

ADMINISTRATION COMMITTEE

Monday, 12 October 2020

COMMUNITY GOVERNANCE REVIEW - UNPARISHED AREA OF EASTLEIGH BOROUGH

Report of the Strategic Planning Manager

Recommendation(s)

It is recommended that

- (1) The Council undertakes a Community Governance Review (CGR) in relation to the unparished area of Eastleigh borough, including consulting residents and local stakeholders: and**
 - (2) The terms of reference of the CGR are agreed as set out in the report and the local community consulted on that basis.**
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Summary

The Council may undertake a review of Community Governance at any time. The matter of completing the parishing for Eastleigh was last proposed in 2008. At that time there was not sufficient support for creating a new parish for the whole of the Eastleigh Local Area Committee (ELAC) area. There has been significant change in the unparished area of Eastleigh since that time. A Community Governance Review involves consultation with residents and stakeholders and consideration of the interests and identity of the communities affected to secure efficient and convenient governance.

Statutory Powers

Local Government and Public Involvement in Health Act 2007

Strategic Implications

1. The report relates to good governance of the Borough which underpins all of the Council's Corporate Plan (2015-2025) objectives. This matter also supports the Council's Local First principles in seeking to promote decision-making at the most local level.

Introduction

2. Under the Local Government and Public Involvement in Health Act 2007 local authorities have the power to stimulate debate around the creation of parish council in currently unparished areas. This Act and related guidance reflect a policy ambition of government to increase the number of parishes, including in urban areas, where this suits local needs.
3. Eastleigh Borough Council has long held the view that effective community engagement in local government is best achieved by involving local people in key decisions affecting their area. The Local Area Committee is a highly effective means of engaging local people but there is evidence that community benefits are further enhanced by working in partnership with parish and town councils – the first level of local government.

Background

4. A Community Governance Review of the non-parished areas of Eastleigh borough was previously carried out in 2008. The area of the Borough not parished at that time was consulted via a postal poll. Parish Councils for Chandlers Ford (including Velmore) and Allbrook were created as a result.
5. The result of the ballot for the Eastleigh area in 2008 showed insufficient support to proceed to create a new parish for the Eastleigh town area. This may reflect the alternative localised governance arrangements provided by the Local Area Committee system. The turnout for the poll in the Eastleigh town area was lower than the average for the poll for the whole area including Eastleigh Town, Chandlers Ford, Hilingbury, Allbrook and Velmore.
6. The area of the Borough remaining unparished can be described as the Eastleigh Local Area Committee area, less the areas already parished i.e. Velmore (land west of the M3 – part of Chandlers Ford Parish) and Allbrook (Allbrook Parish) – see Appendix A. The unparished area currently holds 19,634 electors which is 19% of the total number of electors in the borough (103,430). The population of the unparished area in 2018 was 26,214 i.e. 20% of the borough population (131,658). Creating a parish for this area would give parity to the governance arrangements across the whole borough.
7. The unparished area of the borough is bounded by Chandlers Ford Parish to the west, Southampton to the south, Bishopstoke and West End Parishes to the east and Allbrook Parish to the north. A small section of the unparished area is bounded by the borough council boundary and therefore borders Otterbourne Parish in Winchester City Council area (see Appendix A) The unparished area falls entirely within the parliamentary constituency of Eastleigh. Eastleigh North and South borough wards and Eastleigh North and South county divisions are currently a mixture of parished and non-parished areas. Eastleigh central borough ward is entirely unparished.
8. The last few years have seen significant population change with major developments at:

- (a) The former Premier Foods site
- (b) Pirelli phase 2
- (c) Land East of Twyford Road
- (d) Woodside Avenue / Leah Gardens
- (e) Lakeside
- (f) Stoneham

Further developments are expected to be completed in the near future at

- (g) Stoneham
 - (h) Mitchell House
 - (i) Smaller sites in Eastleigh town centre
 - (j) Land north of Romsey Road
9. The population of the unparished area has increased by well over 2000 since 2008, from around 23,800 in 2012 to over 26,200 in 2018. The Council's housing and town centre approach includes increasing housing density in sustainable locations such as the town centre. This change in population size indicates that a Community Governance Review is justified.
10. The unparished area is a large area, with a growing and relatively diverse population, including the town centre, and suburban areas, including their own local centres (e.g. Boyatt Wood, Twyford, Woodside Avenue, Aviary Estate, Stoneham, town centre). Parish warding would give improved local representation to the distinct neighbourhoods within the unparished area.
11. The table below shows the population of the unparished area compared to other parishes in Eastleigh borough, and the variation in the size of parish and town councils:

Parish	2018	%
Allbrook	1,843	1%
Bishopstoke	10,224	8%
Botley	5,393	4%
Bursledon	6,953	5%
Chandler's Ford	24,483	19%
Eastleigh Unparished Area)	26,214	20%
Fair Oak & Horton Heath	10,978	8%
Hamble-le-Rice	4,777	4%
Hedge End	22,261	17%

Hound	6,574	5%
West End	11,958	9%
Total	131,658	100%

12. The area is large enough, and includes such significant features and infrastructure, such that its identity and interests are distinctive and significant. Therefore it would be legitimate to seek community views on Community Governance.
13. On 20th February the Council resolved: *“Eastleigh Borough Council has an excellent record of working in partnership with its Town and Parish Councils to produce high quality facilities and services. The Town and Parish Councils ensure that these are tailor made for each parished area and that accountability is brought as close to residents as possible. Council reaffirms its commitment to the local accountability provided by its Local Area Committee system and partnerships with its Town and Parish Councils. Council also notes the success of the policy of devolving assets to Town and Parish Councils over the last decade. In the light of this success, Council will consult residents of the remaining non - parished area about the possibility of becoming parished.”*
14. A new Parish Council would deliver a range of services and control assets as is the case with other parish and town councils. These include maintenance of open spaces and play areas, management of cemeteries, management of community buildings, and off-street car parking. The Council has an active programme of transfer of assets to parish councils and the formation of a new parish council would enable this programme to extend to the unparished area and discussions about giving local people greater local control over services and assets in their community. This aligns well with the intention to make services convenient and efficient, and to establish governance that responds to the identity and interests of the local community, as set out in government guidance.

Process for conducting a Community Governance Review (CGR)

15. The process for carrying out a CGR is set out in the Local Government and Public Involvement in Health Act 2007 and its related guidance. A CGR can be triggered by a community governance petition (for the unparished area this would require a petition of around 2000 signatures). A CGR may also be commenced at any time if the Council feels it is appropriate.
16. The Council should agree Terms of Reference for the review and undertake consultation of local residents and other stakeholders. The Council has the option to consult residents via a postal poll or via usual methods of consultation.
17. The Council will need to be able to demonstrate that there has been consultation and that it has taken all views into account and has reached a reasonable conclusion based on that consultation.

18. Options for the review to consider (which will inform the wording of question(s) put to consultees):
 - (a) A new single parish is created to cover the unparished area
 - (b) More than one parish is created to cover this area
 - (c) One or more neighbouring parishes are enlarged to cover some or all of the unparished area
 - (d) Other changes to existing parishes
 - (e) No change to existing governance arrangements
19. The Council should review all the responses to the consultation and if a new parish is recommended and created via a Reorganisation Order, a range of matters would need to be decided e.g. numbers of parish councillors, warding arrangements, precepting, and timing of the first elections.
20. An indicative timetable would be:
 - (a) October – Administration Committee consider whether to undertake a CGR and its scope. Notify MHCLG, HCC and other stakeholders of any decision to undertake a CGR. Publish Terms of Reference for the CGR.
 - (b) November/December - undertake Community Governance Review consultation including publicity
 - (c) January 2021 December – Administration Committee look at findings of the Review and the consultation, and decide whether to create any new parish council(s). If so, Council makes a Reorganisation Order.
 - (d) 2021 - Work to prepare for one or more new parish councils including finances, warding, precepting, and numbers of councillors.
 - (e) May 2022 – elections for any new parish councils.

Recommended terms of reference

21. The Council has not received any petitions or requests from parish councils neighbouring the unparished area to enlarge their parish area.
22. The unparished area has a large population compared to some other parishes in the borough.
23. It is therefore recommended that the Terms of Reference for the CGR are:
 - (a) Information is provided to residents of the unparished area including a map showing the area being considered for parishing.

- (b) Residents in the unparished area are consulted on community governance, via an online and paper-based consultation.
- (c) The consultation asks residents of the unparished area:
 - (i) Would you like a new parish or town council to be set up for the area [the unparished area as a whole]?
 - (ii) Would you like a parish council to be set up for your neighbourhood? [name of neighbourhood e.g. Aviary Estate, town centre, Pirelli estate, Woodside Avenue, Boyatt Wood, Twyford, Lakeside/South, Newtown]
- (d) A range of stakeholders are advised of the CGR and invited, via the consultation process, to give views, including neighbouring parish councils, local authorities and residents in neighbouring areas, local businesses and organisations.

Financial Implications

- 24. The costs of the CGR will be met from existing resources in 20/21. Work to introduce a parish council if agreed will be planned into the Medium Term Financial Plan.
- 25. The unparished area is currently subject to a special expense arrangement whereby services provided by the Borough Council in the area are funded by those benefiting from those services. There is currently no mechanism to alter this level of cost or service except through the Borough Council budget process. A parish council for the area would be able to set its own precept, for a level of service that it felt appropriate, with a direct electoral mandate from residents to do so (via elected parish councillors).
- 26. The unparished area currently has a Special Expense (i.e. a portion of the borough's council tax for this local area) of £78.45 per Band D property, on top of the basic Borough Council tax for Borough Council services of £104.15 (see table below). Under a parished arrangement, as elsewhere in the borough, this level of Special Expense would reduce where the parish council took responsibility for services, and the parish precept increased or introduced to pay for such services, at a greater or lesser amount than the special expense, depending on the views of the new parish council.

	Basic	Special	Sub-Total	Parish	Total
Chandler's Ford	104.15	13.20	117.35	52.69	170.04
Non-Parished Area	104.15	78.45	182.60	0	182.60
Allbrook	104.15	12.89	117.04	67.99	185.03

Bursledon	104.15	20.22	124.37	65.57	189.94
Bishopstoke	104.15	20.63	124.78	65.32	190.10
Hedge End	104.15	9.50	113.65	91.67	205.32
West End	104.15	18.00	122.15	98.16	220.31
Fair Oak and Horton Heath	104.15	13.33	117.48	103.11	220.59
Botley	104.15	10.48	114.63	110.17	224.80
Hamble-le-Rice	104.15	19.50	123.65	125.42	249.07
Hound	104.15	28.94	133.09	141.42	274.51

Risk Assessment

27. There is a risk of an unclear outcome if communication and consultation is not conducted thoroughly and residents provided with a clear question.

Equality and Diversity Implications

28. The Equality Act is relevant to the decision in this report because it concerns the whole community. At this stage the report is procedural, but the overall process will need to assess equality impacts and ensure all residents are able to participate in any public consultation. For example, provisions should be made to conduct (Covid-secure) consultation meetings at a variety of times and locations and use material that is accessible to everyone. A full Equality Impact Assessment will be carried out if an internal project is established to conduct the CGR.

29. Climate Change and Environmental Implications

The report has no Climate Change and Environment implications. A new parish council would assist in engaging local people in community issues and behaviour change that were deemed relevant to the local area, including energy use, recycling, and sustainable transport. A parish council would have greater control over management of some aspects of the environment e.g. open spaces and play areas, including planting and biodiversity. (The Borough Council will continue to play an active leadership and implementation role in relation to Climate Change.)

Conclusion

30. The report sets out a process for conducting a Community Governance Review and seeks approval to proceed with the Review including the terms of reference set out in the report.

DICCON BRIGHT
STRATEGIC PLANNING MANAGER

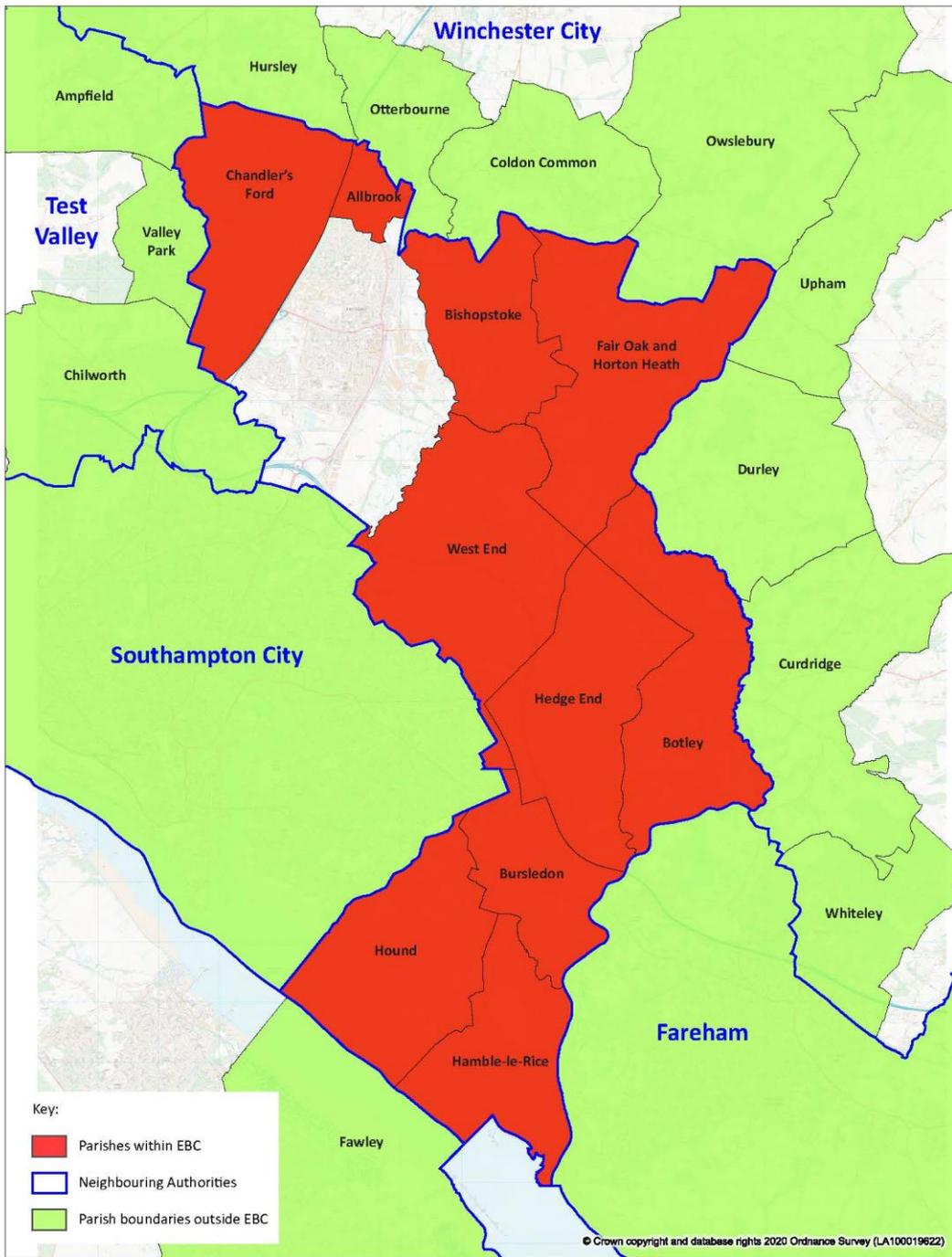
Date: 22 September 2020
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e-mail: diccon.bright@eastleigh.gov.uk
Appendices Attached: Appendix A – maps of the unparished area of Eastleigh
Borough

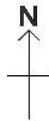
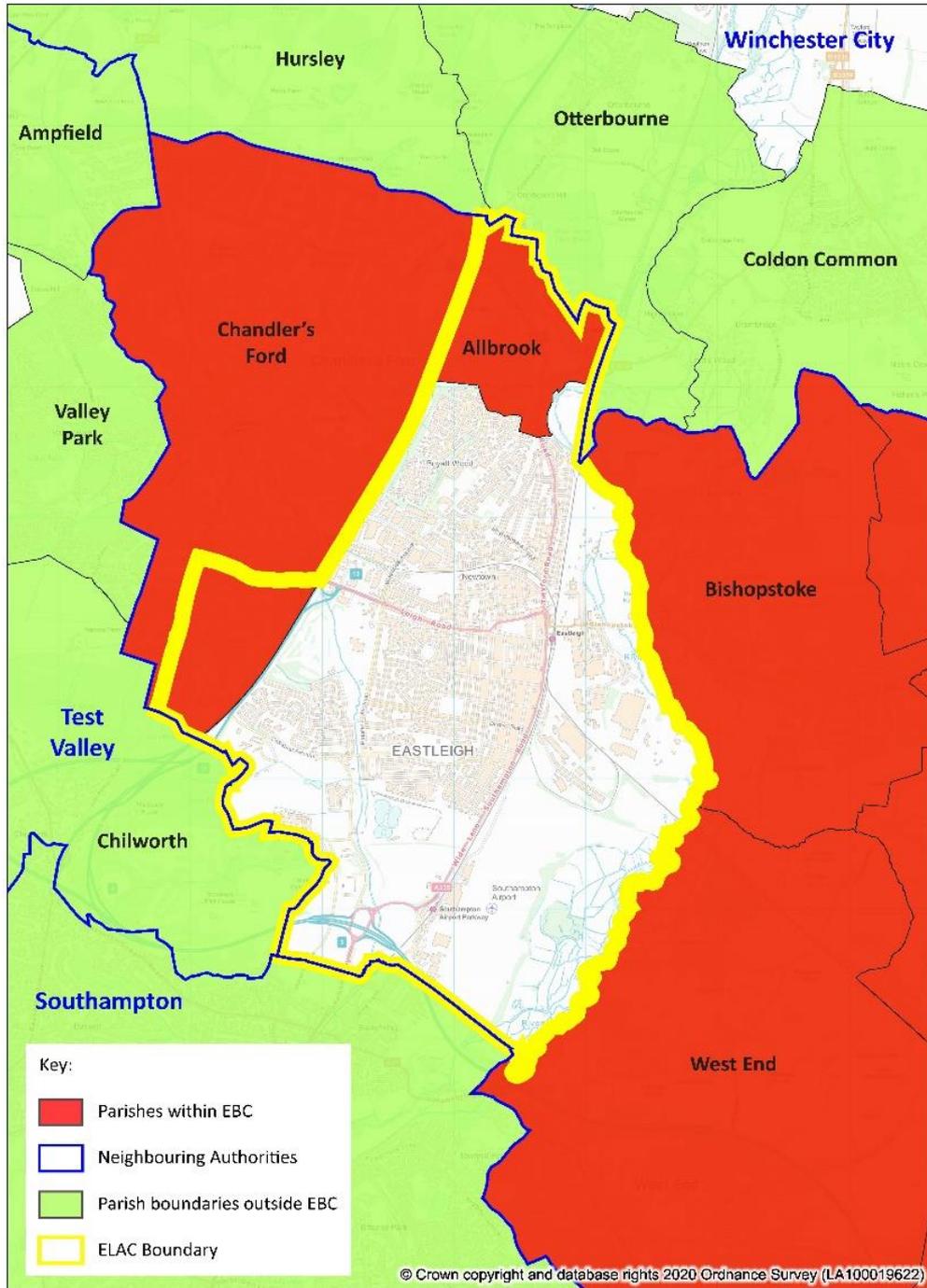
LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

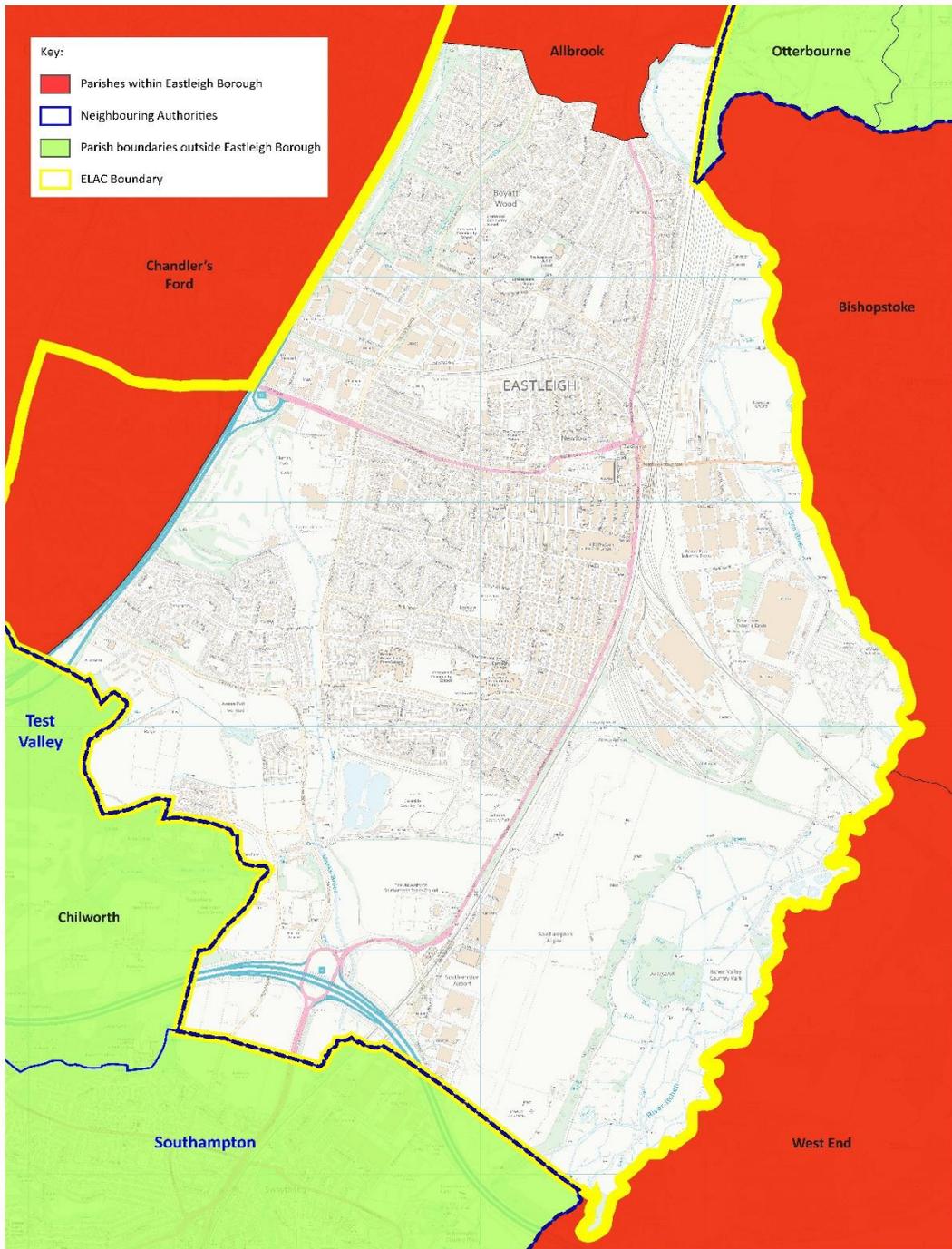
None

Appendix A





Department:	Department
Date: 24/09/2020	Scale: 1:40000



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Department:	Department
Date: 28/09/2020	Scale: 1:16000