

# Council



St Edmundsbury  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Referral of Recommendations from Democratic Renewal Working Party: 23 May 2016 – Community Governance Review</b>	
<b>Report No:</b>	<b>COU/SE/16/009</b>	
<b>Report to and date:</b>	<b>Council</b>	28 June 2016
<b>Documents attached:</b>	<b>Appendix A:</b> Statutory final recommendations <b>Appendix B:</b> Final recommendations in respect of which there was not a consensus in the phase 2 consultation <b>Appendix C:</b> Final recommendations in respect of which no new and/or significant issues have been raised during the consultation <b>Appendix D:</b> Updates on issues which were determined at the Council meeting on 15 December 2015	

## (A) Referral from Democratic Renewal Working Party: 23 May 2016

### 1. Community Governance Review (CGR)

**Chairman of the Working Party:**  
Cllr Patsy Warby

**Report No:**  
[DEM/SE/16/002](#)

#### **RECOMMENDED: That**

- (1) the proposals of the Working Party, as set out in Appendices A-C to Report No: COU/SE/16/009, be adopted as the final decisions in relation to this Community Governance Review (CGR);**
- (2) the implementation of any agreed changes arising from this review be dealt with in accordance with the proposals contained in this referral Report No: COU/SE/16/009;**

*Continued...*

- (3) in respect of (2) above, the Service Manager (Legal) and/or the Elections Manager be authorised to request the Local Government Boundary Commission for England to make any necessary consequential changes to district and county council electoral arrangements and, depending on the response of the Commission, to determine the implementation arrangements for this CGR accordingly;**
- (4) the Service Manager (Legal) and/or the Elections Manager be authorised to publish the decisions taken as part of this CGR and to make and implement the necessary Order(s), in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 and advice of the Boundary Commission;**
- (5) the latest position in relation to the matters the Council has already determined in December 2015, as set out in Appendix D to Report No: COU/SE/16/009, be noted;**
- (6) the proposed amendment to the current boundary of the Eastgate and Moreton Hall Wards of the Town and Borough Councils, set out in this referral Report No: COU/SE/16/009 , be examined as part of a future Electoral Review (if not previously implemented through this CGR under review issue 7);**
- (7) the officers discuss the request of Barrow cum Denham Parish Council to increase its council size with that Parish Council and report back to the Working Party accordingly; and**
- (8) Councillor Nettleton's request to look at the Eastgate and Fornham Ward (and associated parish) boundary be examined as part of any future Electoral Review of the Borough and/or County Council if required.**

*The above recommendations and appendices to this report reflect the deliberations of the Working Party at its meeting on 23 May 2016. The papers for that meeting set out the extensive evidence received by the Council during consultation on the final recommendations in phase 2 of the review, which were considered in detail by the Working Party. The covering report and summary of responses is over 130 pages long, so it is not reprinted in this agenda. However, the papers constitute background papers for this item and can be found on the Council's website at: <https://democracy.westsuffolk.gov.uk/ieListDocuments.aspx?CIId=180&MIId=3404&Ver=4>.*

## **1.1 Community Governance Review 2015-16**

- 1.1.1 CGRs provide the opportunity for principal councils to review and make changes to community governance within their areas. It can be helpful to undertake community governance reviews where there have been or will be

changes in population, or in reaction to specific or local new issues. Changes can range from the creation of new parishes through to minor boundary adjustments or alteration of the number of parish councillors.

1.1.2 A CGR should create the conditions, at parish level, to:

- (a) improve community engagement;
- (b) provide for more cohesive communities;
- (c) provide better local democracy; and
- (d) result in more effective and convenient delivery of local services.

1.1.3 The last Borough-wide CGR was carried out in 2010. The Borough Council agreed in December 2014 to carry out a CGR in 2015/16 so that consideration could be given as to whether or not major strategic growth sites arising from Vision 2031 in and around Haverhill and Bury St Edmunds should lead to changes in the external boundaries of those two town councils. In conjunction with this issue, the Council also agreed to carry out a CGR formally proposed by County Councillor Beckwith, namely whether or not a new parish should be created for Moreton Hall in Bury St Edmunds. Following consultation with parish and town councils in early 2015, and the May 2015 elections, several other issues for examination through the CGR were also included in the final terms of reference, approved by full Council in July 2015. The review started in August 2015 and must be concluded within 12 months.

1.1.4 The first phase of the review, initial evidence gathering, took place between September and November, to inform the Council's recommendations, which were agreed by Council in December 2015. Phase 2, and the final consultation stage, was the publication of those recommendations, and consultation ran from February 2016 to April 2016. The Council will make its final decision on the CGR at this meeting, and the Working Party has made recommendations on each issue, which are summarised in the various appendices (see below). In the light of consultation evidence, the Working Party has recommended that the Council does not adopt two of the final recommendations agreed in December 2015.

1.1.5 The final decisions the Council makes in relation to the CGR should relate back to the issues identified in the terms of reference and final recommendations, since those taking part would have submitted evidence on that basis.

1.1.6 The Council must also take into account local opinion received through the consultation. However, the aim of the phase 2 consultation was not to conduct a formal referendum, but simply to give people the chance to comment on the recommendations and help shape the Borough Council's final decision. Ultimately, where opinion is divided, the Council will need to make a balanced judgement, with each case taken on its own individual merits. Having said that, if the Council has insufficient evidence that a change is justified (either in terms of the CGR guidance and/or the level of local support) it would normally presume to maintain the status quo.

1.1.7 The Working Party's proposals in relation to each of the issues in the review are set out the appendices to this report. These appendices are only summaries of the original documents considered by the Working Party on

23 May 2016. Although their original numbering is retained the issues are also organised into the following categories to assist in the management of the debate:

- **Appendix A:** statutory final recommendations affecting all issues
- **Appendix B:** final recommendations in respect of which there was not a consensus during the phase 2 consultation
- **Appendix C:** final recommendations in respect of which no new and/or significant issues were raised during the phase 2 consultation
- **Appendix D:** updates on issues which were determined at the Council meeting in December 2015 (for noting only). This includes the impact of the CGR on the Borough and County Council's electoral arrangements and the timing of any Electoral Review for the Borough Council.

1.1.8 Decisions by the Council on the CGR will be published before 7 August 2016. Implementation of any decision by the Council to change current electoral arrangements will be by Order(s). The Order(s) will set out when and how any new arrangements will come into effect. The Order(s) can be made at any time following a review. However, the Council has discretion over the date of implementation, and the Working Party has considered this matter on 23 May.

1.1.9 There are three broad categories of implementation date for the issues in this review (excluding issues 15, 23 and 26 which are not within the Borough Council's powers to change):

**(a) Implemented in 2019 at next parish/district elections (subject to advice of Local Government Boundary Commission for England)**

Significant changes to parish electoral arrangements, affecting all or many existing electors in a parish, are normally made at the next ordinary elections (although exceptions can be made e.g. in the case of setting up an entirely new parish council). In particular, this avoids the need for parishes to hold (potentially at their cost) special elections or to cut short, or lengthen, the terms of office of parish councillors. In this instance, unless the Boundary Commission advises differently, this means that such changes would be brought formally into effect on 1 April 2019, but in such a way that preparations for the May 2019 elections (notices, electoral registers, etc) can take place from autumn 2018 onwards. Parish precepts would also be adjusted on 1 April 2019 (keeping taxation and representation in step at parish level). The new arrangements would also be taken into account in any Electoral Review of the Borough Council's arrangements in 2017-19.

If the Council decided to implement changes associated with them, this category would be likely to apply to the following issues in this review:

Issue No	Area or Properties Under Review
3	Vision 2031 Strategic Site "North-East Bury St Edmunds"
4	Vision 2031 Strategic Site "Moreton Hall" (creation of new parish wards only)
7	Moreton Hall area
14	Vision 2031 Strategic Site "Hanchett End" (Haverhill Research Park)
21	RAF Honington
24	Size of Stansfield Parish Council
25	Great and Little Thurlow

**(b) Implemented in 2017**

In relation to boundary changes affecting only a small number of electors, and where the boundary is contained entirely within an existing district ward and county division, it would be possible to make the change next year (with an order made this autumn).

If the Council decided to implement changes associated with them, this category would be likely to apply to the following issues in this review:

Issue No	Area or Properties Under Review
18	Lodge Farmhouse
19	Assington Green
20	Fornham Lock/Sheepwash Bridge
22	Weathercock House

**(c) Dependent upon consequential changes to district/county arrangements**

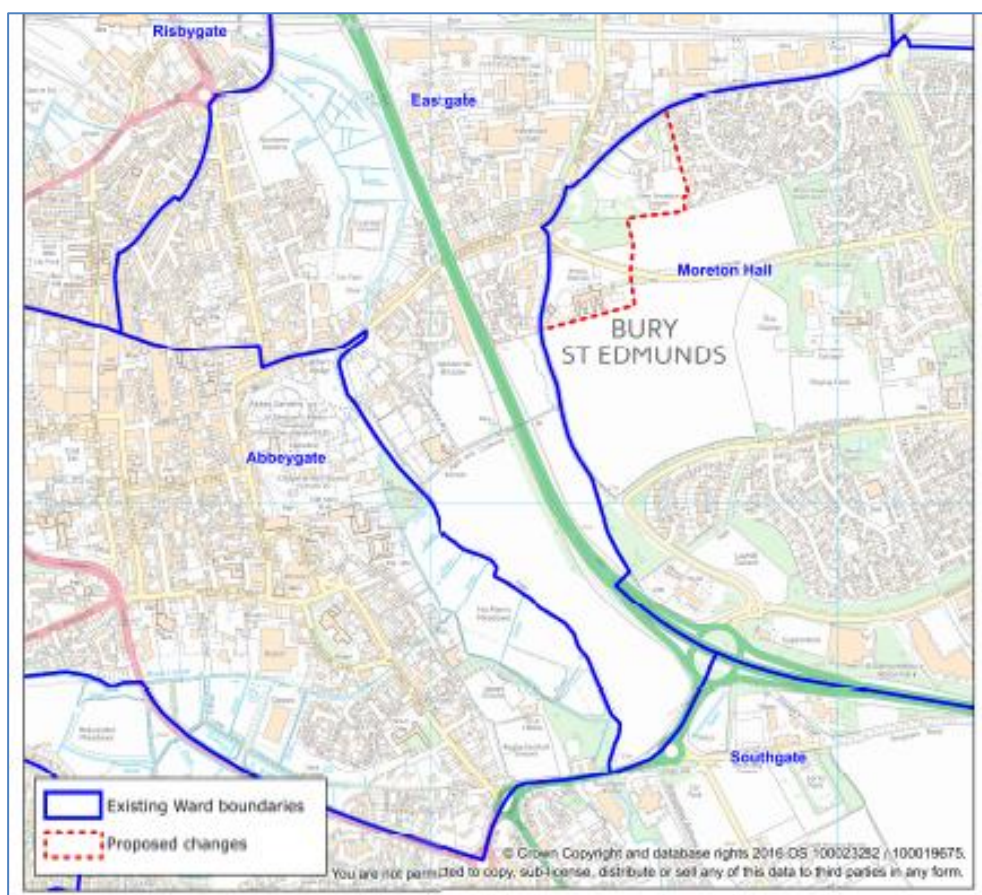
Irrespective of how many existing electors are affected, where the parish boundary is concurrent with a district ward and/or county division boundary, it would only be sensible to make that change in 2017 if the Boundary Commission also agreed to make consequential changes to those district/county boundaries too (i.e. ahead of Electoral Reviews of the whole Borough). Otherwise, the tiers of local government representation would get out of step, and there could be complications for electors and the Returning Officer/Electoral Registration Officer associated with the May 2017 County Council elections and any by-elections. In these cases, the Borough Council would implement the changes in 2017 if the Commission also agrees to consequential changes at that time. Otherwise they will also be implemented in 2019 (having been taken on board in the Council's own Electoral Review).

If the Council decided to implement changes associated with them, this category would be likely to apply to the following issues in this review:

Issue No	Area or Properties Under Review
1	Vision 2031 Strategic Site "North-West Bury St Edmunds"
2	Vision 2031 Strategic Site "West Bury St Edmunds"
4	Vision 2031 Strategic Site "Moreton Hall" (changes to parish boundaries only)
5	Vision 2031 Strategic Site "South-East Bury St Edmunds"
6	Vision 2031 Strategic Site "Suffolk Business Park"
8	Primack Road and Mortimer Road
9	Home Farm Lane
10	School Bungalow, Hardwick Middle School, Mayfield Road
11	Newmarket Road
12	Vision 2031 Strategic Site "North-West Haverhill"
13	Vision 2031 Strategic Site "North-East Haverhill"
16	Hermitage Farmhouse
17	Oak Lodge

## **1.2 Boundary of Eastgate/Moreton Hall Ward**

1.2.1 Arising from its discussion of issue 7 (Moreton Hall) the Working Party agreed that, irrespective of the outcome for that issue, it would propose a change to the current boundary of the Eastgate and Moreton Hall Wards of the Borough and Town Council be examined, as indicated on the map below.



1.2.2 If the Council decides to create a new Parish Council for Moreton Hall, the Working Party proposes that this change be taken into account immediately when setting the new parish boundary. If not (as is recommended by the

Working Party) this proposal would be re-visited as part of any Electoral Review of the ward boundaries in 2017-18 instead.

### **1.3 Barrow cum Denham Parish Council**

- 1.3.1 During the phase 2 CGR consultation, the Council received a request from Barrow cum Denham Parish Council that it be allowed to increase the size of its Council (i.e. number of councillors) as it would be starting a Neighbourhood Plan and wanted to spread that workload among a larger group of elected representatives. The Council currently has 11 councillors (9 in Barrow and 2 in Denham) which already makes it one of the largest rural parish councils in the Borough.
- 1.3.2 It would not be possible to include this request in the current CGR as the Council has finalised terms of reference and consulted upon final recommendations. However, if it agrees with the request, the Borough Council could consider agreeing to a separate CGR for this specific matter.
- 1.3.3 Given that it would not be possible to implement any such change before the 2019 elections in any event, the Working Party felt that it would be more appropriate in the first instance for the officers to provide advice to the Parish Council on the Neighbourhood Plan process.

### **1.4 Boundary between Eastgate and Fornham Ward (and associated parish boundary)**

- 1.4.1 Also during the phase 2 CGR consultation, Cllr Nettleton proposed a minor amendment to the Eastgate Ward boundary with Fornham Ward (which would not affect any electors, but would require a change to the parish boundary) in order to increase the options available in later electoral reviews of district and/or county arrangements.
- 1.4.2 As with Barrow cum Denham, this request could not now be examined under this particular CGR. The Working Party therefore felt that the Borough Council should wait for its own Electoral Review to take place in 2017-18 and, if any such change was likely to be beneficial, to investigate and consult upon it then (or after), in dialogue with the Boundary Commission.