

Community Governance and Electoral Issues Committee



Report of head of legal and democratic

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To: Community Governance and Electoral Issues Committee

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Community Governance Review – Abingdon-on-Thames, Radley, St Helen Without and Sunningwell

Recommendation:

1. To amend the boundary between Abingdon-on-Thames, Radley, St Helen Without and Sunningwell parishes as shown on the map attached to this report.
2. To include the area up to Oxford Road in the Abingdon Dunmore ward of Abingdon-on-Thames Town Council and the area to the east of Oxford Road in the Abingdon Peachcroft ward.
3. To authorise the head of legal and democratic to make a reorganisation of community governance order to implement the changes agreed by the committee, subject to receiving the necessary consents from the Local Government Boundary Commission for England.
4. To recommend Council to authorise the head of legal and democratic to request the Local Government Boundary Commission for England to make related alteration orders to change district wards and county divisions to reflect the changes made to the parish boundary of Abingdon-on-Thames.

Purpose of Report

1. To invite the committee to make a final decision in respect of its community governance review of the boundary between Abingdon-on-Thames, Radley, St Helen Without and Sunningwell parishes.

Strategic Objectives

2. Community governance reviews contribute to the council's strategic objective of building thriving communities.

Background

3. At its meeting on 27 November 2017 this committee agreed to undertake a review of the boundary between Abingdon-on-Thames, Radley, St Helen Without and Sunningwell parishes.
4. In agreeing to undertake the review the committee had regard to the following resolution agreed by Council at its meeting in July 2014
 - that a significant development proposal that sits adjacent to or straddles a parish boundary should automatically trigger a community governance review, such a review to take place on the inclusion of a site in a document that forms part of the approved Local Plan or when planning permission has been granted for the development of the site.
5. The terms of reference for the review were published in January 2018.
6. At its meeting on 26 July 2018 this committee considered consultation responses and agreed draft proposals for consultation. In doing so the committee agreed to extend the area of land under review with the A34 to the north and the Oxford Road to the east.

Consultation

7. Abingdon-on-Thames Town Council supports the draft proposal. The letter attached to this report sets out the town council's response.
8. Radley Parish Council has responded as follows:

“The Council agreed that it would not respond to the previous version of this review as there were no residents living in the area of the parish in the North Abingdon strategic site. It has agreed now that it should be led by the residents on Lodge Hill”.
9. Neither St Helen Without Parish Council or Sunningwell Parish Council have responded to the latest consultation. Both parish councils have previously supported the proposed boundary changes although Sunningwell Parish Council sought a deferral of the review until after the 2019 elections to allow for a wider review of boundary issues in the area.
10. No responses were received from members of the public or businesses.

Final recommendations

11. The committee agreed to consult on a proposal to amend the boundary between Abingdon-on-Thames, Radley, St Helen Without and Sunningwell.
12. Officers consider that the identities and interests of the residents will be more closely aligned with the town of Abingdon than the rural parishes of Radley, St Helen Without and Sunningwell. The developments better reflect the more built up nature of Abingdon in contrast to the rural nature of the neighbouring parishes. Effective and convenient representation of local residents will also be better served by them residing in Abingdon containing all the local facilities that they will use.

13. The proposed boundary offers a well defined boundary with the A34 to the north and the Oxford Road to the east. Whilst, in respect of the area to the east of the Oxford Road, Dunmore Road provides a well-defined boundary between the parishes of Abingdon-on-Thames and Radley officers consider that there are valid reasons to transfer this area from Radley parish to Abingdon-on-Thames parish. The area is not included in the Radley Neighbourhood Plan Area but is designated as the North Abingdon Strategic Site in the Local Plan. The identities and interests of the residents are more likely to be aligned with the town of Abingdon than the rural parish of Radley.
14. If the committee agrees to alter the boundary the council will need to seek prior consent of the Local Government Boundary Commission for England (LGBCE) to make changes that impact on arrangements put in place by its review of the electoral arrangements for Vale of White Horse District Council. The committee is invited to authorise the head of legal and democratic to undertake this work.
15. If the committee agrees to alter the boundary work will commence to make the necessary order to bring the change into effect in time for the 2019 parish council elections. The committee is invited to authorise the head of legal and democratic to undertake this work.

Electoral arrangements

16. In undertaking a community governance review the council must have regard to electoral arrangements (parish councillor numbers/warding arrangements). Officers suggest that the area up to Oxford Road should be included in the Abingdon Dunmore ward of Abingdon-on-Thames Town Council and the area to the east of Oxford Road should be included in the Abingdon Peachcroft ward. Officers do not propose a change in the number of parish councillors at this time.

Impact on district and county council boundaries

17. This proposal would affect the Botley & Sunningwell, Kennington & Radley and Abingdon Dunmore district wards and the Abingdon and Kennington county divisions. If the committee agrees to alter the boundary of the parish the committee is invited to recommend Council to agree to request the Local Government Boundary Commission for England (LGBCE) to make a related alteration order to make county division district wards coterminous with the parish change and authorise the head of legal and democratic to progress the matter subject to the council receiving the necessary consent to alter the parish arrangements set out in paragraph 14 of this report.

Financial Implications

18. Under the Local Government and Public Involvement in Health Act 2007, local authorities have responsibility for undertaking community governance reviews. The process is prescribed and involves officer time and other associated costs, such as postage and printing. These costs have been met from within existing budgets as will the cost of making the legal order.

Legal Implications

19. The Community Governance and Electoral Issues Committee has delegated authority to deal with all matters relating to parish community governance reviews. Matters relating to requests to alter district ward or county division boundaries

arising from such reviews are not delegated to the committee and require a Council decision.

20. The review was undertaken in accordance with the requirements laid down in the Local Government and Public Involvement in Health Act 2007 and the joint guidance on community governance reviews published by the Communities and Local Government Department and LGBCE in 2010.

21. The council will implement any changes by making a reorganisation of community governance order.

Risks

22. There is a risk that someone could challenge the outcome of the review through judicial review. Council officers have mitigated against this by ensuring that the council follows the requirements laid down in the 2007 Act and guidance.

Conclusion

23. The committee has completed its community governance review of the boundary between Abingdon-on-Thames, Radley, St Helen Without and Sunningwell parishes. The committee is recommended to confirm its draft proposal and transfer the area of land shown on the attached map from Radley, St Helen Without and Sunningwell parishes to Abingdon-on-Thames parish subject to LGBCE consent. The committee is also invited to recommend Council to authorise the head of legal and democratic to request the LGBCE to make related alteration orders to make district wards and county divisions coterminous with the parish change.

Background Papers

Report to Community Governance and Electoral Issues Committee on 27 November 2017 and committee minutes

Report to Community Governance and Electoral Issues Committee on 26 July 2018 and committee minutes