

Council

Community Governance Review 2012

22 July 2013

Report of Chief Executive

PURPOSE OF REPORT

To ask Council to consider the recommendations of the Community Governance Review Working Group, and to agree that the Working Group be amended to form a Boundary Review Group in preparation for the district boundary review taking place later this year.

This report is public

Recommendations

Council is recommended:

- (1) To approve an increase in the number of Parish Councillors for Adderbury Parish Council by one from 11 to 12, a change that will take effect at their next ordinary year of election in 2016.
- (2) To approve the moving of the land shown in red on the appended map 1 from the Parish of Blackthorn into the Parish of Ambrosden, a change that will take effect from the next ordinary year of election for Ambrosden in 2016
- (3) To approve (a) the moving of the land shown red on the appended map 2 into Banbury Town Council area, from the parishes of Drayton, Hanwell and Bodicote, these changes to take place at the time of the next ordinary election for Banbury Town Council in 2016; and (b).the extension of the terms of office for Parish Councillors at Drayton Parish Council and Hanwell Parish Council by two years to bring them into line with the Banbury Town Council election.
- (4) To approve (a) the moving of the land shown red on the appended map 3 into Bicester Town Council area, from the parishes of Bucknell, Caversfield and Chesterton, this change to take place at the time of the next ordinary election for Bicester Town Council in 2015; and (b) the reduction in the terms of office for Parish Councillors at Bucknell Parish Council and Caversfield Parish Council by one year to bring them into line with the Bicester Town Council election.

- (5) To approve an increase in the number of Bicester Town Councillors from 15 to 20. This change will take place at the time of the next ordinary election for Bicester Town Council in 2015.
- (6) To approve an increase in Parish Councillors at Chesterton Parish Council by one from 6 to 7, a change which will take effect at the next ordinary election for the Parish in 2015
- (7) To approve an increase in the number of Parish Councillors for Bloxham Parish Council by one from 11 to 12, to take effect at the next ordinary election of the Parish Council in 2014.
- (8) To approve an increase in the number of Parish Councillors for Middleton Stoney Parish Council by two from 5 to 7, to take effect at the next ordinary election of the Parish Council in 2015.
- (9) To approve an increase in the number of Parish Councillors for Piddington Parish Council by two, from 5 to 7, to take effect at the next ordinary election of the Parish Council in 2016.
- (10) To make no change to Upper Heyford Parish Council at this time, with officers monitoring progress of any major planning applications, community capacity building and reviewing the situation at an appropriate time within the next 5 years
- (11) To delegate authority to the Head of Law and Governance, in consultation with the Electoral Registration Officer and Returning Officer, to complete all necessary actions in respect of the making of Statutory Orders to implement the changes
- (12) To delegate authority to the Head of Law and Governance to request that the Local Government Boundary Commission for England make changes to Ward and Divisional Boundaries to reflect the revised Parish Boundaries
- (13) To change the Community Governance Review Working Group into a Boundary Review Working Group with the terms of reference set out at Appendix 1 (Terms of Reference to be tabled at the meeting following discussions with the Boundary Commission).
- (14) To delegate authority to the Head of Law and Governance, in consultation with group leaders, to appoint two representatives from each political group to the Boundary Review Working Group in anticipation of the District Review taking place later in 2013.

Executive Summary

- 1.1 The Community Governance Review Working Group (the Working Group) was set up following a Council resolution in December 2012. Town and Parish Councils across the district were invited to submit comments and suggestions for consideration, and 19 responses were received. The Working Group met in February 2013 to discuss each response, and a further report was submitted to Council and the proposals to be consulted on were agreed.
- 1.2 A second consultation period was held which ran from 27 March to 14 June. Copies of the proposals were sent out to all Town and Parish Councils via the Parish update newsletter, and it was also published on the Council's Consultation Portal for general public comment.

Responses

- 2.1 Twenty one responses were received during the second consultation period – 15 from affected Parish Councils, and 6 from members of the public. Full copies of all responses received are on file in the Members' room.
- 2.2 A further meeting of the Working Group was held in late June 2013, where each response was discussed in detail in conjunction with the relevant recommendations to consider consultation responses that had been received and draft proposals for consideration by Council.

Adderbury Parish Council

- 2.3 During the initial consultation with Towns and Parishes, Adderbury Parish Council requested an increase in numbers from 11 to 14. The Working Group felt that this was too big an increase as it could potentially lead to repeated co-options to fill vacant seats.

The second consultation therefore recommended an increase of 1 Parish Councillor to 12. Adderbury Parish Council responded to say that they were happy to accept the recommended increase, and the Working Group agreed that the Adderbury recommendation should remain the same.

Council are therefore recommended to approve an increase in the number of Parish Councillors for Adderbury Parish Council by one from 11 to 12, a change which will take effect at their next ordinary year of election in 2016.

Ambrosden Parish Council and Blackthorn Parish Council

- 2.4 During the initial consultation Ambrosden Parish Council requested that an area of land currently situated within Blackthorn Parish Council be transferred to Ambrosden. The Working Group agreed that this was a sensible request and the second consultation recommended that the land be transferred.

Blackthorn Parish Council submitted a response objecting to the transfer, on the grounds that it was being used as a 'land grab' by Ambrosden. Blackthorn Parish Council also raised concerns over a planning consultation in relation to an application being submitted for Springfield Farm, Ambrosden (reference 13/00344/HYBRID).

Three responses were also submitted via the consultation portal from Members of the public, who also objected to the proposal to move the area of land on the basis of improper consultation in connection with the planning application.

Ambrosden Parish Council submitted a response which requested a further amendment to the boundary in order to bring the grass verge of the east side of the B4011 in to the Parish, to help with maintenance of the verge.

The Working Group considered both responses in great detail. With regard to the Ambrosden response, the Working Group felt that the move of the boundary to incorporate the requested grass verge would have too many knock on effects to other boundaries in the area, and therefore decided to leave it as it was. They added that grass verge maintenance is the responsibility of the County Council, but would suggest that Ambrosden hold discussions with Blackthorn to agree a way forward regarding verge maintenance.

In connection with the Blackthorn response, the Working Group consulted maps of the Springfield Farm planning application to help in their deliberations. The map shows that all access roads for the development fall within the Ambrosden Parish area, and Ambrosden village will be the closest settlement to the development. The area of land requested to be transferred will mean that the whole development falls within the Ambrosden area and will be easier from an identity and administrative perspective, as opposed to historic field boundary.

The Working Group noted the concerns of Blackthorn Parish Council in connection with the planning application consultation. However that is not an area that they have responsibility for and they have referred Blackthorn Parish Council's comments to the Council's planning department for response. The Working Group would also like to clarify that the request to move the area of land came from Ambrosden Parish Council and not the developer of the Springfield Farm application.

Council are therefore recommended to approve the moving of the land shown in red on the appended map 1 from the Parish of Blackthorn into the Parish of Ambrosden, a change that will take effect from the next ordinary year of election for Ambrosden in 2016.

Banbury Town Council, Bodicote Parish Council, Drayton Parish Council and Hanwell Parish Council

- 2.5 Due to the increasing amount of prospective development around the Banbury Town Council area, the Working Group agreed to consult on the principle of including all new developments which either had extant planning permissions or which had been included in the emerging local planning policy framework for some time within the Banbury Town Council boundary.

During the first consultation stage Drayton Parish Council submitted a request to have areas of the village involved in prospective developments moved out of the Parish into the Town Council area.

Banbury Town Council submitted a request to have the new prospective development areas of the town moved into their administrative area, and also requested that properties in the Wykham Farm area be moved back into Banbury. These properties had been moved into the Bodicote area in the early 1990's at the request of a resident, and Domesday records showed the properties as being in Banbury at that time.

Bodicote Parish Council submitted a response objecting to both proposals. With regard to the Bankside development being included in Banbury, Bodicote Parish Council argue that the development is not an urban extension of Banbury but a rural extension of Bodicote due to the inclusion of a green buffer zone between the new development and the existing Bodicote boundary. Recent presentations from the developers have also indicated that development will start from the Bodicote end of the Bankside site rather than the Banbury end, and an access point from existing Bankside won't be in place until 5 years into the development.

With regard to the Wykham Farm properties, Bodicote Parish Council reported that all affected residents objected to the proposal, and they supported the views of those residents. The Parish Council were concerned that the village was being squeezed from both sides and would be losing control of a lot of land.

Three responses were also received from current residents of Wykham Farm, who all expressed their objections to the proposal to move them from Bodicote in to Banbury. They all felt that they were residents of Bodicote and supported the local economy.

The Working Group considered all responses received but were still of the view that both Bankside and Wykham Farm should be moved in to the Banbury Town Council area. For the Bankside development they felt that a development of such size would be better suited to the Banbury area, and the Council's position had always been to consult on the principle of including it within Banbury.

Regarding Wykham Farm, the Working Group agreed that it was unfortunate the properties had been moved into Bodicote when the request was made. It was done at a time when such boundary amendments were completed by central Government as opposed to the local Authority, and the Working Group all agreed that had the request been received as part of this review it would have been rejected.

Due to the historical positioning of the Wykham Farm properties, and the use of the stream as a boundary in the past, the Working Group agreed that the recommendation should stand in terms of moving the properties back into the Banbury Town Council area.

Council are therefore recommended to approve the moving of the land shown red on the appended map 2 into the Banbury Town Council area, from the parishes of Drayton, Hanwell and Bodicote. These changes will take place at the time of the next ordinary election for Banbury Town Council in 2016.

As the next year of ordinary election for Drayton Parish Council and Hanwell Parish Council is 2014, terms of office for these Parish Councillors will need to be increased by two years in order to bring them into line with the Banbury Town Council election.

Bicester Town Council, Bucknell Parish Council, Caversfield Parish Council and Chesterton Parish Council

- 2.6 Bicester is in a similar situation to Banbury regarding new and prospective development taking place, a lot of which is already well under way. The proposals for Bicester Town Council mirror those for Banbury Town Council, in that it was proposed that all new and prospective developments be moved into the Bicester Town Council area.

Also associated with the boundary changes to Bicester Town Council is an increase in Town Councillors from 15 to 20.

All affected Parish Councils responded to the consultation positively, supporting the proposal to move the areas of development into the Bicester Town Council area.

Conflicting responses were received from Bicester Town Council and Chesterton Parish Council regarding the exact position of the boundary. Chesterton had requested that it be moved to the south side of Vendee Drive, whereas Bicester had requested it be moved much further past Vendee Drive so that a larger area of Chesterton be moved. The Working Group considered both requests and concluded that minimising the amount of Chesterton being moved would be the best scenario, and therefore recommended that the boundary be moved just to the south side of Vendee Drive.

Council are therefore recommended to approve the moving of the land shown red on the appended map 3 into the Bicester Town Council area, from the parishes of Bucknell, Caversfield and Chesterton. Council is also recommended to increase the number of Bicester Town Councillors from 15 to 20. All of these changes will take place at the time of the next ordinary election for Bicester Town Council in 2015.

As the next year of ordinary election for Bucknell Parish Council and Caversfield Parish Council is 2016, terms of office for these Parish Councillors will need to be reduced by one year in order to bring them into line with the Bicester Town Council election.

Chesterton Parish Council

- 2.7 As well as the proposal to move part of Chesterton into the Bicester area, was a request from Chesterton to increase the number of Parish Councillors by one from 6 to 7. The Working Group and Council agreed with this proposal, and it was included in the second consultation phase.

No objections have been received relating to this increase, therefore Council are recommended to approve the increase in Parish Councillors at Chesterton from 6 to 7, a change which will take effect at the next ordinary election for the Parish in 2015.

Bloxham Parish Council

- 2.8 At the time of the initial consultation Bloxham requested an increase in the number of Parish Councillors from 11 to 14. The Working Group initially felt that this was too high an increase and would lead to repeated co-options. The recommendation to Council was an increase of one to 12. Council agreed and the second consultation period included this proposal.

Bloxham Parish Council responded to the consultation further requesting an increase to 14 Councillors, due to the additional work which would be being undertaken by the Parish Council over the next few years.

The Working Group were still of the view that 14 Parish Councillors would be too high, and repeated co-options would take place to fill the extra seats, a view further enhanced with the information that the last contested election was held in 2006 with 12 candidates. The Working Group acknowledge the work that the Parish Council will be undertaking, and suggested that working groups be set up with a mix of Parish Councillors and interested villagers in order to spread the work out and engage people who perhaps otherwise wouldn't wish to stand as a Parish Councillor.

Council are therefore recommended to approve an increase in the number of Parish Councillors for Bloxham by one from 11 to 12, to take effect at the next ordinary election of the Parish Council in 2014.

Middleton Stoney Parish Council

- 2.9 Prior to the start of the Community Governance Review process, Middleton Stoney Parish Council had made enquiries in early 2012 as to how they could go about increasing their number of Parish Councillors. When the consultation process was started, increasing numbers from 5 to 7 was included as one of the recommendations.

No objections were received to this proposed increase, and Middleton Stoney Parish Council responded to say that they were happy to increase their numbers. Council are therefore recommended to approve an increase in the number of Parish Councillors for Middleton Stoney by two from 5 to 7, to take effect at the next ordinary election of the Parish Council in 2015.

Piddington Parish Council

- 2.10 As with Middleton Stoney Parish Council, a request was received from Piddington Parish Council relating to increasing numbers of Parish Councillors from 5 to 7.

The proposal was approved by the Working Group and Council, and included in the consultation process. Piddington Parish Council responded to say that they were happy with the proposal, and no objections were received.

Council are therefore recommended to approve an increase in the number of Parish Councillors for Piddington Parish Council by two, from 5 to 7, to take effect at the next ordinary election of the Parish Council in 2016.

Upper Heyford Parish Council

- 2.11 During the initial stages of the Review, a request was made by Upper Heyford Parish Council to create two separate parishes for the village; one which would serve the area known as Heyford Park, and the other serving the rest of the village of Upper Heyford.

Both the Working Group and Council felt that splitting the Parish in such a way was not advisable at present due to the low number of owner occupiers in Heyford Park and the effect this had on transience in the area, and the high risk of a knock-on effect to the Parish Council being inquorate and unable to operate without assistance from the District Council. The recommendation of Council was therefore to Ward the Parish, creating Wards to mirror the request of the Parish Council. This would then give the District Council the ability to monitor the

Parish Council, particularly in terms of number of representatives from Heyford Park, and also enable the Parish Council to allocate funds to each Ward.

During the second consultation phase Upper Heyford Parish responded to say that they still felt splitting the parish was the best way forward, as with proposed development in the village a split would be required at some point in the future anyway. They felt that the residual properties left in each parish would provide a large enough tax base for each to operate sufficiently, and offered support to any new Parish Council created for the Park area whilst they were getting to grips with the new scenario. However, following further consideration a warded approach with Councillors allocated based on population of the two wards would lead to the majority of Councillors representing the Heyford Park Ward with only 1 or 2 representing Upper Heyford Village ward, when the reverse is true in terms of the residence of current councillors.

Officers investigated the progress of development in the village, and found that no applications had been submitted to date, therefore any development would still be a number of years away.

Officers also spoke to both District Councillors for the area, and their views were considered by the working group.

The difficulties of warding and doubts about the sustainability and viability of the new Heyford Park Parish, coupled with the uncertainty surrounding Council Tax levels led the Working Group to come to the conclusion that the Parish should for the time being be left as one Parish Council, but with officers monitoring the rate of elector turnover in the Parish and also applications for development and working with the Upper Heyford Parish Council to develop the community capacity of Heyford Park, with a view to ascertaining appetite for a separate parish council. As Parish boundaries are a District Council responsibility the Council can call for a review at any time when Upper Heyford reaches a point where splitting into two sustainable parishes is achievable.

Council are therefore recommended to make no change to Upper Heyford Parish Council at this time, with officers monitoring progress of any major planning applications, assisting in the development of community capacity and reviewing the situation at an appropriate time within the next 5 years.

Next steps

- 2.12 Following consideration of the recommendations by Council, each Town or Parish Council listed in paragraphs 2.3 to 2.11 will be contacted and informed of the outcome of the review, and dates for implementation.

Key Issues for Consideration/Reasons for Decision and Options

The following options have been identified. The approach in the recommendations is believed to be the best way forward

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| Option One | To agree the recommendations |
| Option Two | Not to agree the recommendations |
| Option Three | To amend the recommendations |

Consultations

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| All Town and Parish Councils in Cherwell District | All councils were contacted and given until 14 June 2013 to respond. |
| Oxfordshire County Council | Oxfordshire County Council were also invited to submit comments. |
| Electoral Registration Officer | Electoral Registration Officer has been consulted and has no further comments to make. |

Implications

Financial: The main costs associated with carrying out a review is in terms of the considerable staff time required, which will mean that the Democratic and Elections team will not be available to support other work areas during the review.

Comments checked by Sarah Best, Service Accountant for Resources.

Legal: The process which has been followed by the Working Group is in accordance with the Local Government and Public Involvement and Health Act 2007. In undertaking the review that Council must take two statutory criteria into account namely that the community governance of the Cherwell district must be (a) reflective of the identities and interests of the community in the area and (b) convenient and effective. The Local Government Boundary Commission guidance on undertaking community governance reviews has also been taken into account. If the recommendations are approved they will also serve to reduce if not eliminate anomalies in community governance that are currently present.

Comments checked by Kevin Lane, Head of Law and Governance – kevin.lane@cherwellandsouthnorthants.gov.uk – Tel: 0300 0030 107

Risk Management: The proposals ensure that the Council is meeting requirements to keep community governance arrangements under regular review and therefore mitigate risk to the council.

Comments checked by Kevin Lane, Head of Law and Governance – kevin.lane@cherwellandsouthnorthants.gov.uk – Tel: 0300 0030 107

Wards Affected

All

Document Information

Appendix No	Title
1	Terms of Reference for the Boundary Review Working Group, to be tabled at he meeting
Background Papers	
Full version of responses received from Town and Parish Councils – available in the Members’ Room.	
Report Author	James Doble, Democratic and Elections Manager
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