

<b>Committee:</b>	<b>Finance and Administration</b>	<b>Agenda Item</b>
<b>Date:</b>	<b>26 June 2008</b>	<b>9</b>
<b>Title:</b>	<b>Recommendation for a New Parish of Flitch Green</b>	
<b>Author:</b>	<b>Peter Snow, Committee and Electoral Services Manager, 01799 510430</b>	Item for decision

---

## Summary

In 2006, the Council agreed to recommend to the Secretary of State that a new parish of Flitch Green should be created, from that part of the existing parish of Little Dunmow comprising the development generally known as Oakwood Park. The Department for Communities and Local Government has now written formally transferring this parish review case to the Council, following commencement of the relevant provisions of the Local Government and Public Involvement in Health Act 2007 which devolves decisions on community governance arrangements to district councils.

It now seems sensible to resurrect an electoral arrangements working group to deal with the detailed consideration of parish and electoral boundaries and this is recommended in the report with appropriate terms of reference.

## Recommendations

It is recommended that an order be made under Section 86 of the Act creating a new parish, and new parish council, of Flitch Green from 1 April 2009, based on that part of the existing parish of Little Dunmow comprising the residential development area known as Oakwood Park, subject to the detailed approval of all matters agreed by the former East Area Panel for recommendation to the Secretary of State on 23 May 2006 (details of which are contained in the body of the report); the Committee decide appropriate electoral arrangements for both the new parish and the existing parish; and the Committee delegate to the Chief Executive the agreement of detailed arrangements for the financing and administration of the new parish council, subject to the eventual approval of the Council to the initial precept for the year 2009/10.

It is further recommended that an Electoral Arrangements Working Group be established, consisting of five members (three from the Conservative Group, and one each from the Liberal Democrat and Independent Groups), to meet as and when necessary, and that the terms of reference included in the body of the report be agreed.

## Background Papers

Uttlesford District Parish Review report dated June 2007, and associated files

DCLG Guidance on Community Governance Reviews issued in 2008 and letter from Department for Communities dated 9 May 2008

## Impact

Communication/Consultation	Little Dunmow Parish Council
Community Safety	Not applicable
Equalities	Not applicable
Finance	Minimal impact
Human Rights	No implications
Legal implications	If the Committee agrees, the Council has a legal responsibility to make an order creating the new parish and parish council, and to establish the initial year's precept.
Sustainability	No implications
Ward-specific impacts	Felsted primarily, but potentially all wards
Workforce/Workplace	Not applicable

## Situation

- 1 In May 2006, the former East Area Panel decided to recommend the creation of a new parish of Flitch Green to the Secretary of State in accordance with the procedure established by the Local Government and Rating Act 1997. Pressure of other work meant that the Council's formal submission to DCLG was not made until June 2007.
- 2 In the meantime, passage of the Local Government and Public Involvement in Health Act 2007 transferred all responsibility for parish review matters (now re-named community governance reviews) to district councils. A letter has now been received from DCLG transferring this matter back to the Council under the new legislative provisions.
- 3 This report does not seek, or attempt, to rehearse all of the arguments and evidence presented to the East Panel in 2006, and it is suggested that, unless Members decide otherwise, the Committee confines its consideration of this matter to the principle of whether to proceed, except that electoral

## Recommendation for a New Parish of Flitch Green

### Finance and Administration, item 9

arrangements will have to be agreed (see paragraphs 6 to 8 below). The Committee is however, requested to re-confirm all of the detail previously agreed by the Area Panel, to give authority to proceed.

- 4 It was apparent to the Area Panel in May 2006 that the evidence of community identity at Flitch Green and public support for the establishment of a separate parish was so overwhelming that there was no realistic option to do other than recommend the creation of a new parish.
- 5 A summary of the matters agreed by the Area Panel in 2006 is set out below:
  - The name of Flitch Green be adopted for the new parish.
  - The new parish boundary to follow the development limits of Oakwood Park and to be defined as follows: 'that part of the existing parish of Little Dunmow comprising land within the area starting from where the parish boundary meets with Felsted parish on Station Road and then following a line along the centre of that road in a north-westerly direction, then in a south-westerly direction along the northern boundary of Oakwood Park, immediately to the south of Gypsy Lane, then in a generally southerly direction along the western boundary of Oakwood Park to the parish boundary where it joins with the River Chelmer'.
  - That nine parish councillors be allocated to Flitch Green and seven parish councillors be allocated to the revised parish of Little Dunmow
- 6 The Council must also now decide on arrangements for the timing of the first election to the new parish council and the election of a new parish council at Little Dunmow.
- 7 It is recommended that Members confirm, as required by Section 88 of the 2007 Act, that Little Dunmow should continue to have a parish council, and that the electoral arrangements be agreed as follows:
  - that the number of parish councillors indicated in paragraph 5 above be allocated;
  - that the term of office of the existing parish councillors elected in May 2007 be terminated with effect from the fourth day after the ordinary election of parish councillors in 2009;
  - that the ordinary day of election of parish councillors be determined as 7 May 2009; and
  - that the initial term of office of the elected parish councillors be agreed as two years and that the next election of parish councillors take place on the ordinary day of election in 2011, so that the parish reverts to the pattern of ordinary parish council elections in Uttlesford.
- 8 At Flitch Green, it is recommended that points 1, 3 and 4 above are agreed for the election of parish councillors. The Committee should also state that neither parish should be divided into wards. It should be noted that possible arrangements for the combination of elections in 2009 might have the effect of

postponing the elections in both Flitch Green and Little Dunmow to 4 June 2009 (see the relevant report to this meeting).

- 9 Members are also asked to confirm what arrangements they would like to see put in place to prepare a budget and precept for the new parish. It is suggested that the preparation of the necessary arrangements be delegated to the Chief Executive, subject to the approval of Council to the eventual precept for 2009/10.

### Community Governance Reviews

- 10 Following the passage of the Local Government and Public Involvement in Health Act 2007, and the coming into force of Chapter 3 of Part 4 of the Act, responsibility for conducting future reviews has been devolved to district councils.
- 11 Detailed guidance on conducting community governance reviews has now been issued by the Government and further information about the content of the guidance and the implications for Uttlesford will be reported to Members at a future meeting.
- 12 Officers are aware of a number of areas where pressure for a review of boundaries is likely to arise, as at Rochford Nurseries for example. Reviews of parish arrangements are time consuming and will have inevitable resource implications. For this reason, officers are anxious to ensure that sensible arrangements are made to schedule community reviews, taking account of future commitments such as major elections. This aspect will be covered in a future report.
- 13 To enable the detailed work of electoral and community reviews to be dealt with at member level, it is suggested that an Electoral Arrangements Working Group be established, consisting of five Members, three Conservatives, one Liberal Democrat and one Independent. The following terms of reference are suggested:

“To deal with the detailed consideration of all electoral, polling and community governance reviews on behalf of the Finance and Administration Committee and to make suitable recommendations to that Committee as appropriate.”

### Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
<b>That issues raised by parish councils and local residents are neglected because of a lack of forward planning</b>	<b>2 It might prove difficult to schedule all of the matters referred to the Council</b>	<b>2 Sensible and planned scheduling of reviews should minimise the impact on parishes</b>	<b>A sensible and planned response to parish issues should lead to the resolution of urgent parish matters</b>