

ITEM 12 Community Governance Review – Romsey Town Council

Report of the Corporate Portfolio Holder

Recommended:

That Council decide whether or not to carry out a Community Governance Review to consider the request from Romsey Town Council following its resolution of 25 May 2021 seeking to extend the boundaries of Romsey Town.

SUMMARY:

- This report is to consider undertaking a Community Governance Review (CGR) of the boundaries of Romsey Town, following a request from Romsey Town Council to extend the existing boundaries, so that the new boundary is coterminous with the existing Borough Ward boundaries.
- This is a decision for full Council, which can decide to agree the request and carry out a CGR, decline the request, or take other action such as that set out in the report.
- The decision before Council today is whether to carry out a CGR. It is not a decision on whether the boundaries should be changed in accordance with the request (as such a decision can only be taken once a full CGR process has been carried out).

1 Introduction

- 1.1 Romsey Town Council has formally resolved to request a review of its boundaries, so as Romsey Town's area will include the full extent of the three Romsey Borough Wards.
- 1.2 This report sets out the request and its implications, and the possible responses that full Council can make to the request.

2 Background

- 2.1 Historically, the parish of Romsey Town comprised the core town centre area of Romsey. It is completely surrounded by Romsey Extra Parish.
- 2.2 In recent years, housing and other development has occurred at the edge of Romsey Town, and extended into the adjacent parts of Romsey Extra. The result is that although parts of Romsey Extra Parish have remained rural in nature, other parts now comprise urban housing. As such housing is often contiguous with the urban nature of Romsey Town, there are often no longer any obvious features which mark the boundary between the two parish areas.

- 2.3 In 2018, the Local Government Boundary Commission for England (LGBCE) carried out a review of the Borough Ward boundaries. Previously, the Borough Wards reflected more closely the parish boundaries, but the LGBCE considered that arrangements where one ward encircled another were not appropriate. As a result, a “spokes of a wheel” approach was taken in Romsey, where the three Borough Wards radiated from the centre of the town, and included areas in both Romsey Town and Romsey Extra Parish.
- 2.4 Following the LGBCE Review, the Borough Council carried out a Community Governance Review (CGR) across the whole Borough. This provided an opportunity to consider whether any changes were needed to parish arrangements (boundaries, wards, council size, etc.), not only because of the LGBCE changes, but also to reflect other changes that may have occurred (including new developments, communities, etc.).
- 2.5 The 2018 CGR invited proposals for changes, through two separate consultation stages. In respect of Romsey, representations were made supporting/opposing three main options which emerged (expand Romsey Town to cover Borough Ward areas, merge Romsey Town and Romsey Extra Parish, and maintain status quo).
- 2.6 As part of the consultation process in 2018, Romsey Extra Parish supported no change, but no submission was received from Romsey Town Council, so it was assumed they had no formal view on any of the three options.
- 2.7 The outcome of the 2018 CGR, as agreed by full Council, was to maintain the status quo for the Romsey area and keep the existing governance arrangements (subject to some minor localised boundary changes which dealt with various anomalies). However, the Town and Parish Councils were encouraged to work together on the use of CIL money and involvement in the Romsey Future project, in order to provide the most effective local governance.
- 2.8 As a result, the Reorganisation Order which gave effect to the CGR left Romsey Extra Parish and Romsey Town essentially unchanged.

3 Action Taken Post 2018

- 3.1 Since 2018, Romsey Town and Romsey Extra Parish Councils have begun working jointly on various matters such as planning.
- 3.2 In addition, Romsey Town Council has been looking into promoting boundary changes which would seek to bring into effect one of the options considered in 2018, namely making the area of Romsey Town coterminous with the three Romsey Borough Wards.

4 Formal request From Romsey Town Council

- 4.1 The work identified in 3.2 above has culminated in a formal resolution made by Romsey Town Council on 25 May 2021, as follows:-

33. BOUNDARY REVIEW - RESOLUTION NO. 21/54

It was RESOLVED Romsey Town Council will, before December 2021 and with all relevant consultation documentation - that Test Valley Borough Council review the boundary of Romsey Parish, such that it includes all current and planned urban areas identified as Romsey. No possible boundary changes are to be implemented until after appropriate public consultation, although they should be in place for the 2023 council elections.

PROPOSED: Cllr. N. Gwynne

SECONDED: Cllr. J. Burnage

CARRIED

Discussions with officers have subsequently confirmed that the reference in the resolution to “current and planned urban areas identified as Romsey” is indeed seeking to make the area of Romsey Town coterminous with the three Romsey Borough Wards (Abbey, Cupernham and Tadburn).

- 4.2 The map attached as the Annex to the report shows the parish boundaries in blue, and the three Romsey Borough Wards edged red. The red edged area would therefore constitute the new extended area of Romsey Town if the proposal were to be accepted and agreed following a CGR process.

5 Community Governance Arrangements – Legal Requirements

- 5.1 Changes such as that now being formally requested by Romsey Town Council are within the powers and functions of the Borough Council. Such changes may be made by the Borough Council following the undertaking of a Community Governance Review (CGR). Legislation in the Local Government and Public Involvement in Health Act 2007 sets out the process which a CGR must follow.

- 5.2 As part of the CGR process, changes to community governance arrangements that can be considered by include:

- Altering the boundaries of existing parishes
- Changing the names of existing parishes
- Creating a new parish or abolishing an existing parish
- Creating or abolishing parish councils
- The electoral arrangements for parish councils (including the number of councillors and arrangements for parish warding)
- The grouping or de-grouping of parish councils (and consequential changes to their electoral arrangements)
- The “style” of a parish (enabling an area to be known as a town rather than a parish).

- 5.3 Under Guidance issued on the conduct of CGRs, councils are expected to keep community governance arrangements under review, and consider on a regular basis whether a review is needed. Guidance indicated that good practice would be to conduct a review every 10-15 years, but equally the need for a review may be triggered earlier, e.g. following a major change in the population of a community or where boundaries have become anomalous e.g. following new housing developments being built across existing boundaries. In 2018, the changes in Borough Ward boundaries were an example where it was clearly appropriate to undertake a CGR.
- 5.4 Where a CGR is carried out, the legislation requires that the Council has regard to the need to secure that any community governance for the area under review:-
- reflects the identities and interests of the local community in that area; and
 - that it is effective and convenient.
- 5.5 A CGR can be carried out at any time, either as a result of the Council deciding to do so of its own volition, or because of a request from a parish council or local residents.
- 5.6 The 2007 Act provides a route whereby a council can be *required* to carry out a CGR. This involves a petition being signed by a specified number of local government electors in the area in question (7.5% where there are more than 2,500 electors). If a valid petition is received, the Council *must* carry out a CGR on the issue which is the subject of the petition. In the absence of a petition, it is a matter for full Council to decide whether or not to undertake a CGR.
- 5.7 The area of a petition would depend on the change being sought. Romsey Town's request seeks to extend Romsey Town into Romsey Extra Parish, so the appropriate area for a petition would be the combined Town/Parish area. Using the latest electorate figures (July 2021), Romsey Town has 11,802 and Romsey Extra 4,500, a total of 16,302 for the combined area. A valid petition for such an area would need to be signed by at least 7.5% of the electors, i.e. 1,223 local government electors. The signatories would not have to be "spread" proportionately or otherwise between the two areas – it would just require 1,223 signatures who are electors within either REPC or RTC.

6 Community Governance Process

- 6.1 Broadly, if the Council decide to undertake a CGR, it is for the Council to decide how the CGR will be carried out. There is no formal procedure set down in legislation, although local people must be consulted during a CGR, and representations received in connection with the CGR must be taken into account. Those making representations must be informed of the outcomes from the CGR.

- 6.2 In 2018, the Council followed a similar process to that used by the LGBCE in the Borough Ward Review. Once terms of reference were agreed, a First Consultation was undertaken, whereby proposals for changes to community governance were invited. The representations were considered by a Member Panel appointed by full Council, and taking these representations into account, the Panel produced a set of Draft Recommendations that were considered and agreed by full Council. A Second Consultation was then undertaken (the focus now being on the Draft Recommendations issued) and the results of that Second Consultation were again considered by the Panel, and a report to full Council made with a set of Final Recommendations being proposed. These Final Recommendations were agreed by full Council and published. Following a period to allow for any challenges to the outcome (none being received), a Reorganisation Order was made to give effect to the changes which had been agreed as part of the CGR process. These changes came into effect for the May 2019 elections.
- 6.3 If full Council were to agree to carry out a CGR as a result of the request from Romsey Town, it is suggested that a further report be brought to the next Council meeting, recommending terms of reference, process, and a timetable, for approval before the CGR is then undertaken.

7 Corporate Objectives and Priorities

- 7.1 This report responds to a formal request from Romsey Town Council. It provides an opportunity to consider the governance arrangements for Romsey, in the light of developments which are planned and have already taken place.

8 Consultations/Communications

- 8.1 Romsey Town Council has written to adjoining parish councils that could be affected by their request, and are responding to communications from those parishes.
- 8.2 As noted above, if a CGR is undertaken, a fundamental part of the process would be a public consultation exercise to obtain and consider the views of local people.

9 Options

- 9.1 A formal petition has not been lodged, and therefore the options available to respond to Romsey Town Council's request include:-
- Agree to carry out a CGR (ensuring that consequential issues such as the impact on adjacent parishes are taken into account);
 - Decline the request on the grounds that a full CGR process was undertaken three years ago;
 - Take further action/seek further information before determining a response to the request.

10 Option Appraisal

Agree to carry out CGR

- 10.1 It should be noted that a decision agreeing to undertake a CGR in response to a request such as that from Romsey Town Council is not a decision to make the changes requested. It is merely a decision to investigate and consider whether (or not) to make the changes requested, and does not pre-judge the final outcome. The CGR process would explore the issues arising from the request, and would look at the effect on other adjoining parishes as well as Romsey Town itself. The outcome may be a change to the existing governance arrangements (either in line with the request, or a different change), but equally the outcome could be a decision to maintain the status quo and make no changes.
- 10.2 As noted above, a full public consultation exercise would be carried out, and any representations received would have to be taken into account.
- 10.3 Although some officer time would be required spent to undertake a review, much has been gained from the CGR carried out in 2018, and therefore a review would not be disproportionate in terms of time required.
- 10.4 Although a CGR was carried out three years ago, changes have occurred since then. Joint working between Romsey Town and Romsey Extra Parish has taken place, has taken place, and the public views of the Town Council have changed (from no stated position, to positive support for change). Undertaking a CGR would provide an opportunity for the community governance arrangements to be revisited in the light of these new circumstances.
- 10.5 A CGR could (depending on the eventual outcome) remove the situation where a Borough Ward covers parts of both Romsey Town and Romsey Extra, simplifying elections and local representation.

Decline to Undertake A CGR

- 10.6 In the absence of a petition, there is no duty on the Council to undertake a CGR in response to the request. Officer time would not be required, and would be available for other projects (although as noted above, the amount of time required is not expected to be significant).
- 10.7 The anomalies between parish and borough ward boundaries would remain if a CGR was not undertaken.

Take Further Action/Seek Further Information Before Determining A Response To The Request

- 10.8 Members may consider that more work or information is required to allow them to decide whether or not to undertake a CGR. Deferring the decision in this way would put back the start and finish points of a CGR process, and make achieving a final decision in time for May 2023 elections more difficult to achieve.

- 10.9 Requiring more information or e.g. carrying out “pre-consultation” might also result in a duplication of work which would have to be done if the decision is then made to undertake a CGR. The public may feel that such an exercise is pre-judging the outcome of the CGR process. It might also jeopardise the effectiveness of any formal CGR consultation process which follows, as the public may feel they have already commented.

11 Resource Implications

- 11.1 As noted above, the primary resource required would be officer time in undertaking the consultation process, analysing the responses and assisting a Member Panel to formulate recommendations as a result.

12 Legal Implications

- 12.1 No changes to governance arrangements for any parish council would result from the decision out of this report. Changes would only occur if approved as part of a subsequent CGR process.

13 Equality Issues

- 13.1 There are no identified equality issues arising from the subject matter of the report.

14 Other Issues

Wards/Communities Affected

- 14.1 The Borough Wards of Romsey Abbey, Romsey Cupernham and Romsey Tadburn are affected by this report. If a CGR were to be agreed and the request from Romsey Town Council endorsed, Blackwater and Chilworth, Nursling and Rownhams Wards would also be affected. The Parishes of Romsey Extra, Wellow, Nursling and Rownhams, and Michelmersh would also be affected by any CGR undertaken.

15 Conclusion and reasons for recommendation

- 15.1 Although a CGR process was carried out in 2018, the conclusion of that review in respect of the Romsey area was essentially no change in governance arrangements. However, since that review, working arrangements between Romsey Town and Romsey Extra Parish have changed, leading to joint working between the two councils. In addition, a formal request has now been received from Romsey Town Council, seeking to extend the boundaries of Romsey Town to be coterminous with the three Borough Wards.
- 15.2 Such changes can only take place following a CGR process. Agreeing to carry out a CGR does not pre-judge the outcome of the process, which would involve full public consultation before a decision is made.

Background Papers (Local Government Act 1972 Section 100D)

Formal request from Romsey Town Council to Chief Executive 16 July 2021.

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	1	File Ref:	N/A
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(Portfolio: Corporate) Councillor T Tasker

Officer:	Howard Bone	Ext:	8467
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Report to:	Council	Date:	1 September 2021
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Date: 04/01/2021
Scale: 1:40,000
Author: Web AppBuilder for ArcGIS

ArcGIS Web Map

