

Council

Community Governance and Polling District Review 2012

21 February 2011

Report of Head of Legal and Democratic Services

PURPOSE OF REPORT

To agree to hold a Community Governance and Polling District Review in 2012 and to agree to consult on the principle of including the development sites of Bankside (Banbury), North West and South West Bicester within the boundaries of Banbury and Bicester Town Councils respectively.

This report is public

Recommendations

Council is recommended:

- (1) To agree to hold a Community Governance and Polling District Review in 2012
- (2) To agree to consult as part of the Community Governance Review on the principle of including the development sites of Bankside (Banbury), North West and South West Bicester within the boundaries of Banbury and Bicester Town Councils respectively.
- (3) To agree to inform the Local Government Boundary Commission for England of this intention to consult as part of their consultation on the boundary review of Oxfordshire.

Executive Summary

Introduction

- 1.1 The Local Government Boundary Commission for England is currently reviewing the electoral boundaries and number of councillors in Oxfordshire. This provides the Council with an opportunity to draw the Boundary Commission's attention to growth related boundary issues in the district. The Boundary Commission has written to Cherwell District Council inviting comments before 3 April 2011.
- 1.2 These reviews do not happen often and it is important for the council to take the opportunity to ensure that boundaries remain appropriate in the light of development which has taken place, and any development which is known will take place in the reasonably near future.

Proposals

- 2.1 There are several permitted and planned developments in Bicester and Banbury which fall outside the current electoral boundaries of the two towns (as set out in the appendices to this report). There are two problems with this. First, the Council may be in danger of breaching the population tolerance. If a 30% variance is reached in a ward, a district wide review is triggered (as has happened in West Oxfordshire). Second, urban developments may be charged on the basis of rural parish precepts whilst using the facilities of the urban area it is part of, and may require upkeep of common parts on those developments, which in effect will be unfunded unless parishes with traditionally low precepts significantly increase their precept.
- 2.2 Following a Community Governance Review, the Council can formally ask the Local Government Boundary Commission for England to make 'resultant alterations' to ward and divisional boundaries to bring these in line with the revised parish and town boundaries. Resultant alterations are only permissible if there has been a review of a principal area within the last five years and therefore the review of Oxfordshire provides a narrow window of opportunity for this review.
- 2.3 Additionally, the Council has received enquiries from Bloxham, Chesterton and Middleton Stoney Parish Councils regarding a desire to increase the number of councillors on the parish council. In the course of considering these requests it has come to light that there is a wide variance between the ratio of councillors to electors at parish level across the district with some considerable variances from the ratios suggested by the National Association of Local Councils. This variance has led officers to the conclusion that the requests from these parishes should not be considered in isolation but as a comprehensive district wide review. Government guidance recommends that these Community Governance Reviews should take place at least once every fifteen years. It should be noted that whereas in the past it was possible to change the size of parish councils by a resolution of Council, the Local Government and Public Involvement in Health Act 2007 requires a full Community Governance Review to be carried out instead.
- 2.4 Added to this is the requirement for councils to periodically review polling districts, particularly in the light of population changes and changes which have resulted from a review of a principal area e.g. the review of Oxfordshire County Council divisions which is currently underway. It is believed that as the last Polling District Review was in 2007 it is opportune to review them at this time.
- 2.5 A Community Governance Review is an intensive 12 month process which involves high levels of consultation in order to comply with legislation. Additionally Community Governance and Polling District reviews should not be conducted whilst a review of a principle area is underway so the earliest time for the review to commence is January 2012, when it is envisaged the review of Oxfordshire will gain parliamentary approval. It should be noted there are Community Governance Reviews underway in West and South Oxfordshire districts but these began in advance of the review of Oxfordshire and are therefore permitted to continue.

Conclusion

- 3.1 For the reasons outlined above officers recommend a Community Governance and Polling District Review at the earliest opportunity. This will address anomalies in polling areas that have occurred and to review whether future growth should be within the adjacent urban settlement. A significant opportunity to address these issues is provided by the review of Oxfordshire and the Council is advised to maximise this opportunity through the recommendations as outlined above.

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

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

Consultations

Banbury, Bicester, Bucknell, Bodicote, Caversfield and Chesterton Parish and Town Councils	The councils have been advised that Council will be asked to conduct a Community Governance Review and meetings have been offered to discuss the effect the consultation proposal may have on their boundaries.
Oxfordshire County Council	Oxfordshire County Council has been advised that Council will be asked to conduct a Community Governance Review and the relationship to their boundary review currently under way.
Local Government Boundary Commission for England	The Local Government Boundary Commission has been advised of the issues for the Council and have advised that a review should not be undertaken until their review of Oxfordshire receives Royal Assent.

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.
-------------------	---

Other costs associated with consultation and postage can be met from the existing elections and electoral registration budget.

Comments checked by Karen Curtin, Head of Finance 01295 221551

Legal:

The above proposals are in accordance with the Local Government and Public Involvement and Health Act 2007 and will also serve to manage anomalies in community governance and polling places that are present, and are likely to occur.

Comments checked by Liz Howlett, Head of Legal and Democratic Services 01295 221686

Risk Management:

The proposals ensure that the Council is meeting requirements to keep community governance arrangement sand polling districts under regular review.

Comments checked by Rosemary Watts, Risk and Insurance Manager 01295 221566

Equalities

The Community Governance and Polling District Review will be subject to an Equality Impact Assessment. The review will take account of national guidance on access and the suitability of polling places.

Comments checked by Caroline French, Equalities and Diversity Officer 01295 221586

Wards Affected

All

Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	James Doble, Democratic, Scrutiny and Elections Manager
Contact Information	01295 221587 James.doble@Cherwell-dc.gov.uk