

CABINET

WEDNESDAY, 19 OCTOBER 2016

58. Community Governance Review

The Leader of the Council, Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, Cabinet Member for Streetsmart, Cabinet Member for Communities, the Chief Executive, Corporate Director Resources, and the Director of Law and Democratic Services submitted a joint report the outcomes of Stage 3 of the Community Governance Review (CGR) and inviting Cabinet to consider the summarised feedback from the Stage 3 consultation, including submissions made by Blunsdon St Andrew Parish Council and Haydon Wick Parish Council (set out in an update to the Cabinet report), and recommend a final proposal to Council.

Councillor Mary Martin, the Cabinet Member for Communities, introduced the report, initially taking members through the various recommendations and then expanding on the detail of the report by responding to members' questions and observations on (i) specific aspects of the Council's proposed response to the formal consultation undertaken by the Council on proposals to entirely parish the Borough through the creation of four new parish councils, extending the Nythe Parish Council area and the amendment of some other existing parish council boundaries, and (ii) the recommendations proposed to be made to Council, as set out in Appendix 5 to the report, as amended in the supplementary papers published before the meeting and tabled at the meeting, and including submissions made by Blunsdon St Andrew Parish Council and Haydon Wick Parish Council.

Councillor Martin, with Councillors David Renard, the Leader of the Council and Chair of Cabinet, Toby Elliott, Cabinet Member for Strategic Planning, Brian Ford Cabinet Member Adults' Health and Social Care and Dale Heenan, Cabinet Member for Sustainability, Highways, and Transport, responded at the meeting to questions put by Councillors John Ballman (Gorse Hill and Pinehurst), Gemma McCracken (St Andrews), Cathy Martyn (Wroughton and Wichelstowe), Jane Milner-Barry (Old Town), Des Moffatt (Rodbourne Cheney), Stan Pajak (Eastcott), Maureen Penny (Highworth and Blunsdon), Jim Robbins (Mannington and Western), Vera Tomlinson (St Andrews), Chris Watts (Liden, Eldene & Park South), Peter Watts (Rodbourne Cheney), Steve Weisinger (Blunsdon and Highworth), and Bob Wright (Central) on the following issues:

- The position on conducting a Referendum to assess Swindon residents' opinion on the parishing of the entire borough area.
- The ratios for the appointment councillors to each Parish and the principles that supported those calculations.
- The validation and transparency of the Review process and opportunity to make changes to the recommendations to be made to Council.
- The shortfall in funding made available to the Council from Central government and the motivation for the Review.
- The suggestion that public engagement with the Review has been limited

and that the recommendations have been influenced by only a minority of residents.

- The ratio of the electorate to the number of parish councils proposed to be created and the effect on those ratios of residents who are not on the electoral register.
- The extent of consultation with existing parished areas and the role of Shadow Parish Councils.
- The inclusion of polling district SAD in the new Blunsdon St Andrew Parish.
- The viability of the recommended parishes.
- Practicalities associated with the current positioning of the Haydon Wick Parish and Blunsdon St Andrew boundary through the Abbey Meads Village centre.
- The comment received from Highworth Town Council that the Highworth boundary be amended to include “Supermarine”.
- The proposed warding arrangements in respect of Nythe, Eldene and Liden and the effect of those arrangements on the position of existing Nythe Councillors.
- The principles supporting the recommendation that areas within the WAA polling district be added to Wroughton parish.
- The correlation between parish boundaries and size and the precepts that might be levied to ensure the future sustainability of services.

The Director of Law and Democratic Services responded to questions on the timing and scope of new elections and confirmed that Council could amend recommendations put forward by the Cabinet, providing there was an adequate rationale that met the statutory requirements for the community governance review.

Councillor Martin advised that, in response to issues raised by members and the public, during public question time, she would, on request, convene her Community Governance Cabinet Member Advisory Group to consider parish ward arrangements. Councillor Martin also invited Councillors from Haydon Wick and St Andrews to come forward before the scheduled Council meeting in November to discuss the proposed changes to the boundary through the Abbey Meads Village centre.

Resolved – (1) That the summarised feedback received from Stage 3 of the Community Governance Review, as detailed in Appendix 3 to the report and the additional papers circulated after the initial agenda despatch, be noted.

(2) That the proposed arrangements to agree the transfer of property assets from the Borough Council to parish councils, if new parishes are established, as set out in the body of the report, be noted.

(3) That £3m of one-off resources be set aside to fund parish reserves and transitional funding, on the basis set out in the body of the report, and that the Corporate Director Resources, in consultation with the Cabinet Member for Communities, be authorised to agree the exact payment to be made to each parish council within these terms.

(4) That the Corporate Director Resources be authorised to respond to the Government’s consultation on ‘Council Tax precept referendum criteria for parish councils’, to the effect that the Council supports the Government’s proposal that should the ‘Council Tax increase referendum criteria’ be extended to parishes in future, it should not apply where there is a transfer in responsibility for services from a principal authority to a local council.

(5) That Council be recommended that it:

- a) Agrees to the recommendations set out in Appendix 5 to the report, as amended in supplementary papers published before the meeting and tabled at the meeting, including submissions made by Blunsdon St Andrew Parish Council and Haydon Wick Parish Council, and the following additional recommendations, in relation to the parished and currently unparished areas of the Borough, in order to ensure that community governance within the Borough is effective and convenient, and reflective of the identities and interests of communities within the Borough:

Additional Recommendations

- i. St Andrews – to include polling district SAD in the proposed new parish.
 - ii. Nythe/Stratton St Margaret – to adjust the border so that the Nythe allotments fall within the current Nythe parish
- b) Notes that parishing the entire Borough would enable community empowerment at local level consistently throughout the Borough and extend localism to those parts of the Borough that do not currently have a local council and so do not have the full range of options for local service provision;
- c) Agrees that the final proposal map at Appendix Six is approved as the new boundaries of existing and new parishes with effect from the dates to be set out in the Order;
- d) Adopt and give effect to the recommendations of the Cabinet.

(6) That, subject to Council approving the recommendation set out in (5) above, Cabinet further recommends that Council:

- e) Authorises the Director of Law and Democratic Services, in consultation with the Cabinet Member for Communities, to:
 - i. Establish Shadow Councils for each of the proposed new parishes with a membership of at least 5 in number made up from the ward members in each area;
 - ii. Determine, in consultation with the Shadow Parishes, the governance arrangements for each new parish;
 - iii. In accordance with the requirements set out in Section 96 of the Local Government and Public Involvement in Health Act 2007, to publish the Council's decision in relation to these recommendations together with the reasons for making this 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.
- f) Authorises the Head of StreetSmart to organise the borough council's workforce in such a way as to facilitate any service transfer that may be agreed between the borough council and any new or existing parish or town council.
- g) Authorise the Director of Law and Democratic Services to:
 - i. prepare, in consultation with the Leader of the Council, a revised scheme and consequential Community Governance Reorganisation Order to include such provisions as he considers appropriate in relation to (inter alia) implementation dates, asset transfers, and warding arrangements;
 - ii. seek the agreement of the Local Government Boundary Commission to any consequential changes to the protected electoral arrangements set out in the Swindon (Electoral Changes) Order 2012; and
 - iii. Make and implement the Reorganisation Order.

(7) That, in furtherance of the resolution of issues raised during the course of Cabinet's consideration of this matter, the Director of Law and Democratic be authorised, in consultation with the Leader of the Council and the Cabinet Member for Communities, to make such additional amendments as he may consider necessary to Appendix 5, and the proposal map in Appendix 6, in advance of its submission to the Council meeting in November 2016.

The reasons for the decision and alternative options are as set out in the report to the meeting.