

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.”