



Email: committeeservices@horsham.gov.uk
Direct line: 01403 215465

Governance Committee

Tuesday, 20th November, 2018 at 5.30 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors: Michael Willett (Chairman)
David Coldwell (Vice-Chairman)
Andrew Baldwin Philip Circus
Toni Bradnum Leonard Crosbie
Karen Burgess Matthew French
Peter Burgess

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	3 - 4
To approve as correct the minutes of the meeting held on 16 th October 2018 <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i>	
3. Declaration of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	
5. Community Governance Review	5 - 16
To receive the report of the Chief Executive	

6. **Review of the Functions, Responsibilities and Constitution of Planning Committees at Horsham District Council**

To receive a verbal update from the Monitoring Officer

7. **Urgent Business**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

Governance Committee
16 OCTOBER 2018

Present: Councillors: Michael Willett (Chairman), David Coldwell (Vice-Chairman), Andrew Baldwin, Toni Bradnum, Karen Burgess, Philip Circus, Leonard Crosbie and Matthew French

Apologies: Councillors: Peter Burgess

GO/15 **MINUTES**

The minutes of the meeting of the Governance Committee held on 18th September 2018 were approved as a correct record and signed by the Chairman.

GO/16 **DECLARATION OF MEMBERS' INTERESTS**

There were no Declarations of Interest.

GO/17 **ANNOUNCEMENTS**

There were no announcements.

GO/18 **REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS**

The Returning Officer summarised his review of polling district, polling places and polling stations.

One significant change was noted by Members that St Andrew's Primary School would no longer be used as a polling station. Electors in Nuthurst & Lower Beeding would instead vote at Mannings Heath Village Hall.

Some Members were disappointed with this outcome as some electors would need to travel further to attend their polling station but ultimately the Committee agreed to recommend Council to approve the revised schedule.

RESOLVED

That the Committee Recommends Council to approve the revised schedule of polling districts and polling places following the review carried out this year.

REASON

To ensure that polling districts, polling places and polling stations are relevant and fit for purpose.

GO/19 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

That, under Section 100A (2) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act by virtue of paragraphs 2 and 3 and, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

GO/20 **REVIEW OF THE FUNCTIONS, RESPONSIBILITIES AND CONSTITUTION OF PLANNING COMMITTEES AT HORSHAM DISTRICT COUNCIL**

The Head of Legal & Democratic Services provided Members with a brief update on the Review of Planning Committees at Horsham District Council.

Details of the Advisor conducting the Review and the chosen Peer Member were given to the Committee. Discussion of the proposed timeline for further Committees took place.

GO/21 **URGENT BUSINESS**

There was none.

The meeting closed at 7.03 pm having commenced at 5.30 pm

CHAIRMAN

Report to Governance Committee

20 November 2018

By the Chief Executive

DECISION REQUIRED

Not Exempt



**Horsham
District
Council**

Community Governance Review

Executive Summary

As agreed by the Committee on 18th September 2018, a community governance review of the parishes of Southwater and Shipley was initiated on 24th September 2018, inviting views, comments and proposals from interested bodies and persons by 5th November 2018.

As part of the review, consultees were asked for their views on a request from Southwater Parish Council for an amendment to its parish boundary with Shipley Parish Council to take account of new development. Details of the five responses received are set out in the report.

Recommendations

- i) That the Committee considers and determines if the boundary between Southwater and Shipley Parish Councils should be amended and if so, on what line.
- ii) That draft proposals, based on the above decision, be published for a consultation period expiring on Monday 7th January 2019.
- iii) That a meeting of the Committee be held following the expiry of the period for consultation to consider any further representations received and make final recommendations to the Council.

Reasons for Recommendations

It is timely to conduct a review now in accordance with Government and LGBCE guidance. The suggested timetable meets the requirement of completing a review within 12 months of its commencement.

Background Papers

Local Government and Public Involvement in Health Act 2007 and The Local Government Act 1972

Guidance on community governance reviews (Department for Communities and LGBCE) – May 2010

Letter from Southwater Parish Council – June 2018

Emails of 8/10/18, 11/10/18, 15/10/18, 04/11/18 and 06/11/18 responding to first stage of consultation

Wards affected: Southwater and Shipley.

Contact: Lesley Morgan, Democratic Services Manager, 01403 215123.

Background Information

1 Introduction and Background

- 1.1 The Local Government and Public Involvement in Health Act (LGPIH) 2007 devolved to principal councils the power to take decisions relating to the creation or abolition of parishes, the boundaries of parishes and the electoral arrangements of parish councils. Since February 2008, district councils have had the responsibility for undertaking community governance reviews (formerly known as parish reviews) and have been able to decide whether to give effect to recommendations made in those reviews. In making such decisions, councils need to take account of the views of local people.
- 1.2 Councils are required to have regard to guidance issued by the Secretary of State and the Local Government Boundary Commission for England (LGBCE). Guidance suggests that it is good practice for a principal council to consider conducting a review every 10-15 years. In Horsham District, the last review was completed in 2013 so a further major review is not due for some time. However, there is an opportunity now, to conduct a review of the parish boundary between Southwater and Shipley, as requested by Southwater Parish Council, in order to have any recommendations implemented at the parish council elections in May 2019. If any recommendations by the Council to change parish boundaries also affect the boundaries of District wards or West Sussex County Council electoral divisions, the LGBCE will need to be asked to consider possible consequential amendments.

2 Relevant Council policy

- 2.1 Undertaking a review will meet the Corporate Plan priority to support our communities.

3 Details

- 3.1 At previous parish reviews, the Council has taken the view that it is for local people or local groups (including the parish councils themselves) to suggest changes to the existing set-up. The District Council must, ultimately, decide upon any conflicting proposals.
- 3.2 The Council recently received a request from Southwater Parish Council for an amendment to its parish boundary with Shipley Parish Council to take account of new development.
- 3.3 On 18th September 2018, the Committee agreed the terms of reference for a community governance review (Appendix A).
- 3.4 In order to ensure that interested persons or groups had the opportunity to input to the review, the following actions were undertaken:
 - A notice was displayed on the Council website
 - Local news/social media releases were issued
 - A letter and notice was emailed to Southwater and Shipley parish councils
 - A letter was sent to all residents in the area directly affected

- A letter was emailed to all relevant District Councillors and West Sussex County Councillors
- A letter was emailed to West Sussex County Council

3.5 As part of the review, consultees were asked for their views on the request from Southwater Parish Council for an amendment to its parish boundary with Shipley Parish Council (Appendix B). A total of five responses were received, three from members of the public, one from Shipley Parish Council and one from West Sussex County Council.

3.6 Two members of the public supported the request on the basis that the residents of the new development were likely to look to Southwater for local facilities such as shops, schools, doctors, dentists, library, leisure facilities etc. whilst their parish council element of Council Tax was currently received by Shipley. The other member of the public objected to the proposal on the basis that increasing the boundary to include these houses would put more pressure on the village schools, doctors, etc. It should be noted that the parish boundary is not a factor in the determination of school, doctor etc. catchment areas.

3.7 Shipley Parish Council responded to the request as follows:

- To not approve the current proposals due to financial impact and loss of precept to Shipley Parish Council
- That electors are able to identify clearly with the Shipley parish as many children from Southwater attend Shipley schools
- That if there is a proven need for change and the proposals are accepted, Shipley Parish Council would reluctantly only accept that the area that encompasses the 193 homes in the Mulberry Fields development is included and not the adjacent fields as indicated on the map provided by HDC. The attached map outlines the area in question (Appendix C).

3.8 West Sussex County Council recommends that no changes should be made to the boundary between Shipley and Southwater parishes until the development is complete and the new residents have given their view, but if the parish boundary is changed, the County division boundary should be moved with it.

4 Next Steps

4.1 The Committee must now agree a draft proposal to be published for consultation from 26th November 2018 to 7th January 2019.

4.2 Following the expiry of the period for consultation the Committee will need to meet again to consider any further representations received and make final recommendations to the Council.

4.3 The review is concluded when the Council publishes its recommendations and this must be within 12 months of the review's commencement. The envisaged timetable is set out in the terms of reference.

5 Outcome of Consultations

5.1 As set out in 3.6, 3.7 and 3.8 above.

6 Other Courses of Action Considered but Rejected

- 6.1 No other course of action has been considered, as the review has now been commenced and should be concluded.

7 Resource Consequences

- 7.1 There are no cost implications for the Council in conducting a community governance review apart from staff resources and postage costs associated with notifying residents, which can be met from within existing resources.

8 Legal Consequences

- 8.1 The Council has powers and duties under both the Local Government and Public Involvement in Health Act 2007 and The Local Government Act 1972 to carry out community governance reviews and to make and implement such recommendations as it considers appropriate.

9 Risk Assessment

- 9.1 There are no risks to the Council associated with the proposal.

10 Other Considerations

- 10.1 Parish councils play an important role in terms of community empowerment at the local level and it is important that parish governance in the District continues to be robust, representative and enabled to meet the challenges ahead. Government guidance states that "Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services."

Community Governance Review Terms of Reference

Horsham District Council has resolved to undertake a community governance review of the parishes of Southwater and Shipley, with particular reference to the boundary between the parishes. The District Council will be guided by the relevant legislation and guidance, in particular the Local Government and Public Involvement in Health Act 2007 and Guidance on Community Governance Reviews (published jointly by the Department for Communities and Local Government and the Electoral Commission).

Why is the District Council undertaking the review?

Government guidance states that, whilst the principal council should consider the benefits of undertaking a review of the whole of its area in one go, occasionally it may be appropriate to carry out a smaller review, for example, to adjust minor parish boundary anomalies.

What is a community governance review?

It is an opportunity for interested persons to consider how local communities are represented by considering:

- creating, merging, grouping, altering or abolishing parishes
- amending the boundaries of existing parishes
- the naming of parishes and the style of new parishes
- the electoral arrangements for parishes (overall number of councillors, parish warding and number of councillors for those wards)

How will the District Council publicise the review?

The District Council will publicise the review by publishing a notice on the Council's website and by issuing local news releases. Specifically, the District Council will write to the affected parish councils, all residents in the area directly affected by the proposal, the relevant District and County Councillors and to West Sussex County Council.

What does the District Council expect from interested persons?

Anyone may make representations to the District Council and those views will be put before Members of the Council at meetings of the Governance Committee. The Council would like to ensure that:

- electors are able to identify clearly with the parish in which they are resident; as this sense of identity and community gives strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government and generates a strong, inclusive community
- parishes reflect distinctive and recognisable communities of interest, with their own sense of identity
- boundaries between parishes, as far as possible, reflect the "no-man's land" between communities represented by areas of low population or pronounced physical barriers such as rivers, railway lines and major roads
- any proposals have been discussed and, preferably, agreed with affected parishes before a submission is made to the District Council

Timetable for the review

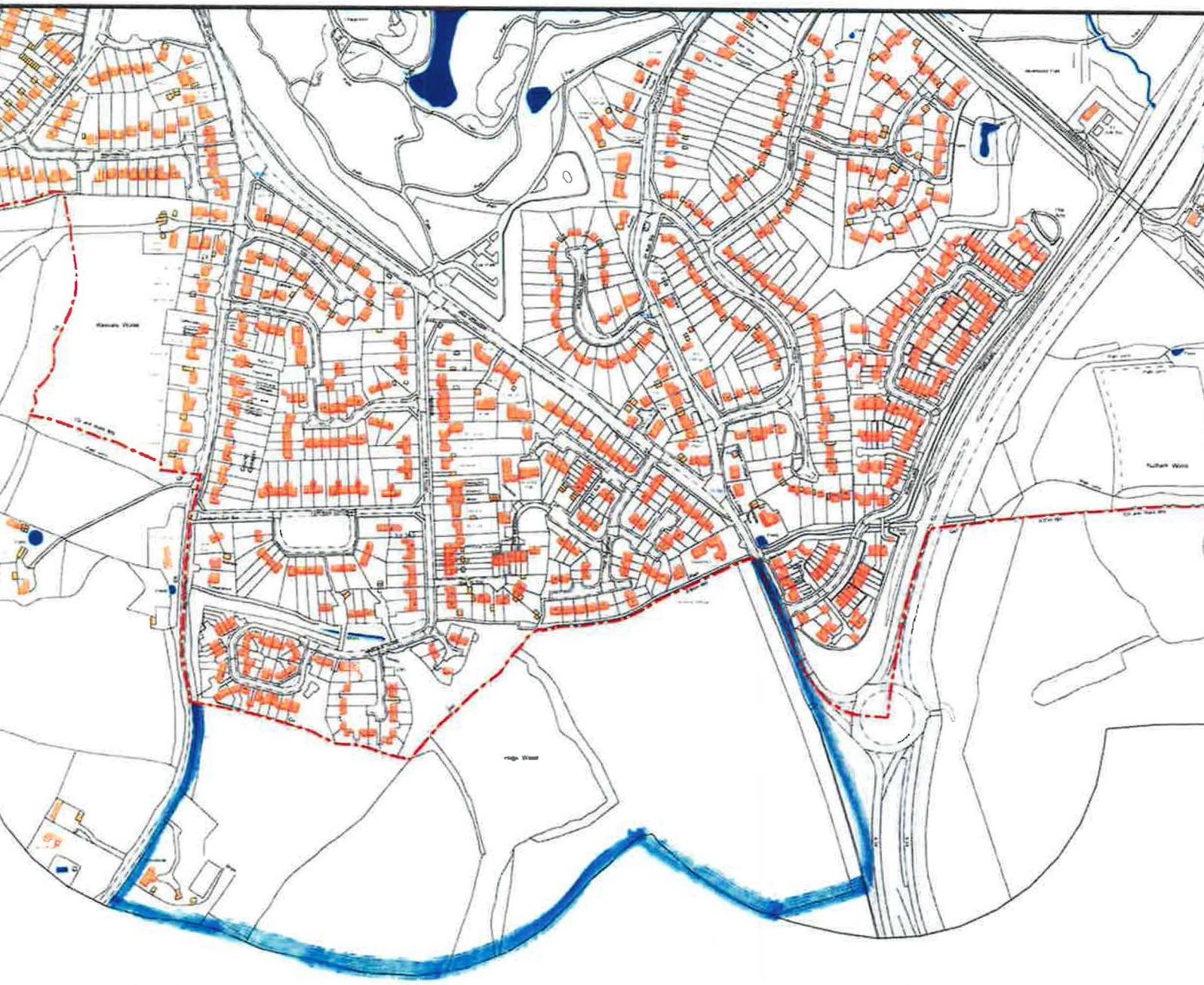
Action	Date
Commencement of review	Monday, 24th September 2018
Deadline for submitting views	Monday, 5 th November 2018
Submissions considered by the District Council's Governance Committee	Mid November 2018
Publication of the District Council's draft proposals	Monday, 26 th November 2018
Deadline for submitting views on the District Council's draft proposals	Monday, 7th January 2019
Further submissions considered by the Governance Committee	Mid-January 2019
Meeting of the full Council to confirm the District Council's final proposals	Late January 2019
Publication of the District Council's recommendations	31 st January 2019
Effective date of any changes to parish boundaries and electoral arrangements	Thursday, 2 nd May 2019 (next full parish council elections)

How to submit your views

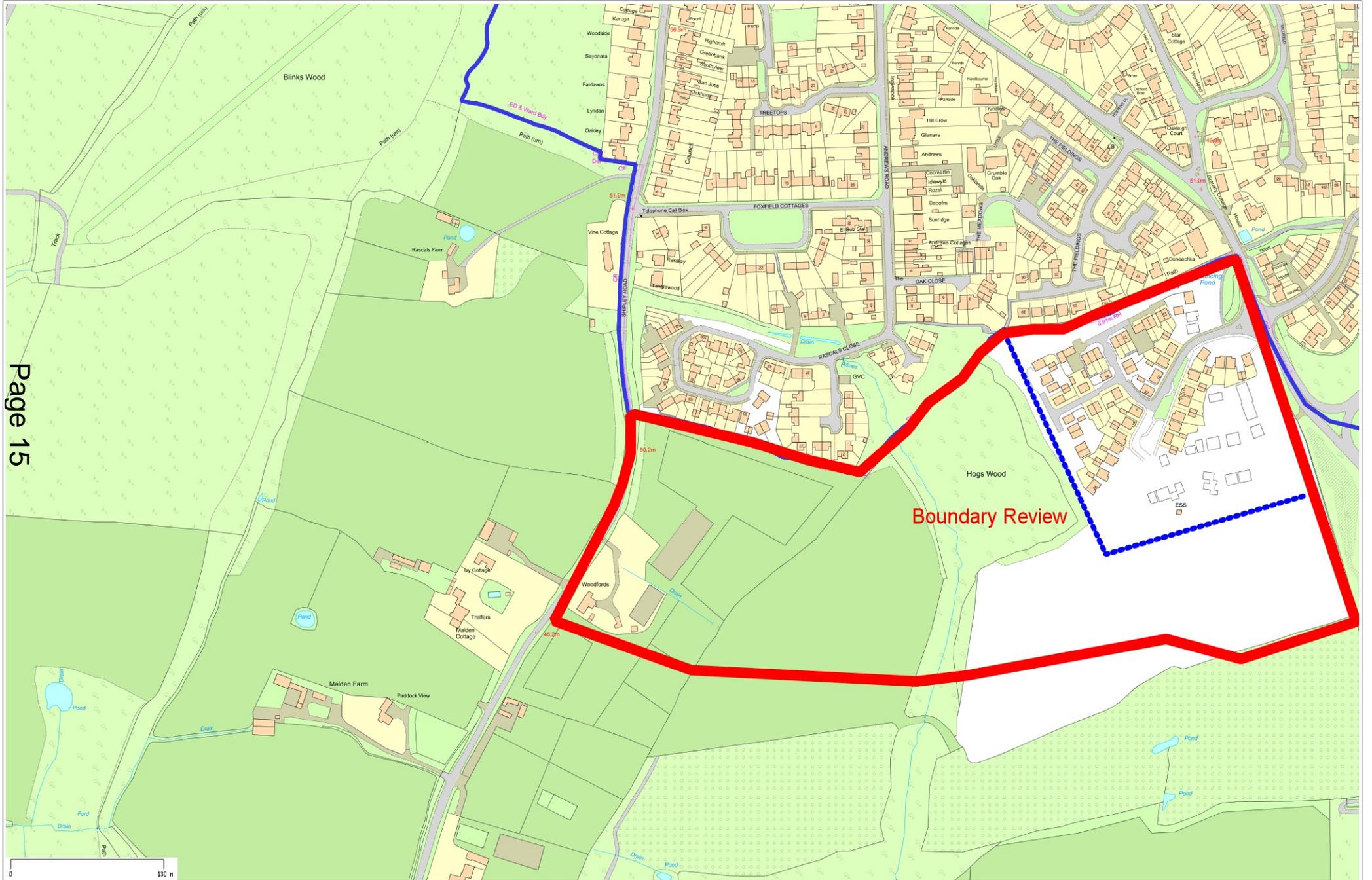
By e-mail to: committeeservices@horsham.gov.uk

In writing to: Democratic Services Manager
Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

This page is intentionally left blank



This page is intentionally left blank



This page is intentionally left blank