

WEST OF WATERLOOVILLE FORUM

17 January 2011

POSSIBLE CREATION OF A PARISH COUNCIL FOR NEWLANDS,
WATERLOOVILLE

REPORT OF CORPORATE DIRECTOR (GOVERNANCE)

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RECENT REFERENCES:

Minutes of West of Waterlooville Forum – 13 September 2010

EXECUTIVE SUMMARY:

During a recent Forum discussion, initial consideration was given to the possible establishment of a parish council, to serve the residents of the new community being created within that part of the MDA, which comes within the Winchester District.

The development concerned is known as Newlands and the purpose of this report is to set out the procedures and timescale necessary to establish a new parish council, should that be agreed.

RECOMMENDATIONS:

- 1 That the Forum notes the formal procedures which would need to be followed for the City Council to embark upon a Community Governance Review for the possible establishment of a Parish Council for the Newlands area.
- 2 That initial discussions take place with the current parish councils before consideration is given as whether to take the matter further.

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DETAIL:

1 Introduction

- 1.1 As the Forum is aware, part of the West of Waterlooville MDA (known as 'Newlands') is in Winchester and part in Havant Borough. Havant has no parish councils and the question of 'which parish council' should represent the area therefore does not arise for these. However, for those residents in Winchester there is a significant question as the MDA falls within two parish council areas – Denmead and Southwick and Widley.
- 1.2 At a recent meeting of the Forum the question was raised as to whether it might be better if all of the Winchester residents were in a single parish council area, and whether that should be a new parish council rather than one which already exists.
- 1.3 This report does not seek to answer those questions but does seek guidance from the Forum on what discussions should take place with a view to reaching a conclusion on the matter.
- 1.4 The Local Government and Public Involvement in Health Act 2007 devolved power to district councils to make decisions about certain electoral arrangements, including the creation of parish councils. The Act also introduced the process by which such decisions would be taken, known as 'Community Governance Reviews' (CGR).
- 1.5 In summary, whilst the Government has issued statutory guidelines about how to undertake a CGR, it is for the City Council to determine the exact process and timescale for such a review. This has the advantage of allowing discretion to design and carry out an exercise which is appropriate to local circumstances. However, any review must be publicised and include a reasonable element of consultation with local people and interest groups, to demonstrate that the eventual conclusions are justified and have been reached with due consideration given to all the relevant comments received.

2 The current situation at West of Waterlooville MDA

2.1 As the Forum will know, the MDA has not progressed at the rate originally envisaged. The current situation is as follows:-

(a) Projected Dwelling Development within Denmead Parish (Taylor Wimpey, excluding land in Havant)

2009/10	22
2010/11	72
2011/12	99
2012/13	100
Total	293

(b) Projected Dwelling Development in Southwick & Widley Parish (Grainger)

2012/13	119
2013/14	240
2014/15	240
2015/16	220
2016+	1388
Total	2207

Overall total in Winchester District = 2500

2.2 A plan showing the above areas is attached as Appendix 1.

2.3 Although there is no technical reason why parts of the development cannot be in different parishes or why it must have its own parish council, there are reasons why this might be considered a sound idea. In particular a single parish council covering the Winchester part of the development would create a unifying representative body for residents. It would also have practical benefits because community infrastructure, such as sports and recreation facilities, are always managed by parish councils in Winchester district and could be owned and managed by the community's 'own' parish council.

2.4 Although a number significant number of properties will be in Havant borough and not therefore within the boundary of the parish council there arrangements that could be made to ensure that all residents of the MDA, wherever they live, have a similar interest and involvement in the management of the area.

3 Timescale for community to be in place

- 3.1 Having regard to the projected completion rates set out in 2.2 above, it will probably be 2013 at the earliest before the area achieves a reasonable number of electors from which a sufficient number of candidates could emerge for a viable parish council. A minimum 150 elector threshold is necessary under a CGR to allow consideration of whether a parish council should be established. However, in a new community a greater number of electors is likely to be necessary for sufficient volunteers to come forward.
- 3.2 The City Council last established a new parish council at Whiteley in 2003. In that case, consultation procedures did not commence until a reasonable proportion of the new community was in place. This had the practical advantages of generating interest and awareness amongst all those directly affected, plus it allowed those individuals who had a particular interest in serving on a new parish council to get involved at the earliest stage.

4 Review Process

- 4.1 The two key guiding principles of any CGR review are the need to reflect the identity of communities and to secure an outcome which provides effective and convenient local government. These principles will form the statutory core of the CGR terms of reference and any additional terms would need to be agreed at the outcome.
- 4.2 Regarding consultation, the City Council would be expected to consult the electorate of the area concerned, other public bodies such as the County Council, neighbouring district and parish councils, schools and the relevant NHS body, together with appropriate interest/community groups and the business community. The Council's Licensing and Regulation Committee would be responsible for the conduct of the review.
- 4.3 The consultation process would be undertaken by letter, supported by the Council's website, local posters and press releases. There is likely to be a need may also be a need for one or more public meetings, but a view about this would have to be taken nearer the time.
- 4.4 The more detailed electoral arrangements (e.g. establishing the year for elections, numbers of councillors, possible warding etc) would be considered towards the end of the process, once the level of general support for a parish council had been assessed.
- 4.5 The whole CGR process must be completed within one year and is concluded with the Council agreeing a Reorganisation Order. Our aim would be to take less time than that and set out below is how the exercise could be completed within an 8 month period:-

Action	Timetable
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Publish terms of reference	
Initial consultation letter inviting comments	Allow 6 weeks
Prepare Draft Proposals	Allow 4 weeks
Publish and consult on Draft Proposals	Allow 8 weeks
Prepare final proposals	Allow 4 weeks
Publish and submit final proposals to member bodies	Allow 4 weeks to get report to correct scheduled meeting(s)
Publish Member approved recommendations	
Council confirms recommendations and publishes Reorganisation Order	Allow 6 weeks to conclude process

5 Other Matters

- 5.1 When Whiteley PC was being established, Wickham Parish Council played an important role as a forum and focal point for dealing with Whiteley matters. Although such an arrangement is not essential, it did assist the overall process. As the proposed new parish was wholly within the boundary of an existing parish, this worked effectively.
- 5.2 However, the Newlands area is within the boundaries of two parishes in the Winchester District – Denmead and Southwick & Widley. Initial discussions with the parishes should take place before determining how to take the matter forward.
- 5.3 It should be mentioned that the process at the time of the Whiteley creation was different to that now required by a CGR. In particular, an Order by the Secretary of State to confirm parish status is no longer required and the Council is now authorised to do this, after following the above process and passing the necessary Reorganisation Order.

6 View of Local Government Boundary Commission

- 6.1 The Commission has contacted the Council annually since 2004, to check on the progress of development in Boarhunt & Southwick Ward, because there has been some concern about the ongoing Councillor:Electors over-representation in the Ward (currently 37% - which is more than the 30% guideline). To date, the Commission has accepted the Council's view that

development will eventually correct this imbalance and that, in a national context, the situation is not sufficiently serious to justify the central and local resources required for a full electoral review of the City Council's area (which is the only way that the issue could be tackled).

- 6.2 The Commission was contacted during the preparation of this report, to discuss the current position with regard to development generally and the possibility of a parish council being established in the next few years.
- 6.3 The Commission confirmed that it still had a heavy workload with council amalgamations etc elsewhere in the country and therefore was not looking to start a review of the City Council's area, based upon this particular issue. It noted the possibility of a parish council, but had no comment on this, beyond supporting the general principle of giving local communities the opportunity to have this additional tier of local government, through the CGR process. If a separate parish council is created the Commission may need to consider whether the District ward Boundaries are altered. An alternative may be to have separate wards within the parish.

7 Conclusion

- 7.1 The information above outlines, in procedural terms, how a parish council could be established for the Newlands area, should that be the wish of Members and the local community. The Forum is invited to indicate its views and these will be relayed to the Council's Licensing and Regulation Committee, who will be receiving a similar report at its meeting on 25 January 2011.
- 7.2 The outcome of discussions with the parish councils and the Licensing and Regulation Committee's deliberations, together with any additional information, will be reported back to the Forum in due course.

OTHER CONSIDERATIONS:

8 SUSTAINABLE COMMUNITY STRATEGY (RELEVANCE TO):

- 8.1 The establishment of parish councils supports the key outcomes of Safe and Strong Communities by encouraging local involvement and accountability.

9 RESOURCE IMPLICATIONS:

- 9.1 If agreed, officer time would be involved in undertaking the consultation exercise, including possible attendance at public meetings, together with hall hire, printing, postage etc. There would also be a likely need to provide administrative support to the first few meetings of the new PC, to ensure that it followed correct procedures from the outset.
- 9.2 If the consultation exercise was not excessive and the levels of interest moderate, then the process could be contained within existing budgets.

10 RISK MANAGEMENT:

10.1 None, provided that procedures are correctly followed.

BACKGROUND DOCUMENTS:

None

APPENDICES:

Appendix 1 – Plan of MDA area