

Council

Thursday, 11 April 2013

Additional Information

Contact: Shaun Banks (Telephone 01793 463606),
email: sbanks@swindon.gov.uk

This page is intentionally left blank

**MINUTES FOR CONFIRMATION
CORPORATE GOVERNANCE REVIEW WORKING GROUP**

TUESDAY, 2 APRIL 2013

31. Community Governance Review

The Director of Law and Democratic Services submitted a report concerning the Community Governance Review of Swindon and the receipt of a petition, presented at the Cabinet meeting on 20th March 2013, containing 229 signatures from residents in the CDB Polling District, requesting that a Nythe Parish Council be created.

The Director of Law and Democratic Services explained that the Cabinet had referred the petition to this Working Group for consideration and in order that it could advise the Council on 11th April 2013 of any change it would wish to make to its current recommendation that a separate Nythe Parish not be created (Minute 115(4) of the Cabinet refers). The Cabinet had also requested that all parties who had already made representations on the issue be informed of the receipt of the petition in order that any additional comments they might wish to make could also be taken into account by the Working Group when it considered the matter.

The Director of Law and Democratic Services and the Electoral Services Manager tabled and referred to (a) the background and table of events associated with the Community Governance Review and the receipt of the petition, (b) details of the proposal previously considered by the Working Group in relation to Nythe and the Working Group's conclusion and recommendation, (c) the additional evidence received in support of the creation of a Nythe Parish Council, (d) further submissions received on the issue of establishing a Nythe Parish Council, including (i) a further petition received from Councillor Dale Heenan, containing 122 signatures, supporting the establishment of a parish council, (ii) a petition organised by Councillor Peter Watts on behalf of Stratton St Margaret Parish Council, containing 394 signatures, opposing the creation of a new Parish of Nythe, (iii) a submission from Stratton St Margaret Parish Council responding to the original petition organised by Councillor Heenan, (iv) a submission from Mrs G.V. Hurley in support of the establishment of a Nythe Parish, (v) a submission from Mrs Pat Spry opposing the proposed establishment of a Nythe Parish and the reduction in size of Stratton St Margaret Parish, and (vi) a submission from Mr Brian Cockbill opposing the proposed reduction in size of the Parish of Stratton St Margaret and apologising to the Officers, Working Party, Cabinet and Scrutiny Committee that the figures he quoted in an earlier submission were incorrect, whilst maintaining some of his previous concerns.

The Electoral Services Manager further tabled an analysis of the three petitions received which indicated that, subject to the removal of those who had voted for petitions both supporting and opposing the establishment of a Nythe Parish,

- 366 signatories from the CDB Polling District disagreed with the formation of a new Parish of Nythe, and
- 298 signatories from the CDB Polling District (191 signatories in Councillor Heenan's first petition, and 107 signatories in the second petition) supported the formation of a new Parish of Nythe.

The Director of Law and Democratic Services reminded the Working Group of the statutory criteria and the approach to be adopted in assessing the evidence now available to the Working Group. He referred to information received from Sevenoaks District Council who was in the process of establishing a new parish council from within an existing parished area following a Community Governance Review. He commented on the evidence that had been available to that Council in reaching its decision.

The Chair noted that there was almost equal numbers supporting and opposing the establishment of a new parish. It was also noted that the number of those participating in the petitions was approximately 30% of the electorate for the Polling District concerned so the vast majority of electors in that area had not expressed a view either way. He wondered whether a way to move the matter forward would be a “parish poll” or similar survey to be conducted by an independent party like the Borough to seek the views of residents. He recognised that it would not be possible to undertake such an exercise prior to 11th April 2013, but saw this as providing a possible way for a decision to be made regarding this area in the future.

The Director of Law and Democratic Services advised that it would be feasible to organise such a survey or vote but there would be cost and resource issues for the Council and that, in any event, it may be that a majority of electors would not vote in such a formal poll. The Director further advised that such evidence of community backing for the establishing of a new parish as was the case in Sevenoaks would be a material consideration in any future Community Governance Review.

Members of the Working Group discussed the information provided and the content of the submissions received. The Working Group considered that the case for establishing a separate parish of Nythe had not been made having regard to the statutory criteria and the level of community support demonstrated.

Resolved – (1) That the content of the report and the petitions and submissions received regarding the establishment of a Parish of Nythe be noted.

(2) That the Working Group confirms its recommendation to the Council that a new Parish of Nythe not be created.

(3) That the Council be recommended to approve the draft Proposals of the Working Group as set out in Appendix 3 of the report to the Cabinet on 20th March 2013 and endorsed by the Cabinet at that meeting (Minute 115 of the Cabinet refers).

(4) That, in accordance with the requirements set out in Section 96 of the Local Government and Public Involvement in Health Act 2007, the Director of Law and Democratic Services be authorised to publish the Council’s decision in relation to those recommendations set out in the draft Proposals (Appendix 3 to the Cabinet Report 20th March 2013) and the reasons for making that decision, and to take such steps as he considers sufficient to secure that persons who may be interested in the Community Governance Review are informed of that decision.

(5) That, further to the decision in (4) above, the Director of Law and Democratic Services be authorised to make the necessary Order to give effect to that decision.

This page is intentionally left blank