

REPORT TO THE MEETING OF COMMUNITY GOVERNANCE REVIEW COMMITTEE ON 19th AUGUST 2020

Meeting: Community Governance Review Committee

Date: 19th August 2020

Subject: Response to consultation and consideration of options

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 update Members on a revised timetable for completion of the review following delays caused by cancellation of meetings due to Covid 19.
- 1.2 To update the Community Governance Review Committee on the results of public consultation and submissions received.
- 1.2 To review the submissions made (as set out in Appendix A and section 14.3 of this report) and agree which should be included for consideration.
- 1.3 To allow Members to agree any further areas for inclusion in the review.

2 Recommendations:

- 2.1 That the revised timetable for completion of the review set out in section 3.5 be approved.
- 2.2 That the areas recommended for inclusion in the current review set out in section 6.0 and listed in Appendix E be approved.
- 2.3 That Officers be requested to formulate options and bring back detailed recommendations in respect of the areas agreed for inclusion in the current review for consideration at the next meeting of the Community Governance Review Committee to be held on 9th September 2020.

3 Summary of Reasons for the Recommendations

- 3.1 At the last meeting held on 22nd October 2019 the Committee approved a timetable for undertaking the Community Governance Review (CGR) and an initial public consultation period expiring on 31st January 2020.
- 3.2 Due to the Coronavirus pandemic the meeting of the Committee due to take place on 18th March was cancelled. This meeting is the re-scheduled date for that meeting and has been made possible due to the introduction of meetings being held remotely using remote meetings software (MS Teams).
- 3.3 As we are now moving out of lockdown and into a new normal it has been necessary to re-programme the CGR to ensure that it can be completed within the shortest time possible. The original timetable would have allowed the review to be completed within the twelve months guidance period set out by Government. Having effectively lost three months from the original timetable due to the pandemic it has now been rescheduled to complete in the last quarter of the current financial year, some three months later than originally planned. This will prevent us from losing all the work already put into the review and ensure that the submissions already made by parishes during the initial consultation period (which had closed) can be considered and taken forward where considered appropriate.
- 3.4 The revised timetable ensures that all stages can still be completed and provides for the same two months public consultation period on any draft recommendations approved by Council.
- 3.5 The revised timetable proposed for completion of the CGR is:

19 th August 2020	Community Governance Review Committee (consider submissions)
9 th September 2020	Community Governance Review Committee (formulate draft recommendations)
28 th September 2020	Council (approve draft recommendations)
1 st October to 30 th November 2020	Public Consultation on draft recommendations
December 2020 (date to be agreed)	Community Governance Review Committee (consider representations received and formulate final recommendations)
January 2021 (date to be agreed)	Council (approve final recommendations)
March/April 2021	Re-organisation Order made
May 2023 Parish Elections	Changes come into force

Impact on Communities

- 4.1 Community governance reviews provide the opportunity for principal councils 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 Emerging issues and proposals received during the consultation together with any other areas identified by the Committee as warranting review will be assessed against the national guidance and existing local arrangements. These will then form the subject of a further report to the Committee to agree a set of draft recommendations 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.

6.0 Matters for Consideration

6.1 Submissions received during the initial consultation period are set out in the table included at Appendix A. The County Council's response is set out in section 14.3 below.

6.2 There are a number of parishes which will experience substantial housing growth on or near to an existing parish boundary over the next few years and will substantially change the nature of existing arrangements. It would be appropriate to consider the impact on existing arrangements and what, if any, alternatives there may be to ensure that local governance arrangements remain appropriate. Alternatives could include changes to parish boundaries and/or to parish council size/warding arrangements.

6.3 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 and will substantially increase the electorate ratio. Plan attached at Appendix B

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 in the SDA area should be located within

the (unparished) area of Market Harborough. Currently only the first phase off Lubenham Hill falls within Market Harborough.

As pointed out in the submission made by Lubenham Parish Council the new housing development when completed would drastically increase the population of Lubenham with a majority of the parish electorate living in the new area. This would substantially change the nature of the rural parish and it is considered that the new housing development situated as it is on the edge of Market Harborough is more logically associated with the town rather than Lubenham.

It is recommended that this proposal is included in the next stage of the review.

- 6.4 Misterton with Walcote/Lutterworth: The Lutterworth East SDA is at an earlier stage of development with the outline planning application still under consideration. However, when developed will have a major impact on the parish of Misterton with Walcote with a large number of new properties potentially being located within that parish as opposed to within the parish boundary of Lutterworth. Plan attached at Appendix C

Misterton with Walcote Parish Council, Lutterworth Town Council and the Leicestershire County Council have made submissions.

Lutterworth Town Council's submission makes the case for the whole of the Lutterworth East SDA area being part of the parish of Lutterworth with subsequent changes to Town and District warding arrangements.

Misterton with Walcote Parish Council whilst acknowledging that there may be a case for amending the parish boundary once development commences point out that planning permission has still to be granted for the development and that as nothing has yet changed now is not the time to amend the parish boundary.

The outline planning application for the development (reference 19/00250/OUT) was deferred at the extraordinary meeting of the Planning Committee held on 21st April and has yet to be re-considered. There is currently no planning consent for the development and were such consent to be granted it will be several years before any houses are built and occupied and almost certainly this will be beyond the date of the next parish elections due to be held in may 2023. It may therefore be considered premature to amend the parish boundary prior to the next parish elections.

The County Council's submission asks that consideration be given to the impact that development of the Lutterworth East SDA may have on the parishes of Lutterworth and Misterton with Walcote.

It is recommended that the Lutterworth SDA area be excluded from the current review and that it should form the subject of a separate review

should planning permission be granted and detailed information is available on phasing and timelines for any development.

- 6.5 Saddington/Fleckney: There is a substantial housing development currently under construction on the edge of Fleckney, a substantial part of which is located within the Saddington parish boundary. Plan attached at Appendix D

Fleckney Parish Council and Saddington Parish Meeting have made submissions supporting an alteration to the parish boundary to incorporate the new development within the parish of Fleckney.

It is recommended that this proposal is included in the next stage of the review.

- 6.6 Broughton Astley – Minor change to parish boundary with Dunton Bassett. This was considered during the last CGR and although situated immediately adjoining the village of Broughton Astley was met with strong opposition from the residents of houses in the ‘layby’ area situated in the parish of Dunton Bassett. A minor boundary change was made as one property was bisected by the old parish boundary.

It is recommended that this proposal be excluded from the current review as it was considered and dismissed due to local opposition during the last review.

- 6.7 Claybrooke Magna – Several representations were received opposing a merger or grouping of Claybrooke Magna with Claybrooke Parva. This is not something that has been considered and there is no recommendation from Officers to do this.

The Parish Council has requested an increase in councillors from 5 to 6 due to additional residential development and increase in electorate.

It is recommended that the proposal to increase council size is included in the next stage of the review

- 6.8 East Langton – Proposal to ward the parish between East Langton and Church Langton and a minor change to the parish boundary with west Langton.

It is recommended that these proposals are included in the next stage of the review.

- 6.9 Husbands Bosworth – Proposal to increase council size from 6 to 8 due to additional residential developments and increase in electorate.

It is recommended that the proposal to increase council size is included in the next stage of the review.

- 6.10 Kibworth Beauchamp and Kibworth Harcourt – Proposal to amend the boundary between the two parishes to align better with postal addresses. Supported by both parish councils.

It is recommended that this proposal is included in the next stage of the review.

- 6.12 Thurnby and Bushby – Request to remove the warding with the parish.

It is recommended that this proposal is included in the next stage of the review.

- 6.12 Tur Langton – Minor change to the parish boundary with East Langton is proposed.

It is recommended that this proposal is included in the next stage of the review.

- 6.13 Taking into account the submissions received a list of suggested areas for further work is set out at Appendix E. It is proposed that Officers carry out further analysis of these proposals and report back to the next meeting of the Committee to agree a set of draft recommendations.

- 6.14 Unparished area of Market Harborough

The unparished area of Market Harborough was excluded from the current review in the Terms of Reference:

“The unparished area of Market Harborough is excluded from the review insofar as any proposal to create a parish (town) council for the area is concerned, although comments and suggestions with regards to the area are welcomed. Because of the size and likely complexity of a review of Market Harborough this would need to form the subject of a separate CGR in due course were any proposals to parish this area to be considered. “

Two submissions (Market Harborough Civic Society and Broughton Astley Parish Council) have suggested creation of a Town Council for Market Harborough. Apart from the Market Harborough Civic Society no representations have been received from residents living in the unparished area.

The Committee will need to consider if it wishes to make any recommendations to Council with regards to a review of Market Harborough.

7 Legal Issues

- 7.1 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.
- 7.2 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).
- 7.3 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.

8 Resource Issues

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

9 Equality Implications

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

10 Impact on the Organisation

- 10.1 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

11 Community Safety Implications

- 11.1 No implications identified.

12. Carbon Management Implications

12.1 No implications identified.

13. Risk Management Implications

13.1 No implications identified.

14 Consultation

14.1 The review has been widely advertised and further consultation with interested parties will be undertaken in respect of any draft recommendations subsequently agreed by Council, including

Existing parish and town councils and parish meetings
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.

14.2 Responses received from parishes are set out in Appendix A.

14.3 Leicestershire County Council has provided the following response:

With reference to your letter dated 16th October to the Chief Executive of Leicestershire County Council I would like to thank you for advising the County Council of the review and providing an opportunity to comment.

Following consultation within the County Council the only observation that we would like to make at this stage is in relation to the parish of Misterton and Walcote and the town of Lutterworth and the impact that the potential Lutterworth East SDA development may have upon them.

Finally, please note that the County Council has informed all the County Councillors representing the Harborough District area and the three Group Leaders of the main political parties about the review and you may therefore receive submissions direct from them.

15 Options Considered

15.1 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.

15.2 In the light of the delays unavoidably introduced by changes to working practices due to the Covid 19 pandemic there was an option to cancel the current review and start afresh at some point in the future. However, a considerable amount of work and input from parishes has already been made to the current review with an expectation that proposals put forward will receive consideration. This can be achieved by re-programming the remainder of the review process which will extend the overall process by 3 months (roughly equivalent to the length of time it has been stalled).

16 Background Papers

16.1 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

Information Issued Under Sensitive Issue Procedure: *N*

Ward Members Notified: *N*

Appendices:

- Appendix A: Table of submissions
- Appendix B: Market Harborough SDA
- Appendix C: Lutterworth SDA
- Appendix D: Fleckney/Saddington parish boundary
- Appendix E: Areas for consideration
- Appendix F: Terms of Reference