Agenda

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Date: 12 October 2017

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A meeting of the

Community Governance and Electoral Issues Committee

will be held on Monday, 23 October 2017 at 6.30 PM Meeting Room 1, Milton Park, 135 Eastern Avenue, Abingdon, OX14 4SB

Members of the Committee:

Councillors

Yvonne Constance (Chairman)

Edward Blagrove Charlotte Dickson Gervase Duffield Ben Mabbett Helen Pighills

A large print version of this agenda is available. In addition any background papers referred to may be inspected by prior arrangement.

Please note that this meeting will be held in a wheelchair accessible venue. If you would like to attend and have any special access requirements, please let the Democratic Services Officers know beforehand and they will do their very best to meet your requirements.

Margaret Reed

MSReed

Head of Legal and Democratic Services

Agenda

Open to the Public including the Press

1. Apologies for absence

To record apologies for absence and the attendance of substitute members.

2. Minutes

(Pages 3 - 8)

To adopt and sign, as a correct record, the Community Governance and Electoral Issues Committee minutes of the meeting held on 14 August 2017.

3. Declarations of interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

4. Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

5. Public participation

To receive any questions or statements from members of the public which have registered to speak.

6. Community Governance Reviews - suggested timetable and process (Pages 9 - 11)

To consider the report of the head of legal and democratic services on a suggested timetable and process for community governance reviews - **attached**.

7. Community Governance Review - review of Harwell East and Great Faringdon and Great Coxwell

(Pages 12 - 18)

To consider a report on the review of electoral arrangements for Harwell East and the Great Faringdon and Great Coxwell parish boundary – <u>attached</u>.

Minutes

of a meeting of the



Community Governance and Electoral Issues Committee

held on Monday, 14 August 2017 at 6.30 pm in the Meeting Room 1, 135 Eastern Avenue, Milton Park, Milton, OX14 4SB

Open to the public, including the press

Present:

Members: Councillors Yvonne Constance (Chairman), Charlotte Dickson, Gervase Duffield, Debby Hallett and Ben Mabbett

Officers: Lesley Blue, Steven Corrigan, Matthew Gaskin and Margaret Reed

Number of members of the public: 5

Apologies for absence 6.

Apologies for absence were submitted on behalf of Councillors Edward Blagrove and Helen Pighills, who was substituted by Councillor Debby Hallett.

7. **Minutes**

RESOLVED: to approve the minutes of the meeting held on 17 October 2016 as a correct record and agree that the Chairman sign them as such.

Declarations of interest 8.

There were no declarations of disclosable pecuniary interests. Councillors Mabbett and Dickson both made statements that as members of Wantage Town Council they would not vote on any issue which could impact on the boundary of the town.

9. **Urgent business and chairman's announcements**

None.

10. Public participation

The list showing the members of the public who had registered to speak was tabled at the meeting.

11. Community Governance Reviews - draft recommendations

The committee considered the report of the head of legal and democratic services on draft recommendations in respect of a number of community governance reviews and a revised timetable for the reviews.

CGR(C)24 – Amending the boundary of Wantage parish to include all the land at Stockham Farm, currently in Grove parish.

Councillors Mabbett and Dickson took part in the discussion but did not vote on this item.

The committee considered review CGR(C)24 to amend the boundary of Wantage parish to include all the land at Stockham Farm, currently in the Grove parish.

Bill Falkenau, Clerk to Wantage Town Council, spoke against the recommendation outlined in CGR(C)24 to extend the boundary of Wantage parish at Stockham Farm to only include the land south-east of the old Berks and Wiltshire Canal. His points included the following:

- The proposed boundary line along the canal is an unsuitable boundary;
- Downsview Road is a more appropriate boundary as it would provide a distinct boundary between the parishes of Wantage and Grove.

The committee considered a letter from Councillor St John Dickson objecting to the proposals. The key arguments included the following:

- The utilities companies already consider the land north-west of the canal at the Stockham development as part of Wantage, not Grove.
- Downsview Road acts as a suitable parish boundary; the land at Stockham Farm north-west of the (disused) canal would be the only area outside of this boundary in Grove.
- The development houses residents who use Wantage as their main centre for recreational use, so in terms of community cohesion it makes sense to keep this land in Wantage.

It was noted that the whole of the land under review is included in the Wantage Neighbourhood Plan area.

The committee did not support the proposal in the schedule to only transfer the area of land south-east of the old Berks and Wiltshire Canal to Wantage parish. Downsview Road provided a more defined boundary between Grove and Wantage parishes: Stockham Farm is one community which identifies with and uses the facilities in Wantage and with the development of Grove Airfield a green buffer will exist between Downsview Road and the expanded settlement of Grove.

The committee supported the inclusion of the land north-west (as well as south-east as per the officer's recommendation) of the canal which would therefore include the entire Stockham development in the Wantage parish.

RESOLVED: to consult on a draft proposal to amend the boundary of Wantage parish to include all the land at Stockham Farm currently in Grove parish.

CGR(D)24 – Amending the boundary of Wantage parish to include land at Crab Hill, currently in both Grove and Lockinge parishes.

The committee considered CGR(D)24 to include the land at Crab Hill in the Wantage parish, currently in Grove and Lockinge parishes.

Councillors Mabbett and Dickson took part in the discussion but did not vote on this item.

The committee accepted the officer's recommendation to extend the boundary of the Wantage parish at Crab Hill (to include land currently in both Grove and Lockinge parishes).

RESOLVED: to consult on a draft proposal to:

- 1. amend the boundary of Wantage parish at Crab Hill to include land currently in both Grove and Lockinge parishes,
- 2. include these areas of land in the Wantage Charlton ward of Wantage Town Council,
- 3. remove the Crab Hill ward of Grove Parish Council and;
- 4. make no change to the size of Grove Parish Council.

CGR(B)21 – Amending the boundary of Radley parish to include Chandlings
Manor School currently in Kennington parish or amending the boundary of
Sunningwell parish to include land to the west of the Oxford Road currently in
Kennington and Radley parishes (subject to Local Government Boundary
Commission consent)

The committee considered CGR(B)21 on a proposal to either amend the boundary of Radley parish to include Chandlings Manor School currently in Kennington parish or to amend the boundary of Sunningwell parish to include land west of Oxford Road currently in Kennington and Radley parishes (subject to Local Government Boundary Commission consent). Two further submissions had been received from South Hinksey Parish council and Sunningwell Parish Council which proposed additional changes to the parish boundaries.

Colin Weyer, Vice-Chairman of Sunningwell Parish Council, addressed committee in support of the proposals set out in the letter from Sunningwell Parish Council dated 24 January 2017 and in support of the recommendation to amend the boundary of Sunningwell parish to include land to the west of Oxford road currently in Kennington and Radley parishes.

Christine Chater, of South Hinksey Parish Council, addressed the committee in support of the parish council's proposal to transfer a parcel of land at the top of Hinksey Hill which includes The Westwood Hotel from Kennington parish to South Hinksey parish.

The committee agreed that proposals from Sunningwell Parish Council to transfer properties from Wootton parish to Sunningwell parish in Boars Hill around Lincombe Lane and to transfer that part of Sunningwell parish South of the A34 to Abingdon

parish would be the subject of future community governance reviews as they do not closely relate to the area covered by the current review.

The committee agreed that the old Oxford Road would provide a well-defined man made boundary to replace the existing obscure line via woods and fields.

The committee also agreed to consult relevant parish councils and affected residents on the following proposals:

- A proposal from South Hinksey Parish Council to transfer a parcel of land at the top of Hinksey Hill which includes The Westwood Hotel from Kennington parish to South Hinksey parish.
- A proposal from Sunningwell Parish council to transfer Chilswell Farm
 Cottages off Foxcombe Road to Sunningwell parish from Cumnor parish on
 the grounds that the properties are remote and separated from any other
 community but have a close attachment with BoarsHill/Sunningwell parish.
- A proposal from Sunningwell Parish Council to transfer 14 houses on the north side of Hinksey Hill up to and including the property known as Brunswick (recently renamed Wishem House) to Sunningwell parish from South Hinksey parish on the grounds that the properties are part of the Boars Hill community and relate to Boars Hill/Sunningwell parish rather than South Hinksey.

RESOLVED: to consult on a draft proposal to extend the boundary of Sunningwell parish to include land to the west of Oxford Road currently in Kennington and Radley parishes and to consult on the proposals from South Hinksey and Sunningwell parish councils detailed above.

<u>CGR(G) – To increase the number of councillors (currently five) and to review</u> the warding arrangements for South Hinksey Parish Council

The committee considered CGR(G) on whether to increase the number of councillors (currently five) and to review the warding arrangements for South Hinksey Parish Council.

Christine Chater, of South Hinksey Parish Council, addressed the committee in support of the proposal to increase the number of parish councillors to address the workload for existing councillors and to create two parish wards with equal representation: The Village and the Hinksey Hill area.

The committee supported an increase in the number of councillors at South Hinksey Parish Council from five to six and to ward the parish.

RESOLVED: to consult on a draft proposal to increase the size of South Hinksey Parish Council from five to six parish councillors and to ward the parish along the A34 with the wards of Village and Hinksey Hill each electing three councillors.

CGR(A)13 – Amending the boundary of Grove parish to include Grove Technology Park, currently in East Challow parish (subject to Local Government Boundary Commission consent)

The committee considered CGR(A)13 on whether to amend the boundary of Grove parish to include Grove Technology Park, currently in East Challow parish (subject to Local Government Boundary Commission consent).

It was argued that currently, it is assumed that Grove Technology Park is in the parish of Grove considering it is named as such and that the access being along Downsview Road begins in the Grove parish. In terms of community cohesion, it should be placed officially in Grove.

However, the view was also expressed that the current boundary along Downsview Road provided a logical boundary and that in reality, it would have very little impact on either Grove or East Challow parish if it was moved.

The committee supported the maintenance of the boundary as it currently is keeping Grove Technology Park in East Challow.

RESOLVED: to consult on a draft proposal not to amend the boundary of Grove parish to include Grove Technology Park (currently in East Challow).

CGR(E) – Removal of the current warding arrangements for Longworth Parish Council currently comprising east and west wards

The committee considered CGR(E) to remove the current warding arrangements for Longworth Parish Council currently comprising east and west wards.

RESOLVED: to consult on a draft proposal to remove the current warding arrangements for Longworth Parish Council currently comprising east and west wards.

<u>CGR(F) – To increase the number of councillors at East Hanney Parish Council</u> (currently six)

The committee considered CGR(F) to increase the number of councillors at East Hanney Parish Council from six to eight in light of a request from the parish council because of housing development and village expansion.

It was noted that if agreed, the increase would not come into effect until 2019.

RESOLVED: to consult on a draft proposal to increase the number of councillors at East Hanney Parish Council from six to eight.

Review timetable

In light of the delay to the current reviews the committee agreed an amended consultation deadline of Monday 16 October with the committee agreeing the final proposals at a further meeting in November.

RESOLVED: to agree the revised timetable set out in paragraph 9 of the report of the head of legal and democratic services to the Community Governance and Electoral Issues Committee on 14 August 2017.

The meeting closed at 7.35 pm

Community Governance and Electoral Issues Committee



Report of head of legal and democratic services

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To: Community Governance and Electoral Issues Committee

DATE: 23 October 2017



Community Governance Reviews – suggested timetable and process

Recommendations

- To agree that the council undertakes a community governance review every four years with changes agreed for implementation at the next scheduled parish elections;
- 2. Recommends that Council rescinds its previous decision 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.

Purpose of report

 To invite the committee to consider a process for future community governance reviews and to recommend Council to rescind its resolution agreed at its meeting on 16 July 2014.

Background

2. Local authorities (in the case of two-tier areas, district councils) have had powers to review parish arrangements for many years. Until 2007, any proposals for change resulting from such reviews had to go to the relevant secretary of state for approval. The Local Government and Public Involvement in Health Act 2007 (the 2007 Act) changed that and gave full powers to local authorities to implement proposals without reference to central government. The Act created the title of community governance reviews (CGR) to cover such activity.

3. There is no duty on the council to carry out a CGR unless it is petitioned to do so. Rather, it is a permissive power. The guidance offers the following pieces of advice on what might trigger a CGR:

it can be helpful to undertake community governance reviews in circumstances such as where there have been changes in population, or in reaction to specific or local new issues

over time communities may expand with new housing developments. This can often lead to existing parish boundaries becoming anomalous as new houses are built across the boundaries resulting in people being in different parishes from their neighbours. In such circumstances, the council should consider undertaking a community governance review

councils should exercise their discretion, but it would be good practice to consider conducting a review every 10-15 years

- 4. Vale of White Horse District Council undertook a comprehensive review of the whole district in 2013/14 with final decisions agreed at the Council meeting in July 2014. In doing so Council deferred a number of reviews until after May 2015. This committee is currently undertaking these outstanding reviews and will agree final decisions at a meeting in November 2017 and at future meetings.
- 5. At its meeting in July 2014 Council agreed the following resolution:
 - 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

Current reviews/potential workload

- 6. As set out above this committee is currently undertaking a number of reviews deferred by Council in July 2014. In undertaking the consultation on these reviews a number of parish councils have taken the opportunity to seek further changes which have complicated the consultation process, led to fraught relationships and suspicion between parish councils.
- 7. The motion agreed by Council in July 2014 provides that the council must undertake a review in certain circumstances. With the number of neighbourhood plans going forward for referendum and increased development there is currently insufficient resource to comply with this piecemeal and unplanned approach to reviews. Officers propose that the committee recommends that Council rescinds this resolution to provide for a more structured approach as set out in paragraph 10 of this report.
- 8. In addition, there is now an expectation from parish councils that a request for a review of governance arrangements will be taken forward although there is no requirement for the council to do so. A schedule for a review would address this.

Proposal for the arrangement of future reviews

- 9. As set out in paragraph three there is no duty to undertake a community governance review unless the council is petitioned to do so. Guidance suggests councils should exercise their discretion but good practice is to consider conducting a review every 10-15 years. This council undertook a comprehensive review in 2013/14 but is still engaged in a number of reviews deferred by Council in 2014 and receives enquires for further reviews.
- 10. Officers propose that the council undertakes a district wide review every four years commencing after the scheduled parish council elections with any agreed changes implemented for the next scheduled elections. This would ensure the reviews are sufficiently resourced, avoid the inefficiencies of carrying out small scale reviews in a piecemeal fashion of two or three areas, allow the council to address circumstances such as where there have been changes in population or in response to specific or local issues at regular intervals (well within the LGBCE guidance of every 10-15 years), offer parish councils the opportunity to proactively consider areas for review, ensure parish councils are aware of proposals from neighbouring parishes at an early stage in the process and allow this council to look at the whole district as part of the review.
- 11. This approach would not preclude the council from undertaking a review if circumstances required for example in response to a unitary council proposal, to ensure the provision of effective and convenient local government in circumstances where the current parish council arrangements have failed or to address a minor parish boundary anomaly.

Financial Implications

12. There are no financial implications directly arising from this report.

Legal Implications

13. The legal implications are set out in the body of this report.

Risks and Options

14. None associated with this report.

Conclusion

15. The council is currently undertaking in a number of community governance reviews, has a policy which triggers automatic reviews and encourages applications for small piecemeal reviews. Officers propose that the council agrees to undertake a district wide review every four years as a more structured and efficient approach which is well within the good practice guidance and will ensure community governance arrangements are kept under regular review. To facilitate this approach the committee is invited to recommend Council rescind the resolution agreed in July 2014.

Background papers

Report to Council on 16 July 2014

Community Governance and Electoral Issues Committee



Report of head of legal and democratic services

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E-mail: steven.corrigan@southandvale.gov.uk

To: Community Governance and Electoral Issues Committee

DATE: 23 October 2017

Community Governance Review – Harwell East and Great Faringdon and Great Coxwell

Recommendations

- 1. To undertake a review to create a new parish of Harwell East and to agree its electoral arrangements.
- 2. To undertake a review of the Great Faringdon and Great Coxwell parish boundary.
- 3. To authorise the head of legal and democratic services to draft and publish the terms of reference for any reviews the committee agrees to undertake at this meeting.

Purpose of report

 To invite the committee to consider matters referred to it by Council at its meeting in July 2014.

Background

- 2. Local authorities (in the case of two-tier areas, district councils) have had powers to review parish arrangements for many years. Until 2007, any proposals for change resulting from such reviews had to go to the relevant secretary of state for approval. The Local Government and Public Involvement in Health Act 2007 (the 2007Act) changed that and gave full powers to local authorities to implement proposals without reference to central government. The Act created the title of community governance reviews (CGR) to cover such activity.
- 3. In the conduct of a review, the council has to be mindful of Part 4 of the Local Government and Public Involvement in Health Act 2007 and Guidance on

Community Governance Reviews that has been issued by the Department for Communities and Local Government and The Local Government Boundary Commission for England (LGBCE). The council has a duty to ensure that community governance within the area under review meets the 'Community of Identity' test. Community governance should:

- reflect the identities and interests of the community in that area;
- be effective and convenient, and
- take into account any other, non-parish, arrangements for the purposes of community representation or community engagement in the area.
- 4. At its meeting in July 2013 Council agreed to undertake a district wide CGR. This review included proposals submitted by parish councils following an invitation from the chief executive to put forward any changes to community governance arrangements.
- 5. At its meeting on 17 July 2014 Council considered the final recommendations of the community governance working group, established to consider the issues in detail and submit proposals to Council, and agreed a number of changes to the governance arrangements of parishes within Vale. Council authorised the head of legal and democratic services to make a reorganisation of community governance order to implement the changes, subject to receiving the necessary consents from the LGBCE. The relevant order was made and brought the changes into effect in time for the 2015 parish council elections. As authorised by Council, officers applied to the LGBCE for related alteration orders, to make district wards and county divisions coterminous with parish boundaries where these have become out of sync. These have been made and were implemented for the county council election earlier this year and will be implemented for the district council elections in May 2019.

Matters referred by Council at its meeting in July 2014

- 6. At its meeting in July 2014 Council agreed to defer a number of reviews for further consideration by this committee following the May 2015 elections. Council resolved to:
 - (a) reject CGR13 (Grove and East Challow) because Council agrees with the views of East Challow Parish Council but requests the Community Governance and Electoral Issues Committee to consider undertaking a further review of this area after May 2015;
 - (b) request the Community Governance and Electoral Issues Committee to consider undertaking a wider review of the boundary between Sunningwell, Kennington and Radley parishes than that proposed by option two in CGR21 (Radley and Kennington) after May 2015, in accordance with option one proposed by the Community Governance Review Working Group;
 - (c) request the Community Governance and Electoral Issues Committee to consider undertaking a wider review than that proposed by CGR24 (Wantage, Grove and Lockinge) after May 2015, to take account of future development;
 - (d) create a new parish of Harwell East (CGR14) comprising that part of Harwell parish that lies to the east of the A34, with the exception of land lying to the

- north of the London-Bristol railway line, the timing of the creation of the new parish to be a matter for the Community Governance and Electoral Issues Committee to determine.
- 7. This committee agreed, at its meeting in October 2016, to undertake reviews in respect of a to c above and will consider final proposals on these at a meeting in November 2017. In respect of d the committee agreed to undertake a community governance review of CGR14 (a new parish East of Harwell East) at a time to be agreed. Officers invite the committee to agree that this review of electoral arrangements (the ordinary year of election, council size and parish warding), is undertaken for implementation from the 2019 elections.

Great Faringdon and Great Coxwell

- 8. At its meeting in July 2014 Council also resolved to "reject CGR11 (Great Faringdon and Great Coxwell) because Council agrees with the views expressed by Great Coxwell Parish Council and considers the proposed changes to be premature and could be the subject of a future review". I have attached the relevant schedule and maps as submitted to Council in 2014.
- 9. At its meeting in July 2014 Council agreed the following resolution:
 - 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.
- 10. Planning permission has been granted for the site and development started on site. Therefore, in accordance with the resolution of Council, a review must be undertaken. Officers invite the committee to agree that this review is undertaken with any changes implemented in 2019 for the May elections.

Terms of reference

11. The first stage of a review is the drawing up of terms of reference. In effect, this document becomes the council's policies for the conduct of the review. It should provide background information to help electors and other interested organisations to make informed submissions and should also refer to the legislative framework against which the review must operate. Publication of the terms of reference commences the review, which the council then has 12 months to complete. The committee is invited to authorise the head of legal and democratic services to draft and publish the terms of reference for any reviews agreed at this meeting.

Financial Implications

12. 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 will be met from within existing budgets.

Legal Implications

- 13. The Community Governance and Electoral Issues Committee has delegated authority to deal with all matters relating to parish community governance reviews.
- 14. Any community governance review will be 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.
- 15. The council will implement any changes by making a reorganisation of community governance order. Where the changes impact on arrangements put in place by the LGBCE's reviews of the electoral arrangements for Oxfordshire County Council and Vale of White Horse District Council, the council will need the LGBCE's consent before making an order and request related alteration orders are made to county division and district ward boundaries to ensure these are coterminous with any change to the parish boundary.

Risks and Options

16. There is a risk that someone could challenge the outcome of a particular review item through judicial review. Council officers will mitigate against this by ensuring that at all times the council follows the requirements laid down in the 2007 Act and guidance.

Conclusion

17. The council undertook a comprehensive review of parish arrangements in 2013/14 and agreed changes for implementation in 2015. Council referred a number of reviews to this committee for consideration and agreed a resolution to undertake a review where development sits adjacent to or straddles a parish boundary. Further to the referral from Council this committee previously agreed to undertake a review to create a new parish East of Harwell with the timing to be agreed. Council also deferred a decision on a review of the parish boundary between Great Coxwell and Great Faringdon due to the uncertainty of planning permission. The committee is invited to agree that reviews are now undertaken of both issues to allow for any changes to be implemented for the May 2019 elections and authorise the head of legal and democratic services to draft and publish the terms of reference for this review.

Background papers

Report to Council on 17 July 2014

Report to this committee on 13 October 2015 and minutes of that meeting



CGR 11

Parishes Affected

Great Faringdon, Great Coxwell

Matter to be considered

Amending the boundary of Great Faringdon parish to incorporate any proposed housing developments that are directly adjacent to the current boundary

Council's draft proposal

Amend the boundary of Great Faringdon parish (with reference to an attached map)

Working Group's final proposal

To move land south of Faringdon bounded by the A420 and Coxwell Road from Great Coxwell parish into Great Faringdon parish

Summary of responses to the formal consultation

Great Coxwell objects this proposal. It raises a number of issues relating to the planning application for housing on Fernham Fields that has prompted the recommendation. The comments relevant to the boundary review are as follows:

"Even if the planning was to go ahead, there is no guarantee the future residents of the development would want to be part of Great Faringdon, Great Coxwell is an attractive parish and house prices are higher than in Great Faringdon.

The size of the development would not make the parish council too big or unwieldy; under the guidelines the new size of the parish would not be abnormal. The residents would use resources in both Great Coxwell and Faringdon, and therefore the need to change boundaries is small.

The council also has to consider the physical aspects of the boundaries. The current boundary is defined by a clear ridge which provides a natural delineation between Faringdon and Great Coxwell. This is an important aspect for a council to consider. The new boundaries would be a road."



Justification

The planning committee recently recently resolved to grant planning permission for residential development at Fernham Fields, south of Faringdon. Fernham Fields lies in Great Coxwell parish but the new development will form an extension to the town of Faringdon.

The working group has considered the views expressed by Great Cowell parish council but sees no grounds for deviating from its original recommendation that the identities and interests of the new residents and their effective and convenient representation at parish level is best served by moving Fernham Fields into Great Faringdon parish. It does, however, recommend a revised wording for the proposal to make it clear to which site it relates.

Map 11

