

Request to change the name of the Central Swindon South Parish Council

Council

Date: 28th September 2017

Author:	Leader of the Council and Director of Law and Democratic Services
Wards:	Central, Chiseldon and Lawn, Eastcott, Old Town, Liden, Eldene and Park South, Walcot and Park North,
Parishes Affected:	Central Swindon South

1. Purpose and Reasons

- 1.1 To report the receipt of a request from the Central Swindon South Parish Council that it be permitted to change its name to “South Swindon Parish Council” and to seek Members’ endorsement of that alteration.

2. Recommendations

Council is recommended to:

- 2.1 Note the receipt of the request from the Central Swindon South Parish Council that it be permitted to change its name.
- 2.2 Authorise the Director of Law and Democratic Services to make and publish an Order under Section 75 of the Local Government Act 1972 to change the name of Central Swindon South Parish Council to “South Swindon Parish Council”.

3. Detail

- 3.1 At a meeting of the Central Swindon South Parish Council, on 20th June 2017, the Chair, Chris Watts, advised that “the public found the current name of the Council too complicated” and that they “had difficulty remembering the correct order.” He invited the Parish Council to consider a name change and it was resolved that a request be made to the Borough Council that the name be changed to “South Swindon Parish Council”.
- 3.2 There is no reference in the correspondence from the Parish Council as to the precise numbers of residents who had raised a concern about the Parish name, with whom this was raised, or over what time period.
- 3.3 The Parish Council was subsequently advised, at its meeting on 18th July 2017, that, although the Borough Council was the appropriate body to agree and confirm a change in the name of the Parish Council, the Borough Council had asked that the request be supported by a consultation undertaken by the Parish.
- 3.4 The Parish Council was also advised, at the meeting, that, in accordance with the Council's request, the Clerk to the Parish Council had consulted on the proposed name change with Ward Councillors (those not members of the Parish Council), the local Member of Parliament, the Police and neighbouring Parish Councils.

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Details of the consultation were also placed on the Parish Council's website and Facebook page.

- 3.5 It is understood from the Parish Council that a total of 13 responses, including 3 from the general public, had been received at the date of the despatch of the agenda for the Parish Council meeting. These are summarised below.
- 3.5.1 Robert Buckland QC MP, the Police, Ward Councillors (all parties), two Wroughton Parish Councillors and Liddington Parish Council supported the proposal.
- 3.5.2 One Wroughton Parish Councillor did not support the proposed name change.
- 3.5.3 No detail of the public comments received have been supplied by the Parish Council.
- 3.6 Following its consideration of the consultation responses, the Parish Council made a formal request to the Borough Council, by letter to the Director of Law and Democratic Services on 22nd July, that the Borough Council "takes the necessary steps required by Statute, to change the name of the Central Swindon South Parish Council to "South Swindon Parish Council".
- 3.7 The Borough Council is the appropriate body to action such request for a name change, in accordance with the provisions of Section 75 of the Local Government Act 1972 which states:
- (1) At the request of the parish council the council of the district in which the parish is situated may change the name of the parish.*
- (2) Notice of any change of name made under this section –*
- (a) shall be sent by the district council concerned to the Secretary of State, to the Director General of the Ordnance Survey and to the Registrar General; and*
- (b) shall be published by the district council in the parish and elsewhere in such manner as they consider appropriate.*
- (3) A change of name made in pursuance of this section shall not affect any rights or obligations of any parish or of any Council, authority or person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of name.*
- 3.8 Although members will note that there are parishes in the south of Swindon who would not be part of the proposed South Swindon Parish Council, and that the proposed name could introduce a new ambiguity for residents, it is considered
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that the request should be approved having regard to the outcome of the consultation carried out and in light of the responses referred to earlier.

4. Alternative Options

- 4.1 The request for name change has been made formally by the Parish Council on grounds that problems have been encountered with regard to the current name being too complicated and is supported by a generally positive to consultation regarding the proposal. The Council can choose not to authorise the proposed name change.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There will be a minimal cost (primarily staff time) involved in making and publicising any order made under Section 75 of the Local Government Act 1972.

Legal and Human Rights Implications

- 5.2 In addition to the specific reference in the body of the text, other legal and Human Rights implications have been taken into account in preparing this report. It is considered that the recommendations are compatible with Convention Rights.

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

- 5.3 None

Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment (DIA) has not been undertaken as changing the parish name would not affect the delivery of any of the Borough Council's services.

6. Consultees

- 6.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 The report to the meeting of the South Swindon Parish Council on 18th July 2017 and the subsequent letter from the Parish Clerk to Director of Law and Democratic Services, dated 22nd July 2017.

8. Appendices

- 8.1 None