

Report to the Cabinet

Report reference: C-006-2010/11
Date of meeting: 7 June 2010



Portfolio: Leader (Report of Returning Officer)
Subject: Proposed Community Governance Review – Ongar Town
Responsible Officer: Ian Willet (01992 564243)
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations:

- (1) To consider recommending to the Council that a community governance review be undertaken in respect of the Parish Ward of Greensted in Ongar Town Parish to assess whether its transfer to Stanford Rivers Parish would provide more effective local governance and better reflects community links;**
- (2) Subject to (1) above, to recommend to the Council that the Greensted review be carried out separately from the Moreton, Bobbingworth and The Lavers (M, B, L) Parish Council review of parish warding;**
- (3) That residents of Greensted directly affected be consulted as part of the review and those residents not directly affected, through the relevant Parish Council; and**
- (4) That the review be progressed by means of the member body established to deal with the M, B, L parish warding review.**

Executive Summary:

This report deals with a request for a community governance review for the Parish Ward of Greensted of Ongar Town Parish. The report outlines a request from local residents for the boundary between Ongar Town and Stanford Rivers Parish Council to be amended so that the Parish Ward is transferred to the latter Council.

The report also outlines the various considerations which must be taken into account in dealing with this request the views of two of the three parish councils in this area and other consultation with local resident which have been undertaken.

Reasons for Proposed Decision:

The Council is required to consider and respond to this application by the Local Government and Public Involvement in Health Act 2007.

Other Options for Action:

There is no other option for dealing with this request.

Report:

1. At the Council meeting on 3 November 2009 (Minute 91(a)), the Council adopted the following motion:

"That this Council –

(a) notes the powers available to the District Council under the Local Government and Public Involvement in Health Act 2007 to conduct corporate governance reviews within the District, including arrangements for Parish Councils;

(b) notes that such reviews are designed to ensure that community governance is reflective of the identities and interests of the community in an area and is effective and convenient;

(c) notes that concerns have been expressed by residents of Greensted Parish Ward in the Ongar Town Council area that they have more affinity with surrounding rural parishes than the Town of Ongar;

(d) asks the Cabinet, or such other member body as has been established to deal with such reviews, to carry out reviews of the following:

(i) the current Parish Council boundary in the Greensted area;

(ii) whether the Greensted area would be better included in an adjoining rural parish;

(iii) whether there are any residential areas more suitable by reason for their inherent character to remain part of Ongar Parish;

(iv) consequential arrangements to Parish Council warding and polling arrangements arising from any changes agreed; and

(v) consequential changes to District Council boundaries and warding arrangements arising from those changes."

2. This motion now stands referred to the Cabinet for consideration.

Community Governance Review – Procedure

3. Details of the review procedures are set out in the separate report on the proposed governance review relating to Moreton, Bobbingworth and The Lavers Parish Council.

The Scope of the Proposed Review

4. The map at Appendix 1 shows the Greensted ward, which is a westward extension of the Ongar Town Council area. The parish ward contains 568 electors. 60 households are estimated to be situated in the parts of Ongar Town adjoining the Marden Ash area.

5. Except the area adjoining the Town of Ongar proper, the Greensted Parish Ward is rural in character, being similar to the adjoining parishes of Moreton, Bobbingworth and The Lavers and Stanford Rivers. The proposal is to embark on a community governance review with the objective of considering whether Greensted should become part of Stanford Rivers Parish Council on grounds of community interest.

The original motion was moved by a local District Councillor for Ongar in response to representations from local residents.

6. A statement prepared by the local residents is set out in Appendix 3. This was supported by survey returns from a total of over 60 households in the rural area of Greensted ward, all of which supported transfer.
7. At the last review of District Wards in 2002, the inclusion of Greensted in a District Ward linked to Ongar (known as Chipping Ongar, Greensted and Marden Ash Ward) was debated on much the same basis now. The then Local Government Boundary Commission took the view that their policy precluded such a proposal.

Electoral Arrangements

Greensted Ward

8. This parish ward is within Ongar Town Parish. The parish is situated in the Chipping Ongar, Greensted and Marden Ash District Ward and the Ongar and Rural County Division.

Stanford Rivers Parish

9. Stanford Rivers Parish has no parish wards. The parish is situated within the Passingford District Ward and the Ongar and Rural County Division.

Election Cycle

10. The election cycle for this area is as follows:

Year	Election(s) Due
2011	Ongar Town Chipping Ongar, Greensted and Marden Ash District Ward
2012	Stanford Rivers Parish Council Moreton, Bobbingworth and The Lavers Parish Council District Ward of Passingford
2013	Ongar and Rural County Electoral Division

11. If the Council were to complete a transfer of Greensted to Stanford Rivers Parish, this would transgress District ward boundaries and lead to the Boundary Committee for England needing to make corresponding changes to the District wards. The most likely scenario is that the new parish and District wards would not take effect until 2015, the next ordinary elections.
12. If the area south of the A414 which is mentioned in the earlier report regarding M, B, L were included in the Greensted review, this too would involve the Boundary Committee with the same effect on implementation as would a single review of Greensted, Stanford Rivers and M, B, L.
13. What will be required is to ensure that all boundary changes are synchronised so as to avoid confusing voters.

What Would Need to be Covered in the Greensted Review?

14. These would include:
 - (a) an assessment of local opinion in Greensted;
 - (b) an assessment of community links and effective and convenient arrangements for the area; and
 - (c) where a new boundary between Ongar Town and Greensted should be.

What Proposals Would Emerge from the Initial Consultation?

15. These might include:
 - (a) new parish warding arrangements for Stanford Rivers Parish Council, Ongar Town;
 - (b) new district warding arrangements affecting those areas ;
 - (c) a review of polling stations (due in 2011 anyway); and
 - (d) definition of a new parish boundary between Ongar Town and Greensted near Marden Ash.

Consultation

16. Both Ongar Town Council and the local residents have conducted their own informal soundings. These results are set out in Appendix 2 and 3.
17. Neither of these surveys can be regarded as meeting the statutory requirement for consultation. This falls to the Council to conduct and will have to be carried out in a planned manner.
18. Ongar Town Council has also commented to the District Council and these are set out in Appendix 2. The Cabinet should consider these views in deciding whether to launch the review and should balance these against those expressed by residents.
19. The Stanford Rivers Parish Council has stated that it has no view on the matter.

District Council Consultation – Options

20. The guidance under the 2007 Act requires the Council to "consult both those local government electors in the area under review and others (including a local authority such as the County Council) which appear ... to have an interest in the review". This consultation should extend to those parish councils which are affected.
21. The question of whom to consult has proved to be a bone of contention already in relation to the informal consultation conducted by Ongar Town Council. The latter consulted all residents in the Greensted Ward. Residents have argued that only those who might transfer should be consulted. Consultation would however clearly have to take place with residents of Greensted who might transfer to Stanford Rivers.

22. It could be argued that the other areas of Ongar Town and Stanford Rivers Parish should also be consulted but this would extend and prolong consultation and add to costs. It is suggested that those areas not listed in paragraph 21 above should be represented by the views of their Parish Council.

The Way Forward

23. The Cabinet need to reach a conclusion on the following:
- (a) is there a case for a review and the launch of the stage one consultation to gauge opinion?
 - (b) if so how should the reviews be "packaged" in one of the two following options viz:
 - Option 1 - Greensted and M, B, L separated as two reviews running in parallel;or
 - Option 2 - a single review: covering M, B, L and Greensted/Stanford Rivers; and
 - (c) the policy to be adopted regarding consultation.

Summary of Recommendations

24. The M, B, L parish ward review can proceed separately as it is relatively simple and can be completed within the year.
25. The Greensted review should be run separately from M, B, L as the only overlap is in relation to the "A414 strip" which does not affect the M, B, L warding proposal.
26. On consultation, the "A414 strip" residents and the rural residents of Greensted should be directly consulted. Others should be represented through consultation with the Parish Councils concerned.

Resource Implications:

See report on M, B, L Parish Ward review.

Legal and Governance Implications:

See M, B, L report.

Safer, Cleaner and Greener Implications:

Nil.

Consultation Undertaken:

The Returning Officer has given presentations to Ongar Town Council and Stanford Rivers Parish Council on the Greensted review and to M. B. L Parish Council on this as well as the Parish Ward review for that area.

Background Papers:

Consultation returns provided by Greensted residents.
Consultation returns provided by Ongar Town Council.
Correspondence between EFDC and the 3 Parish Councils.

Impact Assessments:

See M, B, L report.

Risk Management

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process?

No

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?

N/A