

# Community Governance and Electoral Issues Committee



Report of Head of Legal and Democratic Services

Author: Steven Corrigan

Telephone: 01235 422526

Textphone: 18001 01235 422526

E-mail: [steven.corrigan@southandvale.gov.uk](mailto:steven.corrigan@southandvale.gov.uk)

To: COMMUNITY GOVERNANCE AND ELECTORAL ISSUES COMMITTEE

DATE: 30 October 2017



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

### Recommendation:

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).
2. To authorise the head of legal and democratic services to draft and publish the terms of reference for the review.

### Purpose of Report

1. To invite the committee to consider 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.

### Strategic Objectives

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

## Background

3. Henley-on-Thames Town Council has requested a review of the parish boundary between Harpsden parish and Henley-on-Thames parish for the reasons set out in the letter dated 15 August attached.

## Consideration of request

4. As part of the district wide community governance review undertaken in 2013/14 Henley-on-Thames Town Council proposed moving land south of Greys Road into Henley parish. The town council argued that the land is largely made up of Highlands Farm, a potential development site for housing at the time, and that any future housing development was better included within the town boundary rather than Harpsden parish. As that review finished before decisions were made about housing allocations Council agreed to make no change because the case largely rested on whether the land was designated for housing. Without a designation for housing there was little case for change as its rural nature fitted much better with Harpsden parish than Henley. Council did make a general recommendation about how to deal with future housing sites that straddle or abut parish boundaries as set out in paragraph 5 below.
5. At its meeting in July 2014 Council agreed the following resolution:
  - 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.
6. Highlands Farm is allocated in the made Henley and Harpsden Neighbourhood Plan, which forms part of the approved Local Plan, for residential led mixed use development for around 170 dwellings. Outline planning permission was granted in December 2016 and reserved matters granted in May 2017. Development has started on site and most of the development should be complete by Spring 2019. Therefore, in accordance with the resolution of Council, a review must be undertaken.

## Terms of reference

7. The first stage of a review is the drawing up of terms of reference. In effect, this document becomes the council's policies for the conduct of the review. It should provide background information to help electors and other interested organisations to make informed submissions and should also refer to the legislative framework against which the review must operate. Publication of the terms of reference commences the review, which the council then has twelve months to complete.
8. The committee is requested to authorise the head of legal and democratic services to draft and publish the terms of reference for this review to be completed in 2018. This will allow for the implementation of any changes in May 2019.

## 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 will be met from within existing budgets.

## 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. All community governance reviews will be 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. Where the changes impact on arrangements put in place by the LGBCE's reviews of the electoral arrangements for Oxfordshire County Council and South Oxfordshire District Council, the council will need the LGBCE's consent before making an order and request related alteration orders are made to county division and district ward boundaries to ensure these are coterminous with any change to the parish boundary.

## Risks

13. 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

14. Henley-on-Thames Town Council has requested a review of the parish boundary in relation to Highlands Farm situated off Greys Road and currently in the parish of Harpsden. In accordance with the Council resolution set out in paragraph five of this report the committee is invited to agree to this request and authorise the head of legal and democratic services to draft and publish the terms of reference for this review.

## Background Papers

- None

This page is intentionally left blank