

Community Governance Review

Corporate Governance Review Working Group Date: 2 April 2013

Author: Director of Law and Democratic Services

Wards: Covingham and Dorcan

Locality Affected: East

Parishes Affected: Stratton St Margaret

1. Purpose and Reasons

- 1.1 This report is to enable the Corporate Governance Review Working Group ('the Working Group') to consider a petition presented at Cabinet on Wednesday 20th March 2013 requesting a Nythe Parish Council be created, in order that the Working Party can make a recommendation thereon to Council at its meeting on 11th April 2013.

2. Recommendations

- 2.1 The Working Group is recommended to consider the petition and advise Council at its meeting on 11th April 2013 as to whether it wishes to change its recommendation at its meeting on 7th March 2013 that a separate Nythe parish not be created.

3. Detail

Timetable of events

- 3.1 The Terms of Reference for the Community Governance Review sets out a timetable of stages for the receipt of formal proposals. The final stage of this review closed on Monday 18th February 2013.
- 3.2 At its meeting on Wednesday 20th March 2013, however, Cabinet received a petition in support of a submission made prior to the 18th February 2013 requesting that a Nythe Parish Council be created, and Cabinet have referred the petition to the Working Group for further consideration.
- 3.3 The recommendation of the Working Group will be reported to Council at its meeting on 11th April 2013. Council will then authorise the necessary Changes Order to be made which will be done in May 2013. The first of the parish changes will come into effect in May 2014 in line with the appropriate parish electoral cycle.

Background

- 3.4 The Working Group presented a scheme of final recommendations to Cabinet on Wednesday 20th March 2013. The Working Group took a considered, balanced and evidence-based approach in reaching conclusions at this stage in the

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proceedings, having regard to the statutory criteria which is that any scheme must reflect effective and convenient governance.

- 3.5 One of the recommendations of the Working Group was that a separate parish for Nythe should not be created based on the evidence submitted. At Cabinet on 20th March 2013 a petition was submitted by Councillor Heenan containing 229 names of residents within the area known as Nythe, requesting that a Nythe Parish Council be created. Cabinet has asked the Working Group to consider the petition and advise the Council whether it wishes to change that recommendation.

Proposal previously considered by the Working Party in relation to Nythe

- 3.6 A submission made at the initial stage of the review, proposed that a new parish of Coleview and Nythe be created from the polling districts SMC, CDA and CDB. It was recommended by the Corporate Governance Working Group that further evidence in support of this proposal should be sought from the residents of these areas. This would establish a clear understanding of the wishes of those affected by this proposed change.
- 3.7 A revised proposal was then submitted by Councillor Dale Heenan recommending a new parish of Nythe to be created consisting of properties within the polling district of CDB only. The total number of properties within this area currently stands at 1,138 and houses 2,131 registered electors.
- 3.8 Councillor Heenan stated that he carried out a door to door survey covering 1,138 properties. Of those properties, Councillor Heenan reported that 210 households responded regarding the proposal to form a new parish council of Nythe. No evidence was received at this stage to validate the proposals. The question was asked, "Who thought that a Nythe parish council would best serve the community?" It was reported by Councillor Heenan that 89.3% of those responding to the survey said 'Yes' to this question. It is not clear from the information provided in the proposal if all residents in the 210 households were consulted.
- 3.9 Further information to provide a clear understanding of the wishes of the electorate within the Nythe area was extracted from the survey conducted by Stratton St Margaret Parish Council. Question 1 in the parish council survey asked residents the following question. "Would you like the parish boundary of Stratton St Margaret to stay as it is (Subject to the proposed changes below)? Of those residents from the CDB area, there were 101 replies of which 71 answered Yes to the question and 30 answered No to the question. Therefore 70.29% of residents who responded to the survey, from the area affected by these proposals, wanted to stay within the Stratton St Margaret Parish. This represents 4.7% of the electorate.

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- 3.10 A survey was also carried out by Mr Brian Cockbill to support the statement “I/We are satisfied that we reside within the parish of Stratton St Margaret and wish to remain so, and urge that the Review of the Parish Governance being conducted by Swindon Borough Council endorse this view”. From this survey, there were 45 signatures from residents of the CDB area requesting they remain within the Stratton St Margaret parish. This survey adds an additional 2.1% of electors wishing to stay within the Stratton St Margaret parish.

4. **Additional Evidence received in support of the creation of a Nythe Parish Council**

- 4.1 It is imperative that proposals are accompanied by detailed and reasoned arguments and any supporting evidence. The final proposals must reflect both effective and convenient local government, in accordance with the statutory criteria.
- 4.2 Further evidence has been received at Cabinet on 20th March 2013 requesting that a Nythe Parish Council be created. The area affected by this change covers the CDB polling district and can be seen at **Appendix A**.
- 4.3 The petition received contains 229 signatures from residents in CDB polling district and reads as follows:
- “A Nythe Parish Council – Petition to form a Nythe Parish Council in 2014 - We request that Swindon Borough Council creates a Nythe Parish Council as part of the Community Governance Review because we believe this would better reflect local community identity, be more effective and accountable than the existing governance arrangement, improve democracy with the first contested parish election since 1997, and could save every household in the area up to £70 a year with a lower parish precept. Nythe covers the CDB polling district for Swindon Borough Council, and the boundary is west of Dorcan Way, south of the Greenbridge fields, north of Dorcan stream and west of Ashbury Avenue and the Drive”.*
- 4.4 Emails have also been received from interested parties. 25 emails in support of a Nythe Parish Council (2 Independent and 23 submitted by Councillor Heenan).
- 4.5 An overall evaluation of the survey responses received to date show that of those residents in the CDB polling district responding to the surveys mentioned above, 10.7% of residents agree to a new Nythe Parish Council, and 5.3% wish to stay within the Stratton St Margaret parish. Any further analysis will be reported to the Working Group at its meeting on 2nd April 2013.
- 4.6 Provisional expenditure level for the creation of a new parish council and any affects to the residents within the remaining area of Stratton St Margaret parish has previously been reported to the Working Group and is as set out below;

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	Stratton	Nythe	Stratton excl Nythe
Number of Properties	9,956	1,138	8,818
Estimated Tax Base	7,274.5	831.5	6,443
Tax Base as % of Households	73.1%	73.1%	73.1%
2013-14 Stratton Charge per Band D Equivalent	£105.52	£105.52	£105.52
2013-14 Swindon Average Charge per Band D Equivalent		£63.07	
Income Raised (at Stratton level of charge)	£767,627	£87,742	£679,885
Income Raised (at Swindon average charge)		£52,443	
Smallest Swindon Parish Precept	0	0	0
Average Swindon Parish Precept	123,669	123,669	123,669
Largest Swindon Parish Precept	£767,627	£767,627	£767,627

- 4.7 From this it can be deduced that the level of precept for the new parish would be £88k at the Stratton level of Band D charge and £52k at the Swindon average. Both are viable and within the average parameters of Swindon precepts. The impact on Stratton would be to reduce its income by £88k (11.4%) which would be significant to manage in a single year.

5 Alternative Options

- 5.1 No specific option is being proposed.

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6 Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 6.1 There are no specific Financial or procurement implications arising from this report. The implications of establishing a new parish council for Nythe are highlighted within the report.

Legal and Human Rights Implications

- 6.2 Legal and Human Rights implications have been taken fully into account in the preparation of this report. It is considered that the recommendations of the report are compatible with Convention rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 6.3 There are no other direct implications associated with this report.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 6.4 There are no specific links.

Diversity Impact Assessment

- 6.5 A Diversity Impact Assessment (DIA) has not been undertaken at this stage.

Risk Management

- 6.6 There are none linked to this report although failure to comply with the statutory procedures would be a legal and reputational risk to the Council.

7. Consultees

The Board Director Resources (Section 151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

8. Background Papers

- 8.1 The petition

9. Appendices

- 9.1 Appendix A – Map identifying polling district CDB

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Further information on the subject of this report can be obtained from Stephen Taylor,
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