

Terms of reference for Chelmsford Garden Community/Chelmer Village Council May 2022

1. Purpose

- 1.1. Further to the creation of a new Garden Community/Chelmer Village Council through a Community Governance review in the district, Chelmsford City Council intends to set up an interim shadow community/village council for the area. The purpose of the shadow council is to support the city council in ensuring that the new council has all resources and procedures in place to begin operating after the elections to be held in May 2023. To do this they will be tasked with:
 - Creating a website for the new council
 - Establishing a location for the new council to meet
 - Undertaking research within the local community to identify the needs and expectations of residents for the new council
 - Supporting the city council in setting the budget/precept for the first year of the new council
 - Assessing the potential staffing needs of the new council and supporting the city council in making appropriate staffing arrangements
 - Supporting the city council in drafting a code of conduct/constitution for the new council to adopt
 - Supporting the city council in any other aspects of preparation for the new council including, but not limited to, the review of assets and community awareness.
- 1.2. As the members of the shadow council will not have been elected to their role, they will have limited decision-making powers and responsibilities. They will play an advisory role to the city council who hold overall responsibility in ensuring the new council is appropriately prepared to operate.
- 1.3. The shadow council will be granted a small-scale budget to complete their duties. They will hold responsibility for managing their own budget. The main anticipated cost would be the creation of a website. The shadow council would not be expected to incur any staffing costs. Should the members feel the budget is insufficient for their task at any point they can approach the city council and extra funding may be awarded, if deemed necessary.
- 1.4. During this period, the shadow council would not be expected to be involved with any planning consultations, the management of local services or organisation of any events. These responsibilities will remain with the existing parish council for the area until the formation of the new council is complete, and Councillors are elected.

2. Membership

- 2.1. Unlike traditional parish councils there is no need for a shadow parish council to be quorate. However, it is our intention to ensure that there are diverse voices and suitable representation within the group.
- 2.2. The city council is seeking a total of 6 individuals to act as shadow councillors per shadow council. If possible, we consider that it would be good practise to include 3 city councillors that represent/have good knowledge of the area as well as 3 parish councillors from the existing/each of the existing parish council/s.
- 2.3. Although some members of the shadow council may be affiliated with local political parties they are to act independently in their role of shadow councillor for the benefit of residents and the new council.
- 2.4. The total number of councillors and the background experience of individuals is a preference and not a requirement. Should there only be 5 councillors (minimum number of councillors), or a member pulls out once the membership has been established, the shadow council can continue to operate.
- 2.5. Application to this role is not closed to members of the public should they be nominated by a city or parish councillor and are deemed appropriate, but it will not be advertised.
- 2.6. It is the intention for formation of the shadow council to take place around July 2022 to allow them to begin researching the local issues in their own time. The council would then be officially dissolved in May 2023 when the councillors of the new council are elected.
- 2.7. The shadow council may continue to support the new council once the councillors take office, if they are asked to do so by the new council. Any of the shadow councillors are also entitled to stand for election to the role of village/community councillor.

3. Meetings and work programme

- 3.1. The initial meeting of the shadow council will be hosted by the city council to provide initial support to the members and agree a forward plan. Beyond this, the shadow council is expected to explore local venues that they could meet in and that the new council could continue to use.

- 3.2. The meetings can be held virtually if this is the preference of the members. Even if all meetings are held virtually a venue for in person meetings should still be agreed to ensure that the new council has an identifiable presence.
- 3.3. Potential locations could include community centres, schools and other public buildings, or even private venues. It is expected that the shadow council will draft provisional agreements for hire if the venue would not be under the ownership of the new council.
- 3.4. The shadow council is permitted to make their own decision as to the regularity of their meetings, but they must ensure that they are able to adhere to the timetable set out below (paragraph 5.1).
- 3.5. The shadow council must also ensure that they are prepared for any review and consultation meetings arranged with the city council. Appropriate notice of such meetings will always be granted (usually one month).
- 3.6. The shadow council has full control over the structure/organisation of their meetings, but they may wish to consider some key matters to ensure that they remain efficient. These include:
- Will the meetings require a chair? If so, who will be responsible for this?
 - As there will be no clerk, who will be responsible for organising meetings and circulating minutes etc? Will one person be responsible for this or will it alternate?
 - Does each meeting require everyone to attend, or will you create sub-groups to complete different tasks and report back?
 - Should a vote to determine the shadow council's view be necessary will this be by simple majority, including a chair's casting vote?
- 3.7. The shadow council will have no formal constitution or code of conduct. Members will be expected to continue to act politely and transparently as would be expected in any public office role. It is encouraged for an informal agreement as to how the group will operate is drafted and all members commit to follow it. It is suggested that this should include an agreement that each shadow councillor will comply with the code of conduct for their authority when acting as a shadow councillor.
- 3.8. Exclusive of the key tasks included in the timetable below (paragraph 5.1) which are essential to the creation of the new council, the work programme of the shadow council is at the discretion of the group.

- 3.9. The activity of the shadow council is not limited to those set out by the city council (paragraph 1.1), as long as any such activities are considered beneficial to the new council. Members are encouraged to develop their role by seeking advice and resources from the existing parish councils in the area and exploring best practise examples from across the country.
- 3.10. Suggestions as to how the new council should operate or spend their budget made as a result of the shadow councils research are not binding. Once the community/village councillors are elected they hold the right to manage the council how they wish, within their powers.

4. Sharing of information and resources

- 4.1. The city council will supply the shadow council with any relevant information regarding the area e.g. address and electorate figures. Confidential or sensitive data may be shared if required, as long as the city council is satisfied that it can be justified, and the information will be used appropriately.
- 4.2. It is expected that any files and resources used by the group be stored securely and not on any public devices. Members are encouraged to set up a sharepoint site (or something similar) to ensure information is shared safely. If the group need support in establishing such a network, then the city council may be able to offer support in this.
- 4.3. The shadow council may work closely and seek resources and information from the existing parish council for the area. Should any sensitive information need to be shared (e.g. staffing arrangements) The city council will support both organisations in ensuring the matter is dealt with appropriately.

5. Timetable

- 5.1. The table below outlines the key tasks that the shadow council is expected to contribute to. Many of these tasks will be undertaken in co-operation with the city council and only require consultation with the shadow council.

Task	Anticipated duration	Deadline
Confirmation of membership of shadow council	2 weeks (city council will write to local councillors on both city and parish councils to establish individuals that are interested and will discuss the role in more detail)	June 2022
Initial meeting of shadow council	1 month (to be hosted by city council to confirm main objectives of the group and put in place working procedures)	July 2022
Creation of website for shadow council to be taken over by new council	6 months (to source host, create and develop)	April 2023*
Establishment of a location for council to meet	3 months (to identify venue and agree provisional terms)	April 2023*
Setting of precept and budget for new council	6 months (shadow council expected to research potential expenditure and meet with city council in October and city council will draft provisional budget in further consultation with shadow council for approval)	Jan 2023
Recruitment of staff for new council	3 months (shadow council expected to review workload as they operate and consult with existing councils to support city council in recruitment of necessary staff)	April 2023*
Drafting of constitution and code of conduct for new council	2 months (shadow council expected to meet with city council to review model code of conduct/constitution and consider any amendments)	April 2023*

*These tasks must all be completed prior to the creation of the new council but the shadow council and city council may choose to undertake these sooner if workload permits.

- 5.2. The shadow council is expected to manage their own workload in this period and once established a more detailed programme as to how and when each task is anticipated to be completed can be drafted.
- 5.3. If at any point there are concerns about meeting the desired timetable for key dates set out above then the city council should be notified.