

## **11. Final Recommendation of the Community Governance Review of Stoke Trister with Bayford and Pen Selwood Parish Councils**

*Lead Officer:* Ian Clarke, Assistant Director (Legal and Corporate Services)  
*Contact Details:* [ian.clarke@southsomerset.gov.uk](mailto:ian.clarke@southsomerset.gov.uk) or (01935) 462184

### **Purpose of the Report**

To report the outcome of the final public consultation (Community Governance Review) which has taken place in the parishes of Stoke Trister with Bayford and Pen Selwood on the proposal to alter the boundary between the two parishes (under the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007).

### **Public Interest**

A Community Governance Review is a review of the whole or part of a district to consider one or more of the following:

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style (i.e. whether to call it a town council or village council etc) of new parishes;
- the electoral arrangements for parishes – the ordinary year of election, the size of the council, the number of councillors to be elected and parish warding;
- grouping parishes under a common parish council, or de-grouping parishes.

The Local Government and Public Involvement in Health Act, 2007, sets down the principal legal framework within which councils must undertake these reviews.

A valid request was received from Stoke Trister with Bayford Parish Council in May 2011, requesting that the District Council conduct a consultation (Community Governance Review) of all the electors and local interested groups to ask if they would be agreeable to alter the boundary between themselves and Pen Selwood Parish Council. The consultation within the parishes has been concluded and this report details the outcome of that consultation.

### **Recommendation(s)**

That Council:

1. note the final results of the consultation and agree to publish them;
2. agree that the final recommendation be: "To accept the vote from the people of Stoke Trister with Bayford and Pen Selwood and to propose that the boundary between the two Parishes be altered to take the whole of Leigh Common into the Parish of Stoke Trister with Bayford".
3. agree to draw up a Reorganisation Order to give effect to these recommendations;
4. agree to contact the statutory agencies to effect the requested alteration to the Parish boundary between Stoke Trister with Bayford and Pen Selwood Parishes.

## Background

Council at its meeting held on 21 July 2011 (Minute 30 refers) approved the commencement of a Community Governance Review for the parishes of Stoke Trister with Bayford and Pen Selwood following the receipt of a valid request by both Parish Councils. The results of the first public consultation were presented to District Executive in December 2011 and Council in January 2012 and the results of the second public consultation were presented to District Executive in March 2012.

## Proposal

In their request, the Parish Council stated that when the A303 dual-carriageway/Wincanton by-pass was built, it went through the middle of Leigh Common, dividing the Common. In recompense the Department of Transport (as it was then) purchased land to the south of the new road and Beech Lane. However, this land was not within the parish of Stoke Trister with Bayford but in Pen Selwood parish.

Now that the land registration has been resolved, the two parishes wish to change the parish boundary so that the whole of Leigh Common is within Stoke Trister Parish. There are no residential properties on this land and consequently no local electors will be affected. Stoke Trister with Bayford currently manages the Common and two of the fields are let for grasskeep from April to November to gain revenue for their upkeep. The whole of Leigh Common is in the ownership of Stoke Trister with Bayford Parish Council

Pen Selwood Parish Council confirmed they were in agreement with the request.

## Consultation

The initial consultation period was held from 3<sup>rd</sup> to 31<sup>st</sup> October. Consultation leaflets were delivered to all registered electors within the two Parishes (a total of 529 people) together with other interested agencies and the adjoining Parish Council of Cucklington. Public comments were also invited by e-mail.

A total of 153 responses were received (29% of the total electorate), of which 2 were treated as non-valid as the respondents did not complete their name and address and we were therefore unable to validate their eligibility to comment as a local elector of either Parish. **All the valid responses were in favour of the proposal.**

Having taken into account all consultation responses made during the first stage of consultation, and having regard to the need to ensure that Community Governance within the area reflects the identities and interests of the Community, and is effective and convenient, the draft recommendation of officers was: **“To accept the vote from the people of Stoke Trister with Bayford and Pen Selwood and to propose that the boundary between the two Parishes be altered to take the whole of Leigh Common into the Parish of Stoke Trister with Bayford”.**

## Further Consultation

A second short consultation on this recommendation was undertaken in the parishes from 20<sup>th</sup> January to 10<sup>th</sup> February 2012. As the majority of the previous consultation responses were in favour of the original proposal, this further consultation was conducted through the SSDC website and posters in both Parishes. No further public responses were received.

## Conclusion

If confirmed by Council, South Somerset District Council will draw up a Reorganisation Order to give effect to these decisions. This will be placed before the Electoral Commission to decide when it should be implemented. The following organisations will also be informed that the order has been made:

- a) the Secretary of State for Communities and Local Government
- b) the Electoral Commission
- c) the Office of National Statistics
- d) the Director General of the Ordnance Survey
- e) Somerset County Council.

The parishes of Stoke Trister with Bayford and Pen Selwood are both within the Tower Ward of SSDC and the Wincanton and Bruton Division of SCC and therefore there will be no need to alter these boundaries. As previously stated, there are no residential properties on this land and consequently no local electors will be affected.

### **Financial Implications**

The cost of producing the consultation leaflets (550) and distributing by second class post was £418. There has been a cost in staff time in the production of the consultation leaflets and the analysis of the responses and these costs have been absorbed within existing budgets.

The second consultation (as required) on the draft recommendations was conducted at minimum cost through the SSDC Website and posters in the villages. The cost was less than £10.

There is no specific budget for Community Governance Reviews and all costs have been absorbed within the existing Democratic Services budget for 2011/12. Additionally, there is no power to re-charge the cost of the review to any other Council, except by agreement. This is because the statutory power to conduct the review rests with this Council.

### **Carbon Emissions & Adapting to Climate Change Implications (NI188)**

None at the current time.

### **Equality and Diversity Implications**

All local government electors within the parishes of Stoke Trister with Bayford and Pen Selwood have been consulted on the proposal and their views considered as part of the consultation process. The council must have regard to the need to secure that the community governance arrangements for the area reflect the identities and interests of the community in the area and are effective and convenient.

**Background Papers:** *Local Government and Public Involvement in Health Act 2007*  
*The Electoral Commission Guidance on Community Governance Reviews, April 2008*  
*Terms of Reference of the Community Governance Review of the Parish Arrangements for Stoke Trister with Bayford and Pen Selwood Parishes as agreed by Council on 21<sup>st</sup> July 2011*  
*Responses provided by local residents*  
*Report to District Executive – Dec 2011*  
*Report to Council – Jan 2012*

