

# Agenda



Listening Learning Leading

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Date: 3 May 2018

## A MEETING OF THE

# Community Governance and Electoral Issues Committee

WILL BE HELD ON MONDAY 14 MAY 2018 AT 5.30 PM

MEETING ROOM 1, 135 EASTERN AVENUE, MILTON PARK, MILTON,  
ABINGDON, OXFORDSHIRE, OX14 4SB

### Members of the Committee:

Ian White (Chairman)

Charles Bailey  
Steve Connel

Anthony Dearlove  
Will Hall

Mocky Khan

### Substitutes

*Anna Badcock*  
*Joan Bland*  
*Stefan Gawrysiak*

*Paul Harrison*  
*Toby Newman*  
*David Turner*

*John Walsh*

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**1 Apologies for absence**

**2 Minutes (Pages 4 - 7)**

To adopt and sign as a correct record the Community Governance and Electoral Issues Committee minutes of the meeting held on 30 October 2017 - **attached**.

**3 Declarations of interest**

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

**4 Urgent business and chairman's announcements**

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

**5 Public participation**

To receive any questions or statements from members of the public that have registered to speak.

**6 Community Governance Review - review of the boundary between Harpsden parish and Henley-on-Thames parish (Pages 8 - 12)**

To consider the report of the head of legal and democratic on a review of the boundary between Harpsden and Henley-on-Thames parishes – **attached**.

**7 Community Governance Review - review of the size of Kidmore End Parish Council (Pages 13 - 15)**

To consider the report of the head of legal and democratic on a review of the number of parish councillors for Kidmore End Parish Council - **attached**.

MARGARET REED

Head of Legal and Democratic



# Minutes



OF A MEETING OF THE

Listening Learning Leading

## Community Governance and Electoral Issues Committee

HELD AT 6.30 PM ON MONDAY 30 OCTOBER 2017

MEETING ROOM 1, 135 EASTERN AVENUE, MILTON PARK

### Present:

Members: Ian White (Chairman), Steve Connel, Anthony Dearlove, Will Hall and Mocky Khan

Officers: Lesley Blue, Steven Corrigan, Matthew Gaskin and Margaret Reed

Number of members of the public: 1

### 34 Apologies for absence

Apologies for absence were submitted on behalf of Charles Bailey. No substitute was appointed.

### 35 Minutes

**RESOLVED:** to approve the minutes of the meeting held on 10 July 2017 as a correct record and agree that the Chairman signs them as such.

### 36 Declarations of interest

None.

### 37 Urgent business and chairman's announcements

None.

### 38 Public participation

No members of the public had registered to speak.

### **39 Community Governance Reviews - suggested timetable and process**

The committee considered the report of the head of legal and democratic services regarding recommendations for a revised timetable and process for community governance reviews.

The committee agreed that the proposed approach is more sensible than the existing process and would be a more effective use of officer time and resources.

**RESOLVED:**

1. To agree that the council undertakes a community governance review every four years with changes agreed for implementation at the next scheduled parish elections; and
2. To recommend that Council rescinds its resolution agreed on 17 July 2014 that a significant development proposal that sits adjacent to or straddles a parish boundary should automatically trigger a community governance review, such a review to take place on the inclusion of a site in a document that forms part of the approved Local Plan or when planning permission has been granted for the development of the site.

### **40 Community Governance Review - review of the size of Sonning Common Parish Council**

The committee considered the report of the head of legal and democratic services on whether to undertake a review of parish councillor numbers following a request from Sonning Common Parish Council to increase the size of the parish from 12 to 14 councillors.

It was argued that due to the current workload and demands on the parish council and the impact of increased housing development, more councillors are necessary. There is interest and strength of feeling regarding this matter from members of the parish and this committee should be encouraging engagement in local democracy by extending parish councillor numbers and opening the issue to consultation. It was argued that the guidance issued by the National Association of Local Councils is outdated and should not be followed in this case.

The committee agreed, however, that Sonning Common currently has enough parish councillors based on its population size of 3,005 and 12 is more than reasonable with no imminent prospect of significant population growth. The committee therefore agreed not to undertake a review of parish councillor numbers for Sonning Common Parish Council.

**RESOLVED:** not to undertake a review of parish councillor numbers for Sonning Common Parish Council.

#### **41 Community Governance Review - review of the parish boundary between Harpsden and Henley-on-Thames**

The committee considered the report of the head of legal and democratic services regarding a request from Henley-on-Thames Town Council to review the boundary between Harpsden parish and Henley-on-Thames parish to transfer land south of Greys Road (Highlands Farm) currently in Harpsden parish to Henley parish.

The officer confirmed that, despite the agreement reached in Item 5 to recommend that Council rescinds its resolution agreed at its meeting on 17 July 2014, Council cannot rescind this until its meeting in December. Therefore, this resolution still stands and should be applied when considering this item.

The committee discussed this item and agreed to undertake a review of the parish boundary between Harpsden parish and Henley-on-Thames parish.

#### **RESOLVED:**

1. To agree to undertake a community governance review of the parish boundary between Harpsden parish and Henley-on-Thames parish south of Greys Road (Highlands Farm); and
2. To authorise the head of legal and democratic services to draft and publish the terms of reference for the review.

The meeting closed at 7.00 pm

Chairman

Date

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# Community Governance and Electoral Issues Committee



Report of Head of Legal and Democratic

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To: COMMUNITY GOVERNANCE AND ELECTORAL ISSUES COMMITTEE

DATE: 14 May 2018

## Community Governance Review – review of the boundary between Harpsden parish and Henley-on-Thames parish

### Recommendation:

To agree to consult on draft proposals to:

- a) amend the boundary between Harpsden parish and Henley-on-Thames parish south of Greys Road as shown on the map attached to this report;
- b) include this area in the North Ward of Henley-on-Thames Town Council.

### Purpose of Report

1. To invite the committee to agree draft proposals for consultation in respect of the review of the boundary between Harpsden parish and Henley-on-Thames parish south of Greys Road currently in Harpsden parish to Henley parish.

### Strategic Objectives

2. Community governance reviews contribute to the council's strategic objective of building thriving communities.

## Background

3. At its meeting on 30 October 2017 this committee agreed to undertake a review of the boundary between Harpsden parish and Henley-on-Thames parish to transfer land south of Greys Road currently in Harpsden parish to Henley parish in response to a request from Henley-on-Thames Town Council.
4. In agreeing to undertake the review the committee had regard to the following resolution agreed by Council at its meeting in July 2014
  - that a significant development proposal that sits adjacent to or straddles a parish boundary should automatically trigger a community governance review, such a review to take place on the inclusion of a site in a document that forms part of the approved Local Plan or when planning permission has been granted for the development of the site.
5. The terms of reference for the review were published in March.

## Consultation

6. Officers wrote to Harpsden and Henley-on-Thames parish councils and all properties within the affected area on the map attached to this report advising them of the review and inviting comments.
7. Henley-on-Thames Town Council, at its Planning Committee meeting on 3 April 2018, supported the proposed boundary change.
8. Harpsden Parish Council, at its meeting on 19 March 2018 “agreed that the development at Highlands Farm, now called Highlands Park, fitted in better with Henley and that Harpsden would not object to the boundary move, as long as the land closer to Harpsden valley was not under threat”.
9. No comments have been received from members of the public although one did seek clarification of the impact on postal addresses, school catchment areas, highways issues and the likelihood of further development.
10. The council has undertaken the first stage consultation and received no alternative views. Harpsden Parish Council, Henley-on-Thames Town Council and affected members of the public will be consulted on any draft proposals agreed by the committee.
11. If the committee agrees to consult on draft proposals officers will consult Oxfordshire County Council due to the potential impact on the county division boundary – see paragraph 17 of this report.

## Consideration of proposal

12. As set out in the report to this committee on 30 October the development at Highlands Farm, for residential led mixed use development for around 170 dwellings, has commenced following the grant of reserved matters in May 2017.
13. As can be seen from the map, attached to the report, the development at Highlands Farm is not immediately adjacent to the boundary between Harpsden

and Henley parishes and is accessed via Highlands Lane from Greys Road. Whilst the current boundary along Greys Road provides a good man-made structure for the boundary between the parishes the proposed boundary would be along existing field lines and tracks to provide a clearly defined boundary in accordance with the assessment criterion that boundaries be aligned with defining natural or structural features.

14. Officers consider that the identities and interests of the residents will be more closely aligned with the town of Henley than the small rural parish of Harpsden. The development better reflects the more built up nature of Henley in contrast to the rural nature of Harpsden. Effective and convenient representation of local residents will also be better served by them residing in Henley parish containing all the local facilities that they will use.
15. The map shows that the area suggested for transfer extends beyond the boundary of Highlands Farm. Officers consider that the suggested boundary provides a logical boundary avoiding the potential isolation of Highlands Farm as an outpost of Henley parish surrounded by Harpsden parish and ensuring there is a continuous boundary between Highlands Farm and Gillott's School.
16. As set out in paragraphs 6-9 there have been no negative comments on the proposal to amend the boundary. As such officers consider that a further stage of consultation should be undertaken on a draft proposal to move the area of land into Henley parish within the existing North ward of Henley-on-Thames Town Council.
17. There are currently approximately 25 electors who would transfer from Harpsden parish to Henley parish. This reduction in electors would not impact the viability of Harpsden Parish Council.

### **Impact on district and county council boundaries**

18. This proposal would affect Henley-on-Thames and Sonning Common district wards and county divisions. If the committee agrees to alter the boundary of the parish the council will request the LG BCE to make related alteration orders to change county division and district ward boundaries to ensure these are coterminous with any change to the parish boundary.

### **Financial Implications**

19. Under the Local Government and Public Involvement in Health Act 2007, local authorities have responsibility for undertaking community governance reviews. The process is prescribed and involves officer time and other associated costs, such as postage and printing. These costs will be met from within existing budgets.

### **Legal Implications**

20. The Community Governance and Electoral Issues Committee has delegated authority to deal with all matters relating to parish community governance reviews.
21. All community governance reviews are undertaken in accordance with the requirements laid down in the Local Government and Public Involvement in Health Act 2007 and the joint guidance on community governance reviews published by

the Communities and Local Government Department and Local Government Boundary Commission for England's (LGBCE) in 2010.

22. The council will implement any changes by making a reorganisation of community governance order.

### **Risks**

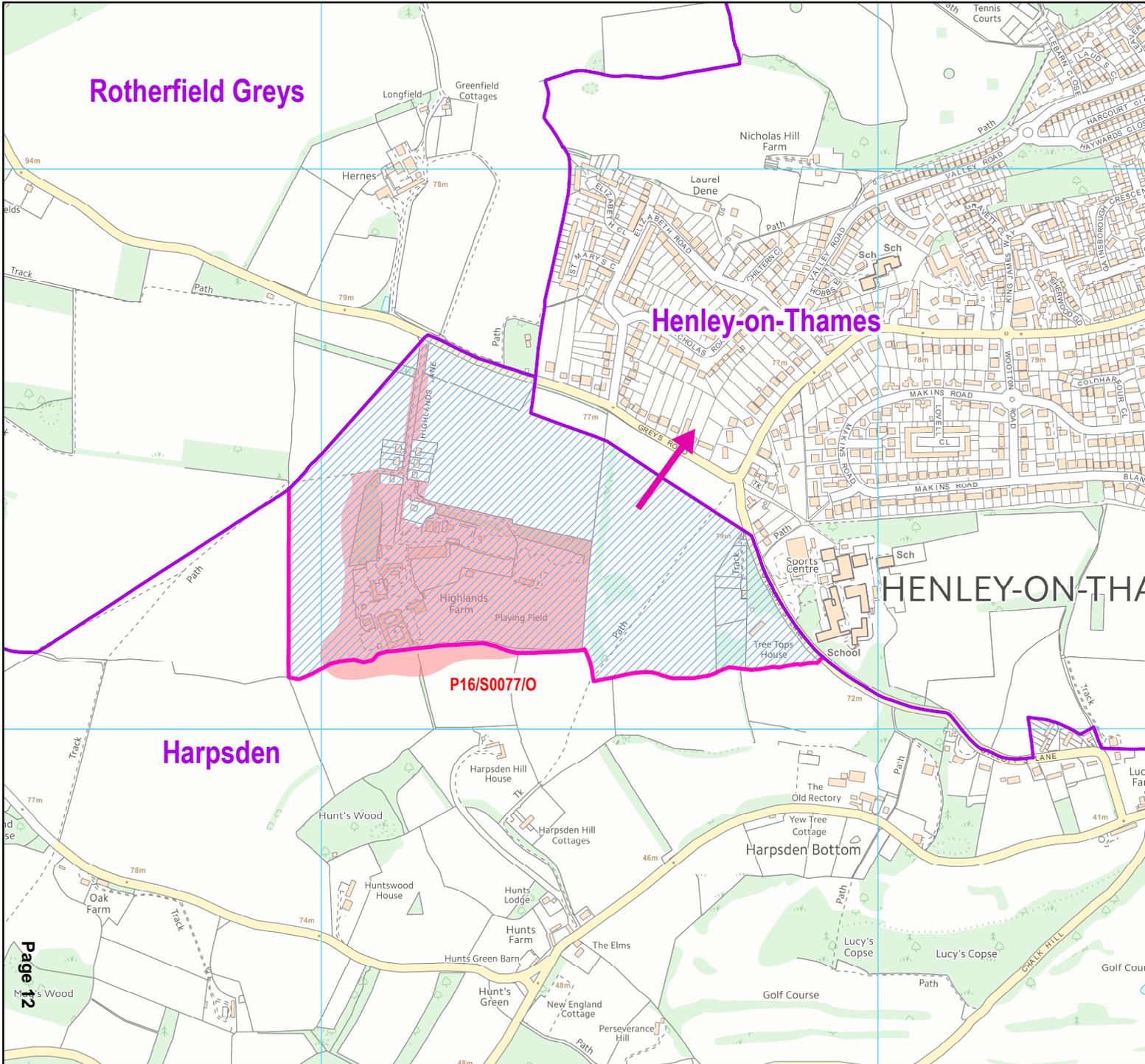
23. There is a risk that someone could challenge the outcome of a particular review item through judicial review. Council officers will mitigate against this by ensuring that at all times the council follows the requirements laid down in the 2007 Act and guidance.

### **Conclusion**

24. Henley-on-Thames Town Council has requested a review of the parish boundary in relation to Highlands Farm and the surrounding area situated off Greys Road and currently in the parish of Harpsden. The council received no alternative views during the first stage consultation process and the committee is therefore recommended to agree draft proposals for consultation to transfer the area of land shown on the attached map from Harpsden parish to Henley parish and to include this area of land within the North ward of Henley-on-Thames Town Council.

### **Background Papers**

Report (agenda item 8) to the Community Governance and Electoral Issues Committee on 30 October 2017.



**Proposed boundary change in the vicinity of planning application P16/S0077/O**

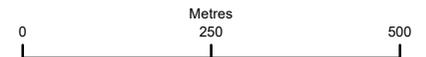


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-  Existing parish boundary
-  Proposed boundary change
-  Area affected
-  Planning application P16/S0077/O

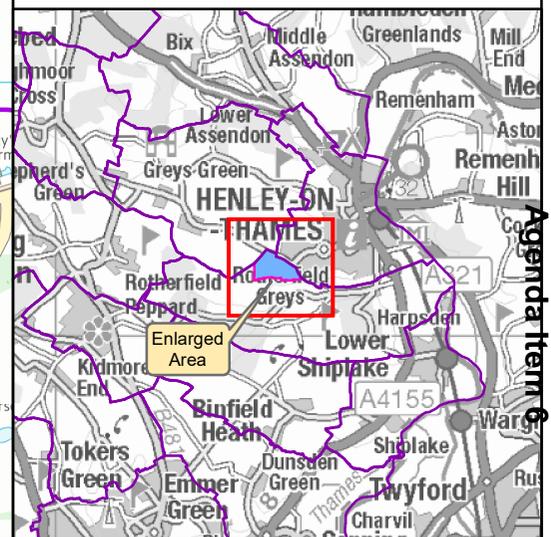
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February 2018



Map Centre: 474463, 181347 (SU 7446 8135)

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Ordnance Survey 100018668



# Community Governance and Electoral Issues Committee



Report of Head of Legal and Democratic

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To: COMMUNITY GOVERNANCE AND ELECTORAL ISSUES COMMITTEE

DATE: 14 May 2018

## Community Governance Review – review of the size of Kidmore End Parish Council

### Recommendation:

1. To reduce the number of parish councillors for Kidmore End Parish Council from 12 to 10.
2. To authorise the head of legal and democratic to make a reorganisation of community governance order to implement the changes agreed by the committee.

### Purpose of Report

1. To invite the committee to make a final decision in respect of its community governance review of the number of parish councillors for Kidmore End Parish Council.

### Strategic Objectives

2. Community governance reviews contribute to the council's strategic objective of building thriving communities.

### Background

3. This report represents the final element of the community governance review that the committee commenced in 2017. The committee agreed, at its meeting on 6 March 2017, to undertake a community governance review (CGR) of Kidmore End Parish Council in response to a request from the parish council to reduce the

number of parish councillors from 12 to 10 to address the reduced electorate that had existed since 1977 when the boundary of the parish was changed as a result of the transfer of properties to Reading Borough Council. To date no governance review had been undertaken to address this change. The terms of reference for the review were published in April 2017.

4. At its meeting on 10 July 2017 the committee agreed to consult on a proposal to reduce the number of parish councillors from 12 to 10 on the grounds that this number better reflected the size of the electorate and the parish council had consistently attracted sufficient councillors to fill 10 seats.

## **Consultation**

5. The first stage consultation sought views on the number of parish councillors for Kidmore End Parish Council. The consultation took place between April 2017 and 30 June 2017. Only one response was received from Kidmore End Parish Council which supported a reduction in the size of the parish council from 12 to 10 councillors.
6. The committee agreed draft proposals at its meeting on 10 July 2017 and initiated a second period of consultation until 30 November 2017. Details of the proposal were circulated via the parish newsletter, website and noticeboards. Kidmore End Parish Council, at its meeting on 20 September 2017, resolved “that the District Council be advised that it remains the wish of the Council that the number of parish councillors for the Parish be reduced to 10”. No other responses were received.

## **Final recommendations**

7. The committee agreed to consult on a proposal to reduce the number of parish councillors for Kidmore End Parish Council from 12 to 10. No views have been expressed against this proposal and officers therefore recommend that the committee confirm this arrangement for the elections in May 2019.
8. Once the committee has taken a final decision, work will commence to make the necessary order to bring the change into effect in time for the 2019 parish council elections. Council is invited to authorise the head of legal and democratic to undertake this work.

## **Financial Implications**

9. Under the Local Government and Public Involvement in Health Act 2007, local authorities have responsibility for undertaking community governance reviews. The process is prescribed and involves officer time and other associated costs, such as postage and printing. These costs have been met from within existing budgets as will the cost of making the legal order.

## **Legal Implications**

10. The Community Governance and Electoral Issues Committee has delegated authority to deal with all matters relating to parish community governance reviews.
11. The review was undertaken in accordance with the requirements laid down in the Local Government and Public Involvement in Health Act 2007 and the joint

guidance on community governance reviews published by the Communities and Local Government Department and LGBCE in 2010.

12. The council will implement any changes by making a reorganisation of community governance order.

### **Risks**

13. There is a risk that someone could challenge the outcome of the review through judicial review. Council officers have mitigated against this by ensuring that the council follows the requirements laid down in the 2007 Act and guidance.

### **Conclusion**

14. The council has completed its community governance review of the size of Kidmore End Parish Council. The committee is recommended to reduce the allocation of parish councillors from 12 to 10, which is considered reasonable and sustainable for the size of the parish, and to authorise the head of legal and democratic to make the necessary order to implement the changes.

### **Background Papers**

Reports (agenda item 7) to Community Governance and Electoral Issues Committee on 6 March 2017 and 10 July 2017.