

Committee: Governance Audit and Performance
Title: Community Governance Review 2021 –
Results of initial consultation

Date:
Tuesday, 28
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**Report
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Summary

1. The committee approved a timetable for a Community Governance Review of parish boundaries and electoral arrangements to go ahead at its meeting on 22 October 2020.

Recommendation

2. To approve:
 - I. The recommendations as set out in Appendix A for final public consultation.

Financial Implications

3. There are no financial implications other than officer time and some printing costs.

Background Papers

4. The following papers were referred to in the preparation of this report and are publicly available or available for inspection from the author of the report:
 - The Local Government Boundary Commission for England guidance “Guidance on community governance reviews”;
 - The Local Government and Public Involvement in Health Act 2007;
 - Minutes of the Governance Audit and Performance Committee 22 October 2020

Impact

5.

Communication/Consultation	Consultation with statutory consultees, the public and all parish and town councils within the district will take place.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	Any alterations to parish boundaries may have an impact on ward boundaries.
Workforce/Workplace	None

Situation

6. Any revised electoral arrangements will come into effect at the first ordinary elections to the parish council following the Reorganisation Order. It is important that such orders should be made sufficiently far in advance to allow preparations for the conduct of those elections to be made. The next scheduled ordinary elections are in May 2023.
7. There is a duty on the Council, as a “principal authority” under the relevant legislation to have regard to the need to secure that any community governance for the area under review reflects the identities and interests of the local community in that area, and that it is effective and convenient.
8. Uttlesford District Council as the principal council has the power to make an Order affecting parish boundaries and parish electoral arrangements. The Council does not have the power to change district ward, county electoral division boundaries, or electoral arrangements for these administrative levels. However, if an Order is made by the Council to alter the parish ward boundary, then the Local Government Boundary Commission for England (LGBCE) would consider making, by means of a Consequential Changes Order, an alteration to the district wards and county divisions affected. Changes made by virtue of an Order under the community governance review would take effect at the next ordinary election of parish councillors. It is possible that changes made by a Consequential Order may be made during the same timescale.

Risk Analysis

9.

Risk	Likelihood	Impact	Mitigating actions
2 That identities and interests of the local community in the area	2	2	To conduct a full district-wide community governance review in ample time to take effect

are not reflected, and that community governance is not effective or convenient			at the ordinary local elections in May 2023.
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- 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.

APPENDIX A

Terms of reference

- To review the community governance arrangements for all parish councils to ensure they reflect the identities and interests of the local community in that area, and whether it is effective and convenient including its appropriate member representation.
- To consider parish warding or de-warding, as appropriate.
- To consider ward and electoral division boundary changes consequential upon any parish boundary change made, as a matter then to be referred to the Local Government Boundary Commission for England.

Consultation on the terms of reference

The requirement is to consult the local government electors in the area under review, and others which have an interest in the review. Consultees will therefore include:

- Local government electors
- Parish councils
- Essex County Council
- Ward Councillors
- Local residents' associations
- Essex Association of Local Councils

Community Governance Review Timetable

Stage 1 consultation has now concluded and following this meeting, a notice will be published on the council's website with the recommendations for the final stage 2 consultation.

Stage 2 consultation will run from 1 October to 31 October 2021 and the results of this final consultation would come back to this committee on 30 November.

An Order is then made, but changes do not come in to affect until the scheduled May 2023 parish council elections.

Comments received from the stage 1 consultation

The full comments can be seen on this council's website <https://www.uttlesford.gov.uk/ParishCGR>

Chrishall Parish Council (council size)

Proposal

The Parish Council have requested that their membership be reduced in size due to the constant struggle to find members to serve on the council.

The current electorate size of the parish (as at 1 December 2020) is 468 represented by 9 members. Other councils of a similar size – Berden 393 electors and 7 members; Broxted 420 electors and 7 members; Great Canfield 375 electors, also 7 members.

The minimum size for any parish council is 5 and the minimum number that the National Association of Local Councils recommend is 7 members.

Recommendation

That the number of parish councillors be decreased to 7 members.

Clavering Parish Council (council size)

Proposal

To reduce the number of members from 11 to 9 as the council has struggled to fill its full quota of councillors over several years. This has not come from the Parish Council itself.

The current electorate size of the parish (as at 1 December 2020) is 1,109 represented by 11 members. Other councils of a similar size – Great Chesterford 1,323 electors and 9 members; Henham 1,046 electors and 9 members. There are some parishes, such as Thaxted with 11 members and twice the electorate (2,581).

The minimum size for any parish council is 5 and the minimum number that the National Association of Local Councils recommend is 7 members.

Recommendation

That the number of parish councillors be decreased to 9 members.

Elmdon and Wenden Lofts Parish Council (parish name)

Proposal by the parish Council

To change the name of the parish to Elmdon, Duddenhoe End and Wenden Lofts.

The parish is warded and the Duddenhoe End area is not reflected in the parish name and the proposal by the parish council will enhance community identity.

Recommendation

That the parish name be changed to Elmdon, Duddenhoe End and Wenden Lofts.

Broxted Parish Council and Takeley Parish Councils (parish boundary)

Proposal by member of the public to re-draw the boundary so the area of Mole Hill Green comes under Broxted parish instead of Takeley.

Takeley is an un-warded parish with an electorate (as at 1 December 2020) of 2,621. This comprises 3 areas – Mole Hill Green with 109 electors; Priors Green with 1,422 electors and Takeley Village with 2,213 electors. Mole Hill Green comprises just 4% of the total parish electorate.

The adjoining Parish of Broxted comprises 416 electors. Broxted comes under the district ward of Takeley and the County Electoral Division of Thaxted – the same electoral areas as Takeley.

Recommendation

That Takeley and Broxted Parish Councils be consulted on this proposal to determine the implications on community governance and whether this reflects local identities.

Chickney Parish (parish boundary)

Proposal by a member of the public for Chickney parish to come under Henham Parish Council.

Chickney is a civil parish but has no parish council. Chickney has an electorate of just 38 as at 1 December 2020. Chickney is too small to have its own parish council. Chickney currently comes under the District Ward of Takeley and the County Electoral Division of Stansted.

Chickney's electors do not have a parish element to their Council Tax precept. The lowest level of government that Chickney electors vote for is the District Council and this is for the Takeley Ward.

Recommendation

The proposal to move Chickney to Henham be not supported, however, it is proposed that Chickney be moved from the County Electoral Division of Stansted to Thaxted Division, so tidying up an area resultant from a previous boundary review following consultation with the Local Government Boundary Commission.

Elsenham and Henham Parish Councils (boundary change)

Proposal

Request that the parish boundary be re-drawn between Elsenham and Henham to accommodate the new housing development as the houses would run right through the current boundary.

Elsenham Parish Council is twice the size of Henham and future residents would use Elsenham facilities more than Henham and consequently Elsenham Parish Council request that all the new development come under their parish; a proposal supported by Henham parish Council.

Recommendation

That the parish boundary be re-drawn as suggested by the Elsenham Parish Council as follows and as shown at **Appendix B**.

From the north, the boundary would be moved from the eastern side of the railway to the eastern side of the new footpath link to the station. It would then follow the site boundary to the east and south until reaching the existing parish boundary; it would continue from there to the east as at present.

Parishes of Great and Little Chesterford (parish boundary)

Proposal

Request by Great and Little Chesterford Parish Councils to re-draw the boundary between the two parishes to incorporate the new housing development alongside the B1383 in to Great Chesterford parish.

A comment was also received about moving both Great and Little Chesterford Parishes to Cambridgeshire as it is stating that they have more in common with that County area. This is outside the scope of this review as only parish

boundaries can be considered for change as part of this review. No other such suggestions have come forward to support this.

Recommendation

That the proposal to re-draw the parish boundary be supported and the new boundary be as shown at **Appendix C**.

Strethall Parish (parish council)

Representations have been received strongly arguing the status quo for Strethall i.e. the parish should remain with no parish council and stay as a civil parish in its own right.

Strethall has no parish council and is an area with just 26 electors.

No parish precept is raised.

Recommendation

That no change take effect.

Stansted Mountfitchet Parish Council (parish council)

Communication received from the parish council saying that members are happy for no change.

Recommendation

That no change take effect.

Saffron Walden Town Council and Swards End Parish Council (parish boundary)

Saffron Walden Town Council seek to make a number of proposals as follows:

- To request the council to increase the number of councillors representing Saffron Walden as a whole from 16 to 18 Councillors. This increase will accord with NALC's recommended ratios of 625 residents per Councillor.
- To request the council to re-join the ward boundary of Little Walden with Castle Ward (in order to regain both the ratio of numbers and to ensure inclusivity into Saffron Walden for those in Little Walden).
- To redraw the parish boundary line to incorporate the proposed development land off Radwinter Road. This is the land which currently rests in the parish

of Swards End Parish Council and is proposed for development by Rosconn Group for circa 240 homes. The Town Council noted that whilst this development sat outside of Saffron Walden, any new residents (should future planning permission be granted) would likely associate more with Saffron Walden than Swards End. These residents would equally create a demand on Town Council services on the basis that residents would access the town centre, shops, services, facilities, public open spaces, community and leisure facilities.

Saffron Walden is divided in to 4 wards as follows:

Ward	No of seats	Electorate
Audley Ward	4	3565
Castle Ward	4	3594
Little Walden Ward	1	197
Shire Ward	7	5550
	16	12,906

The Electoral Registration Officer (ERO) can see no issue with merging Castle and Little Walden wards together. The ERO would suggest that this ward be renamed Castle and Little Walden and comprise 5 seats. The name would help maintain community identity.

The ERO has no objection to increasing the size of the Town Council membership due to continued electoral growth within the town. Using the ratio of 625 councillors per seat, Shire ward is under-represented and considering the amount of growth in the town the Council be recommended to increase the number of councillors to 20 seats and not 18, distribution as follows:

Recommendation

(a) The Town Council have the following ward names and distribution of seats:

Ward	No of seats	Electorate
Audley Ward	5	3565
Castle & Little Walden Ward	6	3791
Shire Ward	9	5550
TOTALS	20	12,906

In response to the proposal to enlarge the Town Council boundary by taking in an area of Swards End parish where the proposed new development is planned, the Electoral Registration Officer supports in principle the logic put forward by the Town Council, however it has concern over agreeing to this proposal as it is not supported by Swards End Parish Council and planning consent has not been given.

Swards End Parish Council view is “that the proposed development that is driving the request should not and will not be given planning permission and therefore there is no need to amend the parish boundary”.

A map of the proposed development site is shown at **Appendix D**.

Recommendation

- (b) That if the development be granted planning permission, the Council consider a possible change to the parish boundary as part of an Interim Community Governance Review taking on board further consultations. Should the development go ahead and remain in the Swards End parish, consideration be given to (a) increase in its seats from 7 to 9 due to the doubling in size of its electorate and (b) ward the parish – the new development to comprise one ward and the older development the other ward, with representation apportioned.