

REPORT TO THE MEETING OF COMMUNITY GOVERNANCE REVIEW COMMITTEE ON 9th SEPTEMBER 2020

Meeting: Community Governance Review Committee

Date: 9th September 2020

Subject: Consideration of draft recommendations

Report Of: Richard Ellis, Corporate Services Manager

Portfolio Holder: Councillor Dann

Status: For Consideration

Relevant Ward(s): All

1 Purpose of Report

1.1 To provide the Community Governance Review Committee with further information, options and draft recommendations in respect of the areas agreed for further consideration as part of the review at the last meeting held on 19th August 2020.

1.2 To enable the Committee to agree draft recommendations for submission to Council for approval on 28th September 2020.

2 Recommendations:

2.1 That the draft recommendations set out in Sections 6 to 8 of this report be approved for submission to Council on 28th September 2020.

2.2 That Council be asked to approve the draft recommendations and that these be subject to a period of public consultation between 1st October and 30th November 2020.

2.3 That any responses to the consultation be reported to the next meeting of the Community Governance Review Committee in December (date to be set) to enable final recommendations to Council to be agreed.

3 Summary of Reasons for the Recommendations

3.1 At the last meeting held on 19th August 2020 the Committee approved a number of areas for further consideration as part of the current review:

Parish requesting change	Changes proposed
Claybrooke Magna	Council size (request to increase)
East Langton	Parish boundary with West Langton Warding of parish
Fleckney	Parish boundary with Saddington
Husbands Bosworth	Council size (request to increase)
Kibworth Beauchamp & Kibworth Harcourt	Joint parish boundary
Lubenham	Parish boundary with Market Harborough
Thurnby and Bushby	Removal of warding
Tur Langton	Parish boundary with East Langton

3.2 Officers have considered the proposals in relation to existing governance arrangements across the district and the guidance set out by the Government for principal authorities in conducting reviews.

3.3 Sections 6 to 8 of this report set out the detailed consideration of these areas together with identification of options where appropriate.

4 Impact on Communities

4.1 Community governance reviews provide the opportunity for principal authorities to review and make changes to community governance arrangements in their areas to reflect local circumstances, for example, in relation to changes in population or in reaction to specific or local issues. The provisions of the Local Government and Public Involvement in Health Act 2007, which devolved powers to carry out and implement reviews to principal councils, are intended to improve the development and coordination of support for citizens and community groups so that they can make the best use of empowerment opportunities

5 Key Facts

5.1 The initial consultation period started on 1st October 2019 and ended on 31st January 2020. Consultations were sent to all parish councils and parish meetings, district and county councillors, local Members of Parliament, Leicestershire County Council and the Leicestershire and Rutland Association of Local Councils.

5.2 A total of 25 parish councils responded to the consultation (out of 45) and 7 parish meetings (out of 42)

5.3 At the last meeting the Community Governance Review Committee agreed which areas should proceed for more detailed analysis and recommendation as part of the current review. The draft recommendations approved at this meeting will be forwarded for approval by Council on 28th September 2020. This will then be followed by a second period of public consultation on the draft recommendations prior to final recommendations being submitted to

Council for approval in January 2021. The consultation will run from 1st October to 30th November 2020.

- 5.4 The consultation on draft recommendations will include all parish councils and meetings, district and county councillors, local members of parliament, Leicestershire County Council, the Leicestershire and Rutland Association of Local Councils, developers, where land is currently under development and individual properties who fall within an area impacted by the proposals. Notices will be placed online, on the Council's electronic noticeboard and notices will be sent to parishes with a request that they display them on their noticeboards and to publicise the review in their area. All documentation will be made available on the Council's website.
- 5.5 The changes to parish boundaries would only impact on parish electoral arrangements and would not change district wards, county divisions or parliamentary boundaries (these being the responsibility of the Local Government Boundary Commission for England (district and county) and Boundary Commission for England (parliamentary)). However, any changes made to parish boundaries by the District Council would be taken into account in any future reviews of these areas.
- 5.6 Government guidance on conducting Community Governance Reviews states:

“A review of parish boundaries is an opportunity to put in place strong boundaries, tied to firm ground detail, and remove anomalous parish boundaries. Since the new boundaries are likely to be used to provide the building blocks for district ward, London borough ward, county division and parliamentary constituency boundaries in future reviews for such councils, it is important that principal councils seek to address parish boundary issues at regular intervals.”

6.0 Proposals to Change Council Size

- 6.1 Information on the size of parish councils across the district and the relevant electorate is set out in Appendices A and B.
- 6.2 In general terms the number of parish councillors is reflected by the number of electors with parish councils with larger electorates having a higher number of parish councillors. These generally reflect the national ratio of parish councillors to electorate set out in the Terms of Reference.

Ratio based on national research	Harborough District
Up to 500 (5 to 8 councillors)	23 parish councils with 5 councillors 3 parish councils with 6 councillors
501 to 2,500 (6 to 12 councillors)	1 parish council with 5 councillors 9 parish councils with 6 councillors 2 parish councils with 7 councillors 1 parish council with 8 councillors
2,501 to 10,000 (9 to 16 councillors)	1 parish council with 10 councillors

	1 parish council with 11 councillors 3 parish councils with 12 councillors 1 parish council with 13 councillors
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6.3 At the last parish elections held in May 2019 only 4 out of 45 parish councils had contested elections which would indicate that in general terms the size of parish councils is adequate to meet the interest in people putting themselves forward for election.

6.4 Proposals to increase council size have been put forward by Claybrooke Magna Parish Council and Husbands Bosworth Parish Council based on increases in electorate and new residential development within the respective parishes.

6.5 Claybrooke Magna Parish Council

Claybrooke Magna Parish Council has requested an increase in council size from 5 to 6 councillors as their existing electorate is anticipated to increase above 500 due to current developments and allocations within the Local Plan. The parish election in 2019 was not contested..

6.6 This is considered an acceptable proposal for the reasons stated and because Claybrooke Magna is one of the larger parishes currently represented by 5 councillors with several parishes with lower electorates having 6 councillors.

6.7 **It is recommended that the number of parish councillors for Claybrooke Magna Parish Council be increased from 5 to 6 to take effect from the date of the next full parish council elections (currently due in 2023).**

6.8 Husbands Bosworth Parish Council

Husbands Bosworth Parish Council has requested an increase in council size from 6 to 8 as the council size has remained at 6 for in excess of 30 years whilst the electorate has increased by over 20% in the same period. They also make the case that an increase in size would allow them to better fulfil commitments, prevent stagnation, offer increased support for local groups and improve provision of services placing less burden on councillors at a time of increasing responsibilities.

6.9 Husbands Bosworth has an electorate of 989 which will increase due to new residential developments within the parish. However, the only other parish within the district with 8 councillors has a substantially larger electorate (2000 plus) and a councillor to elector ratio of 249 (Husbands Bosworth's ratio is currently 165). There are a number of similar sized parishes with 6 or 7 councillors so it is considered appropriate to agree to increase council size for Husbands Bosworth to 7 rather than the 8 thereby maintained more equitable representation across the district. The parish election in 2019 was not contested.

6.10 **It is recommended that the number of parish councillors for Husbands Bosworth Parish Council be increased from 6 to 7 to take effect from the date of the next full parish council elections (currently due in 2023).**

7 Proposals to Modify Parish Boundaries

7.1 Lubenham/Market Harborough: The majority of the Market Harborough SDA currently under construction is located with the parish of Lubenham on the edge of the existing parish boundary. The location of the SDA on the edge of Market Harborough is highlighted on the plan at Appendix C.1 as the coloured area on the eastern edge of the existing Lubenham parish boundary. The SDA area is shown in more detail on the plan attached at Appendix C.2. The plan at C.2 is taken from plans submitted by developers showing indicative layouts and is subject to change although the boundary of the SDA area should remain as shown.

7.2 Lubenham Parish Council and the Market Harborough Civic Society have made submissions supporting the parish boundary being moved such that the new housing development contained within the SDA area should be located within the (unparished) area of Market Harborough.

7.3 The SDA area is served by 2 main access points, from the top of Lubenham Hill (Harvest Road) and from Leicester Road (Peter Callis Way) linking the development to the town of Market Harborough. Harvest Road is a spine road running the length of the SDA area from Lubenham Hill to the roundabout served by Peter Callis Way.

7.4 The first phase of the development from Lubenham Hill is nearing completion and is entirely located within the existing boundary of Market Harborough. The rest of the SDA area is located within the parish of Lubenham but could be viewed more as an extension of the town of Market Harborough with little or no relationship to the rural village of Lubenham. Indeed, the Lubenham Neighbourhood Plan includes a separation area between the SDA and the village of Lubenham (See plan at Appendix C.3).

7.5 The current electorate of Lubenham is 977 and this could more than triple by the time that the SDA area is completed. If the parish boundary remains as it is this will have a major impact on the parish with the majority of residents eventually living in the SDA area, not the historic village centre of the parish. At the very least the District Council would need to consider the size of the parish council which currently comprises 5 councillors whereas other parishes with around 3000 electors have 10 to 12 councillors.

7.6 In looking at options to modify the parish boundary in line with the request put forward by the parish council officers have produced three options. All options attempt to keep the revised boundary tight to the edges of the SDA development area, and for the most part these roughly equate the line of the separation area contained in the Neighbourhood Plan.

7.7 Government Guidance on conducting Community Governance Reviews suggests that parish boundaries should reflect the open space between communities and be based on physical features that are unlikely to change (for example roads, rivers, railway lines). However, this is not always possible, particularly where communities are next to each other or where such features do not exist. It is also feasible to use field boundaries where other more permanent features are not present and many of the existing parish boundaries use these as the dividing line between parish areas. In considering the options for the Lubenham boundary field boundaries have been used where possible but also the extent of the development (which will become a boundary on Ordnance Survey mapping as the development is completed) where using the field boundary would result in an inappropriate line.

7.8 The difference between the 3 options (Options A to C) is the inclusion of more than just the residential land of the SDA to provide what might be viewed a more logical boundary.

Option A (Appendix C.4) includes the Greenacres site, the HIC and adjoining business units and the County Council Depot. The Agricultural Showground remains within Lubenham.

Option B (Appendix C.5) limits the parish boundary change to just the residential area. This would result in the least land being moved from Lubenham but the Committee may wish to consider if leaving Greenacres and the HIC and business park in Lubenham is appropriate given the revised parish boundary or would these areas also be more logically associated with Market Harborough.

Option C (Appendix C.6) follows the line of the separation area contained in the Lubenham Neighbourhood Plan and would also include moving the Agricultural Showground from Lubenham and putting it within the boundary of Market Harborough.

The plan attached at Appendix C.7 shows all 3 options combined on the same plan, along with the separation area from the neighbourhood plan.

7.9 **It is recommended that the Council supports in principle the alteration of Lubenham parish boundary as requested by the parish council and consults with the parish council, developers and residents on Options A to C as detailed in this report prior to taking a decision on which option to proceed with.**

7.10 Kibworth Harcourt/Kibworth Beauchamp

A proposal has been submitted by Kibworth Harcourt Parish Council and supported by Kibworth Beauchamp Parish Council to change the parish boundary on the David Wilson development (Kibworth Meadows) such that all houses fall within the Kibworth Harcourt parish boundary. See proposed change to parish boundary on the plan attached at Appendix D.

- 7.11 It is suggested that the current arrangement whereby dwellings are within two different parishes but share a Kibworth Harcourt postal address is confusing.
- 7.12 It should be noted that postal addresses and locality, including parish, are not governed by the same boundaries and protocols and do not have to match. However, in this instance the adjoining railway line can be used as a clear dividing line for this section and the proposal makes some sense. However, it would not be possible to use the railway line as a boundary elsewhere without making wholesale changes to the existing parish boundaries, which are somewhat complicated by the fact that the built up village areas of the two parishes are co-joined.
- 7.13 Consideration was given to including the school playing field within the parish of Kibworth Harcourt to give a smoother, more logical boundary but this was not considered appropriate by the parish councils and as the boundary winds its way between adjacent roads and houses anyway and provides no easily identifiable boundary at present then the parish proposal is not considered to make matters any worse in this respect.
- 7.14 **It is recommended that consultation be undertaken with both parishes, and residents of properties located within the area concerned on the proposal to amend the parish boundary as indicated on the plan at Appendix E.1.**
- 7.15 Saddington/Fleckney

Fleckney Parish Council has requested an alteration to the parish boundary to incorporate the housing development currently under construction on the edge of the village within the parish of Fleckney. Saddington Parish Meeting has advised that it would not object to such a change providing it was limited to the extent of the current development. See Appendices E.1 for details of the proposed boundary change and Appendix E.2 for the layout of the existing residential development for context.

- 7.16 It is considered that the development, which immediately adjoins and is part located within the existing parish of Fleckney will logically form part of the village of Fleckney and that the parish boundary should be amended accordingly. The existing built area of Fleckney is immediately adjacent to the parish boundary at this point.
- 7.17 **It is recommended that consultation be undertaken with both parishes, the developer and residents of any houses already completed and occupied on the proposal to amend the parish boundary as indicated on the plan at Appendix E.1.**

- 7.18 East Langton/West Langton

East Langton Parish Council has submitted a proposal to modify the parish boundary between East Langton and West Langton such that all properties

that might logically be seen as being located within the village of Church Langton are located within the East Langton parish boundary rather than being part of the parish of West Langton as at present.

7.19 No plan was provided as part of the submission so Officers have drawn up a proposal which limits the areas to be moved the immediate extent of the land and buildings concerned by following parcel boundaries and other identifiable features. See plan attached as Appendix F.

7.20 The existing parish boundary at this point is the main road so moving the parish boundary would provide a less readily identifiable boundary but given the location on the edge of the village of Church Langton, if the occupiers of the properties contained in the area proposed to be moved (as identified by the green line) associate themselves more with the village of Church Langton as opposed to West Langton then it would be appropriate to change the boundary to reflect this.

7.21 **It is recommended that consultation be undertaken with West Langton Parish Meeting, East Langton Parish Council and the occupiers of the properties contained within the area outlined by a green line on the attached plan (Appendix F) prior to finalising a recommendation in respect of this change.**

7.22 Tur Langton

Tur Langton Parish Council has suggested that a property on the boundary with East Langton parish may be more appropriately located with the parish of East Langton. They indicated that the property has not been consulted.

7.23 The property referred to is shown on the plan at Appendix G together with the existing parish boundaries. Given that the property is roughly equidistant between the two villages and the logical line of the existing parish boundary it is not considered appropriate to make and change to the parish boundary as existing.

7.24 **It is recommended that no action be taken on the suggestion put forward by Tur Langton Parish Council and that the parish boundary remains as existing.**

8 Warding Proposals

8.1 Thurnby and Bushby

Thurnby and Bushby Parish Council has requested that the warding within the parish be removed as it is no longer reflective of the electorate in the light of new housing development.

8.2 The parish is currently warded between Thurnby (7 councillors) and Bushby (3 councillors). A high percentage of new development has taken place within the 'Bushby' ward area meaning that the split of 7 councillors to 3 (total 10) is

no longer appropriate. Current electorate is 2879 split between Thurnby (1713) and Bushby (1166).

8.3 Because of the eligibility for standing for election prospective councillors do not necessarily have to live in the ward they are standing in but it is the electors of that ward who have to sign nominations and vote in any contested election for that ward.

8.4 There is no obvious dividing line between the two wards and the proposal put forward by the Parish Council to remove the warding and retain the council size as 10 councillors is considered acceptable.

8.5 **It is recommended that the warding be removed from the parish of Thurnby and Bushby and that council size is set at 10 councillors based on the parish boundary to take effect from the date of the next full parish council elections (currently due in 2023).**

8.6 East Langton

East Langton Parish Council has requested that the parish be warded to reflect the two villages with the parish of Church Langton and East Langton with at least 2 councillors from each ward.

8.7 The parish has an electorate of 336 and a council size of 5 and has two distinct villages within it, Church Langton and East Langton. Although the parish has a relatively low electorate there is some merit in each village electing its own representatives to the parish council. A plan showing what the logical dividing line between the two wards would look like is attached at Appendix H.

8.8 The issue is that currently the parish electorate is divided pretty evenly between the two settlements which would make allocating councillors to wards difficult. The parish is not really of sufficient size to increase councillor numbers to 6 (to allow for an even split). If the parish boundary is amended this would slightly increase the electorate in Church Langton as per recommendation 7.20 then it would increase the size of the electorate in Church Langton (which already has slightly the higher number) and make warding feasible. However, as things stand the advantages of warding the parish are outweighed by the problems it would cause and the inequalities in representation it would bring.

8.9 Officers will work on electorate forecasts based on the current and proposed extended parish boundary, together with any known commitments for further residential development within the area and report these back to the meeting on 9th September, together with a revised recommendation if deemed appropriate.

8.10 **It is recommended that the parish of East Langton remains unwarded.**

9 Legal Issues

- 9.1 The power to undertake Community Governance Reviews is provided to the District Council as a principal authority under the provisions of the Local Government and Public Involvement in Health Act 2007 (sections 79-102). It can make changes to parish governance arrangements including parish status (council, meeting or unparished), parish council size (number of councillors) and parish boundaries. It can also agree grouping and ungrouping in appropriate circumstances.
- 9.2 Any agreed changes will need to be implemented through completion of a Reorganisation of Community Governance Order under seal. Any changes agreed to parish boundaries will not change any related district ward, county division or parliamentary boundary. Reviews of district wards and county divisions are undertaken by the Local Government Boundary Commission for England (LGBCE) and reviews of parliamentary constituency boundaries by the Boundary Commission for England (BCE).
- 9.3 Approved neighbourhood plan boundaries cannot be changed but do not have to be co-terminus with other boundaries (including parish boundaries). Any changes to parish boundaries agreed through the Community Governance Review would not change any approved neighbourhood plan areas and the policies in any approved or emerging plan would continue to apply to the former or new parish area until such time as the neighbourhood plan is reviewed. There would need to be some co-ordination of the review process to facilitate this but this should not prevent any changes to parish boundaries that would facilitate more effective and appropriate local governance arrangements from taking place.

10 Resource Issues

- 10.1 The review has been provided for in the Corporate Services team plan and will be undertaken within existing resources.

11 Equality Implications

- 11.1 The review is aimed at ensuring that parish governance arrangements best meet the needs of the local area.

12 Impact on the Organisation

- 12.1 The review will enable the Council to take a holistic view of community governance arrangements within the District and ensure that such arrangements best meet the needs of local communities in line with the Council's vision and priorities

13 Community Safety Implications

- 13.1 No implications identified.

14. Carbon Management Implications

14.1 No implications identified.

15. Risk Management Implications

15.1 No implications identified.

16 Consultation

16.1 Further consultation with interested parties will be undertaken in respect of the draft recommendations following consideration by Council on 28th September, including

Parish and town councils and parish meetings impacted by the proposals.
Local residents, businesses and community groups (public notices)
Individual consultation letters to properties subject to a proposed parish boundary change
County Council
District and County Councillors
Local Members of Parliament
The Leicestershire and Rutland Association of Parish and Local Councils.

17 Options Considered

17.1 Not to undertake a district wide review. It is considered that a district wide review is the most appropriate option to ensure that a consistency in approach to parish governance and to meet the expectation that the Council will keep community governance arrangements under periodic review.

18 Background Papers

18.1 Guidance on community governance reviews (DCLG and LGBCE)
March 2010

Previous report(s): Council 23rd September 2019 – Community Governance Review

Community Governance Review Committee 22nd October 2019

Community Governance Review Committee 19th August 2020

Information Issued Under Sensitive Issue Procedure: N

Ward Members Notified: N

Appendices:

Appendix A	List of parishes (alphabetical)
Appendix B	List of parishes ranked by electorate
Appendix C.1	Lubenham and Market Harborough showing SDA area
Appendix C.2	Market Harborough SDA
Appendix C.3	Area of Separation- Lubenham Neighbourhood Plan
Appendix C.4	Lubenham Option A
Appendix C.5	Lubenham Option B
Appendix C.6	Lubenham Option C
Appendix C.7	Options Overview
Appendix D	Kibworths parish boundary
Appendix E.1	Fleckney and Saddington
Appendix E.2	Fleckney and Saddington (showing layout of development)
Appendix F	East Langton and West Langton
Appendix G	Tur Langton and East Langton
Appendix H	East Langton Warding