

GENERAL PURPOSES AND LICENSING COMMITTEE – 15 JANUARY 2010

COMMUNITY GOVERNANCE REVIEWS

1. INTRODUCTION

1.1 The Committee will recall that on 11 September 2009 it was reported that all principal councils now have a duty under the Local Government and Public Involvement in Health Act 2007 to undertake a Community Governance Review (CGR) every 10 – 15 years. A CGR examines:

- Creating new parishes
- Abolishing, merging or altering parishes (including parish boundaries)
- Electoral arrangements for parishes

1.2 The procedure that must be followed in undertaking a CGR is set out in Appendix 1.

1.3 On 11 September 2009 the Committee agreed

- to proceed with a review of the number of parish councillors on East Boldre Parish Council (a request for this had been received); and
- to write to all parish and town councils to ask whether there were any boundary or electoral arrangements that they wished addressed through a CGR.

1.4 This report deals with the responses received from Parish and Town Councils.

2. RESPONSES FROM PARISH AND TOWN COUNCILS

2.1 Two parish councils – Copythorne and Godshill, have raised issues that they would like addressed:

(a) Copythorne

2.1.1 The Parish Council would like to do away with the two wards in the parish (Copythorne North and Copythorne South), and the divided representation by district and county councillors. The representation of the parish is:

Parish Ward	District Ward/ Representatives	County Division/ Representatives
Copythorne North	Bramshaw, Copythorne North & Minstead (Cllr Forse)	Fordingbridge (Cllr E J Heron)
Copythorne South	Ashurst, Copythorne South & Netley Marsh) (Cllrs Puttock and Tipp)	Lyndhurst (Cllr Mans)

- 2.1.2 This position is not ideal and the Parish Council's wish to rationalise the representation is appreciated. However, the division of the Parish into two wards is necessary because of the requirements for the District Council's wards, and, to a lesser extent, the County divisions.
- 2.1.3 Parishes/parish wards are the building blocks for District wards and County divisions, and, in order to achieve "electoral equality", it is sometimes necessary, although regrettable, to divide parishes across different District wards and/or County divisions. This has been the case with Copythorne since 1976.
- 2.1.4 At present Copythorne North has 996 electors and Copythorne South 1274. It would not be possible to do away with the parish wards so that the Parish would fall entirely within one District ward without affecting the electoral equality of both District wards covering Copythorne to an unacceptable degree.
- 2.1.5 Some members might recall that when the last periodic electoral review (PER) of District Council wards was undertaken by the then Boundary Commission, "electoral equality" (that is that each councillor represents, as nearly as possible, the same number of electors) was the overriding criterion. However, it is understood that the Boundary Committee of the Electoral Commission (which now deals with district and county electoral arrangements) has relaxed this approach when undertaking PERs and that a little more weight is now attached to the issue of community representation. It might therefore be possible, when the next PER takes place, to address Copythorne's concerns, but this cannot be done under a CGR. There is no indication when the next PER will be conducted.
- 2.1.6 It is suggested that the Committee agrees, with regret, not to undertake a CGR in Copythorne as there is no doubt that the consequential effects on the District wards of meeting Copythorne's aspirations would not be approved. The Parish Council could be advised that the matter will be considered when the next PER is undertaken if there is an opportunity to give more weight to issues of community identity, rather than electoral equality.

(b) Godshill

2.1.7 Godshill Parish Council has raised three issues:

- # • the settlement known as Crystal Hollow is currently within Fordingbridge Town Council's area (see Appendix 2). Godshill Parish Council feels it should fall within Godshill Parish.
- # • the triangular piece of land shown hatched on the map at Appendix 3, on the north-west of Godshill Parish, should fall within Breamore. The River Avon forms a natural boundary between the parishes at this point.
- Boundary Cottage on the A3080, on the northern boundary of Godshill, falls partly within Godshill and partly within Redlynch and Landford Parish in Wiltshire.

2.1.8 **Crystal Hollow**

With regard to Crystal Hollow, at the time Godshill Parish was created, the District Council proposed that the boundary between Godshill and Fordingbridge be along a line further south that would have included Crystal Hollow within Godshill. However, the then Department of the Environment did not agree this and the boundary was established along the boundaries of what was then the Godshill Ward of Fordingbridge Parish.

2.1.9 Current guidance on boundaries is that they should reflect the "no-man's land" between communities represented by areas of low population or barriers such as rivers, roads or railways. They need to be, and be likely to remain, easily identifiable. Natural physical features to distinguish the proposed boundary between Godshill and Fordingbridge were hard to identify when the parish was created, and, while the then Department of the Environment gave no reasons for not agreeing to the proposed new boundary, the absence of a clearly recognisable physical boundary was undoubtedly a factor.

2.1.10 The views of Fordingbridge Town Council on Crystal Hollow transferring to Godshill have been requested. The Town Council has indicated that it would object to any proposal to move Crystal Hollow to Godshill. A small part of their area, including Crystal Hollow, falls within the New Forest National Park. Having part of the Parish within the National Park means that they are included in any National Park consultations and also that they are a "New Forest Parish", which the Council considers important. They do not wish to see their small area within the Park reduced in size.

2.1.11 **Triangular piece of land to west of River Avon**

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The triangular piece of land to the west of the River Avon shown on Appendix 3 is unregistered land but appears to be in private ownership. The owner's views have been sought and will hopefully be available before the meeting. Breamore Parish Council has indicated that it would have no objection to the inclusion of this piece of land within their parish. It appears logical for the land to be within Breamore as the obvious boundary between the two parishes is the River Avon.

2.1.12 **Boundary Cottage**

The property known as Boundary Cottage is divided by the administrative boundaries of New Forest District Council and Hampshire County Council to the south and Wiltshire Council to the north. Changes to this boundary cannot be addressed through a CGR because changes in administrative boundaries can only be made following a review by the Boundary Committee of the Electoral Commission (whose work is soon to transfer to an independent Boundary Commission).

2.1.13 Enquiries of the Boundary Committee have established that it (or its successor the Boundary Commission) is highly unlikely to address a single issue such as Boundary Cottage as they are fully committed with issues arising from the creation of new unitary authorities. Officers of the Committee have advised that any issues such as this should have been addressed when the review of the boundaries for the new Wiltshire Unitary Council was being conducted. The District Council was not advised of the review being conducted in Wiltshire, had no information to pass on the NFDC parishes and therefore those parishes adjoining

Wiltshire (including Godshill) were not aware of the opportunity to raise the issue.

2.1.14 It appears that the next opportunity to address the boundary at this point will be when the next periodic review of District Council ward boundaries in Hampshire is conducted. The Boundary Committee cannot give an indication as to when this is likely to take place, but no reviews in Hampshire are proposed within the next five years.

2.1.15 If the Committee feels strongly about this issue, it could request the Boundary Committee to review the boundary at Boundary Cottage, but, as indicated above, any approach is unlikely to succeed.

3. “CONSEQUENTIAL CHANGES”

3.1 Changes in Godshill’s boundaries with Fordingbridge and/or Breamore would mean consequential changes to the following District Council ward boundaries:

Downlands and Forest
Fordingbridge
Forest North West

3.2 These changes have to be made by the Boundary Committee but, as they involve only the making of orders arising from a CGR, and not the undertaking of a review, no difficulties or delays with these are foreseen.

4. CONCLUSIONS

4.1 Copythorne Parish Council

The views of the Parish Council on its warding arrangements and councillor representation are appreciated, but addressing the matters they raise would affect the electoral equality of the District Wards to an extent that would be unacceptable under current guidelines. It is therefore felt that no useful purpose would be served in undertaking a CGR to examine the issues raised.

4.2 Godshill Parish Council

- Fordingbridge Parish Council will object to moving the boundary with Godshill so that Crystal Hollow falls within Godshill Parish. The Committee is asked to consider whether it wishes to embark on a CGR to consider this matter further.
- There appears no reason why the triangular piece of land on the western boundary with Godshill, shown on Appendix 3, should not transfer to Breamore and a CGR to address this issue is recommended.
- The boundary at Boundary Cottage cannot be addressed through a CGR. The Committee is asked to consider whether it wishes to pursue changing the boundary at this point with the Boundary Committee, in the knowledge that such an approach is highly unlikely to succeed.

5. FINANCIAL IMPLICATIONS

5.1 Most of the cost involved in undertaking the review will be in staff time. There will, however, be financial implications through the requirements to consult. A rough estimate, excluding staff time, is that the cost would be approximately

£1,000. This will be spread over the current and next financial years and should be contained within existing budgets.

6. ENVIRONMENTAL AND CRIME & DISORDER IMPLICATIONS

6.1 None.

7. RECOMMENDATIONS

- 7.1 That a CGR be not undertaken in response to the request from Copythorne Parish Council, but that the Parish Council be advised that the issues they raise will be considered when the next PER is undertaken.
- 7.2 That a CGR be undertaken in Godshill with a view to transferring to Breamore Parish the piece of land shown hatched on Appendix 3 to this report, with the following terms of reference:
- (a) To review the boundary of the parish with Breamore, with a view to establishing whether the triangular piece of land to the north and west of the River Avon, shown on Appendix 3 to this report, should transfer to Breamore Parish.
 - (b) That the review be undertaken in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 and any statutory guidance.
- 7.3 That the Committee considers whether it wishes to undertake a CGR to examine the possibility of transferring Crystal Hollow from Fordingbridge to Godshill.
- 7.4 That the Committee considers whether it wishes to pursue with the Boundary Committee the amendment to the boundary between Wiltshire and Hampshire/New Forest at Boundary Cottage.

For Further Information Please Contact:

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Background Papers:

Published documents

**PROCEDURE FOR A COMMUNITY GOVERNANCE REVIEW UNDER
THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN
HEALTH ACT 2007**

- (1) Setting terms of reference of the review
- (2) Publicising the terms of reference (for the purposes of the Act, the review formally commences when the terms of reference are published)
- (3) Undertaking consultations with the local government electors for the area and any other person or body (including the Parish Council) who appears to have an interest in the review
- (4) Considering representations
- (5) Preparing and publishing draft proposals
- (6) Undertaking consultation on the draft proposals
- (7) Considering representations
- (8) Publishing recommendations
- (9) Making an order to bring into effect any decisions arising from the review
- (10) A review must be concluded within 12 months of the publication of the terms of reference.



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DISTRICT COUNCIL

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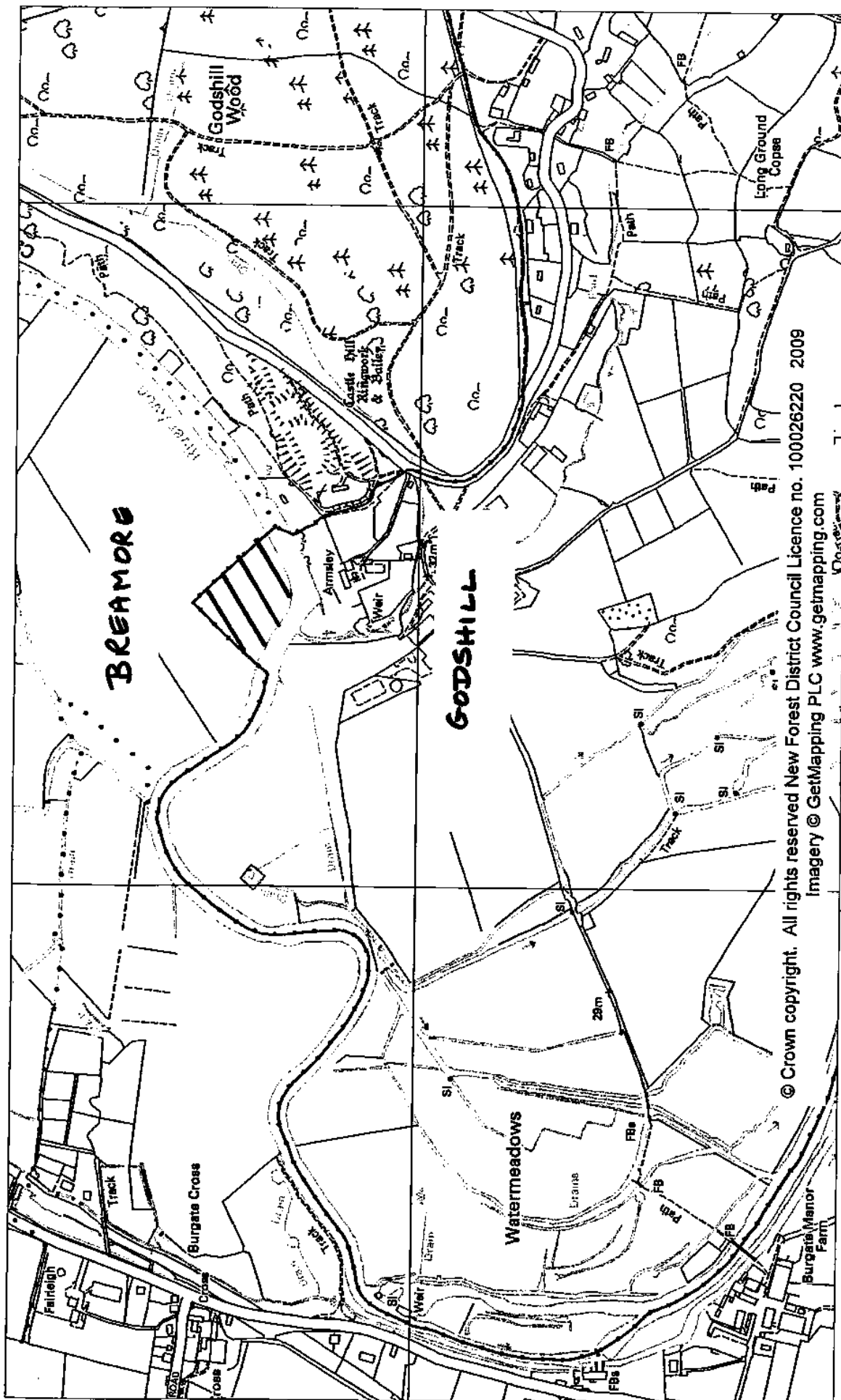
APPENDIX 2



New Forest National Park



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Godshill Parish Council

Title

www.godshill.org.uk

Date 05/11/09

Scale