

Report subject	Community Governance Review - Throop and Holdenhurst – Final Recommendations
Meeting date	18 March 2020
Status	Public Report
Executive summary	<p>The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local community governance arrangements.</p> <p>The Council commenced a review following the receipt of a valid community governance petition. The Council published draft recommendations which were subject to public consultation.</p> <p>Cabinet is asked to consider the final recommendations of the Task and Finish Group and to make a recommendation to Council.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <ul style="list-style-type: none"> (a) the existing parish of Holdenhurst Village be altered to include the neighbouring village of Throop as shown on the map appended to this report; (b) the name of the established parish referred to in (a) above be Throop and Holdenhurst; (c) the style of the parish of Throop and Holdenhurst be set as a village; (d) the parish should have a parish council in the style of village council; (e) the name of the village council should be ‘Throop and Holdenhurst Village Council’; (f) the village council for Throop and Holdenhurst consist of 7 councillors; (g) the effective date for the establishment of the parish council be 1 April 2021;

	<p>(h) the elections of all parish councillors for the parish of Throop and Holdenhurst shall be held:-</p> <p>(i) on the ordinary day of election of councillors in 2021;</p> <p>(ii) on the ordinary day of election of councillors in 2027; and</p> <p>(iii) every fourth year thereafter;</p> <p>(i) a Bournemouth, Christchurch and Poole Council (Reorganisation of Community Governance) Order be prepared in accordance with the above recommendations and that the Order be effective from 1 April 2021 save for those recommendations relating to parish electoral arrangements which shall come into force on the ordinary day of election of councillors in 2021;</p> <p>(j) the Local Government Boundary Commission for England be requested to make a related alteration order to alter the boundaries of the District Wards (Commons and Muscliff & Strouden Park) to be coterminous with the parish boundary referred to in recommendation (a) above;</p> <p>(k) the Director of Law and Governance be authorised to make all necessary reorganisation of community governance orders to implement the changes agreed by Council;</p> <p>(l) a Shadow Parish Council for Throop and Holdenhurst be established, comprising 7 members, with membership being made up of:-</p> <p>(i) 3 ward councillors for Muscliff and Strouden Park;</p> <p>(ii) 2 representatives of Holdenhurst village meeting;</p> <p>(iii) 2 other local representatives drawn from the lead petitioners.</p>
Reason for recommendations	To implement and give effect to the establishment of a new parish council for Throop and Holdenhurst. This follows a period of consultation and consideration by the Task and Finish Group.

Portfolio Holder(s):	Councillor Lewis Allison (Portfolio Holder for Tourism, Leisure and Communities)
Corporate Director	Julian Osgathorpe (Director of Resources)
Report Authors	Councillor Nigel Brooks (Chairman of the Task and Finish Group) Richard Jones (Head of Democratic Services)
Wards	Muscliff & Strouden Park;
Classification	For Recommendation

Background

1. The Cabinet, at its meeting on 12 July 2019, resolved to undertake a Community Governance Review following the receipt of a valid petition for the Throop and Holdenhurst area of BCP Council. A Task and Finish Group of five councillors was appointed to oversee the review and to make draft and then final recommendations. The Councillors on the Task and Finish Group were Councillors N Brooks (Chairman), Kelly, Kelsey, Rice and Trent. Ward councillors were invited to attend in an advisory capacity.
2. Draft recommendations were approved by Council on 5 November 2019 for publication and consultation with interested parties.
3. Consultation took place over a 12 weeks period between 15 November 2019 and 7 February 2020.
4. The Task and Finish Group have considered the representations received in response to the consultation and have agreed the final recommendations for consideration by Cabinet and subsequently full Council.

Community Governance Review Criteria

5. Members are reminded that a Community Governance Review offers the opportunity to put in place strong, clearly defined boundaries and to remove anomalous parish boundaries. It can consider one or more of the following:-
 - (a) Creating, merging, altering or abolishing parishes;
 - (b) The naming of parishes and the style of new parishes;
 - (c) The electoral arrangements for parishes (the ordinary year of election; 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.

6. The Council is required to ensure that community governance within the area under review will be reflective of the identities and interests of the community in that area; and is effective and convenient.
7. In doing so the community governance review is required to take into account:-
 - The impact of community governance arrangements on community cohesion; and
 - The size, population and boundaries of a local community or parish.
8. The aim of the review is to consider and bring about improved community engagement, better local democracy and efficient, more effective and convenient delivery of local services and ensure electors across the area in question are treated equitably and fairly.
9. These criteria were considered by the Task and Finish Group in reaching their recommendations.

Constraints

10. The Council may not alter the external boundary of BCP Council. However, the review may make consequential electoral arrangement recommendations to the Local Government Boundary Commission for England (LGBCE) regarding the Electoral Wards of the Council where there is sufficient evidence that this would be desirable and result in more convenient electoral arrangements. In this instance, there is one proposed consequential recommendation which is set out in more detail in paragraphs 27-29 to this report.

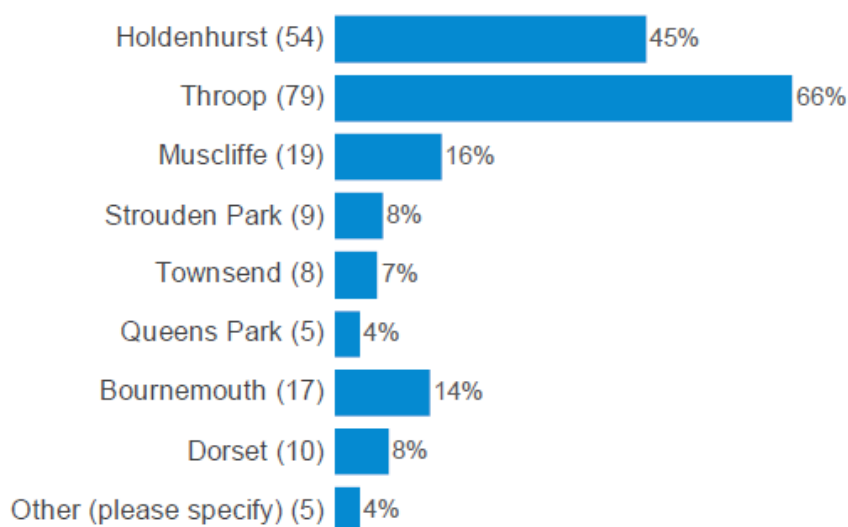
Consultation Responses - General

11. A letter was sent to 369 addresses in the proposed Throop and Holdenhurst boundary area, including residential and business addresses, on Friday 15 November. This included information about the draft recommendation proposals, a map of the proposed boundary and a link to further information and the online form on the Council's website. Paper copies of the form were available from Castlepoint Library.
12. The consultation paper and covering letter, sent to each household, outlined the role and status of a parish council, the typical services often provided and explained that parish councils charge council tax precepts to fund their activities.
13. The paper clarified that it was not possible to indicate whether the parish would run any local services, nor what the level of council tax precept it would charge. It would be for the new parish council, if established, to determine these issues.
14. Two news releases were sent out together with social media alerts; information and FAQs were available online together with all the information about the proposals and the first stage of initial submissions consultation.

The consultation was listed in the Council's online consultation tracker. Information was shared by the local Community Engagement Officer and was on display in Castlepoint Library.

15. The consultation ran for 12 weeks, from Friday 15 November to Friday 7 February 2020.
16. There were 122 responses received to the consultation using the electronic or paper form with a further five written responses which supported the formation of the proposed parish council.
17. A copy of the detailed response data was provided to each member of the Task and Finish Group for consideration and has been made available online as a background paper to this report.
18. The vast majority of responses (95%) were from BCP Council area residents, with 74% of all respondents residing within the proposed parish boundary.
19. Respondents were asked to indicate what they normally considered as their community. Respondents were able to indicate more than one community (for example, the respondent could indicate that they considered themselves to be part of Throop, as well as Bournemouth and perhaps Dorset).
20. The table below therefore shows the overall breakdown, however, it is worth noting that 82% of respondents indicated that the most local community identity was either to Holdenhurst or Throop.

What area do you normally regard as your community? (select all that apply)



Potential Candidate Interest

21. Respondents were asked to indicate whether they would consider standing for election as a local councillor. This is important in ascertaining whether there would be sufficient candidates to fill the seats upon a new local council if established. 30% of respondents answering the question (36 individuals) indicated that they would consider standing for election as a local councillor,

with a further 16% (19) indicating that they didn't know at the time of responding. The remaining 55% stated that they would not stand for election

Stage 4 Final Recommendations

22. The following section of this report details the background information, draft recommendations (which were subject to consultation), a summary of representations received, the task and finish group conclusions and the final recommendations for the proposed parish.
23. A summary of the responses received in response to the draft recommendations is provided together with specific comments submitted.

Throop and Holdenhurst Review Background

24. The consultation document advised that the petition, which triggered the review process, sought the creation of a new parish and parish council for Throop and Holdenhurst to include the unparished parts of Throop and the existing village parish of Holdenhurst.

Draft Recommendations

25. The draft recommendations approved by Council, and which were subject to consultation, proposed that:-
 - (a) the existing parish of Holdenhurst Village be altered to include the neighbouring village of Throop;
 - (b) the name of the established parish be Throop and Holdenhurst;
 - (c) the style of the parish of Throop and Holdenhurst be set as a village;
 - (d) the parish should have a parish council in the style of village council;
 - (e) the name of the village council should be 'Throop and Holdenhurst Village Council';
 - (f) the village council for Throop and Holdenhurst should consist of 7 councillors;
 - (g) the effective date for the establishment of the parish council be 1 April 2021;
 - (h) the elections of all parish councillors for the parish of Throop and Holdenhurst shall be held:-
 - (i) on the ordinary day of election of councillors in 2021;
 - (ii) on the ordinary day of election of councillors in 2027; and
 - (iii) every fourth year thereafter.

Summary of Representations Received

26. Respondents were asked a series of questions in relation to each of the draft recommendations. The charts below show the overall response to each question asked.

Do you agree that the existing parish of Holdenhurst Village be altered to include the neighbouring village of Throop?



Do you agree that the name of the parish be Throop and Holdenhurst?



Do you agree that the style of the parish of Throop and Holdenhurst be set as a village?



Do you agree that a new parish council should be created for Throop and Holdenhurst?



Do you agree that the parish should have a parish council in the style of village council?



Do you agree that the name of the village council should be 'Throop and Holdenhurst Village Council'?



Do you agree that the village council for Throop and Holdenhurst consist of 7 councillors?



Do you agree that the effective date for the establishment of the parish council be 1 April 2021?



It is recommended that the elections of all parish councillors for the parish of Throop and Holdenhurst shall be held:-

- (i) on the ordinary day of election of councillors in 2021;**
- (ii) on the ordinary day of election of councillors in 2027; and**
- (iii) every fourth year thereafter?**

Do you agree with this recommendation?



27. Finally, each respondent was asked, if they disagreed with any of the recommendations, to advise what they would recommend and why or to provide any other comments on the review. There were 25 comments received which are set out below. Any personal or identifying remarks have been removed.

	Additional Comments	From proposed parish area?
1	<p>It is disappointing that the new parish council cannot be formed and confirmed before April 2021. An earlier date in 2020 would be preferable.</p> <p>The area of Holdenhurst to Throop/Muscliff is a very sensitive green belt/conservation area which should be preserved for the benefits of all Bournemouth residents to enjoy. Decades from now it could be seen as a true gem which has been saved in the same way as the great parks of London and other large conurbations are viewed.</p>	Yes
2	<p>It will benefit the local area to have local people voted in as councillors as they will represent the community in the best interest to preserve and continue with the local village feel.</p>	Yes
3	<p>I believe that a Parish council would benefit everyone living in the area and represent the interests of all the residents.</p>	Yes
4	<p>We live in what we consider to be part of Throop (Barrowgate Way) and yet it appears that we are to be excluded from this proposed parish council. Looking at the plans it appears that the new parish will be stealing the green belt from outside of our estate, i.e., Carys Lane. It is extensively used by dog walkers and children playing. We have already had to fight off a travellers' development, does this mean that we would be handing over the custodian ship of the land within 100 metres of our house to a council with which we have no say on?! We are in danger of losing our identity as part of Throop, after all more people live here than down near the river!!</p> <p>Expand the parish to include all of Throop, change the name/boundary, or scrap the expensive idea.</p>	No
5	<p>Why can't we decide earlier? The sooner the better, why do we have to wait?</p> <p>Many locals will be happy to help</p>	Yes
6	<p>It would be preferable for a parish to be established encompassing the whole of Throop and Muscliff. - The styling of "Parish Council" would thus be preferable. - An initial 6 year term is irregular and will probably just lead to more casual vacancies and more time being spent on co-option. Sticking to 4 years would be better.</p> <p>The stage 2 recommendations seem biased in favour of the original petition's recommendations just because they were in the original petition, which is inappropriate and unfortunate since the whole of the Muscliff and Strouden Park Ward has been designated as the subject of this review.</p>	Unknown

Additional Comments		From proposed parish area?
7	The whole of Throop (Broadway Lane to Yeomans Road) should be included. * Six years is an excessive term and will make it hard to attract councillors.	Yes
8	The area is too small and should include the rest of Throop and possibly Muscliff. Six years is too long between elections	No
9	The parish should include all of Throop, from Yeomans Road to Broadway. Six years is too long and will be too long a commitment for new councillors unlikely to have experience of what being a parish councillor is like.	Yes
10	There is no need to merge Throop and Holdenhurst. Holdenhurst is quite all right as it is. Create this parish you will be creating a monster. If the parish were to go ahead the boundary should be set back to the junction of Mill Road and Careys Road	Yes
11	I believe that the locality of Throop & Holdenhurst Villages should be protected as special status as they are the last remaining rural conurbations within the area. This area is of historic and heritage importance - not just for those who reside in the vicinity but for the wider community. If BCP Council is serious about its 'green' agenda then this should be a priority to protect and enhance the area.	Yes
12	A parish council is an essential element of our democracy.	Yes
13	My daughter lives in a listed cottage in the conservation area & I feel a Parish Council would give local residents more of a say in what happens on their doorstep. The area is special & local ward councillors have let them down over the years.	No
14	I think it's a positive step for the community to have a voice in all things that affect its future as a village	Yes
15	I think this will be good for both Holdenhurst and Throop villages. I fully support it.	Yes
16	If it is possible to set up the parish and its' council sooner and out of cycle with normal elections then I believe that should go ahead sooner	No

	Additional Comments	From proposed parish area?
17	<p>It is a pity that this new village council could not be set up before April 2021, September 2020 would be better.</p> <p>The community council should be seen as an organisation which would work with Bournemouth, Christchurch and Poole Council recognising that we all have responsibilities to the wider community but would hopefully ensure the views of local residents are heard and local worries taken into account.</p>	Yes
18	<p>The complete boundary should be honoured and NOT breached for any reason!</p>	Yes
19	<p>The whole thing is a bit ridiculous, having the clerk elected on the council would make life harder for the majority of residents. Throop is a hamlet with the majority of houses being built in the last 20 years. There is already protection in place for the older building via listed building status. If this does go ahead the boundary needs to be scaled back and limited to the junction of Careys Road and Mill Road.</p>	Yes
20	<p>I do not feel it is necessary to merge Throop into a parish council with Holdenhurst. I have lived within Throop my entire life, and now own my own house in the area. But according to this new revision, I would not actually then "live" in Throop. Throop is a beautiful hamlet, on the suburbs of Bournemouth, but it is not a village. With majority of the houses built in the late 90s, the majority of the residents have lived there less than those who they now want to exclude from their "area". Throop is fine as it is and a parish council is not needed as I'm not sure what benefit there would be for the area.</p> <p>Throop is not a village, it is a small hamlet on the edge of Bournemouth. It is not separate from the current residential estates of both Throop and Muscliff, and I don't feel the parish/village council would be of benefit to anyone who has a business already within Throop as those who live in the immediate vicinity, (and those pushing for this council) are those who are very against any progress or development within the area.</p>	Yes
21	<p>Why 2021? Can't it be done sooner</p>	No
22	<p>If it becomes a parish council it should happen this year, and have councillors from the combined village.</p> <p>The community should have the biggest say, how things should be run.</p>	No
23	<p>Would need to understand what time is required to perform role.</p>	Yes

Additional Comments		From proposed parish area?
24	We have set up as "Highcliffe & Walkford Parish Council". It's a well recognised term. I think "Throop & Holdenhurst Parish Council" or "Holdenhurst & Throop Parish Council" would make much more sense to everyone and one of these names should be adopted.	No
25	"Holdenhurst and Throop" has a better rhythm than "Throop and Holdenhurst" I would support any moves which gives a stronger voice to small communities, and empowers them to fight developers.	No

28. In addition to the questionnaire responses, a further five written responses were received which supported the formation of the proposed parish council.
29. The Council's Head of Elections, Land Charges and Registration has also requested that if the Council is minded to support the draft recommendations, that a consequential electoral arrangement recommendation is made to the Local Government Boundary Commission for England (LGBCE).
30. The requested change relates to a property known as Wood Farm, which has a postal address of Holdenhurst, with vehicular access also gained from the Holdenhurst village. Historically this property fell within the boundary of the former Christchurch Borough Council despite the relationship with Holdenhurst, and as a consequence is within the Commons ward. At the present time this property is unparished, having been removed from the parish of Hurn during the community governance review in 2018. The draft recommendations propose that Wood Farm is included within the new parish boundary for Throop and Holdenhurst.
31. This review provides the opportunity to resolve this anomaly by making a request to the LGBCE to alter the ward boundary between Commons and Muscliff & Strouden Park wards, effectively to become coterminous with the proposed parish boundary. This will not require a change to the Hurn parish boundary.

Task and Finish Group – Options Appraisal

32. The Task and Finish Group considered the responses to the consultation on the draft recommendations, and considered the following options:-
 - (A) To do nothing or to recommend that the new arrangements are not pursued**
33. This option was disregarded by the Task and Finish Group. Although there were some representations suggesting that the establishment of new parish councils was not appropriate, the overwhelming response from residents was supportive.

34. By definition a community governance review should be community led and informed by local community opinion. The Council is required to ensure that new arrangements will be effective and convenient, however, there is no evidence to suggest that this will not be the case from the responses received.

(B) To make final recommendations with or without any amendments

35. The Task and Finish Group was mindful of the comments and observations raised by respondents to the questionnaire.
36. A number of respondents suggested that the boundary of proposed parish should be altered to either reduce the proposed area or extend to the south to include areas of Muscliff, Townsend or Strouden Park. The Task and Finish Group considered that the proposed draft boundary alignment provided a clear separation between the two distinctive character areas; namely, the predominant rural area to the north and the urbanised developments to the south.
37. Suggestions were received regarding the name of the parish as well as the style (e.g., village council). In each case it was considered that whilst these were valid opinions, they did not outweigh the wider support of other respondents. If the new council, when established, wishes to change the name and/or style it may do so by appropriate resolution.
38. The other key point of concern related to the implementation timeline and the initial election timetable. Whilst it was acknowledged that there was some desire to implement the changes sooner, a new local council may only be established on 1 April in any given year. This is because precepting authorities can only issue precepts for entire financial years. It is not therefore possible to implement the new Council before 1 April 2021.
39. Furthermore, the proposed election timetable for an initial term of 6 years, returning to 4-year terms from 2027, is intended to relieve the new council of the burden of funding the entire cost of parish elections. When combined with other elections, the cost of funding those elections will be shared with BCP Council. In addition, evidence shows that the turnout of combined parish elections is significantly improved.
40. The Task and Finish Group concluded that the majority of respondents agreed that a new parish should be created in Throop and Holdenhurst in accordance with the draft recommendations. The group felt that the responses showed a great sense of community and local identity in the area.

Next Steps

41. If the Council supports the establishment of the new parish and parish council, a Reorganisation Order will be made to give effect to the decision.
42. However, further interim work will be required to determine the services, functions and assets, if any, for which the new council will be responsible. This will help inform the budget requirements and the anticipated amount required for the first year of operation. These elements will require a

Supplementary Reorganisation Order to be drawn up by BCP Council. These matters will need to be resolved by 30 September 2020 to allow for the Supplementary Order and the consequential Council Tax calculations to be made.

43. It is proposed that to progress these matters a Shadow Throop and Holdenhurst Parish Council is established to comprise 7 members, with representation drawn locally. It is suggested that the membership should be made up as follows:-
- 3 ward councillors for Muscliff and Strouden Park Ward;
 - 2 representatives of Holdenhurst village meeting;
 - 2 other local representatives drawn from the lead petitioners.
44. Since the burden of funding the budget requirements will fall upon those residents within the parish boundary, it will be imperative that the Shadow Council engages with local residents. The Shadow Council will be required to identify an Interim Clerk to the Shadow Council to oversee the governance arrangements and record decisions.
45. Officers of BCP Council will be required to provide support and information to the Shadow Council where specific services or functions are discussed to help inform their decisions.

Conclusion

46. In concluding, the Task and Finish Group supported the establishment of a new parish. The final recommendations for consideration by Cabinet and subsequently Council are set out on the first page of this report.

Summary of financial implications

47. There are no direct financial implications arising from this report, however, there will be a requirement for officers from various services to support the proposed Shadow Council determine their requirements and to draw up reorganisation orders.
48. Should any assets, functions or services transfer from BCP Council to the Throop and Holdenhurst Village Council, then an adjustment will need to be made to the BCP Council Tax through an Alternative Notional Amount.
49. The 2020/21 Band D Council Tax for BCP Council would be notionally reduced by the cost of services and assets transferring, with the consequence that the 2021/22 actual BCP Band D Council tax would be reduced by this amount and the Council would also lose any Council Tax increase on this amount. The amount is not likely to be significant, but will not be known until it is agreed what services and assets will transfer and the adjustment will need to be agreed with the Ministry of Housing, Communities & Local Government.

Summary of legal implications

- 50. The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local community governance arrangements. The Community Governance Review was undertaken in accordance with this Act.
- 51. To implement the decisions contained in this report, the Council will be required to draw up Community Governance Re-organisation Orders.
- 52. The Local Government Finance (New Parishes) (England) Regulations 2008 permits councils to anticipate a precept and provides that the new parish council then sets the precept which must not exceed the amount specified in the establishment order for it.

Summary of human resources implications

- 53. There are no human resource implications arising from this report.

Summary of sustainability impact

- 54. There are no sustainability implications arising from this report.

Summary of public health implications

- 55. There are no public health implications arising from this report.

Summary of equality implications

- 56. There are no equality implications arising from this report.

Summary of risk assessment

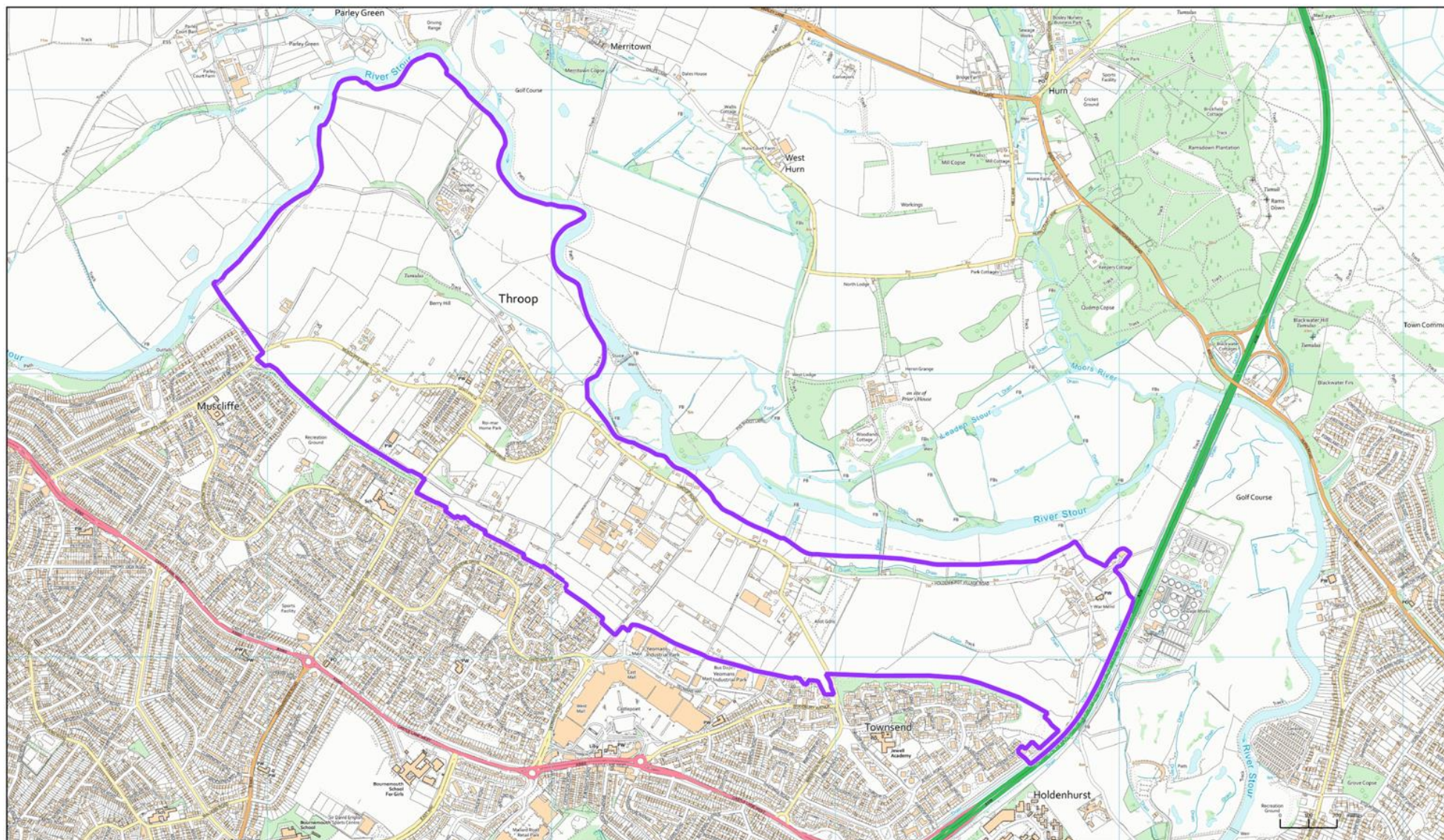
- 57. It is vital that the Governance Review is undertaken in accordance with the Local Government and Public Involvement in Health Act 2007 and the Guidance produced by the Ministry for Housing, Communities and Local Government and the Local Government Boundary Commission for England.
- 58. Failure to adhere to these could result in the Review being open to challenge and judicial review.

Background papers

Published works

Appendices

Appendix 1 – Map detailing the boundary of the proposed parish



Proposed Throop and Holdenhurst Parish Boundary

Scale: 1:12500 @ A3



This map is produced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (c) Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

BCP Council, Licence: 100000010629, 2019

