

# Request for approval of the LGBCE consented Reorganisation Order for the governance arrangements for Greenham parish

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<b>Committee considering report:</b>	Council
<b>Date of Committee:</b>	February 2023
<b>Portfolio Member:</b>	Councillor Tom Marino
<b>Report Authors:</b>	Sarah Clarke and Anita Stanbury
<b>Forward Plan Ref:</b>	C4320

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## 1 Purpose of the Report

- 1.1 Following a request from Greenham Parish Council that the Council undertake a community governance review (CGR) of the Greenham parish, this was undertaken during May to September 2022, in accordance with the Local Government and Public Involvement in Health Act 2007 (the 2007 Act) and associated guidance. Council approved the CGR, and the request for consent for the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)*, was sent to the Local Government Boundary Commission for England (LGBCE) by the required date of 01 October 2022.
- 1.2 Following receipt of the Letter of Consent on 24 November 2022 from the LGBCE (**Appendix D**); this report seeks authority from Council, to make the necessary Order altering the electoral arrangements in the parish of Greenham, as provided for in section 86 of the 2007 Act.

## 2 Recommendations

- 2.1 The Council resolves to:
  - a) Approve the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)*, with specific reference to section 4 of the Order, as final, as consented to by the LGBCE in its letter to the Electoral Services manager, dated 24 November 2022 **Appendix D**;

For clarity, Section 4 of the Order states:

- “(1) *The existing wards of the parish of Greenham shall be abolished.*  
(2) *The parish of Greenham shall again be divided into the two parish wards, which shall be named Common ward (polling districts GB1 + GB3) and*

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*Racecourse ward (polling district GB2), as listed in the first column of table 1 in Schedule 1 (Names of parish wards and number of Councillors).*

*(3) Each parish ward shall comprise the area designated on the map by reference to the name of the parish ward (as indicated on the map legend) and demarcated by the respective colours (Common ward in blue and Racecourse ward in yellow). The polling district divisions, GB1, GB2 and GB3, (as indicated on the attached map) within the parish of Greenham shall remain unchanged.*

*(4) The number of Councillors to be elected for each parish ward is the number specified in relation to that ward in the second column of the relevant table 1 in Schedule 1. (Ten Councillors shall be elected for Common parish ward, and five Councillors shall be elected for Racecourse parish ward.)*

*(5) The alterations are contained within the boundary of the parish of Greenham, and do not affect any other parishes within the district.*

*(6) The alteration to incorporate Sandleford ward ( polling district GB3), with only six (6) electors and five (5) parish Council seats (of which only one (1) is filled), into Common ward, with three thousand and twenty four (3024) electors and ten (10) parish Council seats, will ensure good governance across the whole of this area.*

*(7) The separation of the polling district GB2, with one thousand four hundred and seventy two (1472) electors, into a stand-alone ward, known as Racecourse ward, with five (5) parish Council seats, will improve governance for this area, and allow for the contrasting needs of this unique residential cohort.”;*

- b) Delegate authority to Service Lead – Legal & Democratic Services to exercise all relevant powers under the 2007 Act in relation to the CGR, and to seal the final approved Order to complete that Order and give it effect.

### **3 Implications and Impact Assessment**

<b>Implication</b>	<b>Commentary</b>
<b>Financial:</b>	It is envisaged that the only costs to the Council will be in respect of officer time in implementation of the draft <i>West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)</i> , as consented to by the LGBCE, which will be met from within existing budgets.
<b>Human Resource:</b>	The draft <i>West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)</i> , as consented to by the LGBCE will have to be implemented within existing staff resources.
<b>Legal:</b>	The Council has power under section 82 of the Local Government and Public Involvement in Health Act 2007 to conduct CGRs.

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	<p>The Council will need to take the steps detailed in the 2007 Act to ensure that relevant parties are notified of the changes proposed by the reorganisation order if approved.</p> <p>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. These requirements are outlined in section 4.6 of this report.</p>			
<b>Risk Management:</b>	There are currently no risks envisaged with this.			
<b>Property:</b>	There are no property implications.			
<b>Policy:</b>	None			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
<b>Environmental Impact:</b>		X		
<b>Health Impact:</b>		X		

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<b>ICT Impact:</b>		X		
<b>Digital Services Impact:</b>		X		
<b>Council Strategy Priorities:</b>		X		
<b>Core Business:</b>		X		
<b>Data Impact:</b>		X		
<b>Consultation and Engagement:</b>	Councillor Tom Marino, Greenham Parish Council Councillors, District Ward Councillors for Wash Common ward (GB3) Councillors David Marsh, Adrian Abbs, and Tony Vickers, Sarah Clarke (Monitoring Officer) and Joseph Holmes (Executive Director – Resources)			

## 4 Executive Summary

- 4.1 On 29<sup>th</sup> 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 although that has not materialised to date due to delays in the broader planning process).
- 4.2 The Council meeting of 10 May 2022 resolved "...that the Council:
- (a) Proceeds with a CGR of the parish of Greenham, in accordance with the requirements of the 2007 Act and associated guidance, as described in the report.
  - (b) Approves the terms of reference in respect of the community governance review, including the proposed timetable, as set out in Appendix B to the report.
  - (c) Delegates authority to the Governance and Ethics Committee to consider and approve draft proposals following initial consultation.
  - (d) Delegates authority to the Service Lead — Legal & Democratic Services to approve minor amendments and/or typographical amendments pertaining to the final recommendations prior to submission to the Local Government Boundary Commission, save for the power to make substantive amendments which is delegated to the Governance and Ethics Committee.

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- (e) Delegates authority to the Service Lead - Legal & Democratic Services to exercise powers under the 2007 Act in relation to the CGR.”

4.3 The CGR process undertaken, involved a number of key stages, which can be summarised as follows:

11 May 2022	Terms of Reference published
19 May to 04 July 2022	First Consultation period
25 July 2022	Draft proposal approved by G&E Committee
28 July to 09 September 2022	Final Consultation period
10 to 30 September	Final Recommendations prepared for LGBCE
01 October 2022	Draft Reorganisation Order submitted to LGBCE
24 November 2022	WBC Reorganisation Order consented by LGBCE

4.4 Following the first consultation period, the draft proposal with recommendations were approved by Governance and Ethics (G&E) Committee on 25 July 2022, which resolved (as per the extract from the signed minutes in **Appendix B**) to:

- (a) “...approve the following draft recommendations arising out of the initial public consultation to proceed to second public consultation:
- Split Common ward (GB1) into two wards, with the current Racecourse development (GB2) area, becoming a separate “Racecourse ward”.
  - 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.
  - Allocate the 5 parish council seats currently allocated to Sandleford ward, to the proposed new Racecourse ward (GB2).
- (b) Following a second public consultation period, and provided that there are no requests for substantive amendments to the above proposals, then these proposals shall be sent to the Local Government Boundary Commission for England (LGBCE) for their review and formal consent.
- (c) 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.”

## 5 Supporting Information

### Introduction

5.2 On 29<sup>th</sup> 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 Sandleford Ward. The Sandleford Ward was formed following the 2018 Local Government Boundary Commission for England (LGBCE) district boundary review which came into being in

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2019 (the Local Plan process had anticipated a significant increase in housing but that has not materialised).

- 5.3 At the meeting of 10 May 2022, Council approved the CGR of GPC, and the proposed ToRs, which were implemented as prescribed by Council.
- 5.4 The G&E Committee approved the draft proposal and recommendations on 25 July 2022, for second consultation, and submission to LGBCE, should no substantive amendments be required.
- 5.5 A submission of the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)* was submitted to the LGBCE on 01 October 2022 for consideration. This was approved by LGBCE in a Letter of Consent (**Appendix D**) received by the Elections Manager of WBC, on 24 November 2022.
- 5.6 For the Order to be enacted, requires the approval of Council.

### Consultation Process

- 5.7 WBC undertook a multi-pronged, proactive approach to ensuring as many residents as possible were made aware of the Community Governance Review, and as a result, were able to respond with their viewpoints and suggestions. This approach included:
  - (a) Leaflets posted to each residential home, individually;
  - (b) Posters placed on all Greenham Parish notice boards;
  - (c) The WBC Elections Manager, and the CGR Project Manager attended a GPC meeting personally to explain the CGR process, and to answer any queries;
  - (d) The background information and all pamphlets, leaflets and surveys were available for all WBC residents to engage with on the WBC (Consultation & Engagement Hub) [website](#) and the GPC website;
  - (e) All pamphlets, flyers and notices, included not only a web link, but also a QR code link to the survey;
  - (f) All pamphlets, flyers and notices, included information to enable residents to undertake the survey online, via postal service, or physically at the offices if required;
  - (g) A dedicated Outlook mailbox was set up for the CGR process for GPC. The details of this mailbox were also included on all pamphlets, flyers and notices. Any direct queries to this mailbox were responded to by either the Elections Manager, the CGR Project Manager, or Legal Services.

### Round 1 Consultation Summary

- 5.8 A total of 79 responses were received in the first round of consultations. The responses to the 4 possible options given within the CGR were summarised in detail within the G&E Committee meeting of 25 July 2022, and are summarised briefly below:

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- (a) **Option 1** – To split Common ward into 2 wards, by potentially creating a “Racecourse ward” out of the Racecourse development (presently identified as electoral polling area GB2). **55% agreed or strongly agreed with this option.** 26% disagreed or strongly disagreed with this option. 19% neither agreed nor disagreed with this option.
- (b) **Option 2** – 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). 32% agreed or strongly agreed with this option. 27% disagreed or strongly disagreed with this option. **41% neither agreed nor disagreed with this option.**
- (c) **Option 3** – To reincorporate Sandleford ward (electoral polling area GB3) back into Common ward (Electoral polling area GB1). 30% agreed or strongly agreed with this option. 25% disagreed or strongly disagreed with this option. **45% neither agreed nor disagreed with this option.**
- (d) **Option 4** – To retain the Greenham Parish ward boundaries and governance structures as they are, with no changes. 23% agreed or strongly agreed with this option. **58% disagreed or strongly disagreed with this option.** 19% neither agreed nor disagreed with this option.

5.9 The detailed results of the first round of consultation were shared in the publicly available Supplemental Agenda Item #9 of the G&E Committee on 25 July 2022 (Forward Plan reference GE4526). The link to this information was also shared publicly online, on the WBC Consultation Hub ([link included](#)).

5.10 The results and public inputs were carefully considered, in line with achieving good governance arrangements for the parish of Greenham, along with information relating to future elector numbers, planning direction, and guidance from LGBCE. These factors steered the draft proposals and recommendations, as put forward to, and approved by, [G&E Committee of Council on 25 July 2022](#).

### **Round 2 Consultation Summary**

5.11 Round 2 consultations, elicited very limited responses; with queries from only 4 individuals received. Of these, two queries required further consideration.

5.12 The first request concerned checking with LGBCE the validity of a single parish ward crossing over 2 electoral divisions within the district, including a district ward boundary; should Sandleford ward be incorporated into Common ward within the parish of Greenham, i.e. combining electoral divisions GB1 and GB3 to form the “new” Common ward.

5.13 The Project Manager engaged with LGBCE on this matter, and received a response on 14 September 2022, to advise that this would not be an issue, as both electoral divisions and the respective district boundaries would remain as is, irrespective of the proposed amendments to the parish ward boundaries; and that they did not feel this would have any negative impact on the application for consent, relating to the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)*.

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- 5.14 The second query related to the population trend within the current Sandleford ward, and the potential for the number of residents (and of-age electors) to increase substantially within the next 5 years.
- 5.15 This query was raised with the Planning Policy Manager within the WBC Development and Planning unit; with the advice given, that the expected increase within the next 5 year period would be contained within Sandleford East Park, and would likely reach a maximum of 200 units, resulting in an increase of an estimated 400 electors of voting age by 2027. This would equate to only a third of the electors of the “Racecourse” area (GB2), and only a sixth of the electors of the current Common ward (GB1).
- 5.16 Having oversight from the 10 parish council seats within the current Common ward, will ensure this area continues to be well governed during the expected growth period. Retaining the services of only a single parish councillor lacks good governance logic, as a “future proofing” solution for this area; as it grows from 6 electors in 2023, to up to 400 electors over the 5 years to 2027. Once this area reaches sufficient numbers (likely in 2035 or later), alternative governance arrangements can be sought and implemented.

**Next Steps**

- 5.17 Once this process is completed a further, final, update will be made on the WBC (Consultation & Engagement Hub) website, to keep residents and the public in general informed as to the outcome of the CGR process.
- 5.18 Section 96 of the 2007 Act, details the process by which reorganisation orders may take effect, and further details regarding the steps required are included in the Guidance on community governance reviews issued by the Secretary of State and the Local Government Boundary Commission for England.
- 5.19 The Council will need to inform the following if the reorganisation order is approved:
- (a) the Secretary of State for Communities and Local Government
  - (b) the LGBCE
  - (c) the Office of National Statistics d) the Director General of the Ordnance Survey
  - (d) the Audit Commission
- 5.20 The Council will also need to take a number of additional steps to publicise the reorganisation order if approved. These will include:
- Depositing copies of the reorganisation order at the Market Street Council offices with a copy of a map showing the effects of the order that should be available during normal working hours;
  - The Council needs to produce a document setting out the reasons for the decisions it has taken (including where it has decided to make no change following a community governance review) and to publicise these reasons;
  - Consider other options for publicity, such as via Newsletters, the Council Website, public buildings, and other advertising as required.



## 6 Options

- 6.1 Having received the Letter of Consent from LGBCE to move forward with the requested amendments to governance and ward arrangements within the parish of Greenham following the CGR, the Council now has the option to:
- (a) Following the Letter, approve the draft Order, as consented to by the LGBCE;
  - (b) Decline to approve the Order, and terminate the process.

## 7 Conclusion

- 7.1 This report seeks approval of the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)*.
- 7.2 Should the Order, be approved, Officers will be given delegated authority to seal the Order, to give effect thereto.
- 7.3 If the Council resolves to approve the Community Governance Reorganisation Order in respect of the proposals; these amendments would take effect from the next scheduled parish elections in May 2023.

## 8 Appendices

- 8.1 **Appendix A** – Signed Minutes of Council Meeting 10.05.2022
- 8.2 **Appendix B** – Signed Minutes of G&E Committee 25.07.2022
- 8.3 **Appendix C** – Final Draft WBC Reorganisation Order 01.10.2022
- 8.4 **Appendix D** – WBC Consent Letter from LGBCE 24.11.2022

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### Background Papers:

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

### Subject to Call-In:

Yes:  No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months
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Item is Urgent Key Decision

Report is to note only

**Wards affected:** Common Ward and Sandlesford Ward (in the parish of Greenham)

**Officer details:**

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