

Supplemental Item for Governance and Ethics Committee

Monday 25 July 2022 at 6.30pm
in the Council Chamber Council Offices
Market Street Newbury

Part I

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| 9 | Community Governance Review relating to Parish of Greenham - draft proposals (GE4256)
Purpose: To provide the results of the public consultation and to propose recommendations for further consultation in accordance with the Local Government and Public Involvement in Health Act 2007 and associated government guidance. | 1 - 14 |
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Sarah Clarke

Service Director (Strategy & Governance)

For further information about this item, or to inspect any background documents referred to in Part I reports, please contact Sadie Owen (Principal Democratic Services Officer) on 07824 823 893

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Community Governance Review relating to Parish of Greenham – Draft Proposals

Committee considering report:	Governance and Ethics Committee
Date of Committee:	25 July 2022
Portfolio Member:	Councillor Tom Marino
Report Authors:	Shiraz Sheikh and Anita Stanbury
Forward Plan Ref:	GE4256

1 Purpose of the Report

- 1.1 In relation to the Community Governance Review (CGR) of the Greenham Parish consisting of Common ward and Sandlesford ward, the Council resolved on 10th May to delegate authority to Governance & Ethics Committee to consider and approve the draft proposals/ recommendation following initial public consultation.
- 1.2 This report provides the results of the public consultation and proposes recommendations for further consultation in accordance with the Local Government and Public Involvement in Health Act 2007 (the 2007 Act) and associated government guidance.

2 Recommendations

- 2.1 The Committee approves the following draft recommendations arising out of the initial public consultation to proceed to second public consultation.
 - (a) Split Common ward (GB1) into two wards, with the current Racecourse development (GB2) area, becoming a separate “Racecourse ward”.
 - (b) Reincorporate Sandlesford ward (GB3) back into Common ward (GB1). This can be re-split into two separate wards, at such time as there are sufficient electors to warrant such a separation.
 - (c) Allocate the 5 parish council seats currently allocated to Sandlesford ward, to the proposed new Racecourse ward (GB2).
- 2.2 Following second public consultation period and provided that there are no requests for substantive amendments to the above proposals then these proposal shall be sent to the Local Government Boundary Commission for England (LGBCE) for their review and formal consent. On receipt of formal consent from the LGBCE, the approval for a reorganisation order for the governance arrangements for Greenham parish shall be requested for consideration by Council.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>It is envisaged that the only costs to the Council will be in respect of officer time in conducting the CGR, which will be met from within existing budgets.</p> <p>Any amendments to the reorganisation of ward boundaries and parish council seats, will not impact the budgetary requirements of the parish. The validity of this statement was verbally confirmed by the Revenues and Benefits Manager, Mr Iain Bell.</p>
Human Resource:	<p>The CGR will have to be conducted within existing staff resources.</p>
Legal:	<p>The Council has power under section 82 of the Local Government and Public Involvement in Health Act 2007 to conduct CGRs. A CGR must be conducted in accordance with the requirements set out in Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 (as amended) and guidance is issued by the Secretary of State under Section 100 (4) of the 2007 Act.</p> <p>The Local Elections Rules (Parishes and Communities) (England and Wales) 2006. Regulation 5, refers to the filling of casual vacancies and the requirements for a minimum of 10 electors to enable voting therefore. In the case of Sandford ward there are only 6 electors. Any casual vacancies would thus require GPC to co-opt individuals on behalf of Sandford ward, after a 14 day waiting period.</p>
Risk Management:	<p>There are currently no risks envisaged with this.</p>
Property:	<p>There are no property implications.</p>
Policy:	<p>None</p>

	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:		X		
Core Business:		X		
Data Impact:		X		
Consultation and Engagement:	Public Consultation in the Common Ward.			

4 Executive Summary

- 4.1 A [formal written request](#) was made by Greenham Parish Council (GPC) to West Berkshire Council (WBC), on 29 September 2020, to express concern over the number of parish councillors allocated per ward in relation to the number of electors (with specific reference to Sandford ward with only 6 electors and 5 parish council seats), as well as the possibility of amending ward boundaries to create and / or reincorporate wards within the parish of Greenham
- 4.2 A full review of the electoral arrangements for West Berkshire Council were [published](#) in January 2018, which complicated the request to review the governance arrangements within Greenham parish, due to this request falling within the 5 year Local Government Boundary Commission for England (LGBCE) review period
- 4.3 LGBCE put in place revised parish warding arrangements for Cold Ash, Newbury, Greenham, Thatcham and Tilehurst parishes. The legislation ‘protects’ these arrangements for five years following the making of the Order. The WBC (Electoral Changes) Order was made official on 26 April 2018 and so the parish arrangements are protected until 26 April 2023. Even though LGBCE didn’t change the total number of councillors, the local authority would still need to ask the LGBCE for consent before making a local order confirming any changes arising from a CGR relating to these parishes. This is a straightforward (and relatively quick) process, particularly where the consent request doesn’t affect boundaries
- 4.4 After 23 April 2023, however, the authority can make any CGR, affecting any parish, without asking LGBCE consent.
- 4.5 The [Terms of Reference \(ToR\)](#) for the “Community Governance Review relating to the Parish of Greenham”, was approved by Full Council at their meeting on [10 May 2022](#) and can be accessed here.
- 4.6 The ToR were published for public engagement, including a survey relating to proposed and other amendments to the current governance arrangements within the parish of Greenham from 19 May 2022 until the 04 July 2022. This survey was shared to all residents and electors within Greenham parish, by means of a direct postal drop to each residence, as well as notices on all parish and community notice boards, a specific web page and survey on the WBC Consultation and Engagement Hub regarding the Community Governance Review of Greenham Parish, as well as a page and links, on the Greenham parish website, to the WBC Consultation and Engagement Hub and survey.
- 4.7 The responses to this first public consultation period were analysed by the WBC Consultation and Engagement Hub team, and are summarised in paragraphs 5.16 to 5.19.
- 4.8 The draft recommendations, if approved, relating to the proposed amendments to the community governance arrangements for the parish of Greenham, will again be published for public consultation and comment, for a 6 week period. Provided there are no substantive amendments requiring further approval through the Governance and Ethics Committee of Council, this draft final recommendation will be submitted (before

1 October 2022) to the Local Government Boundary Commission for England (LGBCE) for review and formal consent to any proposed changes to electoral arrangements.

- 4.9 Should the LGBCE give formal consent to the proposed changes to electoral arrangements, then a request will be proposed for the inclusion of the reorganisation order on the agenda of Council for approval.

5 Supporting Information

Introduction

- 5.1 On 29th September 2020, Greenham Parish Council (GPC) submitted a written request for the West Berkshire Council (Council) to conduct a Community Governance Review (CGR). The Greenham Parish consists of Common Ward and Sandford Ward. The Sandford Ward was formed following the 2018 Local Government Boundary Commission for England (LGBCE) district boundary review which came into being in 2019 (the Local Plan process had anticipated a significant increase in housing but that has not materialised). Cllr Tony Vickers stood in 2019 local elections, unopposed in Sandford Ward and was elected by default. Since the 2018 district boundary review and the 2019 local elections, the anticipated Sandford development has come forward on the site but the decision is still pending following an appeal.
- 5.2 The delay in bringing this report is due to the operational challenges faced by the pandemic, the re-scheduled Police and Crime Commissioner election, a district by-election, a Neighbourhood Planning Referendum, three contested parish elections, and 13 uncontested parish elections. This was alongside an ongoing vacancy in the team. It is only therefore possible to consider at this stage.

Background

- 5.3 The 2007 Act amended the responsibility for parish area reviews from what is now the Local Government Boundary Commission for England (LGBCE) to principal councils, subject to adherence to regulations and directions issued by the former Department for Communities and Local Government (DCLG) and the Electoral Commission. Principal councils in this context include district councils in England. The process for considering a change is via a Community Governance Review (CGR).
- 5.4 A CGR is a review of one or more areas of the Council's area to look at one or more of the following:
- (a) Creating, merging, altering or abolishing parishes;
 - (b) The naming of a parish and the style of new parish (i.e. whether to call it a "village", "community" or "neighbourhood" with the council similarly named as a "village council", "community council" or "neighbourhood council");
 - (c) The electoral arrangements for parishes (including council size, the number of councillors to be elected to the council, and parish warding), and
 - (d) Grouping parishes under a common parish council or de-grouping parishes.

- 5.5 A CGR may not change parliamentary or district boundaries; although it might lead to recommendations to the LGBCE to make consequential changes to ward or division boundaries.

Proposals received from GPC

- 5.6 In summary, the proposal received from GPC was to retain Sandleford ward, with only six (6) electors, and to retain a single parish council seat, whilst re-allocating four (4) of the five (5) parish council seats from Sandleford ward (GB3) to Common ward (GB1) (or a new Racecourse ward (GB2)), to achieve a perceived more equal representation for the people of Greenham Parish, until the Sandleford development has sufficient electors, to merit more than one parish council seat.
- 5.7 In addition, GPC also requested to split the current Common Ward (GB1) into two (2) wards, by potentially creating “Racecourse Ward” out of the current Racecourse development (GB2). The Racecourse development is fairly large, relatively new and completely separate to old Greenham.
- 5.8 The reasons cited by GPC for making the request to reallocate four (4) of five (5) parish council seats from Sandleford ward to Common ward (or into a newly created Racecourse ward), were as follows:
- a) To achieve a more equal representation for the people of Greenham parish;
 - b) Until the Sandleford development is delivered, and occupied by sufficient electors to merit more than one parish council seat.
- 5.9 A further alternate proposal was suggested by WBC Officers, i.e. for Sandleford ward to be reincorporated back into Common ward. This would likely improve overall community governance and oversight of the current Sandleford ward area, with improved representation of the interests of electors and residents when re-incorporated into Common ward, with 10 functioning parish councillors.
- 5.10 This re-merging of wards, would increase the number of parish council seats in Common ward from ten (10) up to fifteen (15) parish council seats in total for the four thousand (4000) plus electors. These council seats would then be retained within the single ward, or could be split between Common ward, and any potential new ward i.e. “Racecourse” ward.
- 5.11 Sandleford ward could, in the future, again be reconsidered as a potential separate ward; post any Parliamentary Boundary Review amendments, and once elector numbers increase within the proposed Sandleford development from the current six (6) electors. With the touted services challenges, it could be several years before electoral numbers make Sandleford ward a viable option as a separate, stand-alone ward. GPC contend that this is unlikely to be realised before 2027.

Public Consultation

- 5.12 The terms of reference (ToR) with all aligned information, documentation and survey, relating to this community governance review (CGR) of the parish of Greenham, were published for a 6-week period (19 May 2022 until 04 July 2022), on the [West Berkshire Council Consultation and Engagement Hub](#).

5.13 Further to this, the CGR was also posted on the [Greenham Parish Council website](#), with links to the West Berkshire Council Consultation and Engagement Hub, with the clerk of GPC being given A3 and A4 posters for placement on the various parish notice boards.

5.14 Additionally a letter was sent to every household in the parish of Greenham, giving details of the CGR, with options of both QR code and URL links to the survey and WBC Consultation and Engagement Hub, as well as the option to obtain a physical hardcopy of all information, with a postal or physical response. Respondents were also able to email the WBC Officers directly, to a dedicated email inbox, with any CGR related queries.

Analysis of Public Consultation Responses

5.15 The 4 options included in the survey for response from residents and electors, were:

- a) To split the current Common ward into 2 wards, by potentially creating a “Racecourse ward “out of the Racecourse development (presently identified as electoral polling area GB2);
- b) To retain Sandleford ward, with a very small electorate (currently 6), and 1 parish council seat, whilst re-allocating the remaining 4 parish council seats from Sandleford ward to Common ward (or a new Racecourse ward);
- c) To reincorporate Sandleford ward (electoral polling area GB3) back into Common ward (electoral polling area GB1 with GB2);
- d) To retain the Greenham Parish ward boundaries and governance structures as they are, with no changes.

The responses to each option are detailed, analysed and outlined sequentially below:

Option 1

5.16 **To split the current Common ward into 2 wards, by potentially creating a “Racecourse ward “out of the Racecourse development (presently identified as electoral polling area GB2):**

- a) Of the 66 responses received for this option:
 - 17 respondents **(25.76%) Strongly Agreed** with this option
 - 19 respondents **(28.79%) Agreed** with this option
 - 13 respondents **(19.70%) Neither Agreed nor Disagreed** (neutral) with this option
 - 7 respondents **(10.61%) Disagreed** with this option
 - 10 respondents **(15.15%) Strongly Disagreed** with this option
- b) This thus gave a majority of respondents (55%) who were in agreement with the creation of a “Racecourse ward” out of the Racecourse development (identified presently as electoral polling area GB2) by splitting the current Common ward into 2 wards.

- c) The comments which were positive for, and agreed with, the splitting of Common ward, to create a separate Racecourse ward, include the following;
- “Racecourse development is large enough that the residents should be represented by their own ward”.
 - “1. The Racecourse Development does merit its own ward, especially with the additional residential development in Hambridge Lane. The reality they operate as a separate entity from the rest of the parish, that is, the Stroud Green area and all the parish to the south of Stroud Green 2. For two-thirds of the Racecourse Development and for the new residential properties in Hambridge Lane there is no direct vehicular access by public road to Greenham, as the private road through Newbury Racecourse only permits very limited access, which does not include any vehicular use by parish residents to the east of the road barriers (other than by bus). As a result, there is a lack of active interest in the affairs of Greenham. 3. The distribution of counsellors between the Common ward and any ward created for the Racecourse/Hambridge Lane Developments does require evidence about the number of the electorate within those areas. 4. Nothing in these comments is intended as criticism of the role of Greenham Parish Council and its counsellors with regard to their representing the interests of residents the Racecourse Development. The active interest that they have shown over various issues affecting the Racecourse Development has been much appreciated.”
 - “This will allow racecourse ward to be properly maintained and looked after.”
 - “With 1500 residents, we are now larger than some parishes.”
 - “The racecourse area is significantly different to the rest of Greenham (I have lived in both). The level of attention afforded by separation will allow a concentration upon the specific needs of the two areas.”
 - “The racecourse development has a significant density of population and a common landlord. To enhance local democracy and fully enfranchise residents of the 'ward' we need a dedicated councillor that can immerse themselves in the specificities of the area, the needs of residents and their contribution to the community.”
 - “It is sizable area after huge development which has happened, more focus could be given if new ward is created.”
 - “Strongly agree with this suggestion. As a resident at the racecourse development - there is a lack of affinity with Greenham due to lack of direct access. In time it does raise the question of whether this area is best suited in Greenham or is transferred to Newbury town council instead, as that is the direction of travel for most residents here. But as a minimum the racecourse development should have its own ward on Greenham council.”
 - “Agree, this is a distinctly different part of Greenham with all new housing and the racecourse itself.”

Option 2

5.17 To retain Sandleford ward with a very small electorate (currently only 6) and 1 parish council seat, whilst reallocating the remaining 4 parish council seats from Sandleford ward to Common ward (or a new Racecourse ward):

- a) Of the 63 responses received for this option:
- 8 respondents **(12.70%) Strongly Agreed** with this option
 - 12 respondents **(19.05%) Agreed** with this option
 - 26 respondents **(41.27%) Neither Agreed nor Disagreed** (neutral) with this option
 - 7 respondents **(11.11%) Disagreed** with this option
 - 10 respondents **(15.87%) Strongly Disagreed** with this option
- b) This thus gave no clear majority nor minority of respondents who were in agreement with the option to retain Sandleford ward with a very small electorate (currently only 6) and 1 parish council seat, whilst reallocating the remaining 4 parish council seats from Sandleford ward to Common ward (or a new Racecourse ward).
- c) The comments in relation to this option include the following;
- “1. The retention of Sandleford as a separate ward would be a mistake. It should not have been created in the first place, especially as at the same time nothing was done about the Racecourse Development of about 1,500 residential properties, which has been underway for 10 years and is nearing completion. Councillors duly elected in the present Common ward are well able to represent the interests of Sandleford and will continue properly to represent the interests of electors in the combined wards. 2. The proposal that Sandleford should retain its own ward and one councillor, with only 6 or 7 electors, is a nonsense. It has the appearance of a pre-Reform Act 1832 ‘rotten borough’. It will be several years before there will be any meaningful electorate in Sandleford. Any need for a new election for Sandleford’s current parish councillor should not be used as a reason to retain Sandleford as a separate ward.”
 - “It would make the whole system more balanced.”
 - “This is a more democratic and sensible suggestion. It recognises the need to allocate from Sandleford to a more vibrant and growing ward. The racecourse development has a significant density of population and a common landlord. To enhance local democracy and fully enfranchise residents of the ‘ward’ we need a dedicated councillor that can immerse themselves in the specificities of the area, the needs of residents and their contribution to the community.”
 - “No reason to retain if it can be split later when there is a population suitable to support the split.”
 - “Seems sensible and proportionate to the number of current residents in each area.”

- “Having a ward of only 6 electors is very very small! Would not aid in effective local governance.”
- “Retaining a separate Sandleford ward with the current demographic profile is clearly undemocratic, even reducing the number of parish council seats to one.”
- “There seems little point in retaining a ward with only 6 electors. If and when the number of electors rises to an acceptable level, then the re-activation of the Sandleford Ward could be considered.”
- “There are other housing applications, besides Sandleford Park, which are likely to come forward and result in additional voters in Sandleford parish ward. For example: Mayfield Place (next to Newbury College). Voters living west of A339 have distinct issues from those in the rest of Greenham parish, not least of which is the prospect of having a huge building site (Bloor Homes' part of Sandleford Park) on their doorstep - or as their own home community - for years to come.”
- “So long as future changes are made to reflect the Bloor development taking place and new residents moving in.”
- “Seems to be doing the job. Perhaps revisit this if and when the proposed Sandleford development takes place.”

Option 3

5.18 To reincorporate Sandleford ward (electoral polling area GB3) back into Common ward (electoral polling area GB1 with GB2):

- (a) Of the 63 responses received for this option:
- 8 respondents **(12.70%) Strongly Agreed** with this option
 - 11 respondents **(17.46%) Agreed** with this option
 - 28 respondents **(44.44%) Neither Agreed nor Disagreed** (neutral) with this option
 - 12 respondents **(19.05%) Disagreed** with this option
 - 4 respondents **(6.35%) Strongly Disagreed** with this option
- (b) This thus gave no clear majority nor minority of respondents who were in agreement with the option to reincorporate Sandleford ward (electoral polling area GB3) back into Common ward (electoral polling area GB1 with GB2).
- (c) The comments in relation to this option include the following
- “Makes sense.”
 - “This proposal allows for the needs of the whole parish to be represented in the most democratic manner. The parish is not large and needs no arbitrary wards.”
 - “I don't think LGBCE would accept it. The whole reason why Sandleford Ward was created was because you cannot have a parish ward split between two District wards. This would in effect reverse what LGBCE did in 2018.”

- “Given the relentless march of development it would only mean reverting to present arrangements at a later date.”
- “The likelihood is that Sandleford will be developed to some extent.”

Option 4

5.19 To retain the Greenham Parish ward boundaries and governance structures as they are, with no changes.

- (a) Of the 62 responses received for this option:
- 4 respondents (**6.45%**) **Strongly Agreed with** this option
 - 10 respondents (**16.13%**) **Agreed** with this option
 - 1 respondents (**19.35%**) **Neither Agreed nor Disagreed** (neutral) with this option
 - 20 respondents (**32.26%**) **Disagreed** with this option
 - 16 respondents (**25.81%**) **Strongly Disagreed** with this option
- (b) This thus gave a majority of respondents (58%) who were against the idea of leaving Greenham parish community governance arrangements as they currently are.

6 Implications

- 6.1 The implications of the proposed changes to community governance arrangements in Greenham parish, and more specifically the approval of Sandleford ward being reincorporated into Common ward, and the approval of Common ward being split into a new “Racecourse ward” and Common ward, would be the repositioning of ward boundaries, and the reallocation of the 5 parish council seats from the current Sandleford ward into the proposed new Racecourse ward.
- 6.2 The proposed amendments will help to improve the community governance arrangements for the current Sandleford ward. With only 6 electors, Sandleford ward are unable to request for a casual vacancy to be filled for one of their 5 currently allocated parish councillor seats. They would thus have to wait the required 14 day period (from the date public notification is given of the vacancy), after which Greenham parish council would need to co-opt a person to fill any vacancies which arise. This would mean that any persons co-opted, would not necessarily be the individuals “chosen” by the 6 electors.
- 6.3 Should Sandleford ward be reincorporated into Common ward, the existing 10 parish council seats in Common ward, would have more than sufficient capacity to ensure the Sandleford ward area has acceptable community governance arrangements. Should the proposed reduction from 5 to only 1 proposed parish council seat overseeing Sandleford ward be approved, there would be a high probability of ward matters not being adequately addressed i.e. if the single ward councillor were to be sick or on leave. It would thus make sense to reincorporate Sandleford ward with 6 electors and 5 parish council seats, back into Common ward, with 4000 plus electors and 10 parish council seats, until such time as there are sufficient electors in this area to warrant resurrecting Sandleford ward as separate again.

- 6.4 The Sandleford ward and Racecourse area, are already indicated as separate electoral polling areas; as GB3 and GB2 respectively. This would therefore not change going forward, even if the ward boundaries were amended.
- 6.5 The only envisaged potential risk, would be the rejection by LCGBE of the proposed amendments to the community governance arrangements in Greenham parish. The LGBCE put in place revised parish warding arrangements for Cold Ash, Newbury, Greenham, Thatcham and Tilehurst parishes in 2018. The legislation ‘protects’ these arrangements for five years following the making of the Order. The WBC (Electoral Changes) Order was made official on 26 April 2018 and so the parish arrangements are protected until 26 April 2023. The only way to mitigate this risk, would be to wait until after the protected period to propose and implement any required amendments.

7 Other options considered

- 7.1 Although additional options (besides those previously proposed to Council) were requested as part of the public consultation survey, no valid alternatives were suggested for the Governance and Ethics Committee to consider.

8 Conclusion

- 8.1 The position proposed in the draft proposals/ recommendations for the second round of public consultation and to put forward to LGBCE for review and formal consent, is summarised as follows:
- (a) Split Common ward (GB1) into two wards, with the current Racecourse development (GB2) area, becoming a separate “Racecourse ward”.
 - (b) Reincorporate Sandleford ward (GB3) back into Common ward (GB1). This can be re-split into two separate wards, at such time as there are sufficient electors to warrant such a separation.
 - (c) Allocate the 5 parish council seats currently allocated to Sandleford ward, to the proposed new Racecourse ward (GB2).

Background Papers:

Boundary Commission Report re West Berkshire ([WBDC 2018 Boundary Review](#))

Community Governance Review for Greenham Parish 2022 [Report to Full Council](#) on 10 May 2022

Subject to Call-In:

Yes: No:

Wards affected: Common Ward and Sandlesford Ward

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