



Northumberland

County Council

COUNCIL

9 JANUARY 2019

Parish Renaming under Local Government Act 1972, Section 75 Power:
Broomley and Stocksfield Parish Council

Report of Executive Director of HR & OD and Electoral Registration Officer

Cabinet Member: Cllr N Oliver, Corporate Services

Purpose of report

To seek approval for the renaming of Broomley and Stocksfield Parish through the exercise of power granted under Section 75 of the Local Government Act 1972 (section 75).

To seek the delegation of this power, for future use, to the Executive Director of HR & OD in their statutory role as the Electoral Registration Officer.

Recommendations

That Council agree to change the name of Broomley and Stocksfield Parish to Stocksfield Parish and bring this into force through the laying of a statutory order.

To delegate the future use of the power under section 75 to the holder of the statutory role of Electoral Registration Officer.

Link to Corporate Plan

This report is relevant to the “empowering” priority included in the NCC Corporate Plan 2018-2021

Key issues

The current council name, Broomley and Stocksfield Parish is considered by the Parish Council to be long and to no longer accurately reflect the geographic composition of the parish.

The Parish Council feels that “Stocksfield Parish” is more practical and offers a justified geographical description of the area covered by its administrative boundaries in citing only its single largest settlement.

Background

Broomley and Stocksfield is a parish in the south west of the County, a little way south and west from Prudhoe, contained wholly within the Stocksfield and Broomhaugh division. The parish currently consists of 1,347 residential properties at which 2,446 electors are currently registered. The 2017/18 precept for the Parish Council is £85,260.

The name of current parish or community councils can be changed through community governance review under section 82 of the Local Government and Public Involvement in Health Act 2007. The scope of such a review is necessarily broad and must encompass a wide range of other factors.

As such, this mechanism is considered by Broomley and Stocksfield Parish Council to be a blunt instrument for achieving the limited change they seek. A request was made by the Parish Council to consider a name change under the alternative statutory cover for this provided by section 75. This provides that the Principal Area Authority may change the name of a parish at the request of that Parish Council.

Section 75 provides a power, not a duty. The Parish Council was asked to set out its rationale for the request and to conduct public consultation activities to evidence public support for the change or at worst a lack of demonstrable public objection.

The Clerk to the Council conducted this public consultation exercise in order to evidence public opinion on the matter, setting out the rationale in the process. The results of this consultation were set out in a report to the meeting of Parish Councillors held on Monday 3 September 2018. The results of that consultation demonstrated that there was no particular weight of public interest or sentiment either in support or in opposition to the proposal. The Parish Council meeting duly ratified the request be formally made to Northumberland County Council to change the Parish name to Stocksfield Parish.

The rationale presented in the report is clear and reasonable, setting out practical considerations in support of the change. Three responses to the consultation were received; two in support, and one in objection citing historical continuity as the reason. It appears reasonable, given the evidence, to support the Parish Council’s request and bring the change into force.

Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 designates the section 75 power as a function not to be the responsibility of an authority’s executive, therefore placing it within the remit of Full Council. There is no prohibition of such functions being delegated to an officer of the authority. Such delegation would allow future requests to be expedited where change is well justified and public opinion has been taken fully into account.

Implications

Policy	None directly relevant.
Finance and value for money	N/A
Legal	As set out in the report
Procurement	N/A
Human Resources	N/A
Property	N/A
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	N/A
Risk Assessment	None
Crime & Disorder	N/A
Customer Consideration	N/A
Carbon reduction	N/A
Wards	Stocksfield and Broomhaugh

Background papers:

Broomley and Stocksfield Parish Council Report_Change of Parish Council name

Report sign off.

	initials
Monitoring Officer/Legal	LH
Executive Director of Finance & S151 Officer	AE on behalf of BS
Relevant Executive Director	KA
Chief Executive	
Portfolio Holder(s)	NO

Author and Contact Details

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