

REPORT TITLE: COMMUNITY GOVERNANCE REVIEW – LITTLETON AND HARESTOCK PARISH COUNCIL

21 FEBRUARY 2018

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

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WARD(S): ST BARNABAS & WONSTON AND MICHELDEVER

PURPOSE

The purpose of this report is to seek approval to conduct a Community Governance Review (CGR) in respect of the area currently covered by Littleton and Harestock Parish Council.

RECOMMENDATIONS:

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

IMPLICATIONS:

1 COUNCIL STRATEGY OUTCOME

- 1.1 The establishment of successful and cohesive communities is a priority for 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 As a Boundary review has been completed within the District within the last 5 years permission of the Boundary Commission will have to be sought, as required by legislation, for any order to be made.

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 at this stage.

6 CONSULTATION AND COMMUNICATION

- 6.1 The Portfolio Holder and Parish Council representatives are aware that this report has been written to seek the necessary authority to undertake a CGR. Full consultation exercises, of which there are two, will be undertaken during the process if this report's recommendation is agreed. Consideration has been given to school and summer holidays as well as the 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 this report.

8 EQUALITY IMPACT ASSESSMENT

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

9 RISK MANAGEMENT

Risk	Mitigation	Opportunities
<i>Property None</i>		
<i>Community Support If not completed within the prescribed timescales and/or if the consultation is not inclusive the City Council could be considered to have not supported the local community and Parish Council.</i>	Ensure resource and critical deadlines – as per timetable in draft terms of reference – are adhered to.	To enhance the reputation of the City Council with the residents within the area of Littleton and Harestock Parish Council.
<i>Timescales Once terms of reference are agreed the City Council has 12 months to complete the CGR. The draft timetable is written with consideration of Parish elections in May 2019 and can be completed by the end of 2018.</i>	Realistic timescales set within the draft terms of reference to complete the work within the required timescales.	None
<i>Project capacity None</i>		
<i>Financial / VfM None</i>		
<i>Legal Possible risk of challenge where any recommendation is opposed.</i>	Ensure statutory and DCLG guidance is adhered to. Good, transparent decision making avoiding the use of exempt papers where possible.	
<i>Innovation</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 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 Littleton and Harestock Parish Council have made this following representation to the City Council;

“Following the Local Government Boundaries Commission Review of Winchester City Council's Ward Boundaries in 2014-15, it was decided that the WCC electoral ward of Littleton & Harestock was to be lost and instead, the newly drawn political Ward boundaries for the area placed the parish council into two new WCC Wards: St Barnabas, which now includes Harestock and the Micheldever and Wonston Ward which now includes Littleton.

This was a decision based on equalling the numbers of electors for each WCC Ward and now means that Littleton & Harestock Parish Council has six WCC Ward councillors from these two Wards. This change of the political Ward boundary moved that boundary to the back of the properties along the northern side of Harestock Road. But this change did (and does not) change the boundary line of the Littleton and Harestock Green Gap as protected in the Winchester district plan: the change in the Ward boundary does not change anything to do with that gap in terms of planning. In fact, Littleton has its own Village Design Statement document which has been accepted as a supplementary planning document by WCC. This document helps preserve and protect the character and individuality of the village.

In addition to that political Ward boundary change, another recommendation imposed from that Local Government Boundaries Commission Review, specifically in relation to this parish council, was that the make-up of the parish council is to change to reflect the numbers of electors across its area. Whilst it is to remain made up of 11 councillors, from the results of its next election in May 2019, 8 parish councillors are, from that date, to represent Harestock and the remaining three only to represent Littleton. This change has been considered by this parish council to be an inappropriate way for the parish council to continue to run and does not reflect the needs of either local community, Littleton or Harestock.

The vast majority of this parish council's assets that it has to maintain are located in the village of Littleton. This not by choice, it is simply the reality of the situation. It is also unfair to expect the residents of Harestock to continue to provide the large contribution of council tax that they do provide to this parish council for it to spend on maintaining its assets in and around Littleton: there is only one parish council owned piece of land in Harestock, the Bradley Road playground that has to be maintained; no other assets are owned there. For these reasons, it is considered that it is time for local governance to be reviewed.

This parish council is therefore requesting that a community governance review be undertaken with the desired outcome to be that Littleton becomes its own parish council and Harestock also becoming its own parish.

In this way, it is proposed to build on the existing parish structure, so as to improve its capacity to deliver better services and represent the community's interests. This review, it is considered, would then be helping the aim of Communities and Local Government to help people and local agencies create cohesive, attractive and economically vibrant local communities, building on the Government's Sustainable Communities' strategy, parish councils are, after all, an established and valued form of neighbourhood democracy and management, as recognised by DCLG.

Community cohesion is about local communities where people should feel they have a stake in the society, and in the local area where they live, in this case either Littleton or Harestock, by having the opportunity to influence decisions affecting their lives. An important aspect to empower sustainable communities is allowing local people a say in the way their neighbourhoods are managed. One of the characteristics of a sustainable community is also the desire for a community to be well run with effective and inclusive participation, representation and leadership: the suggested separation of this parish council into two separate entities for Littleton and Harestock, it is believed, would help facilitate this aim locally.

When considering the conduct of a community governance review, Section 93 of the Local Government 2007 Act requires principal councils, in this case WCC, to ensure that community governance within the area under review will be:

- reflective of the identities and interests of the community in that area and
- effective and convenient

Parish councils continue to have two main roles: community representation and local administration. For both purposes it is desirable that a parish should reflect a distinctive and recognisable community of place, with its own sense of identity. The views of local communities and inhabitants are of central importance and it is felt that the current Littleton & Harestock Parish Council in covering two very distinct and different locales, one completely rural, the village of Littleton, and the other fully urban, the Harestock estate, does not adequately perform this function locally.

In addition, when considering the criteria identified in the 2007 Act, principal councils should take into account a number of influential factors, including:

The impact of community governance arrangements on community cohesion and;

The size, population and boundaries of a local community or parish.

Setting up parishes and revising parish councils areas of responsibility clearly offers the opportunity to strengthen community engagement and participation, and generate a positive impact on community cohesion. This is especially important in this case in view of the recent political Ward boundary changes,

splitting the parish council of Littleton and Harestock across the two very different WCC Wards of St Barnabas and Wonston and Micheldever, one predominantly urban and the other rural.

The 2007 Act also requires principal councils to have regard to the need to secure that community governance reflects the identity and interests of local communities with the impact on community cohesion strongly linked to it. Cohesion issues are connected to the way people perceive how their local community is composed and what it represents, and the creation of parishes and parish councils may contribute to improving community cohesion. There is clearly a very different identity between the urban Harestock estate and the separate rural village of Littleton. Community governance arrangements should reflect, and be sufficiently representative of, people living across the whole community and not just a discrete cross section or small (or large) part of it.

The general rule should be that the parish is based on an area which reflects community identity and interest and which is of a size which is viable as an administrative unit of local government: in this case it is suggested that the separation of Littleton and Harestock into two separate entities would best meet this need. This is generally because of the representative nature of parish councils and the need for them to reflect closely the identity of their communities: the urban Harestock and the rural village of Littleton.

A review of this parish area's community governance is an opportunity to put in place strong boundaries and structures for the two very distinct and separate areas of Harestock and Littleton, tied to firm ground detail. It is believed that restructuring of this parish council into two separate entities for each of those two areas would go a long way towards meeting these aims locally and so further enhance community cohesion for the residents of the rural village of Littleton and the urban estate of Harestock respectively.

It is hoped that a community governance review of this parish council area can thus be authorised to be undertaken by WCC's Licensing and Regulatory Committee."

- 10.6 It is considered that the request falls into the objectives of the DCLG guidance on CGR's and the case is made. The CGR should be undertaken to ascertain the wish of all the relevant residents and appropriate recommendations from that made.

11 OTHER OPTIONS CONSIDERED AND REJECTED

- 11.1 To not undertake the CGR.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:- None

Other Background Documents:- [DCLG Guidance March 2010](#)

APPENDICES:

Appendix A Draft Terms of Reference

Community Governance Review

Littleton and Harestock

Parish Council

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 Littleton and Harestock parish Council, within the Winchester City Council boundary, would be best served by splitting the current parish council into two separate Parish Councils.

1.2 Why undertake a Community Governance Review?

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

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.

1.3 Scope of the Review

The review will specifically consider the composition and electoral arrangements of the residents living within the boundary of Littleton and Harestock Parish Council.

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. Any final Order must be made by Full Council.

1.5 How long will the Community Governance Review take?

If an order is made, this will be done at the end of the year. 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	Parishes/Ward/Officer check		December 2017
Preparation	Desk research and information gathering (extensive); delegations and authorities identified and Terms of Reference for the review are prepared and published. Consultations are	3 months	December – March 2018

	prepared.		
Stage One	Initial Submissions are invited	6 weeks	March - April 2018
Stage Two	Consideration of Submissions received – Draft recommendations are prepared.	8 weeks	April – May 2018
Stage Three	Draft Recommendations, and the reasons for them, informing those with an interest for further consultation are published.	8 weeks	June – July 2018
Stage Four	Consideration of submissions received – Final Recommendations are prepared.	8 weeks	August - September
Conclusion	Final Recommendations are published – concluding the review		October
Resolution	Council resolves to make a Reorganisation Order to put into effect any changes.	If necessary	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 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 three possible outcomes to be put forward for consultation;

Option 1: Position to remain unchanged and the Parish Council remains as it is.

Option 2: Littleton and Harestock separate and each become their own Parish Council.

Option 3: Littleton and Harestock separate. Littleton becomes its own Parish Council and Harestock joins the area of Winchester Town.

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 1st of April following the date on which it is made. In this case if a Reorganisation Order is made this way at the end of the year and come into effect 1st April 2019.