

MID SUFFOLK DISTRICT COUNCIL

TO: COUNCIL	REPORT NUMBER: MC/23/21
FROM: Community Governance Review Working Group	DATE OF MEETING: 26 October 2023
OFFICER: Ifty Ali - Interim Director Law and Governance & Monitoring Officer	KEY DECISION REF NO. N/A

COMMUNITY GOVERNANCE REVIEWS 2022/23

1. PURPOSE OF REPORT

- 1.1 The Council is asked to approve the draft recommendations of the Community Governance Review Working Group to be put forward for consultation as part of the ongoing Community Governance Review (CGR).

2. OPTIONS CONSIDERED

- 2.1 In March 2022 the Council agreed to conduct a Community Governance Review of the Parish and Town Councils the District as well as the Parish areas that do not have an elected Parish Council.

Stage one was completed at the beginning of 2023 and now proceeding to Stage two. As these boundaries and electoral arrangements were put in place following reviews carried out the Local Government Boundary Commission for England (LGBCE) and agreed by Parliament it is beyond the legal power of the Council to make any changes without the agreement of the LGBCE and for that reason and the requirement for further consultation Issues 1 and 2 continued into Stage 2.

- 2.2 Timetable for stage two of the review:

Action	Timeline	Details
Update to the Terms of Reference authorised by the CGR Task and Finish Group	April 2023	Update to the Terms of Reference to specify the update to the timetable and the specific issues to be considered at stage two of the review.
Publish the updated Terms of Reference	May 2023	Publish Terms of Reference and notify stakeholders of the commencement of stage two of the Review.
Prepare draft consultation document and invite initial submissions	June 2023 – July 2023 (2 months)	Initial submissions invited: <ul style="list-style-type: none"> • Town and Parish Councils • Members of Parliament

Consider submissions	August 2023	CGR Working Group to consider any submissions/representations and prepare report of draft recommendations for Full Council in September/October 2023
Draft recommendations to be considered by Council and approved for further consultation	September/October 2023	Draft recommendations to be approved for consultation
Publish draft recommendations for consultation	October 2023 – November 2023	<p>Direct mailshot (letter or email) to local government electors, persons or bodies which appear to the council to have an interest in the issue being consulted on.</p> <p>Posted letters to include response form to complete and return plus contact details for responses via online form or email.</p> <p>Briefings for parish and town councils (if required)</p> <p>Press release and social media posts</p> <p>Website updated with issues being consulted on, including links to maps and online form and inclusion of email address for more detailed submissions.</p>
Consider submissions	December 2023	CGR Working Group to consider submissions/representations and prepare final recommendations for report to Full Council
Final recommendations to be considered by Council	December 2023/ January 2024	Final recommendations to be approved
Publish final recommendations	As soon as practicable after publication of final recommendations	Publish final recommendations and make Order.

Considerations (at stage two of the review)

Legislation requires that the council must ensure that community governance within the area:

- reflects the identities and interests of the communities in the area; and
- be effective and convenient and takes into account any other arrangements for the purpose of community representation or engagement in the area.

In considering proposals for change, the council will take the following into account:

- a strong, inclusive community and voluntary sector;
- a sense of civic values, responsibility and pride;
- a sense of place – a place with a ‘positive’ feeling for people and local distinctiveness;
- reflective of the identities and interests of the community in that area;
- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of a local community or parish.

2.3 The Council delegated consideration of the CGR to the Community Governance Review Working Group which is comprised of Cllr Anders Linder, Cllr Janet Pearson, Cllr Rowland Warboys and Cllr Adrienne Marriott.

2.4 The review invited all Parish and Town Councils affected, together with the relevant County and District Councillors and Members of Parliament, to make submissions to the review in order to prepare the draft recommendations. Once these draft recommendations are approved by Full Council they will go out to further consultation, which will include residents of areas affected by the review.

2.5 Regarding other options considered the CGR Working Group noted that there is currently not a consensus among stakeholders in relation to some of the issues and that alternative options could be put forward. However, testing the draft recommendations during the further wider consultation will assist the Council with its decision on final recommendations.

3. RISKS ASSOCIATED WITH PROPOSALS

3.1 During the review there were submissions from Stowmarket Town Council and Battisford Parish Council for boundary changes that would have also affected the District Ward and County Division Boundaries and associated Electoral Arrangements. Any changes to boundaries will require Local Government Boundary Commission For England consent.

RECOMMENDATIONS

- 1. The draft recommendations, as set out in Appendix A be approved for consultation.**
- 2. The issues and summary submissions to date are noted as set out in Appendix B with the list of submissions/comments received at Appendix C.**
- 3. That the Monitoring Officer be authorised to prepare the draft recommendations for consultation, in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007.**

- 4. The Community Governance Working Group be authorised to amend draft recommendations and re-consult where necessary.**
- 5. That the Monitoring Officer be authorised to complete the CGR and any required Orders once all consultation submissions have been considered by the Community Governance Working Group**

4. KEY INFORMATION

- 4.1 A community governance review is a legal process that provides an opportunity for principal councils to review and make changes to community governance within their areas. It involves consulting those living in the area and other interested parties and making sure they have a say in how their local communities are represented.
- 4.2 The Review can consider one or more of the following options:
 - 4.2..1 Creating, merging, altering or abolishing parishes
 - 4.2..2 The naming of parishes and the style of new parishes and the creation of town councils
 - 4.2..3 The electoral arrangements for parishes (for instance, the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding)
 - 4.2..4 Grouping parishes under a common parish council or de-grouping parishes
 - 4.2..5 Consider other types of local arrangements, including parish meetings
- 4.3 The Review cannot:
 - 4.3..1 change the number of councillors on Mid Suffolk Council
 - 4.3..2 change the amount of money that a parish council raises through council tax (known as 'precept')

5. SITE INSPECTION

- 5.1..1 In relation to Issue 1 -The proposed extension of the boundary of Stowmarket Town Council to include land in Onehouse Parish Council. The Community Governance Working Group on 5th October 2023 carried out a site inspection by walking the existing Parish/Town boundary where it was possible and comparing that to the proposed new boundary. (The Site Inspection Plan and Photographs are at Appendix D)
- 5.1..2 The Community Governance Working Group considered the proposed extension area in terms of the Union Road Development on the south side of Union Road and then broken down into Areas A, B and C. To the north side of Union Road and adjacent Area A was the Paupers Grave.
- 5.1..3 Area A consisted of a complex of existing residential BUPA Care Homes and assisted living facilities including Stow Lodge Centre. There being no new development in this area during the next 5 year housing supply figures.

- 5.1..4 Area B being the Union Road Developments part of which are currently in Stowmarket area and the larger part in the Onehouse area. There being ongoing new development during the 5 year housing supply figures.
- 5.1..5 Area C being mainly in the Onehouse area with some limited new development during the 5 year housing supply figures but mainly consisting of existing established residential dwellings. There was no connectivity from Area C to area B along B1115.

6. LINKS TO CORPORATE PLAN

- 6.1 The Review is linked to the Communities outcomes in the Corporate Plan as an effective Community Governance Structure enables communities to be “engaged in decision making,”

7. FINANCIAL IMPLICATIONS

The costs of conducting a CGR must be borne by the District Council however there are limited financial implications associated with this review. The only actual costs of the review are the expenses incurred by undertaking public consultation, i.e. printing and postage.

8. LEGAL IMPLICATIONS

- 8.1 Failure to agree the recommendations could result in the Council breaching its statutory duties under the Local Government and Public Involvement in Health Act 2007. If, at the conclusion of the review, the Council decides to alter any parish boundary or electoral arrangements a Community Governance Order will need to be made to effect the change. This order will be drafted by the Council’s legal team.

9. RISK MANAGEMENT

- 8.1 This report is not linked with any of the Council’s Corporate/Significant Business Risks.

Risk Description	Likelihood	Impact	Mitigation Measures
If the Council does not undertake the review it could be in breach of its statutory responsibilities.	1 – Highly Unlikely	2 – Noticeable	Report to Council recommends that the draft recommendations for review are agreed.
If the review uses inaccurate or incorrect assumptions or electorate projections the recommendations may not be future-proofed or fit for purpose.	2 – Unlikely	2 – Noticeable	The second stage of the review is a desktop exercise to gather and test relevant data (notably the 5 year land supply data)

If the review does not take into account, the views of local communities they may become disengaged and disappointed with the Council.	2 – Unlikely	2 – Noticeable	The terms of reference sets out the proposals for consultation. The Council must demonstrate how it has considered the views of consultees.
--	--------------	----------------	---

10. CONSULTATIONS/CONSENT

- 10.1 Formal communication will be sent to all Parish and Town Councils affected. Updated submissions have been sought. The District Council has also sought the views of the relevant County and District Councillors, and MPs, in regard to the draft recommendations which will go for further consultation during the review as outlined in the terms of reference.
- 10.2 The parish electoral arrangements of Stowmarket/Onehouse are protected until July 2027 as a consequence of the Suffolk County review. Therefore, any changes to the parish electoral arrangements of either parish before those dates would require Local Government Boundary Commission for England (LGBCE) consent.

11. EQUALITY ANALYSIS

- 11.1 The CGRWG have considered any equality impacts when formulating their draft recommendations. A full Equality Impact Assessment will be undertaken, and presented to Council, if any of the protected grounds may be affected as a result of the CGRWG's final recommendations.

12. ENVIRONMENTAL IMPLICATIONS

- 12.1 There are no Environmental Implications.

13. APPENDICES

Title	Location
(a) Recommendations	Attached
(b) Consultation and Responses	Attached
(c) Submissions/Comments	Attached
(d) Site Inspection Plan/Photographs (5/10/2023)	Attached
(e) Plan to include Bowl Meadow Development in Battsford Parish	Attached

Recommendations

Appendix A

Name of Parish/Town Council	Number of Members	Number of Electors	Recommendations/ Reasons for Recommendation
<p>Stowmarket Town Council</p> <p>Onehouse Parish Council</p>	<p>15507</p> <p>869</p>	<p>16</p> <p>7</p>	<p>ISSUE 1: Proposed extension of Stowmarket Town Council boundary to include Area in Onehouse Parish Council.</p> <p>Draft Recommendation:</p> <ol style="list-style-type: none"> 1. Council is asked to decline the request for the Union Road Development and Areas A, B and C to become part of Stowmarket and for boundaries to remain as they currently are – no change. <p>Reasons:</p> <ol style="list-style-type: none"> 1. The current boundary between Stowmarket and Onehouse does reflect the identities and interests of the communities of the area. 2. There is still effective and convenient local government as the Parish/Town boundary would remain co-terminous with the electoral boundary. 3. The Working Group considered the proximity of the Paupers Grave which has established historical links with Onehouse and Area A (in particular Stow Lodge-Former Union workhouse). Area A in turn is not new development but established existing residential complex that identifies already with Onehouse. 4. Area C being the area from the B1115 down to the River Rattlesden is mainly existing residential dwellings which will have identified with Onehouse for some time. There is some limited new development but on balance they are outweighed by the existing established dwellings.

			<p>5. Area B to the south of the Paupers Grave/Area A and directly north of Area C is the mainly new development sandwiched between these areas and do identify with Area A/Paupers Grave but not so much with Area C due to lack of connectivity. On balance this area should remain in Onehouse.</p> <p>6. In considering the proposal for change the Working Group considered community inclusiveness and a sense of community responsibility and pride. It considered a sense of place and local distinctiveness which is clear from the positioning and links to the Paupers Grave.</p>
Battisford Parish Council	474	7	<p>ISSUE 2:</p> <p>1. Proposed inclusion of Bowl Meadow Development currently in Comb Parish Council area to be included within the Battisford Parish area.</p> <p>2. Dwellings along Bildeston Road to be re-allocated from the Combs Parish Council area.</p> <p>Draft Recommendations:</p> <ol style="list-style-type: none"> 1. Council is asked to agree that the boundary between Combs Parish Council and Battisford Parish Council is amended as indicated on the attached Plan (Appendix E) to include the Bowl Meadow Development. 2. Council is asked to agree that the Bildeston Road remain as part of Combs Parish Council - No change. <p>Reasons:</p> <ol style="list-style-type: none"> 1. Local preference (the proposal was supported by Battisford PC and not opposed by Comb PC on the basis that it made logical sense but that the electors should decide. 2. The Bildeston Road dwellings are long standing existing dwellings which already identify with Combs Parish Council.
Combs Parish Council	614	7	

Issues / Consultations / Comments received

1. At the start of this stage of the Review emails were sent to all Town and Parish Councils affected and to those relevant County Councillors, District Councillors and Members of Parliament. The request was for updated submissions where already made or any comments for the Draft Recommendations. Once Draft Recommendations are agreed by the Council they will again be reconsulted.
2. Town and Parish Councils were asked to post information about the review on their websites for awareness and the intention is that residents affected will be consulted on the Draft Recommendations.

There were 8 responses received at this stage, 1 of which was effectively no comment, the remaining 7 are summarised below (and attached at Appendix C in full).

Name of Parish/Town Council	Issue	Summary Submissions/ Comments received
<p>Stowmarket TC</p> <p>And</p> <p>Onehouse P C</p>	<p>ISSUE 1</p> <p>The Town Council requested a change in the boundaries between Onehouse.</p> <p>Onehouse Parish Council have objected to the proposal.</p>	<p>STC - Union Road Development adjacent to the boundary of STC forming a natural extension and should be included down to River Rat bordering Great Finborough Parish along to Burford Bridge up to Union Road. The proposed boundary is reflective of identity and interests providing community cohesion.</p> <p>OPC - Current boundary has defined parish for centuries no need to redefine boundaries for each development. Most services provided by county and district councils not Town Council. Increasing electoral area for STC disadvantages Onehouse representation of rural needs.</p>

		<p>Cllr Keith Scarff - Support STC. There needs to be a recognised clear boundary between STC and Onehouse. Development residents will look to STC for services and amenities.</p> <p>Cllr Penny Otton - The 500 new homes built within OPC not in Stowmarket. OPC needs to retain its rural identity and has done so by protecting open space (Paupers Grave) and new amenities. Residents of Union Road should not be faced with increased council tax if moved into STC. Support no change.</p> <p>Cllr Miles Row - Residents might not get consulted about people paying less tax attached to the same settlement. Difficulty in district in being able to make a suitable joint local plan.</p> <p>Cllr John Matthissen - All residents of OPC should be consulted.</p>
<p>Battisford PC</p> <p>And</p> <p>Combs PC</p>	<p>ISSUE 2</p> <p>The Parish Council asked for changes to its boundaries to incorporate the Bowl Meadow Development and Bildeston Road be re-allocated.</p> <p>The Parish Council did not object to the Bowl Meadow Development going to Battisford but did object to the Bildeston Road proposal for re-allocation. (NB A new request was made in respect of Combs Green but this falls outside the remit of this Community Governance Review)</p>	<p>BPC - Bowl Meadow development should be part of BPC and not Combs.</p> <p>Bildeston Road between Little Finborough and Battisford Tye is disconnected from Combs, should be reallocated to either Battisford or Little Finborough or shared equally between Little Finborough and Battisford Tye.</p>

		<p>CPC - Bowl Meadow development can see logic of it restated as part of BPC.</p> <p>Bildeston Road should remain with CPC no reason to re-allocate a short stretch of highway passing across neighbouring property is not substantive argument for historical boundary change and is respectful of tradition.</p> <p>Cllr Miles Row-nothing to add.</p>
--	--	--

Submissions/Comments received regarding Issue 1:

Stowmarket Town Council -Clerk

Onehouse Parish Council-Clerk

CLlr Keith Scarff - County Councillor (declared Stowmarket Town Councillor)

CLlr Penny Otton – County Councillor

CLlr Miles Row – District Councillor (Ward)

CLlr John Matthissen – District Councillor

Submissions/Comments received regarding Issue 2:

Battisford Parish Council - Clerk

Combs Parish Council – Clerk

CLlr Miles Row – District Councillor