

**Committee: Electoral Working Group**

**Agenda Item**

**Date: 6 October 2016**

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**Title: Community Governance Reviews**

**Author: Peter Snow, Democratic and Electoral Services Manager, 01799 510430**

Item for decision

## Summary

1. Requests have been received from two parish councils (see later comment) for Community Governance Reviews (CGR) to be undertaken to explore possible parish boundary changes between the parishes of Great Dunmow and Little Easton and between the parishes of Little Canfield and Takeley. Councillor Jones has subsequently suggested reviewing the boundary between Takeley and Hatfield Broad Oak to take account of a proposed development site just to the south of the Takeley parish boundary adjoining the Hatfield Broad Oak road.
2. The Council has agreed, in both cases, that a review should be undertaken. This report suggests a method and possible timetable for that review to be carried out.

## Recommendations

3. The Working Group considers and agrees a proposed method and timetable for conducting a CGR of the parishes of Great Dunmow, Little Easton, Little Canfield, Takeley, and Hatfield Broad Oak.

## Financial Implications

4. Mainly officer time and some costs associated with public consultation that are able to be absorbed into existing budgets.

## Background Papers

5. 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.

*Only documents already published and available to view.*

## Impact

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Communication/Consultation	Widespread consultation will be carried out with residents in the parishes being reviewed.
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Community Safety	Nono
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	Broad Oak and the Hallingburys, Great Dunmow North, Takeley, and Thaxted and the Eastons
Workforce/Workplace	None

## Situation

7. The Council has powers available under the Local Government and Public Involvement in Health Act 2007 to take decisions about parish arrangements and to make changes 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.
8. A review can be triggered formally by a petition. In other cases, the Council is generally seen to have a duty to keep the pattern of parish boundaries under review from time to time to resolve obvious anomalies – where, for example, a new estate is built across an existing boundary – and may do so at any time in response to a request from a parish council or other community based body, or if the Council believes that community interests would be best served by a review.
9. The purpose of a CGR is principally to ensure that community interests and identities are reflected in the pattern of parish boundaries, and to provide for effective and convenient community governance. The process of discovering community identities is not of course an exact science and proposals may be framed to accord most with what the majority of residents may appear to believe lies in their best interest.
10. Little Easton Parish Council has requested the Council to undertake a CGR to change the parish boundary between Little Easton and Great Dunmow. The sector 4 development at Woodlands Park overflows the existing parish boundary so that the development is almost entirely within Little Easton parish.
11. Although the outcome of a CGR cannot be prejudged, it seems likely that residents of the sector 4 development will associate more with Great Dunmow parish than with Little Easton as sector 4 forms an integral part of Woodlands Park which is otherwise located entirely within, and forms part of the town of, Great Dunmow. It seems reasonable as part of any review to give residents of

sector 4 (if there are any by the time the CGR is conducted) the opportunity to make representations about their community of interest.

12. A request has also been received from Little Canfield Parish Council to review the parish boundary with Takeley at Priors Green. Doubt has been expressed in some quarters that the request made is a formal request made by the Parish Council. I am trying to find out whether this is the case and will report further at the meeting.
13. The Council undertook a CGR at Priors Green in 2010. As it did not prove possible at that time to reach a clear conclusion about the community interest and identities of the residents at Priors Green the Council agreed to revisit the matter to review the boundary again once the entire estate had been developed and occupied. As already stated, the Council has the necessary legal powers to undertake a CGR at any time it thinks the circumstances merit a review being carried out and this is not necessarily dependent upon parish council approval.
14. The options for the outcome of a CGR are many and some of these are listed below:
  - Move the whole of the area being reviewed from one parish to another. For example at Priors Green this would involve the transfer of an agreed area either from Little Canfield to Takeley, or in the reverse direction, so that the whole of the newly developed estate area is included within, and administered by, a common parish council.
  - Change boundaries in some other way to reflect community identities (but this might create other complications).
  - Create a new parish based on the Priors Green, or other identified, area (as happened at, for example, Flich Green).
  - Simply merge the two affected parishes together so the whole of the area being reviewed is administered by a single parish council.
  - Keep parish boundaries unchanged but group together the two parishes under a common parish council. The two parish areas would then become, in effect, wards of the new grouped parish and would elect councillors to the same parish council. A grouping arrangement could also be implemented in conjunction with a boundary change so it is quite a flexible way to proceed.
  - Decide to make no change at all so that Priors Green (or any other area under review) would continue to be administered by the existing parish.
15. If members agree the CGR should proceed immediately, as agreed by Council, the timetable is quite tricky to determine. The original intention was to programme the review to fit in between the electoral canvass and the May 2017 election so that the initial consultation period could begin in December and run for a period of at least six weeks so that any proposals could then be

considered and agreed by the beginning of March next year. The difficulty is that workload pressures in the democratic and electoral team would make it quite difficult to accommodate the work needed to undertake a satisfactory CGR prior to the County Council election. That being so the review could potentially be delayed until the latter half of 2017 as there are no scheduled elections in 2018.

16. In terms of process the methodology would normally be roughly as set out below:

- Publish formal notice of the CGR and notify all interested parties.
- The notice would be accompanied by a schedule setting out the possible options for change or no change similar to the options listed in paragraph 14.
- Allow a period of at least six weeks for public consultation and for the return of all representations.
- For completeness, the consultation could incorporate a letter address addressed to all residential addresses in and immediately surrounding the review area. This would involve extra work but would be a more satisfactory way of informing key stakeholders about the reasons for the review and the possible options to be considered.
- The EWG would then meet after a period for the consultation responses to be assessed and decide on a preferred option.
- The recommended option would then be put out for consultation for a further period of around three weeks.
- A final EWG meeting would then be held to confirm the final recommendation which would be submitted to Council for approval.
- The agreed solution (unless it is for no change) would then be implemented by order made to come into effect on a particular date. Any agreed change to boundaries will be reflected in the electoral registers used at elections and so would best be timed to come into effect on 1 December (when the revised register is published).
- The agreed change must be accompanied by proposals for either new or revised electoral arrangements for the parish or parishes concerned. This aspect will be part of the order and concerns the number and identification of any parish wards, the number of parish councillors to be elected overall and in each ward where relevant.
- Any change in parish electoral arrangements might involve a change in the electoral cycle, so perhaps a parish election will be brought forward and then revert to the normal pattern for parish elections in Uttlesford.

- Please note that only parish boundaries may be changed by order; consequential changes to ward, county division or constituency boundaries can only be made by the relevant boundary commission (usually the Local Government Boundary Commission for England) and will come into effect on a different date.
- The whole review process from start to finish, including making the parish change order will probably take in the region of four months to complete.

17. In the circumstances, and depending on what members would prefer to happen, a review period from the beginning of August to the end of November 2017 would seem feasible. The next round of parish elections is due in May 2019 and so, theoretically, any parish having changes made could have elections in May 2018 for an extended five year term to 2023.

18. Members' instructions are invited to guide officers in programming any parish reviews over the next 15 month period.

### Risk Analysis

19.

Risk	Likelihood	Impact	Mitigating actions
3 potentially, there is significant risk if action is not taken to address concerns that existing parish arrangements may not reflect community identities and interests.	A strong likelihood if there is either no review or the conclusions of any review undertaken are ignored.	The impact would be a loss of confidence in the Council's ability to reflect community identities.	Ensure full consultation of all possible options and ensure that responses are taken fully into account in drawing up proposals for any change.

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.