
REVIEW OF COMMUNITY GOVERNANCE ARRANGEMENTS - MARGATE

To: **Boundary and Electoral Arrangements Working Party, 22 October 2014**

By: **Glenn Back, Democratic Services and Scrutiny Manager;**

Classification: **Unrestricted**

Wards: **Cliftonville East, Cliftonville West, Dane Valley, Garlinge, Margate Central, Salmestone, Westbrook, Westgate-on-Sea**

Summary: This supplementary report contains the external legal advice referred to in paragraphs 5.2.3 and 5.2.4 of the original report.

For decision

1.0 Introduction and Background

1.1 As stated in the report in the main agenda, in light of the responses to the stage two consultation, external legal advice has been sought on the possibility that the Working Party may wish to recommend the creation of a Westgate Parish Council and the retention of the Charter Trustees in the remainder of the currently un-parished area of Margate.

2.0 External legal advice

2.1 A summary of the legal advice received is as follows:

- a) It would be lawful for the Council to create a parish council covering only part of the area currently covered by the Margate Charter Trustees.
- b) If required, a further agreement about "incidental matters" could be made between the remaining Charter Trustees and the new parish council (covering transfer of assets etc).
- c) A consequence of creating a Westgate Parish Council and retaining the Charter Trustees in the rest of the Margate area would be a reduction in the number of Charter Trustees (because these reflect exactly the number of District Councillors in the relevant Wards) and a reduction in the precept of the Charter Trustees (to reflect the smaller number of Trustees and the smaller area they administer).

3.0 Corporate Implications

3.1 Financial and VAT

3.1.1 As per report in main agenda.

3.2 Legal

3.2.1 Legal advice is covered in paragraph 2.1 above.

3.3 Corporate

3.3.1 As per report in main agenda.

3.4 Equity and Equalities

3.4.1 None identified.

4.0 Recommendations

4.1 Recommendations are contained in the report in the main agenda pack.

5.0 Decision Making Process

5.1 As per report in main agenda.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, x7187
Reporting to:	Paul Cook, Interim Director of Corporate Resources

Future decisions

Council	18 November 2014
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Background Papers

Title	Details of where to access copy
Local Government and Public Involvement in Health Act 2007	<i>Via internet</i>

Annexes

None	
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Corporate Consultation Undertaken

Finance	Matt Sanham, Finance Manager (Service Support)
Legal	Steven Boyle, Interim Legal Services Manager