investigation as this cannot now be implemented for that date”

A Town Council for Scarborough Town Area is essential, and it is in fact long overdue. Since the formation of Scarborough Borough Council the Town Councils of Whitby, Filey and Eastfield and the Parish Council of Newby and Scalby have been invaluable in representing the interests of their Residents to the Borough Council, forcefully when necessary, and they have also taken on exactly the kind of role that is envisaged for them under the Double Devolution proposal. The Residents of the Scarborough Town area have had and currently still have nobody to take on this role for them. Important decisions have been made by Cabinet Members representing Whitby or Rural wards and there has been and still is no purely Scarborough forum to consider those decisions or purely Scarborough voice to question or challenge them. The NYCC Parish Charter sets out clearly the role and importance of Parish/Town Councils, and creating a Town Council for Scarborough is the obvious and essential forward.

- 3.13. The majority of responses to the consultation are in favour of creating a parish council for Scarborough with several respondents going on to suggest that it should be called Scarborough Town Council.
- 3.14. Some respondents went on to make suggestions for the electoral and warding arrangements if a new parish council for Scarborough is created. Some of the

suggestions made are beyond the scope of this review, for example, one included a suggestion for the voting system and some concerned boundaries of existing parished areas which are not currently under review and, therefore, where households were not directly consulted. This review cannot consider the method of election which is prescribed in legislation and is restricted to the published terms of reference. Where suggestions received are within the scope of this review, they will be considered whilst formulating the draft recommendations.

4. Statutory Criteria

4.1. Section 93 of the Local Government and Public Involvement in Health Act 2007 requires that the Council must have regard to the need to secure that community governance in an area under review

- reflects the identities and interests of the community in that area
- is effective and convenient

and in deciding what recommendations to make the principal council must take into account any other arrangements for community representation or community engagement that already exist in an area.

Identities and Interests

4.2. Parish councils have two main roles: community representation and local administration. For both purposes it is desirable that a parish should reflect a distinctive and recognisable community of place, with its own sense of identity. The views of local communities and inhabitants are of central importance. Some of the factors which help define communities of place are: the geography of an area, the make-up of the local community, sense of identity, and whether people live in a rural, suburban, or urban area.

4.3. The proposed parish is a clearly identifiable built up area, surrounded on all sides by existing town and parish councils with established identities. The town is made up of a number of residential suburbs, each with their own identities and small secondary shopping areas, but the town is of such a size that many shops and services are based centrally and the town centre is seen as the focal point for town life.

4.4. Parish councils can also bring added value to community life, particularly in respect of organising things which may have a financial cost, which the principal council may decline to provide as they are not a statutory service. This could include local events and festivals which may require insurance and other matters which may be easier for a parish council, rather than a community group, to consistently provide.

Effective and convenient local government

4.5. The Government believes that the effectiveness and convenience of local government is best understood in the context of a local authority's ability to deliver quality services economically and efficiently, and give users of services a democratic voice in the decisions that affect them.

- 4.6. Local communities should have access to good quality local services, ideally in one place. A parish council may be well placed to do this. With local parish and town councils in mind, effective and convenient local government essentially means that such councils should be viable in terms of providing at least some local services, and if they are to be convenient they need to be easy to reach and accessible to local people.
- 4.7. A single town council covering the whole of the unparished area is more likely to provide a council with the capacity to consider taking on services, should it be able to reach an agreement with the principal council. A single large council would provide economies of scale, freeing up resources for services.
- 4.8. A number of smaller parishes could be established covering different parts of the town, and whilst very likely that a series of smaller parish councils would be successful at a local level and bring local communities together, this would not provide the single unified voice to speak on behalf of the whole town, which is what a large number of respondents in favour of a town council gave as the reason for opting for a town council. Nor would it provide a parish council large enough to consider delivering services locally and with economies of scale.

Existing Arrangements for Community Representation

- 4.9. The consultation survey also asked if respondents were aware of any existing local community governance in the areas (e.g. community or neighbourhood forums, resident associations etc.) which would serve the local community as an alternative to a parish council. The principal council is required to take into account any other arrangements already in place in an area.
- 4.10. A number of local organisations were named by respondents and are listed at page 45 in Appendix C. Of the organisations listed, three are specific area residents associations (Barrowcliff, Green Howards Drive and area, and Castle Ward), with the other three being organisations covering a specific area of the town such the South Bay, Old Town and Weaponness Valley. If the outcome of the Review were that a parish or town council not be created, these organisations' ability to sufficiently represent and advocate for the interests of the whole town would be limited.
- 4.11. Such forums and residents associations may be unrepresentative of the areas they cover as their membership is self-selecting. No governance is involved and they lack the accountability and status of a democratically elected council. Such groups work best when they cover a specific area and are invited by the town/parish council to contribute to debate on a range of topics.

4.12. It would be expected that such organisations would be involved in a community network for Scarborough, and work together for the benefit of the town. However, none of the organisations named could provide an alternative to a town council for such a large area. Whilst community organisations have the right to bid to take responsibility for assets or local services should they wish, they would not be able to take on statutory powers such as consultation on planning applications.

5. Final Assessment and Draft Recommendations

- 5.1. The majority of responses (69.9%) indicated support for the creation of a parish council for Scarborough, therefore it is proposed to create a single parish covering the unparished area, with the exception of the following:
- To exclude the unparished part of Eastfield Ward which is being recommended to form part of Eastfield Town Council (refer to Draft Recommendations for Eastfield area)
 - To exclude the unparished part of Charles Williams Apartments which are being recommended to form part of Newby & Scalby Town Council (refer to Draft Recommendations for Newby & Scalby area)
 - To exclude the 3 unparished properties at Osgodby which are being recommended to form part of Osgodby Parish Council (refer to Draft Recommendations for Osgodby Area)
- 5.2. The new parish would be known as the parish of Scarborough.
- 5.3. It is also proposed that a parish council be formed for the new parish as guidance states that where a parish consists of more than 1,000 electors a parish council must be created. Legislation offers a choice of alternative styles for a parish council: town, community, neighbourhood or village. Given the number of electors it seems most appropriate to propose the name Scarborough Town Council. Styling the parish council as a town council would also allow the use of the designation “Mayor” instead of Chair.

Recommendation 1 - A new parish be established for the unparished area of Scarborough (with the exclusion of the anomalous areas listed above)

Recommendation 2 - The new parish be named Scarborough

Recommendation 3 - The new parish of Scarborough should have a parish council and be called Scarborough Town Council

- 5.4. If the Community Governance Review continues on the current timetable, and second stage consultation shows support for the draft recommendations it is likely that an order to create the town council will be made in the summer of 2023. If that is the case it is proposed that the parish comes into existence for administrative purposes on 01 April 2024, and the date of the first election be 2 May 2024. This would be for a reduced term of three years to enable the election cycle to coincide with that of the principal council, in order to save costs. The next ordinary elections would take place in 2027 at the same time as for the North Yorkshire Council and all other parish councils in the county.

Recommendation 4 – that the parish comes into effect from 01 April 2024 for administrative purposes, and the first election for the town council be 2 May 2024 for a reduced term of three years, with ordinary elections taking place in 2027 and every four years thereafter

Council Size and Warding Arrangements

- 5.5. Consideration should be given as to whether a single election of councillors would be impractical or inconvenient. Given the size of the electorate in the unparished area it would not be practical to have a single ward. As part of a community governance review a principal council is required to consider whether parish warding should be put in place. A principal council should also be mindful of the provisions of Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009. These provide that when the Local Government Boundary Commission for England (LGBCE) is making changes to principal council warding arrangements no unwarded parish or parish ward should be divided by a county division boundary. Whilst these provisions do not apply to parish electoral arrangements the LGBCE believes that, in the interests of effective and convenient local government they are relevant considerations to be taken into account during community governance reviews. If a new parish is established in an area which is covered by more than one county division a principal county may wish to consider the merit of putting parish warding in place to reflect that ward or division.
- 5.6. With this guidance in mind it is therefore proposed that the parish be divided into 5 wards, coterminous with the existing/new unitary county divisions. Coterminosity means boundaries that follow the same line, for example where a principal ward boundary (ie North Yorkshire Electoral Division boundary) follows the same line as a parish council boundary. Coterminosity aids electoral administration; non-coterminous boundaries can be confusing for the electorate and difficult to administer.
- 5.7. It is proposed that the names of the parish wards match those of the divisions they are based on. It is felt that the residents will already identify with those names which have been established and recognised for many years, maintaining a sense of community identity and familiarisation, again reducing elector confusion.

Recommendation 5 -

(i) the parish be divided into wards

(ii) the wards for the parish shall be those which apply for North Yorkshire County Council until 31 March 2023, and which will apply for North Yorkshire Council after 1 April 2023, as named below:

Castle
Falsgrave & Stepney
Northstead
Weaponness & Ramshill
Woodlands

5.8. The proposed Town Council area covers 5 relatively evenly sized divisions, and it is acknowledged that the proposal to retain the same warding pattern as for the divisions provides a good balance for equality of representation, as shown in the table below:

Proposed Ward of new council	Electorate (Dec 2022)	Electorate Prediction (2027*)	Councillors
Castle	5,369	6,027	2
Falsgrave & Stepney	6,137	6,170	2
Northstead	5,461	5,520	2
Weaponness & Ramshill	5,771	5,961	2
Woodlands	5,171	5,171	2
Totals	27,909	28,849	10

5.9. In considering Council size the terms of reference stated that the council would be mindful of existing levels of representation, the broad pattern of existing council sizes and take up of seats at election time as well as guidelines produced by the National Association of Local Councils (NALC) and the Aston Business School. There are no statutory guidelines on council size, apart from there must be a minimum of 5 councillors.

5.10. The Aston Business School undertook research on council size in 1992 and found that parish councils representing a population of over 20,000 had between 13 and 31 councillors. NALC guidance published in 1998 suggested that the minimum number of councillors for any parish should be seven and the maximum of 25, for parishes with over 23,000 electors.

5.11. The size of the current Scarborough Borough Council is 46 councillors representing the whole of the Borough. 15 represent those whole wards proposed to be included within the new Scarborough Town Council area, at 3 per ward.

5.12. It should also be borne in mind that in recent years, parish councils in the Borough have found it difficult to attract sufficient candidates to stand for election, leading to uncontested elections or a need to co-opt members to fill vacancies. A parish council's budget and planned level of service provision will also be important factors in determining council size. Nationally, recently created larger town councils are also reflecting a desire for smaller, more streamlined council sizes in an age when fewer people are interested in standing for public office.

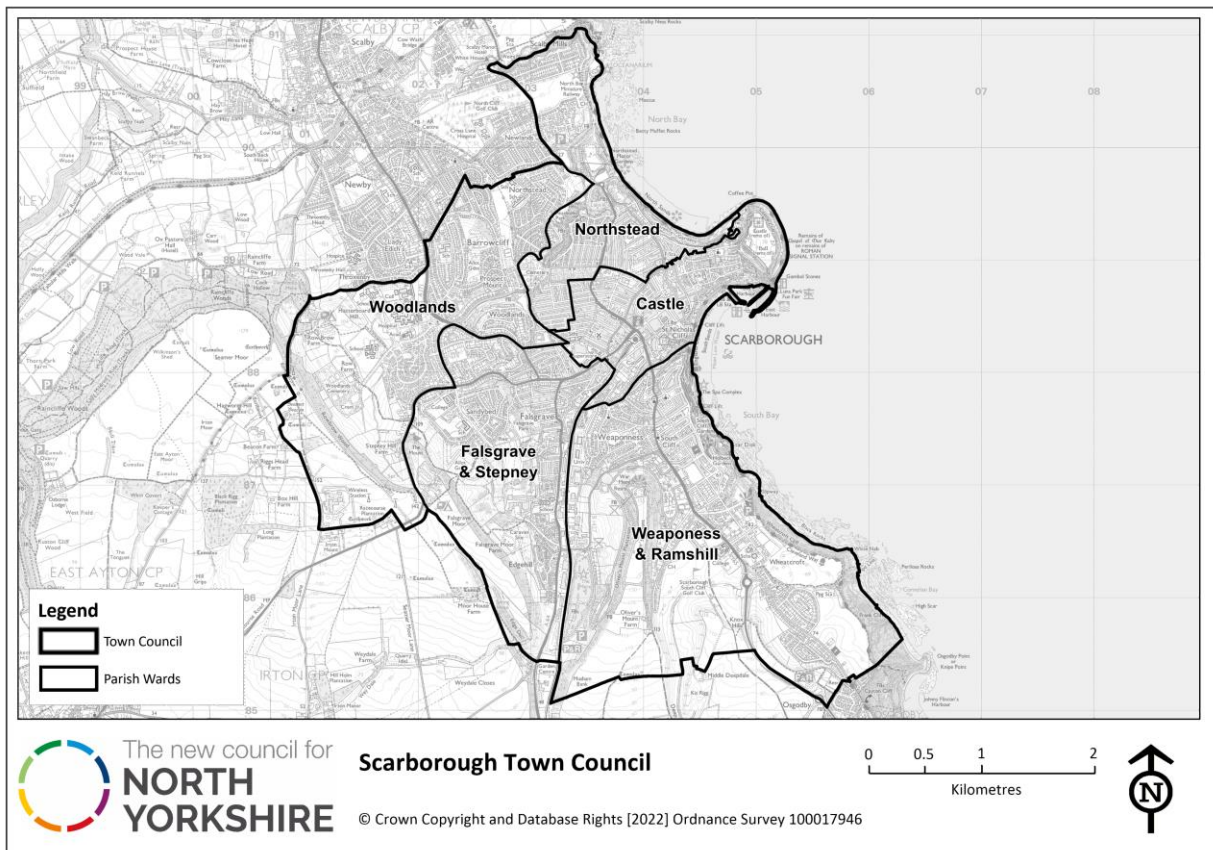
5.13. It is recommended that each proposed ward be represented by 2 councillors. This would give acceptable variances (ranging from -8% to 7%) and fair elector representation.

Recommendation 6 – there should be 10 councillors elected to the parish

Recommendation 7 - the number of parish councillors to be elected for each ward shall be

Castle	2
Falsgrave & Stepney	2
Northstead	2
Weaponness & Ramshill	2
Woodlands	2
TOTAL	10

5.14. A map of the recommended new Scarborough Town Council is show here:



5.15. To enable and changes to be made to electoral registers in advance of nominations being made for the first elections to a town council, the Reorganisation Order will need to take effect from 15 october in the preceding year.

Recommendation 8 – that the change takes effect on 15th October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)

6. Consequential Matters

Assets

- 6.1. As part of Local Government Reorganisation all the assets of Scarborough Borough Council will transfer to the new authority – North Yorkshire Council. Should a town council be created and should it wish to take on responsibility for any assets formerly belonging to SBC, it will need to demonstrate that it has the ability to do so, whilst delivering value for money.
- 6.2. No assets will be automatically transferred on creation of a town council. Assets will only be transferred to parish councils where they want it.
- 6.3. The only exception to this is the civic collection, including the civic regalia, which will be the responsibility of the Charter Trustees for Scarborough from 1 April 2023. Should a town council be created the Charter Trustee body will cease to exist and its assets transfer to a town council. It would then be the responsibility of a town council to pay for storage, insurance, upkeep, repairs and any other costs associated with the collection.

Precept

- 6.4. The principal council will be obliged to set the precept for the first year of a new council. Should the outcome of the review be that a town council be created a Reorganisation of Community Governance Order will be made, which must contain a budget requirement figure. The budget requirement is the amount a new town council would require in its first year; dividing this figure by the equivalent number of Band D dwellings would give an indication of the level of precept.
- 6.5. In setting the precept for the first year the principal council will need to consider set up costs, operational costs and costs of service provision. There is also an expectation that the year 1 precept would be set at a level corresponding to a fully operational town council which would give a first year surplus and any savings could be put into reserves to be utilised in later years.
- 6.6. For comparison, the table below shows the precepts for the three largest parish councils in the Scarborough Borough:

Council	Parish precept 2022-23	Parish Band D tax
Newby & Scalby Town Council	£91,710.00	£22.84
Filey Town Council	£163,300.00	£55.26
Whitby Town Council	£233,385.00	£47.34

- 6.7. By comparison, in Scarborough a Band D tax of £10 would generate a Parish Precept of £122,986 (2022 figures).

7. Contact Details

Named officers?

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Appendix A - Consultation methodology

Appendix B – Consultation survey

Appendix C – Full consultation results