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Governance Committee

Wednesday, 23rd January, 2019 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 - 6
To approve as correct the minutes of the meeting held on 20 th November 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	7 - 14
To receive the report of the Chief Executive	

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

Briefing from the Monitoring Officer. Finalised report of the Planning Advisory Service to follow when available

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
20 NOVEMBER 2018

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

Absent: Councillors: Leonard Crosbie

Also Present: Councillors: Paul Clarke, Ray Dawe, Brian Donnelly, Nigel Jupp and Claire Vickers

GO/22 **MINUTES**

The minutes of the meeting of the Committee held on 16th October 2018 were approved as a correct record and signed by the Chairman.

GO/23 **DECLARATION OF MEMBERS' INTERESTS**

There were no declarations of interest.

GO/24 **ANNOUNCEMENTS**

There were no announcements.

GO/25 **COMMUNITY GOVERNANCE REVIEW**

The Committee received the report of the Chief Executive on the outcome of the initial consultation in respect of a community governance review of the parishes of Southwater and Shipley, with particular reference to an amendment to the boundary between the two parishes to take account of new development.

A total of five responses had been received. Two members of the public supported an amendment to the parish boundary and one objected. Shipley Parish Council requested that the proposal should not be approved but that if there was a proven need for change, the boundary should be amended so as to encompass the development site at Mulberry Fields only. West Sussex County Council recommended that no change should be made until the development was complete but if a change was approved that the County division boundary should be amended accordingly.

The Committee considered that the occupiers of the development at Mulberry Fields would be likely to identify as residents of Southwater and would be more likely to use the local facilities, schools, doctors etc. in Southwater than Shipley. However, the extension of the boundary suggested by Southwater parish was considered to be in excess of that required to encompass the new development and an alternative boundary was therefore proposed.

Two local Members, Councillors Claire Vickers and Nigel Jupp, commented on the proposed review.

The Committee agreed to proceed to the next stage of the review by publishing a draft proposal for consultation.

RESOLVED

- (i) That a draft proposal amending the boundary between Shipley and Southwater Parish Councils, as shown on the appended map, so that the entirety of the development at Mulberry Fields falls within Southwater Parish, be approved and published for a consultation period expiring on Monday 7th January 2019.
- (ii) That a meeting of the Committee be held following the expiry of the period for consultation to consider any representations received and make final recommendations to the Council.

REASON

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.

GO/26 **REVIEW OF THE FUNCTIONS, RESPONSIBILITIES AND CONSTITUTION OF PLANNING COMMITTEES AT HORSHAM DISTRICT COUNCIL**

The Chairman of the Committee and the Monitoring Officer gave an update on actions taken and information gathered to date in respect of the review of planning committees at Horsham.

The Advisor and Peer Member from the Planning Advisory Service had now attended meetings of both the North and South Planning Committees and completed their research. It was therefore expected that their report would be received shortly.

To date, two Member visits had been undertaken to observe the operation of planning committees at other authorities and a further visit was scheduled for the day after this meeting. In addition, telephone interviews had been carried out with three authorities.

The Director of Place and the Head of Development each addressed the Committee on their views and observations regarding the current operation of planning committees at the Council.

The Committee discussed a variety of issues including training, the current scheme of delegation and the role of members of a planning committee,

It was agreed that all Members would be invited to a seminar on Monday 10th December 2018 where the information gathered to date would be presented together with details of the outcome of the Planning Advisory Service review.

GO/27 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 7.00 pm having commenced at 5.30 pm

CHAIRMAN

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Report to Governance Committee

23 January 2019

By the Chief Executive

DECISION REQUIRED

Not Exempt



**Horsham
District
Council**

Community Governance Review

Executive Summary

As agreed by the Committee on 20th November 2018, the Council's draft proposal in respect of a community governance review of the parishes of Southwater and Shipley, with particular reference to the boundary between the parishes were published on Monday 3rd December 2018, inviting views and comments from interested bodies and persons by 14th January 2019.

The proposal was that the southern boundary of Southwater Parish Council with Shipley Parish Council should be amended to encompass the whole of the development at Mulberry Fields (map showing this Council's suggested revised boundary attached).

The comments received are set out in this report.

Recommendations

That the Committee recommends to Council that:

- i) The draft proposal to amend the southern boundary of Southwater Parish Council with Shipley Parish Council to encompass the whole of the development at Mulberry Fields, as published for consultation and set out in the attached map, be agreed for implementation with effect from the parish council elections in May 2019.
- ii) That a Reorganisation of Community Governance Order be made to give effect to this decision and all relevant bodies advised that the order has been made.
- iii) That the Local Government Boundary Commission for England be requested to give effect to the consequential changes to the West Sussex County Council electoral divisions of Southwater & Nuthurst and Billingshurst, arising from the amended boundary between Southwater and Shipley parishes.

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

Email from Southwater Parish Council – 09/01/19 responding to second 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 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 Following the initial advertisement of the review, a total of five responses were received. Two members of the public supported the request and one objected to the proposal. Shipley Parish Council was not in favour of the proposal but requested that, if the proposal were accepted, the area that encompasses the 193 homes in the Mulberry Fields development only was included and not the adjacent fields as suggested on the map provided by Southwater Parish Council. West Sussex County Council recommended that no changes should be made to the boundary between Shipley and Southwater parishes until the development was

complete but if the parish boundary were changed, the County division boundary should be moved with it.

3.5 The Committee considered the comments received and agreed the following draft proposal for consultation:

- That the southern boundary of Southwater Parish Council with Shipley Parish Council be amended to encompass the whole of the development at Mulberry Fields (as set out in the attached map).

3.6 This proposal was the subject of a further period of consultation from 3rd December 2018 to 14th January 2019, with all previous consultees being invited to comment; and the consultation being promoted on the Council's website.

3.7 This has resulted in the receipt of one response from Southwater Parish Council who agree with the proposal put forward by this Council.

4 Next Steps

4.1 The Committee now needs to recommend to Council proposals for approval and implementation with effect from the parish council elections in May 2019.

4.3 The review is concluded when the Council publishes its recommendations and this must be within 12 months of the review's commencement.

5 Outcome of Consultations

5.1 As set out in 3 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.”

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Legend

- Existing Parish Boundary
- Proposed Parish Boundary

Horsham District Council
 Parkside, Chart Way, Horsham
 West Sussex RH12 1RL.

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Proposed changes to the Southwater Parish boundary			
Reference No :	Date : 30/11/2018	Scale : 1:3000 (At A3)	
Drawing No :	Drawn :	Checked :	Revisions :

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