

Report to Governance Committee

18 September 2018
By the Chief Executive
DECISION REQUIRED

Not Exempt



**Horsham
District
Council**

Community Governance Review

Executive Summary

The last review of parishes and parish councils across the District was completed in February 2003. The Local Government Boundary Commission for England (LGBCE) suggests that it is good practice for principal councils to conduct such a review (a community governance review) every 10-15 years, the next major review is therefore not due for some time. However, the Council has received a request from Southwater Parish Council to amend its parish boundary to take account of new housing development.

Guidance from the LGBCE recognises that it is important that parish boundaries accurately reflect local communities and that it may be appropriate to carry out a smaller review between major reviews to adjust minor parish boundary anomalies.

It is therefore suggested that a community governance review of the parishes of Southwater and Shipley should be undertaken, with a view to implementing any changes at the next parish council elections in May 2019.

Recommendations

- i) That a community governance review of the parishes of Southwater and Shipley be undertaken.
- ii) That the terms of reference and timetable for the review, as set out in Appendix A be adopted.

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

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 has 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.

4 Next Steps

- 4.1 The LGPIH 2007 requires the Council to draw up terms of reference for a community governance review. The review begins when the Council publishes the terms of reference. The suggested terms of reference are attached at Appendix A.
- 4.2 The Council must ensure that interested persons or groups have the opportunity to input to the review and the following actions will therefore be undertaken:
 - Display notice on the Council website
 - Local news release

- Letter to Southwater and Shipley parish councils
 - Letter to all residents in the area directly affected
 - Letter to relevant District Councillors and West Sussex County Councillors
 - Letter to West Sussex County 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 4.2 above, the Council will consult with all interested parties.
- ## 6 Other Courses of Action Considered but Rejected
- 6.1 The Council could choose not to undertake a review at this time but this would delay consideration of the request and the implementation of any recommendations beyond the scheduled elections in May next year.
- ## 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