

Wiltshire Council

Council

12 July 2016

Community Governance Review – Update on Approved Schemes

Executive Summary

At its meeting in November 2015 the Council approved a number of changes to community governance arrangements within the County. This report summarises the current position on those approved schemes and seeks approval to the making of Community Governance Orders, where appropriate

Proposal(s)

Council is asked to note the position on the previously-approved changes to community governance arrangements; to consider taking no further action in respect of further proposals in the Devizes/Bishops Cannings, Melksham and Tidworth areas and to approve the making of Community Governance Orders effecting the changes to the parishes of Calne & Calne Without and the parishes of Bishopstrow, Warminster and Sutton Veny.

Reason for Proposal

These proposals bring into effect some of the decisions made by Council in November 2015 to amend the boundaries of the parishes concerned.

Ian Gibbons, Associate Director, Legal and Governance, and Monitoring Officer

Wiltshire Council

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Community Governance Review – Implementation of Approved Schemes

Purpose of Report

1. The purpose of this report is:
 - a) to update the Council on the changes to community governance arrangements for a number of parishes within the County, as agreed by the Council in November 2015;
 - b) to recommend that no further changes be made to community governance arrangements in the Melksham area, beyond those previously agreed;
 - c) to recommend that no further changes be made to the boundary between Devizes and Bishops Cannings parishes, beyond those previously agreed;
 - d) to recommend that no changes be made to governance arrangements in the Tisbury area at this stage;
 - e) to authorise the Solicitor to the Council to make the necessary Community Governance Orders to bring into effect the changes previously agreed for the Calne and Bishopstrow areas.

Relevance to the Council's Business Plan

2. The 2007 Local Government and Public Involvement in Health Act places a duty on principal authorities to have regard to the need to secure that any community governance for the area under review reflects the identities and interests of the local community in that area.

Main Considerations for the Council

3. The Council will need to make a number of decisions to implement the changes in community governance arrangement that were agreed in November 2015, in order for those changes to come into effect in April 2017.

Background

4. In 2014 the Council established a Working Group to consider a number of proposed changes to the community governance arrangements of various

parishes within the County. In November 2015 the Working Group submitted its recommendations to Council for approval. At that meeting the Council asked the Working Group to reconsider proposals affecting the Salisbury, Trowbridge and Corsham areas. This has been done and is the subject of a separate report on this Agenda.

5. In relation to the other proposals that had been considered by the Working Group, the Council agreed in November 2015 to make no changes to the community governance arrangements in the Lyneham or Tisbury areas. The Council did, however, agree to make changes to a number of other parishes, including those in the Devizes, Calne, Melksham, Bishopstrow and Nomansland areas. The current position on those proposals is set out below, with further recommendations where appropriate. The changes that were agreed in relation to the Salisbury and Corsham areas will be implemented following final decisions on the other proposals for those areas.

Devizes Area

6. At its meeting in November, the Council approved a proposal for the parish of Roundway to be abolished and for the areas currently within Roundway to become part of Devizes parish. This proposal has implications both for the warding of Devizes and for the number of councillors to represent the enlarged town council. These issues have been discussed by the Joint Governance Committee of the affected councils. The Clerk to the Town Council has now advised that, for the time being, the area currently covered by Roundway parish is to become a separate ward within the Town Council and that the number of town councillors will be increased from 17 to 21, with the South, North and East wards each having 5 members and the new Roundway ward having 6 members.
7. Following the abolition of Roundway parish, there will be a need for any assets held by Roundway Parish Council to be transferred to Devizes Town Council. This will be addressed in the final Governance Order.
8. The Council in November also agreed changes to the boundaries between Devizes/Roundway and Bishops Cannings as well as the de-warding of Bishops Cannings parish. These will also be addressed in the Governance Order for the Devizes area. However, the Working Group was also asked to give further consideration to a proposal that a small area of Bishops Cannings parish to the south of Brickley Lane/ Broadway House becomes part of Devizes Town (see Plan attached as Appendix 1). The Working Group has looked again at this proposal, but considers that the existing boundaries in this area should be retained, as there are no significant reasons for making any change.

Calne Area

9. In November, the Council agreed to make a number of relatively minor changes to the boundaries between Calne and Calne Without parishes in the vicinity of Sandpit Road, Wenhill Heights, John Bentley School and The Knowle, Stockley Lane. As these are minor changes, there are no warding or other implications.

The Council is therefore in a position to make the Governance Order to implement those changes.

Melksham Area

10. It was agreed in November that three areas of land in the Melksham area should be the subject of boundary changes. These involved the transfer of land at Snarlton Lane/Thyme Road and at Dunch Lane/A36 from Melksham Without to Melksham Town and the transfer of land in the vicinity of Berry Lane to Melksham Without from Broughton Gifford parish.
11. Since those decisions were made, representations have been received from Melksham Town Council that further areas of land to the east of the town also be transferred from Melksham Without to Melksham Town. This comprises land east of Spa Road and land at Sandridge Common, as set out in the letters attached as Appendix 2 to this report.
12. The Town Council considers that there has been a material change in circumstances as a result of the approval of residential developments in this area and that this should be recognised and included in the land to be transferred to the Town. These proposals were resisted by Melksham Without Parish Council, who noted that there had been no public consultation on them and that it would be premature to consider a transfer of this land, as Reserved Matters applications had not yet been submitted for the intended housing developments. Comments from Melksham Without Parish Council are attached as Appendix 3 to this report.
13. The Working Group has considered this request, but agreed with Melksham Without Parish Council that it would be premature to consider the transfer of this land at this stage and that it would not be appropriate to add any new proposals to those approved in November.
14. The changes to the areas of Melksham and Melksham Without parishes previously agreed in November will have implications for the warding arrangements of those parishes. Proposals have been submitted by Melksham Without Parish Council and by Melksham Town Council (on a without prejudice basis). Whilst Melksham Without have made specific proposals, the Town Council are not yet in a position to do so.

Bishopstow Area

15. Relatively minor changes to the boundaries of Warminster, Bishopstow and Sutton Veny parishes were approved by the Council in November. There are no warding or other implications arising from those decisions and the Council is therefore in a position to make the Governance Order to implement those changes.

Nomansland Area

16. Council agreed in November that an area of Nomansland, currently within Redlynch parish should be transferred to Landford Parish. There are a number of assets owned by the parish council within the area to be transferred and the parishes are also considering whether any reserves should also be transferred.

There will also be warding implications arising from this transfer which are also being considered by the two parish councils.

Tisbury and West Tisbury

17. For several years, there have been discussions locally about the boundary between Tisbury and West Tisbury, as development straddles the parish boundary between the two parishes.
18. Previous suggestions have ranged from a merger of the two parishes, revision of the boundary in the built up area, to a re-organisation based on either streets or post codes. No clear option has been put to the Council at this time, and consequently no consultation has been undertaken by Wiltshire Council.
19. Both parish councils are aware of the council's CGR timetable and a number of comments have been received from individual parish councillors, but the Working Group considers that there is currently no clear proposal for consultation.

Tidworth

20. As mentioned at the meeting in November 2015, a proposal had been received that there be changes to the warding arrangements for Tidworth Town Council, to reflect recent and proposed residential development. This would involve changing the relative numbers of councillors for the existing wards, without changing the total number of councillors, or the ward boundaries.
21. A proposal has been made that there be 11 councillors for the East Ward (currently 10), 2 for Perham Down (currently 2) and 6 for West Ward (currently 7). This is currently being considered by officers.

Safeguarding Implications

22. There are no safeguarding impacts arising from this report

Public Health Implications

23. There are no public health impacts arising from this report.

Environmental and Climate Change Considerations

24. There are no environmental impacts arising from this report.

Equalities Impact of the Proposal

25. There are no equalities impacts arising from this report

Risk Assessment

26. The legal Orders required to bring into effect the changes in community governance arrangements will need to be finalised and approved by the end of October 2016, if the Unitary and Parish elections in May 2017 are not to be compromised.

Financial Implications

27. There are no financial implications arising directly from this report

Legal Implications

28. The Local Government and Public Involvement in Health Act 2007 requires that, when making changes to the areas of a parish, the Council considers any consequential changes to the electoral arrangements of the affected parishes.

Recommendations

29. Council is recommended:

- a) to note the position on any proposed consequential changes to community governance arrangements arising from the decision of Council in November 2015.
- b) to agree that no further changes be made to community governance arrangements in the Melksham area, beyond those previously agreed by Council in November 2015.
- c) to agree that no further changes be made to the boundary between Devizes and Bishops Cannings parishes, beyond those previously agreed.
- d) to agree that no changes be made to the governance arrangements in the Tisbury area at this stage.
- e) to authorise the Solicitor to the Council to make the necessary Community Governance Orders to bring into effect the changes previously agreed for the Calne and Bishopstrow areas.
- f) to note that a further report will be brought to the next meeting of Council to approve the final arrangements in respect of Devizes Melksham, Nomansland and Tidworth.

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Background Papers

The following unpublished documents have been relied on in the preparation of this report:

Correspondence from Parish Councils

Appendices

Appendix 1 – Map of Area A6 and B6 – Devizes Area

Appendix 2 – Letters from Melksham Town Council - 16 February, 10 May 2016

Appendix 3 – Letter from Melksham Without Parish Council – 9 June 2016