

Wiltshire Council

Council

18 October 2016

Community Governance Review – Consequential Issues 1

Executive Summary

At its meetings on 24 November 2015 and 12 July 2016 the Council approved a number of changes to parish boundaries within the County. This report seeks approval to a number of consequential governance arrangements within some of the parishes affected by those earlier decisions, together with some further changes affecting warding arrangements for Grafton and Tidworth parishes.

Proposal

Council is asked to approve the further changes to community governance arrangements, as set out in this report and to authorise the making of Community Governance Orders to bring those changes into effect from 1 April 2017.

Reason for Proposal

These proposals bring into effect some consequential community governance arrangements, following the decisions made by Council in November 2015 and July 2016 to amend the boundaries of the parishes concerned. These changes are considered to be appropriate in order to ensure that there is effective and convenient local government in the parishes whose boundaries are to be changed.

Carolyn Godfrey
Corporate Director

Wiltshire Council

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Community Governance Review – Consequential Issues

Purpose of Report

- 1 The purpose of this report is:-
 - a) to seek approval to consequential changes to community governance arrangements for some parishes whose areas are to change as a result of the Council's previous decisions;
 - b) to seek authority for the Solicitor to the Council to make the necessary Community Governance Order(s) to give effect to the changes arising from this report and the previously decisions of Council on the community governance review
 - c) to consider proposed changes to governance arrangements for Tidworth and Grafton Parish Council,
 - d) to seek authority for the Electoral Registration Officer to make any necessary changes to polling districts to bring them into line with the agreed governance changes.

Relevance to the Council's Business Plan

2. The Local Government and Public Involvement in Health Act 2007 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. Any further changes to the community governance arrangements for the parishes concerned are intended to ensure that there continues to be effective and convenient local government for the communities they serve

Background

4. At its meetings on 24 November 2015 and 12 July 2016, the Council approved a number of changes to the areas of some parishes within the County. In some cases, this involved only minor realignment of boundaries. However, in other cases, significant areas are to be

transferred from one parish to another. In one case, Roundway, the whole parish is to be dissolved and its area transferred to Devizes.

5. Since those decisions were made, officers have been consulting with the Parish Councils for the parishes affected, to determine whether there are any consequential changes that need to be made. This can involve changes to the warding arrangements within the parishes, or changes to the number of councillors on the parish council. In addition, the transfer of areas of land between parishes may also involve the transfer of ownership of assets situated within those areas, from one parish council to another.
6. Government Guidance recommends that, as far as possible, there should not be significant differences in the level of representation between different parish wards, in terms of the numbers of electors per councillor. The approach of the Working Party has been to allow the parish councils concerned to bring forward their own proposals for any further governance changes that they consider may be appropriate for their parishes, arising from the agreed boundary changes. Provided those proposals were consistent with that the Government's Guidance, the Working Group has been content to adopt them and to recommend them for approval.
7. The proposed consequential changes affecting individual parishes are set out below.
8. Council is also advised that letters before action have been received from solicitors acting for Hilperton Parish Council and West Ashton Parish Council, indicating an intention to challenge the outcome of the community governance review. An update on this will be provided at the meeting.

Corsham & Box

9. Corsham Town Council have proposed that the name of the current Rudloe Ward within the Town be changed, as it would no longer be appropriate, following the boundary changes agreed by this Council in November 2015, which will result in the whole of the Rudloe estate being within Box parish. It is proposed that the name of this ward be changed to Corsham West.
10. There are no further changes proposed to Box Parish Council, other than the boundary changes previously approved.

Devizes

11. At its meeting in November 2015, 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. The proposed consequential changes are:-

- i. the area currently covered by Roundway parish is to become a separate ward within the Town Council, to be known as Roundway Ward;
- ii. the total number of town councillors will be increased from 17 to 21, with the existing South, North and East wards each having 5 members and the new Roundway ward having 6 members.
- iii. All assets owned by Roundway Parish Council are to be transferred to Devizes Town Council

Hilperton

12. Whilst there are no warding changes proposed for Hilperton parish, following the changes to the parish are approved in July 2016, there are some assets owned by Hilperton Parish Council that will transfer to Trowbridge Town Council. These include a share in the ownership of a bus shelter on Leap Gate and a grit bin at Painters Mead. In addition, the parish council is the Custodial Trustee of the Paxcroft Mead Community Centre. This status is to be transferred to Trowbridge Town Council

Landford and Redlynch

13. Following the decision to transfer the Nomansland and Hamptworth areas of Redlynch into Landford parish, it is proposed that the number of councillors on Landford Parish Council be increased to 9 from the current 7, but that the parish remains unwarded. The number of councillors on Redlynch Parish Council is to reduce from 15 to 10. Redlynch Parish currently has two wards – Nomansland and Redlynch. With the transfer of Nomansland to Landford, the parish of Redlynch will become unwarded.
14. There are a number of assets owned by Redlynch Parish Council in the area being transferred to Landford parish. Ownership of these assets will pass to Landford Parish Council under the provisions of the relevant Regulations. These include the Nomansland Reading Room and the Nomansland Recreation Ground, together with a war memorial, telephone box and defibrillator, bus shelter and notice board. Officers have been working with the two parish councils regarding the transfer of these assets.
15. In addition, Redlynch Parish Council has agreed to transfer a proportion of its year- end reserves to Landford Parish Council, to reflect the fact that a significant portion of its area will be transferring to Landford Parish. Such a transfer is allowed under the community governance regulations and will be dealt with by way of a separate agreement.

Melksham Area

16. It was agreed in November 2015 that two areas of land are to be transferred from Melksham Without parish to Melksham parish. In addition land in the vicinity of Berry Lane is to transfer to Melksham Without parish from Broughton Gifford parish.

17. Both Melksham and Melksham Without parish councils have been considering the consequences of these changes and have provided this Council with revised warding arrangements as follows, which they have indicated would be acceptable:
- i. That there be three wards within the parish of Melksham Town, to be called North Ward, Central Ward and South Ward, with boundaries as shown on the plan attached as Appendix 1 to this report. Each ward to have 5 councillors;
 - ii. That there be four wards within the parish of Melksham Without to be known as Beanacre, Shaw & Whitley Ward (to have 3 councillors); Blackmore Ward (2 councillors); Bowerhill Ward (6 councillors) and Berryfield Ward (2 councillors), with boundaries as shown on Appendix 2 to this report.

Salisbury & Laverstock

18. Salisbury City Council have not indicated that they wish to make any consequential changes to their governance arrangements, following the various area changes agreed in November 2015 and July 2016.
19. Laverstock Parish Council have proposed that the number of Councillors in the Parish be increased from 13 to 16 and that these should be based on identifiable residential development, as follows.
 - i. Laverstock and Milford (essentially Postcodes SP1 1) - 5 Councillors.
 - ii. Bishopdown including the former Bishopdown North Ward and that part of Salisbury St Marks and Bishopdown that will move. (essentially Postcodes SP1 3) - 5 Councillors.
 - iii. Ford, Old Sarum, and eventually Longhedge (occupations start soon) (essentially Postcodes SP4 6) - 6 Councillors.

A plan of the proposed warding is attached as Appendix 3

Tidworth

20. As mentioned at the last meeting of the Council in July, a proposal has 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. The proposal is 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 considered acceptable by officers.

Grafton

22. Grafton Parish Council currently has two wards – North and South. The Parish Council has proposed that this warding be abolished and that there be no warding of the parish. Whilst officers have no objection to this proposal, it has not yet been subject to any consultation and did not fall within the terms of the original community governance review.
23. It is therefore proposed that the Solicitor to the Council be authorised to conduct the necessary consultation process and, if there are no unresolved objections, and if it is considered to be consistent with the relevant criteria, to include this minor change within the Community Governance Order, if this can be achieved without prejudicing the overall timescale.

Steeple Ashton

24. At the meeting of the Council in July, a further proposal was made affecting the boundary between Steeple Ashton and Trowbridge. This involved the transfer of part of Steeple Ashton parish into Trowbridge parish. The land affected was an area to the north of Green Lane and west of Ashton Road and is shown on Appendix 4 to this report.
25. A consultation process has been undertaken which has led to three responses from residents. A summary of those responses is attached as Appendix 5.
26. Trowbridge Town Council's view is that developments closely connected to the town, and at a greater distance from other developed parts of their existing parishes, should be part of the parish of Trowbridge. They believe that this will result in more efficient and effective local government for the residents of this area, for the residents of the parish of Steeple Ashton and for all of the residents of Trowbridge.
27. The Town Council has resolved to support a proposal to transfer the area of land concerned to Trowbridge. Keeping this area in the parish of Steeple Ashton would compromise the integrity of the village, as a significant proportion of the population would then be located a reasonable distance from the village and the majority of the parish population, but they would be in close proximity to the town and to all intents and purposes would be a part of the town. The town council considers that to exclude this development from the town would compromise the integrity of the town as the town council would not be in a position to represent the whole town.
28. Steeple Ashton Parish Council have deferred any formal decision to agree to this proposal, until such time as they are clear as to the stage at which any Community Infrastructure Levy is to be paid, or whether a covenant could be put in place by the developer to secure the CIL payment for the parish.

29. Given the position of Steeple Ashton Parish Council, it is felt that there is a need for more consideration on this proposal and that it would not be appropriate to take a decision at this stage.

Polling Districts

30. The changes to areas of parish councils may have implications for polling districts, which may need to be altered to bring them into line with the new parish areas. Authority is therefore sought for the Electoral Registration Officer to make any such necessary changes.

Safeguarding Implications

31. There are no safeguarding impacts arising from this report

Public Health Implications

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

Environmental and Climate Change Considerations

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

Equalities Impact of the Proposal

34. There are no equalities impacts arising from this report

Risk Assessment

35. The legal Orders required to bring into effect the changes in community governance arrangement, including these additional consequential changes will need to be prepared before the end of the year, if the Unitary and Parish elections in May 2017 are not to be compromised.

Financial Implications

- 36 There are no financial implications for the Council arising directly from this report

Legal Implications

37. 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. Changes to warding and the number of parish councillors need to be included within the Governance Order. The transfer of assets can be included within the order, or by separate arrangements under the aegis of the Order and the relevant Regulations.

Recommendations

38. Council is recommended :-

- a) to approve the consequential changes to community governance arrangements for those parishes whose areas are to change as a result of the previous decisions of Council, as set out in this report,
- b) to authorise the Solicitor to the Council
 - i) to make the necessary Community Governance Order(s) to bring into effect all of the changes arising from this report and the previous decisions of Council on 24 November 2015 and 12 July 2016 on the community governance review.
 - ii) to approve the proposed changes to governance arrangements set out in this report for Tidworth Parish Council and also for Grafton Parish Council, in consultation with the Community Governance Working Group, subject to the completion of the consultation process, for inclusion in the Community Governance Order(s), provided that this does not prejudice the timescale for such Order(s)
- c) to take no further action at this stage in respect of the proposal to transfer the area shown hatched on the Plan for Scheme 104 on Appendix 4 from Steeple Ashton parish to Trowbridge parish, pending further consideration,
- d) to authorise the Electoral Registration Officer to make any necessary changes to polling districts to bring them into line with the agreed governance changes.

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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 – Warding for Melksham Town parish

Appendix 2 – Warding for Melksham Without parish

Appendix 3 - Warding for Laverstock parish

Appendix 4 – Map of Scheme 104 – Trowbridge and Steeple Ashton

Appendix 5 – Consultation Responses - Scheme 104 – Trowbridge and Steeple
Ashton

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