

**Committee: Full Council**

**Agenda Item**

**Date: 28 February 2013**

**14**

**Title: Request for Community Governance  
Review at Little Easton**

**Author: Peter Snow, Democratic and Electoral  
Services Officer**

Item for decision

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## **Summary**

1. A request has been received from Little Easton Parish Council for the Council to undertake a community governance review (CGR) to change the parish boundary between Little Easton and Great Dunmow.
2. The Council has powers available under the Local Government and Public Involvement in Health Act 2007 to take decisions about parish arrangements and to implement any changes agreed by order. The matters that may be reviewed include the creation or abolition of parishes, the alteration of boundaries of existing parishes, and changes to the electoral arrangements of a parish council.
3. The circumstance that has triggered the parish council's request is that the sector 4 development at Woodlands Park overflows the existing parish boundary so that the development is included almost wholly within Little Easton. This was highlighted during consideration of the Council's submission for new ward boundaries to the Local Government Boundary Commission as part of the Further Electoral Review (FER).
4. The Council is not obliged to undertake a review unless a valid public petition is received but may do so. The purpose of undertaking a CGR is to ensure that parish arrangements reflect the identities and interests of local communities and is effective and convenient.
5. The report recommends that a CGR be undertaken at some stage in the future but that no immediate action is taken to commence the review because of the potential uncertainty and confusion that might create in the light of the FER proceeding at the same time.

## **Recommendations**

6. That the Council agrees to a CGR being undertaken but that the review is deferred pending the outcome of the FER becoming known; the precise timing of the review to be determined by officers in consultation with members of the Electoral Working Group.

## **Financial Implications**

7. *There are no costs associated with the recommendation.*

## Background Papers

8. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

No background papers were referred to in preparing this report other than those already published.

## Impact

- 9.

|                                 |  |
|---------------------------------|--|
| Communication/Consultation      | Full consultation will be undertaken as part of the CGR once commenced |
| Community Safety                | None   |
| Equalities                      | None   |
| Health and Safety               | None   |
| Human Rights/Legal Implications | None   |
| Sustainability                  | None   |
| Ward-specific impacts           | Great Dunmow North and The Eastons wards                               |
| Workforce/Workplace             | None   |

## Situation

10. A formal request has been received from Little Easton Parish Council for the Council to undertake a CGR of the boundary between Little Easton and Great Dunmow “as soon as possible”. The request states: “It is the Council’s view that parishioners of Little Easton would wish the parish to retain its rural character and not to include the forthcoming Woodlands Park Sector 4 development. Furthermore, the Council believes that future residents of the new Sector 4 would consider that they belonged with the rest of Woodlands Park and Great Dunmow”.
11. The Council has powers under legislation to undertake a CGR at any time. The principal purpose of a review is to ensure that community interests and identities are reflected in the areas defined by parish boundaries whether existing or proposed.
12. The Parish Council’s request seems to meet the criteria ensuring that a review can be undertaken as, without prejudging the outcome, it seems likely that

residents of Sector 4 may be more likely to identify with the remainder of Woodlands Park rather than with the rural parish of Little Easton.

13. In submitting its proposals to the LGBCE, the Council has taken account of the apparent anomaly brought about by the over-spilling of the Woodlands Park development by proposing that Little Easton parish is divided into separate parish wards of Little Easton Village, electing four councillors, and Woodlands Park, electing two councillors. If the FER results in the inclusion of Little Easton and Great Dunmow within different district wards, this then provides a ready-made solution for the Woodlands Park parish ward to be included within a revised Great Dunmow North district ward.
14. There is a problem in two respects with timing the CGR as soon as possible as requested by the Parish Council. First, the purpose of a parish review is to establish the interests and identities of the residents most closely affected by any change. In this case those people would be the residents of the sector 4 site but there are as yet no residents in occupation. Consultation would therefore be limited to other residents of Little Easton parish and to the Parish Council.
15. Second, there is a potential legal limitation on the timing of any review. If the Council wishes, as part of any CGR, to propose electoral arrangements for a parish whose existing electoral scheme was put in place within the previous five years by order of the LGBCE, the consent of the LGBCE is required.
16. The timing of the FER indicates that the draft order will be prepared and laid in Parliament by October 2013. Even if a CGR were to be commenced now it is unlikely that the outcome can be agreed and the legal order made before that date. Consent for changes to the agreed electoral scheme in Little Easton is unlikely to be granted in these circumstances, so soon after the making of the FER order, and it therefore seems inevitable that at least one election will take place (in 2015) under the arrangements then put in place.
17. It therefore seems that a CGR cannot take place (and then, only with the LGBCE's consent) until mid-2015 at the earliest.
18. The Council is committed to a re-examination of parish arrangements at Priors Green three years from the conclusion of the CGR concluded in March 2011. The review carried out at that time had concluded that parish boundaries should remain unaltered because it had not been possible to define with any certainty the community identities and interests of the residents at Priors Green. A further review in three years' time was agreed because it was felt that community identities might become more clearly established in that time as a greater proportion of the site becomes occupied.
19. Bearing in mind the commitment for a further CGR at Priors Green, it does seem sensible to combine the two review areas together. The period of three years from the end of the review takes us to mid-2014. It may be confusing to undertake a review in the period leading up to the 2015 local elections. In the circumstances, it is suggested that a CGR of parish arrangements at Great Dunmow, Little Easton, Little Canfield and Takeley could perhaps be carried

out from mid-2015 after the parish elections that year. Any other parish areas containing anomalies drawn to the Council's attention by that time could be incorporated within that review.

## Risk Analysis

20.

| Risk   | Likelihood  | Impact   | Mitigating actions  |
|--|---|--|---|
| Parish arrangements do not reflect community interests or identities | 3 – if a review does not take place there is significant risk of parish arrangements not reflecting community interests | 2 – there would be some impact in that parish arrangements would not reflect community interests leading to a possible loss of identity and/or involvement | Undertake a Community Governance Review involving a full process of public consultation at the appropriate time |

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.