

REGULATORY COMMITTEE

Minutes of the meeting held on Monday 10 October 2011 at Town Hall, Royal Leamington Spa at 4.00pm.

PRESENT: Councillor Pratt (Chairman); Councillors Cross, Mrs Falp, Mrs Gallagher, Gill, Mrs Goode, Illingworth, Weed and Wreford-Bush.

Apologies for absence were received from Councillor Guest.

33. **DECLARATIONS OF INTEREST**

Minute Number 34 – Community Governance Review, Burton Green

Councillors Mrs Gallagher and Pratt declared personal interests because some of the objectors were known to them.

Councillor Illingworth declared a personal interest because he was a member of Kenilworth Town Council who had submitted comments, Burton Green fell within his Ward and a number of the representatives were known to him.

34. **COMMUNITY GOVERNANCE REVIEW BURTON GREEN**

The Committee considered a report from the Electoral Services Manager detailing the advantages and disadvantages of establishing a parish and parish council for the area of the existing Burton Green ward.

At the Regulatory meeting held in June 2011 the Committee were informed that a petition had been received from electors of the Burton Green ward of Ashow, Burton Green and Stoneleigh joint Parish Council asking for a parish council to be established for Burton Green. However, the petition could not be accepted because the wording did not comply with the appropriate legislation. Therefore, the organisers of the petition obtained the required number of signatures on a petition, which complied with the legislation.

The Committee were informed that the Council was required to start a review on the creation of a parish council if it received a petition that met the terms of the legislation. Consequently, in order to make sure the review was progressed as quickly as possible, authority was delegated to the Chief Executive to arrange for the appropriate review to be undertaken if and when a valid petition was received.

A valid petition containing 287 signatures, in the following terms was subsequently submitted:

'Currently Burton Green is a Ward of Stoneleigh Parish Council. We the undersigned support the establishment of a separate Parish and Parish Council for Burton Green which will cover the area shown edged red on the attached plan and we request that Warwick District Council puts in place the necessary procedures to facilitate this'

A plan was submitted showing the area of the existing Burton Green ward of the Ashow, Burton Green and Stoneleigh joint Parish Council and this was attached as an appendix to the report.

In accordance with the authority given, a Community Governance Review commenced in accordance with provisions of the Local Government and Public Involvement in Health Act 2007. The Terms of Reference and a map were published, attached as appendices to the report, and a consultation exercise undertaken. The closing date for comments was 16 September 2011 and 13 representations were received, also attached to the report.

Comments were received from Kenilworth Town Council, Ashow, Burton Green and Stoneleigh Joint Parish Council, Burton Green Residents Association and a number of individual residents from Burton Green and Ashow.

The report asked the committee to decide if, having considered all the information before them, it wanted to recommend the establishment of a parish and a parish council for the existing Burton Green ward of the Ashow, Burton Green and Stoneleigh joint parish council.

The report went on to detail further choices to be made if members chose to recommend the establishment of the parish and parish council. These included a suggested name and the size of the parish council, and whether elections should be held or the sitting Parish Councillors should co-opt until the next elections in 2015.

The Electoral Services Manager, Gillian Friar, answered questions from members and explained the differences between this review of the ward of Burton Green and the existing Boundary Review. In addition, she advised on the timetable that would be adopted for the review and explained to members that they were making recommendations to be consulted on, they were not making a final decision at this point.

Some members felt that the main recommendation would simplify arrangements for Burton Green and noted that a number of the objectors lived outside of the area in question. Having considered all of the information available, the Committee felt that their recommendation would be to establish a parish council for the Burton Green ward.

Members felt strongly that the name given should be simply Burton Green Parish Council and after some debate agreed that the council should consist of seven members.

The Electoral Services Manager advised members of the estimated cost of a Bi-election which the Committee felt could be detrimental to a new Parish Council, especially in the current economic climate. Some members did feel that the Parish Council should be given the opportunity to elect their members from scratch but accepted that these were recommendations only at this stage.

It was agreed that the most financially sensible option would be for the sitting Parish Councillors to transfer to the new Parish Council to serve

their remaining term and to fill the vacant seats by co-option. This would result in the next election being held in May 2015.

It was therefore decided to publish and circulate the recommendations detailed below for public consultation and await responses. The committee would then meet in November 2011 to make a final decision taking all the submissions received into account.

RESOLVED that

- (1) the establishment of a parish and parish council for the area of the existing Burton Green ward of the Ashow, Burton Green and Stoneleigh joint Parish Council, be recommended;
- (2) the name recommended for the Parish area should be Burton Green Parish;
- (3) the name recommended for the Parish Council should be Burton Green Parish Council;
- (4) the Parish Council should consist of seven councillors;
- (5) the date for the next ordinary elections to be held on Thursday 7 May 2015 and every four years after that date;
- (6) the four sitting Parish Councillors for Burton Green ward should transfer to the new Parish Council to serve their remaining term until the day of the next ordinary elections in 2015;
- (7) the vacant seats should be filled by co-option and the successfully elected councillors would serve on the parish council for the remaining term until the next ordinary day of election.

(The meeting finished at 4.30 pm)