

Community Governance and Electoral Issues Committee



Report of head of legal and democratic

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To: Community Governance and Electoral Issues Committee

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

Recommendation:

1. To amend the boundary between Harpsden parish and Henley-on-Thames parish south of Greys Road as shown on the map attached to this report.
2. To include this area in the North Ward of Henley-on-Thames Town Council.
3. To authorise the head of legal and democratic to make a reorganisation of community governance order to implement the changes agreed by the committee.
4. To recommend Council to authorise the head of legal and democratic to request the Local Government Boundary Commission for England to make related alteration orders to change district wards and county divisions to reflect the changes made to the parish boundary.

Purpose of Report

1. To invite the committee to make a final decision in respect of its community governance review of the boundary between Harpsden parish and Henley-on-Thames parish south of Greys Road currently in Harpsden 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.
6. Harpsden Parish Council did not object to the proposal. Henley-on-Thames Town Council supported the proposal. A member of the public sought clarification regarding the impact on postal addresses, school catchment areas, highways issues and the likelihood of further development. No objections were received or alternative proposals suggested.
7. At its meeting on 14 May 2018 the committee agreed a draft proposal to amend the boundary between Harpsden parish and Henley-on-Thames parish south of Greys Road and to include the area of land in the North Ward of Henley-on-Thames Town Council.

Consultation

8. Harpsden Parish Council has not responded to the consultation on the draft proposal but did not raise an objection when previously consulted on the issue.
9. Henley-on-Thames Town Council has confirmed its support for the boundary change and the proposed warding arrangements.
10. The Henley Society responded to the consultation to propose an adjustment to the boundary change outlined in the consultation document. They propose that the northern boundary, coming westwards from Greys Road, should be drawn close to Highlands Lane until the housing on the right hand side, and then should follow the rear boundaries of these properties and those of the new development. They can see no justification for including the land to the north of the new development in the transfer.
11. Whilst this proposal would restrict the boundary change to the Highlands Farm site and existing properties on Highlands Lane it would result in the isolation of the area from Henley-on-Thames separating it from Henley-on-Thames by a field.

Officers consider that the committee's proposed boundary, whilst extending the area to the north and west, provides for a more logical boundary which would provide a continuous link with the site to the boundary changes, agreed by Council in July 2014, north of Gillott's Lane. Officers consider that this boundary meets the criteria set out in the terms of reference to take into account natural or man-made boundaries that help to define clearly one community from another.

12. No responses were received from members of the public or businesses.

Final recommendations

13. The committee agreed to consult on a proposal to amend the boundary between Harpsden parish and Henley-on-Thames parish. The Henley Society proposes an adjustment to the proposed boundary. For the reasons set out in paragraph 11 officers recommend that the committee amends the boundary as shown on the map attached to this report and include the area within the North Ward of Henley-on-Thames Town Council.

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 existing and proposed properties are remote from 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. If the committee agrees to alter the boundary work will commence to make the necessary order to bring the change into effect in time for the 2019 parish council elections. The committee is invited to authorise the head of legal and democratic to undertake this work.

Impact on district and county council boundaries

16. 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 committee is invited to recommend Council to agree to request the Local Government Boundary Commission for England (LGBCE) to make related alteration orders to make district wards and county divisions coterminous with the parish change and authorise the head of legal and democratic to progress the matter.

Financial Implications

17. 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

18. The Community Governance and Electoral Issues Committee has delegated authority to deal with all matters relating to parish community governance reviews.

Matters relating to requests to alter district ward or county division boundaries arising from such reviews are not delegated to the committee and require a Council decision.

19. 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.
20. The council will implement any changes by making a reorganisation of community governance order.

Risks

21. 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

22. The committee has completed its community governance review of the boundary between Harpsden parish and Henley-on-Thames parish. The committee is recommended to confirm its draft proposal and transfer the area of land shown on the attached map from Harpsden parish to Henley-on-Thames parish and to include this area of land within the north ward of Henley-on-Thames Town Council. The committee is also invited to recommend Council to authorise the head of legal and democratic to request the LGBCE to make related alteration orders to make district wards and county divisions coterminous with the parish change.

Background Papers

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

Report (agenda item 6) to Community Governance and Electoral Issues Committee on 14 May 2018 and committee minutes