

11. Draft Proposals of the Community Governance Review of Stoke Trister with Bayford and Pen Selwood Parish Councils

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

Purpose of the Report

To report the outcome of the initial 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. Initial consultation within the parishes has now taken place and this report details the outcome of that consultation.

Recommendation(s)

That Council:

1. note the results of the consultation;
2. note that all of the valid responses received were in favour of the original proposals by Stoke Trister with Bayford Parish Council and therefore the draft recommendation for further consultation be: "To accept the vote from the people of Stoke Trister with Bayford and Pen Selwood Parish Councils and to agree the proposal to alter the boundary between the two parishes".
3. agree to publish the results of the consultation;
4. note that a further period of consultation on the results of the initial consultation responses will take place;

5. note that a further report will be brought to Council in order that a final decision may be made in respect of the final recommendations of the Review.

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.

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 some land to the south of the new road and Beech Lane. However, this land was not in 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 3rd to 31st October. Consultation leaflets were delivered to all registered electors within the two Parishes (a total of 529 people) together with the Ward Member, Member of Parliament, Member of the European Parliament, Somerset Association of Local Councils, Somerset County Council, the adjoining Parish Council of Cucklington and the Police. Public comments were also invited by e-mail.

A total of 152 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 of the valid responses were in favour of the proposal.**

Part of the consultation leaflet asked for any comments on the proposals and 11 varied responses were received. They were all broadly supportive of the boundary realignment, however, some comments raised objections to the bureaucracy involved in bringing about the change.

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 is: "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".

This report was also considered by the District Executive on 1st December 2011 where the recommendations were unanimously approved by its Members.

Community Governance Review Timetable

The draft recommendation of the Council on the outcome of the review will be published by 20th January 2012, followed by the commencement of a further 3 week period of consultation closing on 10th February 2012. Representations received on the draft recommendation will be submitted for consideration by South Somerset District Council at its meetings of District Executive on 1st March and full Council on 15th March 2012 when the final decision on the review will be taken.

It will be for the Electoral Commission to decide, following the receipt of proposals, if a related alteration should be made and when it should be implemented. Only the Electoral Commission can make an order implementing any alterations to the district or county division boundary. However, 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.

Given the previous support for the proposal, it is anticipated that the second consultation (as required) on the draft recommendations will be conducted at minimum cost through the SSDC Website, local press and posters. This cost is likely to be less than £50.

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.

Corporate Priority Implications

15. Increase to 65% by 2010 the people who feel engaged in and can influence decisions that affect their communities.
18. Eighty percent of residents and businesses satisfied with the quality of the local natural and built environment by 2012.

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 reflects 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 21st July 2011
Responses provided by local residents
District Executive Report and Minutes – December 2011