

 <b>Regulatory Committee</b> <b>Tuesday 12 November 2013</b>		<b>Agenda Item No.</b> <b>4</b>
<b>Title</b>	Warwick District Community Governance Review 2013	
<b>For further information about this report please contact</b>	Chris Elliott (01926 456000) chris.elliott@warwickdc.gov.uk	
<b>Wards of the District directly affected</b>	All	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	Regulatory Committee 15 July 2013 – minute 18	
<b>Background Papers</b>		

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality &amp; Sustainability Impact Assessment Undertaken</b>	No (If No state why below)
The process is about ensuring electoral equality so there is no further need to undertake an equalities impact assessment.	

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive		Chris Elliott
Head of Service		
CMT		Andrew Jones; Bill Hunt
Section 151 Officer		Mike Snow
Monitoring Officer		Andrew Jones/Graham Leach
Finance		
Portfolio Holder(s)		Group Leaders & Deputy Leader
<b>Consultation &amp; Community Engagement</b>		
The commencement of the Community Governance Review in July 2013 invited submissions from interested persons up to the deadline of Friday 4 October 2013.		
<b>Final Decision?</b>	Yes	
<b>Suggested next steps (if not final decision please set out below)</b>		

## 1. **SUMMARY**

- 1.1 To consider the submissions received from interested persons and to make up a set of draft proposals for further consideration by Regulatory Committee.

## 2. **RECOMMENDATION**

- 2.1 To agree a set of draft proposals in response to paragraphs 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9 and 5.1 for further consideration by Regulatory Committee on 16 December 2013.

## 3. **REASONS FOR THE RECOMMENDATION**

- 3.1 The Local Government and Public Involvement in Health Act (LGPIH) 2007 devolved the power to take decisions relating to the creation and abolition of parishes, the boundaries of parishes and the electoral arrangements of parish councils from the Secretary of State and the Electoral Commission to principal councils.

Since February 2008, District Councils have had the responsibility for undertaking Community Governance Reviews and have been able to decide whether to give effect to recommendations made in those Reviews. In making that decision, Councils need to take account of the views of local people and are required to have regard to guidance issued by the Department for Communities and Local Government and the Local Government Boundary Commission for England;

This report summarises the submissions received and members will need to consider each submission on its merits in relation to the particular circumstances in the parish or town.

- 3.2 Any changes in parish boundaries that affect the boundaries of District Council wards and/or Warwickshire County Council Electoral Divisions will be referred to the Local Government Boundary Commission England (LGBCE) with a recommendation to change all boundaries affected.

### 3.3 **Results of First Stage Consultation**

- 3.3.1 There were 16 submissions received from Parish and Town Clerks and Parish meeting.
- 3.3.2 From those received; 10 submissions were for no change and 5 were for amendments to both current parish or town boundaries and one to increase the number of members to an existing Council.
- 3.3.3 There were 109 separate submissions received from electors (this includes the 2 petitions from Resident Groups) on the separate household review of Warwick Gates.

## 4. **Matters for Consideration**

### **ROYAL LEAMINGTON SPA TOWN COUNCIL**

- 4.1 **Members' instructions are sought in making the decision should it be recommend to propose:**

- 4.1.1. **To align the Town Council wards with the 8 LGBCE recommended District wards in the town of Royal Leamington Spa. All District and Town wards would be coterminous. (see paragraph 4.2, 4.3, 4.4, 4.5 and 4.6 below)**
- 4.1.2. **To increase the number of Royal Leamington Spa Town Councillors from 16 members to 24 members, with 3 members per ward.**

**These boundary changes would also affect Leamington Brunswick, Leamington Manor, Leamington Milverton, Leamington North, Leamington Willes and Cubbington County Electoral Divisions and the Parliamentary constituency boundaries between Warwick & Leamington and Kenilworth & Southam constituencies.**

*Royal Leamington Spa Town Council submitted:*

The Town Council has evolved since 2002 as an organisation and begun to assume responsibility for services at a local level beyond those formerly administered by the Charter Trustees. A structure of 16 Councillors no longer meets the demands now placed on the Council. The Committee structure in place would be better served by increasing the number of Councillors to 24 and help it to deliver more effective and convenient services.

The current ratio of Town Councillors to electors averages 1:2203 across all six wards of the Town. This compares unfavourably with all the other Towns in Warwick District as follows:-

<b>Town</b>	<b>Electorate (2013)</b>	<b>No. of Clls.</b>	<b>Ratio</b>
Warwick	22553	15	1:1503
Kenilworth	18243	17	1:1073
Whitnash	6861	15	1:457
Royal Leamington Spa	35255	16	1:2203

The electorate of Leamington Spa continues to expand. The Town Council submit that in the interests of improved community engagement and representative and accountable local government, the number of Town Councillors is increased from 16 to 24. The preferred Ward structure for the Parish of Leamington Spa is that which replicates the new District Wards, subject to the realignment of the Parish boundary:

<b>Ward</b>	<b>No. of Clls.</b>	<b>Electorate (2012)</b>	<b>Ratio Clls/Electors</b>
Brunswick	3	4692	1:1564
Clarendon	3	4663	1:1554
Crown	3	4480	1:1493
Leam	3	4140	1:1380
Manor (including electors currently in Cubbington Parish)	3	4429	1:1476
Milverton	3	4560	1:1520
Newbold	3	4498	1:1499
Sydenham	3	4441	1:1480

The Town Council sees little purpose in increasing the number of Wards from six to eleven as recommended by the LGBCE in its final Report on District Electoral Arrangements. This will create anomalous Wards that are poorly related to existing community identities and ties leading to confusion of the electorate at Polling. The Town Council therefore endorses the District Council preference for Parish Wards that are coterminous with District Ward boundaries.

- 4.2 **Members' instructions are sought in making the decision should it be recommended to propose to align the recommended Manor District ward boundary in Leamington Spa to include the North Ward of Cubbington Parish Council into the proposed Manor Town ward of Royal Leamington Spa Town Council. Both District and Town ward boundary would be coterminous. This change would affect Cubbington Parish Council boundary, the Leamington North and Cubbington County Electoral Divisions and the Parliamentary boundary between Warwick & Leamington Constituency and Kenilworth & Southam Constituency. (see map reference A)**

**Cubbington Parish is currently represented by 12 parish councillors and divided into three wards (4 members per ward).**

<b>Details</b>	<b>No. Electors</b>	<b>No. Properties</b>
Cubbington Parish North ward to Leamington Spa Town Manor ward	1222	615

*Royal Leamington Spa Town Council submitted:*

The area presently to the north east of South View Road comprising in part the residential areas of Kelvin Road, Stirling Avenue and Leicester Lane are transferred from Cubbington Parish to Leamington Spa Parish.

*Cubbington Parish Council submitted:*

The proposal to transfer the New Cubbington area (currently the North Ward of the Parish Council) to the Leamington Manor Ward in respect of the District Council has been noted. However, for the local issues which are the responsibility of the Parish Council, it is felt that the residents of the North Ward identify with the Parish of Cubbington and not the town of Leamington; they take advantage of the extensive amenities provided within the current Parish boundary. These include shops, schools, church and leisure/community facilities.

If the North Ward was removed from within the parish boundary approximately 780 properties would be taken from the overall total of 1820 (approximately). The loss of 43% of the current number of properties in the parish would have an overwhelmingly detrimental effect on the Parish Council's budget. The Parish Council's precept would then fall on the significantly reduced number households remaining in the parish which would result in a very major and unacceptable increase for them. It would be very difficult to reduce this burden to a more acceptable level as it would result in services having to be reduced or ceased. This would not be in the best interests of the remaining residents.

Since it was introduced over thirty years ago the Parish Council's three wards arrangement has performed effectively and ensured that all residents have been well represented by the four parish councillors elected for each ward.

The Parish Council believe that there already exists a cohesive community which identifies with Cubbington, experiences an effective and convenient delivery of local services, enjoys effective local democracy, and has a high level of community engagement.

The Parish Council cannot, therefore, find any reason why this arrangement should be amended

- 4.3 **Members' instructions are sought in making the decision should it be recommended to propose to align the recommended Manor District ward boundary in Leamington Spa to include the land of the former North Leamington School site and the new school site within Old Milverton Parish Council in to the proposed Manor Town ward of Royal Leamington Spa Town Council. Both District and Town wards would be coterminous. This change would affect the boundary of Old Milverton and Blackdown joint Parish Council, also the Leamington North and Cubbington County Electoral Divisions and the Parliamentary boundary between Warwick & Leamington Constituency and Kenilworth & Southam Constituency. (see map reference B)**

*Royal Leamington Spa Town Council submitted:*

The boundary line between Leamington and Old Milverton Parish is redrawn to include both the former and present sites of North Leamington Community School in the Parish of Leamington Spa.

- 4.4 **Members' instructions are sought in making the decision should it be recommended to propose to align the recommended Milverton District ward in Leamington Spa to include Range Meadow Close, Hopton Crofts and Guy's Cliffe Avenue currently within Old Milverton Parish in to the proposed Milverton Town ward of Royal Leamington Spa Town Council. Both District and Parish wards would be coterminous. This change would affect the boundary of Old Milverton and Blackdown joint Parish Council, also the Leamington Milverton and Cubbington County Electoral Divisions and the Parliamentary boundary between Warwick & Leamington Constituency and Kenilworth & Southam Constituency. (see map reference C)**

<b>From Old Milverton Parish to Royal Leamington Spa Town Council</b>	<b>No. Electors</b>	<b>No. Properties</b>
Guy's Cliff Avenue	7	4
Hopton Crofts	55	33
Range Meadow Close	71	33
<b>Total</b>	<b>133</b>	<b>70</b>

*Royal Leamington Spa Town Council submitted:*

The area comprising Range Meadow Close and Hopton Crofts, presently located in the Parish of Old Milverton and Blackdown is transferred to the Parish of Leamington Spa.

*Old Milverton & Blackdown joint Parish Council submitted:*

- a) The Parish Council was uniquely placed adjacent to the conurbation of Royal Leamington Spa and was effective in providing outdoor facilities for the people of that area.
- b) It wished to maintain its rural nature.
- c) Old Milverton and Blackdown wished to remain together as an entity
- d) It wished to retain within its boundaries both Range Meadow Close and area together with the area of the former North Leamington School at Park Road.
- e) It did not wish its responsibilities or area to be eroded in any way.
- f) Local residents were used to existing arrangements with the Parish Council which could demonstrate effective "localism", which it was in the process of strengthening, including setting up its own website.
- g) Especially in view of the above considerations and the fact that its councillor-team had proved its effectiveness in being able to work together effectively in considering the Warwick District Local Plan, the Parish Council should remain as presently established.

4.5 Schedule 2 of the Local Democracy, Economic Development and Construction Act 2009 provides that if a parish is to be divided between different wards it must also be divided into parish wards, so that each parish ward lies wholly within a single ward.

With the recommended District warding arrangements for Royal Leamington Spa, the joint Parish Council of Old Milverton and Blackdown is divided between two recommended District wards. The parished area of Old Milverton will now lie within the recommended Milverton District ward and the parished area of Blackdown will now lie within the recommended Manor District ward.

**4.5.1 Members' instructions are sought in the decision to propose the recommendation to ward Old Milverton and Blackdown joint Parish Council.**

<b>Parish Area</b>	<b>Ward Name</b>	<b>No. of Cllrs</b>	<b>No. Electors</b>	<b>Ratio Clls/Electors</b>	<b>Notes</b>
Old Milverton	Old Milverton	3	249	1:83	Less 133 electors (see 4.4)
			116	1:39	
Blackdown	Blackdown	2	83	1:41	

**4.6 Members' instructions are sought in the decision should it be recommended to propose to align the recommended Sydenham District ward in Leamington Spa to include the newly created Whitnash Town Council East ward in to the proposed new Sydenham Town ward of Royal Leamington Spa Town Council. Both District and Town wards would be coterminous. This change would affect the Town Council**

**boundary for both Whitnash and Royal Leamington Spa, also the Leamington Willes and Whitnash County Electoral Divisions. (see map reference D)**

*Royal Leamington Spa Town Council submitted:*

The boundary line between Leamington and Whitnash Parishes is redrawn from the southern extremity of Sydenham Estate to the point where it meets the railway line and is transferred to the Parish of Leamington Spa.

## **KENILWORTH TOWN COUNCIL**

**4.7 Members' instructions are sought in making the decision should it be recommended to propose:**

**4.7.1. To align the Town Council wards with the 3 LGBCE recommended District wards in the town of Kenilworth. All District and Town wards would be coterminous. (see below)**

**4.7.2. To align the recommended St. John's District ward in Kenilworth to include the recommended Kenilworth Town Council Queen's ward in to the proposed new St. John's Town ward. Both District and Town wards would be coterminous. This change would also affect the Kenilworth Abbey and Kenilworth St. John's County Electoral Divisions. (see map reference E)**

*Kenilworth Town Council submitted:*

Members resolution suggested that Kenilworth retain the three existing Town wards and existing numbers of councillors totalling 17 but with area E (LGBCE proposed Queen's Town ward) moved from Abbey ward in to St. John's ward to be coterminous with the District boundaries in the Town. This will result in over-representation in Abbey ward, but at an acceptable level.

<b>Proposed Town Ward</b>	<b>No. of Cllrs.</b>	<b>Electors (2012)</b>	<b>Ratio Clls/Electors</b>
Abbey	5	5416	1:1083
Park Hill	6	6532	1:1111
St. John's without Queen's	6	6666	1:1493
St. John's with Queen's		7660 approx.	1:1276

## **BURTON GREEN PARISH COUNCIL**

**4.8.** The LGBCE recommended Abbey District ward in Kenilworth includes the Parish of Burton Green and the University ward of Ashow & Stoneleigh joint Parish Council. Ashow & Stoneleigh joint Parish Council is within the recommended Stoneleigh and Cubbington District ward.

Both the Parish of Burton Green and Ashow & Stoneleigh joint Parish Council University parish ward already lie within the Kenilworth Abbey County Electoral Division.

**4.8.1 To ensure that electors identify clearly with the area they live within, members' instructions are sought in the decision to**

**recommend the proposal to ward the Parish of Burton Green, with one ward taking in the village of Burton Green and separating the University ward from Ashow & Stoneleigh joint Parish Council to become the second ward of Burton Green Parish Council.**

**Both Parish Councils would need to be consulted on this proposal as this would affect the parish boundaries, the number of Councillors and budget running for each Parish Council.**

## **WARWICK TOWN COUNCIL**

- 4.9 **Members' instructions are sought in the decision should it be recommended to propose to align the Town Council wards with the 5 recommended District wards in the town of Warwick. Each ward allocated 3 members. All District and Town wards would be coterminous. This change would also affect the Warwick North, Warwick West and Warwick South County Electoral Divisions.**

*Warwick Town Council submitted:*

In connection with the Review the preferred option was for the Towns wards to reflect the scheme approved by the Commission in March 2013, with three councillors for each ward.

This proposal was considered to be in the interests of the electorate and avoided the confusion of multiple wards in the Town which would so differ from the District Ward boundaries.

<b>Proposed Town Ward</b>	<b>No. of Cllrs.</b>	<b>Electors (2012)</b>	<b>Ratio Clls/Electors</b>
Aylesford	3	4148	1:1382
Emscote	3	4509	1:1503
*Myton & Heathcote	3	4149	1:1383
Saltisford	3	4615	1:1538
Woodloes	3	4181	1:1393

- *Please note – see paragraph 5.1 below and proposed boundary change with Warwick Town Myton & Heathcote ward and Whitnash Town West ward. Electorate would change to 3948 with a ratio of 1:1316*

## **5. WARWICK GATES AREA**

During the First Stage consultation process a specific household survey of residents in the Warwick Gates area was undertaken to try to understand if there is any desire for change and if so what sort of change.

A letter explaining the Community Governance Review, map showing current Parish and Town Council boundaries between the Towns of Warwick and Whitnash and the Parish of Bishop's Tachbrook and a reply form were sent to each of the 1628 properties within the area.



A total of 109 submissions were received as below:

	<b>COMMENTS</b>
<b>INDIVIDUAL ELECTORS</b>	
5	Undecided
22	Happy with current arrangements
49	Would like to see a separate Parished area and Parish Council
9	Happy to stay within Bishop's Tachbrook Parish Council
19	Happy to stay within Warwick Town Council
3	Happy to stay within Whitnash Town Council
<b>107</b>	<b>Total</b>
<b>WARWICK TOWN COUNCIL</b>	
342 Signature	petition submitted by Warwick Town Councillor Gerry Guest supporting the proposal that to establish a new parish is premature, additionally County Electoral Divisions to be reviewed next year and preference is to accept Warwick Town Council proposal to realign Town wards with new District wards with 3 Town councillors per ward. Electors do not want a separate Parish and to remain as Warwick Town Council.
<b>WHITNASH RESIDENTS ASSOCIATION</b>	
51 Signature	petition submitted by Whitnash Residents Association. They signed to say they do not understand why the District Council is seeking views of electors about changing Parish boundaries - it will lead to greater confusion with areas being represented by some councillors at District level and by different councillors at Town and Parish level. Warwick Gates should be left as it is and support making the small changes necessary to make the boundaries on Warwick Gates more defined.

*Bishop's Tachbrook Parish Council submitted:*

Bishop's Tachbrook Parish Council considers that the current boundaries between Warwick Town, Whitnash Town and Bishop's Tachbrook Parish Councils should remain as they are at least until the new Warwick District Council Local Plan has been adopted and the pattern of any development that it may contain is established.

We share the Districts concern about the difficulties of the unclear nature of the boundary between the three wards within Warwick Gates and the clarity of community identity in the area. To that extent, a household survey of Warwick Gates residents could provide a useful guide to the three towns/parishes as to the way that community sees itself developing in the future.

We have recognised for some time the current physical boundary is confusing and different local and national departments actually use different boundaries in their work. The correct boundary does not have a clear line down road centres and appears to try to follow a historical boundary line prior to the development of Warwick Gates that results in an illogical pattern from house to house in some places.

Residents living in Warwick Gates in both Bishops Tachbrook Parish boundary and Whitnash Town boundary play an active role in both those communities. It

should be for the 3 councils to co-operate to work out with residents how the boundary could be better drawn and the communities work together to improve service delivery and community cohesion.

It would also be relevant to consider how the Heathcote Park development residents see which the most natural parish might be for them, since they are located between the Tachbrook part of Warwick Gates and Bishop's Tachbrook.

*Warwick Town Council submitted:*

The Town Council does not favour the creation of a separate parish based upon Warwick Gates, for if a new Parish were created it would, unless the District Ward boundaries were revised, be located in three separate District Wards.

The advice issued in respect of community governance reviews, suggests that in many cases making changes to boundaries of existing parishes, rather than creating an entirely new parish, is sufficient to ensure that community governance arrangements continue to reflect local identities and facilitate effective and convenient local government. This is a view subscribed to by the Town Council and there is certainly a need to put in place clearly defined boundaries within Warwick Gates area of the Myton & Heathcote Wards.

The Town Councils view therefore, is that whilst changes to the current boundaries do need to be addressed there is no need, unless there is strong public demand, to create a new parish.

However, even if the demand existed, the draft local plan proposals and the decision to review the boundaries of County Council Electoral Divisions would make any decision premature.

*Whitnash Town Council submitted:*

The Town Council would like to point out that this review is premature given that there are currently proposals in the Local Plan for significant housing development on the south side of Bishops Tachbrook, Leamington Spa, Warwick and Whitnash urban area.

A specific review of Warwick Gates seems pointless until, as mentioned the identity of the area could change significantly if the housing development takes place.

A Community Governance Review at this stage will only confuse electors in the next election and seems a pointless and costly exercise. Electors have been inundated with consultations recently.

It would be more beneficial to keep the current status quo and define the boundaries between the three councils on Warwick Gates.

**5.1 Based upon the responses received, Officers recommend to Members' to support the proposal (see map reference F):**

**a) To align along the middle of Othello Avenue the south eastern parish boundary of the current Town of Warwick South ward (recommended ward Myton & Heathcote) between the Town of**

**Whitnash West ward and the north eastern boundary of the Parish of Bishop's Tachbrook.**

- b) To align along the middle of Othello Avenue the south eastern boundary between the recommended District ward of Myton & Heathcote and Whitnash District ward and the north eastern boundary of the Bishop's Tachbrook District ward.**
- c) To align along the middle of Heathcote Lane the northern parish boundary between the Town of Whitnash West ward and the current Town of Warwick South ward (Myton & Heathcote Ward).**
- d) District and Town wards and District ward and Parish would be coterminous. This change would also affect the Warwick South, Whitnash and Bishops Tachbrook Electoral Divisions.**

<b>Town Council or Parish Council</b>	<b>No. Electors</b>	<b>No. Properties</b>
Warwick South ward (Myton & Heathcote) to Bishop's Tachbrook	6	3
Warwick South ward (Myton & Heathcote) to Whitnash West ward	201	93
Whitnash West Ward to Bishop's Tachbrook	35	12

6. The Chief Executive is informally consulting with Barford, Bishop's Tachbrook, Budbrooke, Burton Green and Hatton Parish Councils and Kenilworth, Warwick and Whitnash Town Councils on minor boundary changes to align Parish boundaries along main roads. Once discussions are complete he will be able to report to Regulatory Committee for recommendations.

**7. POLICY FRAMEWORK**

7.1 **Policy Framework** – The report does not have impact on the Council's Policy Framework but is consistent with its priority regarding community involvement.

7.2 **Fit for the Future** – The recommendation has no impact on the Council's Fit for the Future programme but will contribute to the vision of making Warwick District a great place to live work and visit as set out in the Sustainable Community Strategy.

**8. BUDGETARY FRAMEWORK**

8.1 On 19 June 2013 Executive agreed the earmarked reserve request of £18,500 remaining from the completed District electoral arrangements review to be transferred to the Community Governance Review. Expenditure to date:

8.1.1 July 2013 the information sent out to all households in the Warwick Gates area (£431);

8.1.2 October 2013 a software upgrade was purchased for the Xpress elections management system to automate the boundary maintenance of the electoral register (£500).

9. **ALTERNATIVE OPTION(S) CONSIDERED**

- 9.1 There is no alternative as the Council has already agreed to undertake the community governance review following completion of the Boundary Commission review for District electoral arrangements, in order to bring in line Parish and Town boundaries with new District ward boundaries.