

REPORT TITLE: COMMUNITY GOVERNANCE REVIEW - WEST OF  
WATERLOOVILLE MAJOR DEVELOPMENT AREA

30 NOVEMBER 2017

REPORT OF PORTFOLIO HOLDER: Cllr Stephen Godfrey – Portfolio Holder for  
Professional Services

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WARD(S): DENMEAD AND SOUTHWICK & WICKHAM

PURPOSE

The purpose of this report is to seek approval to conduct a Community Governance Review (CGR) in respect of the West of Waterlooville Major Development Area (MDA).

RECOMMENDATIONS:

1. That the Community Governance Review be undertaken; and
2. To conduct the Community Governance Review in accordance with the Terms of Reference contained in Appendix 1 of this report.

IMPLICATIONS:1 COUNCIL STRATEGY OUTCOME

- 1.1 The establishment of a successful community at West of Waterlooville is a priority for both Havant Borough Council and Winchester City Council.

2 FINANCIAL IMPLICATIONS

- 2.1 None – other than the cost of employee resource – see below.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 Consent will be sought from the Local Government Boundary Commission for England if the draft terms of reference are agreed, as required by legislation. This is due to a Boundary Review, in the area, being completed within the last 5 years.

4 WORKFORCE IMPLICATIONS

- 4.1 The review must be undertaken by the City Council as the principal council and staff time and resource must be dedicated to ensure an order is made within the prescribed period.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None.

6 CONSULTATION AND COMMUNICATION

- 6.1 The Portfolio Holder, signatories to the petition and other key democratic representatives are aware that this report has been written to seek the necessary authority to undertake a CGR. Full consultations exercises, of which there are two, will be undertaken during the process if the recommendation is agreed. Consideration has been given to Christmas and School holidays, Bank holidays and Purdah period in 2018 when setting out the timetable set out in the draft terms of reference (attached Appendix).

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 There are no environmental considerations arising from the report.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 There are no equalities issues arising from the report.

9 RISK MANAGEMENT

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<i>Property None</i>		
<i>Community Support If not completed within the timescales and/or if the consultation is not inclusive the City Council could be considered to have not supported the local community in response to their petition.</i>	Ensure resource and critical deadlines – as per timetable in the draft terms of reference – are adhered to.	To enhance the reputation of the City Council with the residents forming part of the MDA.
<i>Timescales 5 months of the 12 month deadline has past. Work must continue to complete work within statutory deadline. Beyond the deadline there is a risk of legal challenge.</i>	Amended but realistic timetables set within the draft terms of reference to complete work within the required timescales.	None
<i>Project capacity None</i>		
<i>Financial / VfM None</i>		
<i>Legal Possible risk of challenge due to the overwhelming will of local residents and local interest</i>	Ensure statutory and DCLG guidance adhered to. Good, transparent decision making avoiding the use of exempt papers.	
<i>Innovation None</i>		
<i>Reputation As already set out – a well completed CGR could overall enhance the reputation of the City Council</i>		As stated.
<i>Other None</i>		

10 SUPPORTING INFORMATION:

- 10.1 The Local Government and Public Involvement Health Act 2007 (LGPIH Act) devolved power to carry out a CGR which determines the creation or abolition of parishes, the boundary of parishes and the electoral arrangements of parish councils from the Secretary of State and the Electoral Commission to principal councils.

10.2 When undertaking a CGR a principal council must have regard to guidance issued by the Secretary of State and the Electoral Commission. However, subject to this, it is for the council to decide how to undertake the review.

10.3 Section 93 of the LGPIH Act requires the council to ensure that community governance within the area under review will be;

- 1) Reflective of the identities and interests of the community cohesion; and
- 2) Is effective and convenient.

In carrying out the review the council must also take into account;

- 1) The impact of arrangements on community cohesion; and
- 2) The size, population and boundaries of a local community or parish.

10.4 A review involves the following stages;

- 1) Establishing the terms of reference of the CGR – if Committee is minded to authorise a review, suggested terms of reference are out in Appendix 1;
- 2) Publicising the terms of reference;
- 3) Consultation must take place with local government electors, appropriate local authorities such as Hampshire County Council and Havant Borough Council and other relevant persons including political parties and local community interest groups;
- 4) Any representations received as a result of the initial consultation response must be taken into account;
- 5) Prepare and publish draft proposals;
- 6) Undertake consultation on the draft proposals with electors in the affected area(s) as well as other bodies with in interest, including any affected local council;
- 7) Consider any representations received as a result of the consultation stage;
- 8) Make and publish recommendations; and
- 9) Make an order to bring into effect any decision arising from the review

10.5 This report is written following the receipt of a petition, submitted under the LGPIH Act and prepared by the Parish Councillors who are members of the West of Waterlooville Advisory Group, on behalf of the residents of the development area. The petition proposes that a new parish be set up by

redrawing the boundaries of Denmead and Southwick & Widley parishes, such that the entirety of the MDA becomes a new parish.

- 10.6 The petition states “that the group of estates known as the West of Waterlooville Major Development Area has been planned over a long period and the first houses were occupied in Deember 2006. The total development, when built out, will consist of 3,000 houses of which approximately 2400 are in the district of Winchester City Council (WCC) and the 600 within Havant Borough Council (HBC). Within the WCC district the building is taking place in Denmead and Southwick & Widley parishes. The completion of the development is not expected before 2018.”
- 10.7 The following justification for a CGR has been provided in the petition;

“The Taylor Wimpey development is being built on land within Denmead Parish with a small element within HBC. The Denmead houses have and are being built on the far side of a strip of land designated as a Local Gap in both the WCC Local Plan Pt 1 (2013) and the Denmead Neighbourhood Plan (2015). The Grainger developments are in Southwick & Widley Parish and form the majority of the MDA. Again, some dwellings are within HBC. These dwellings are removed from the historic, rural village of Southwick village and there are no links between the two areas, indeed one has to drive through Havant Borough, or through Denmead to get from one to the other.

These new developments, who demography does, and will continue to, differ greatly from the two existing communities caused much thought in the parish councils involved. Working together, and with the active assistance of officers of WCC, in February 2012 an Advisory Group made up of 3 councillors from each parish and the HCC and WCC councillors who represented the area was set up. Notionally it reports to the West of Waterlooville Forum (The formal terms of reference of the Advisory Group are paper WWF66).

Since that time, the Group, with support of officers from WCC and HBC have met to further the interests of the residents as the new community has developed. It has worked with local residents groups and held public meetings of its own. It has also worked to further its agreed approach – that this new development will be better served by its own parish council made up of people from the dwellings not those who are physically removed from it. The Group recognises that those residents within the MDA situated within HBC (which is not parished) will be able to be involved with the new parish’s life whilst not having voting rights, since they are within the required three miles of the boundary.

Delays were experienced whilst the full implications of a CGR were understood and then more recently whilst Boundary reviews by the Local Government Boundary Commission came into force. Now that they are complete, the time is now right to make this petition to the City Council.”

11 OTHER OPTIONS CONSIDERED AND REJECTED

11.1 None – as this report is as a result of a CGR petition being received.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:- None – the last Community Governance Review undertaken by WCC was in 2003.

Other Background Documents:-

Guidance on Community Governance Reviews – March 2010

APPENDICES:

Draft Terms of Reference

# Community Governance Review

West of Waterloo

Major Development Area

Local Government and Public Involvement  
in Health Act 2007

**Terms of Reference**

(DRAFT)

## **INTRODUCTION**

### **1.1 Aims of Review**

This review will ascertain whether governance for the residents of the West of Waterlooville Major Development Area, within the Winchester City Council boundary, would be best served by a new parish council or the existing parishes.

### **1.2 Why undertake a Community Governance Review?**

A Petition has been received by Winchester City Council prepared by the Parish Councillors who are members of the West of Waterlooville Advisory Group, on behalf of the residents of the development area. The petition contains 204 signatures. Winchester City Council has resolved to undertake a Community Governance Review pursuant to Part 4 of the Local Government and Public Involvement in Health Act 2007.

A Community Governance Review provides an opportunity for making recommendations with regards to establishing, aggregating, amalgamating or separating parishes, the name and style of the new parish and electoral arrangements.

### **1.3 Scope of the Review**

The review will specifically consider the composition and electoral arrangements of the residents living within the area of the West of Waterlooville Major Development Area. Currently, in the District of Winchester City Council, this is within the Parishes of Denmead and Southwick & Widley.

Havant Borough does not have parish councils and therefore the areas of the MDA within Havant will not be included in this review. Residents within 3 miles of a parish council boundary are able to participate, although not vote, in local parish activities. A key criteria of the CGR is to ensure cohesion and for these reasons residents within 3 miles of the proposed parish boundary will be included in the consultation process.

### **1.4 Who will undertake the Community Governance Review?**

Winchester City Council is responsible for undertaking a Community Governance Review within its electoral area. The City Council is responsible for overseeing this process and officers will produce draft and final recommendations for consideration by the Licensing and Regulation Committee before any Order is made. The final Order will be a decision of Full Council.

### **1.5 How long will the Community Governance Review take?**



If an order is made, this will be done in June 2018. There are various steps and consultation exercises to be undertaken between now and then and these are outlined in the timetable below.

### 1.6 Timetable for the review

Stage	What happens?	Timescales	Indicative dates
Commencement	A Community Governance Petition is received		June 2017
Preparation	The petition is validated; desk research and information gathering; delegations and authorities identified and Terms of Reference for the review are prepared and published. Website Ready. Consultations are prepared.	5 months	July – December 2017
Stage One	Initial Submissions are invited	1 month	January 2018
Stage Two	Consideration of Submissions received – Draft recommendations are prepared.	1 month	February 2018
Stage Three	Draft Recommendations, and the reasons for them, informing those with an interest for further consultation are published.	6 weeks	March 2018
Stage Four	Consideration of submissions received – Final Recommendations are prepared.	2 months	April - May
Conclusion	Final Recommendations are published – concluding the review		June
Resolution	Council resolves to make a Reorganisation Order to put into effect any changes.		Next available Council Meeting

### 1.7 How will the review be conducted?

The Review will be conducted in accordance with the duties outlined in the Local Government and Public Involvement in Health Act 2007 and Guidance on these

reviews published by the Department for Communities and Local Government in March 2010.

In accordance with Section 79 of the 2007 Act, the City Council will notify Hampshire County Council that a Community Governance Review will be undertaken.

In accordance with Section 93 of the 2007 Act, the City Council will consult with local government electors for the area under review; and any other person or body (including another local authority) which appears to have an interest in the review.

Consultation must take place with local government electors, appropriate local authorities and other relevant persons, including political parties and local community interest groups. The City Council must publish the terms of reference of the review, any proposals made as a result of the conduct of the review and any recommendations made on its website.

The City Council will have regard to the need to secure that any community governance for the area under review reflects the identities and interests of the local community in that area and that it is effective and convenient. Relevant considerations will include the impact on community cohesion and the size, population and boundaries of the proposed area.

### **1.8 Options for Consideration**

The City Council has prepared four possible outcomes to be put forward for consultation;

**Option 1:** Position to remain unchanged with the West of Waterlooville MDA being covered by 2 existing Parish Councils

**Option 2:** West of Waterlooville MDA be removed from both existing Parish Councils and a new separate Parish Council be created for West of Waterlooville MDA.

**Option 3:** West of Waterlooville MDA be removed from Denmead Parish Council and amalgamated with Southwick and Widley Parish Council.

**Option 4:** West of Waterlooville MDA be removed from Southwick and Widley Parish Council and amalgamated with Denmead Parish Council.

### **1.9 The conclusions for the Review**

Following the conclusion of the review, if a new Parish or other Council is to be created, or if there is an amalgamation this will be done by way of a Reorganisation Order. A Reorganisation Order can be made at any time however the order should take effect on the 1<sup>st</sup> of April following the date on which it is made. In this case if a Reorganisation Order is made this will be in June 2018 and come into effect 1<sup>st</sup> April 2019.