

Council Meeting	
Meeting Date	27 July 2022
Report Title	Community Governance Reviews – initial consultation stage recommendations
EMT Lead	Lisa Fillery – Director of Resources
Head of Service	David Clifford - Head of Policy, Communications and Customer Services
Lead Officer	Keith Alabaster – Electoral Services Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To note the results of the initial stage consultations for the Community Governance Reviews conducted at: <ol style="list-style-type: none"> a) Great Easthall Estate – Tonge Parish area b) Lucas Close – Sheerness Town Council area 2. That having considered the results of the initial consultations, the Council agrees the following: <ol style="list-style-type: none"> a) Great Easthall (Tonge Parish area) – no further action is taken, and the review is concluded. b) Lucas Close (Sheerness Town Council area) – a second stage consultation is conducted with residents and interested parties, recommending the town council boundary is changed, so that Lucas Close becomes part of the Queenborough Town Council area.

1 Purpose of Report and Executive Summary

- 1.1 The council agreed to undertake Community Governance Reviews at its meeting on 27 April 2022. There followed an initial consultation with residents and interested parties during May and June 2022.
- 1.2 The purpose of this report is to present the initial stage consultation results and to ask council to make decisions regarding the next steps of the reviews.

2 Background

- 2.1 The Council has a statutory duty under the Local Government and Public Involvement in Health Act 2007 to regularly review anomalous parish boundaries. Whilst it only has to commence a community governance review if a valid petition is received, it is good practice to undertake a review wherever anomalous parish boundaries have occurred.

2.2 Ward Members for Queenborough & Halfway and Murston have requested a review of anomalous parish boundaries. New housing developments, that are now occupied by residents, have parish boundaries dissecting parts of the developments. Access to these developments, are exclusively through other parishes or unparished areas. This has led to neighbours being in a different parish or in an unparished area and their voting arrangements are different for parish/town council elections. The areas reviewed were:

- **Lucas Close, Queenborough – Sheerness Town Council area.**
- **Great Easthall Estate – Tonge Parish area.**

3 Proposals

3.1 Taking into consideration the results of the consultations, as set out in the appendices, the council is asked to consider the following for the two Community Governance Reviews:

Great Easthall (Tonge Parish area) – Summary of Responses

3.2 Residents' responses:

169 responses received out of 637 leaflets / questionnaires sent out – 26.53% response rate.

YES (in favour of reviewing the boundary) = 8.88% / 15 responses.

NO (do not wish the boundary to be reviewed) = 91.12% / 154 responses.

3.3 Ward members' responses:

Murston ward members = YES (in favour of reviewing the boundary)

Teynham & Lynsted ward members = NO (do not wish for the boundary to be reviewed)

3.4 Parish Council response:

Tonge Parish Council = NO (do not wish for the boundary to be reviewed)

3.5 Kent County Council (KCC) response:

KCC Members - Swale East County Councillor = NO (does not wish for the boundary to be reviewed)

KCC Officers– do not wish to comment at this stage until the results of the initial consultation with residents is known.

3.6 Summary and recommendation:

As residents are overwhelmingly against reviewing the current boundary; Swale ward members are split evenly, based on locality; Tonge Parish Council and one KCC member are also against it, there is no justification in proceeding with the Community Governance Review at this point and no further action should be taken. From the comments on the questionnaires, residents appear happy being part of Tonge Parish and Teynham & Lynsted ward and do not wish to become part of Murston.

A separate polling district was created in 2021, so that Great Easthall Tonge Parish residents could vote at their local polling station at Lakeview Village Hall, so there are no voting issues with the current arrangement.

A full list of responses and comments can be viewed in Appendix (I)
A map of the Great Easthall estate with the current Tonge Parish boundary can be viewed in Appendix (II)

Lucas Close, Queenborough (Sheerness Town Council area) – Summary of Responses

3.7 Residents' responses:

5 responses received out of 18 leaflets / questionnaires sent out – 27.78% response rate.

YES (in favour of reviewing the boundary) = 20% / 1 response.

NO (do not wish the boundary to be reviewed) = 80% / 4 responses.

3.8 Ward members' responses:

Sheerness ward members x 3 = YES (in favour of reviewing the boundary and moving Lucas Close into Queenborough)

Queenborough & Halfway ward member x 1 = YES (in favour of reviewing the boundary and moving Lucas Close into Queenborough)

3.9 Town Council responses:

Sheerness Town Council = YES (in favour of reviewing the boundary and moving Lucas Close into Queenborough)

Queenborough Town Council = YES (in favour of reviewing the boundary and moving Lucas Close into Queenborough)

3.10 Kent County Council (KCC) response:

KCC – do not wish to comment at this stage until the results of the initial consultation with residents is known.

3.11 Summary and recommendation:

The response from residents of Lucas Close demonstrated a lack of support for changing the boundary. However, no concrete reasons were given from the 4 x NOs, except one indifferent comment stating, "it makes no difference to me". The 1 x YES stated, "Can't understand why we aren't within Queenborough boundary".

All other responses showed complete support for changing the boundary and moving Lucas Close into the Queenborough Town Council area.

Resident's responses do not carry more weight than other responses from town/parish councils or ward members. The Local Government Boundary Commission for England published guidance on community governance reviews. In this, it sets out that there is a need to consult local people and take into account any representations received, having regard to identities and interests of the community in the area under review. It is clear that this should involve

consultation with any other person or body with an interest in the review (i.e. ward members, parish/town councillors and KCC). This is also explicitly set out in Section 96 of the Local Government and Public Involvement in Health Act 2007.

The total number of responses to the initial review were:

8 x YES (in support of reviewing the boundary)

4 x NO (do not wish the boundary to be reviewed)

Given the above, it is recommended that we continue the Community Governance Review at Lucas Close and proceed onto the 2nd stage consultation. The 2nd stage consultation will recommend moving the Queenborough Town Council boundary north to encompass Lucas Close and go up as far as the A249 which is a natural boundary. This will remove the anomalous “V” shape in the current Sheerness boundary. Given the lack of resident support, the 2nd stage consultation will also be another opportunity for residents to comment for or against the boundary change.

A full list of responses and comments can be viewed in Appendix (III)

A map of the proposed new Queenborough Town Council boundary can be viewed in Appendix (IV)

4 Alternative Options

4.1 ***Great Easthall Community Governance Review*** - the alternative is to proceed with a 2nd stage consultation, however given that 91% of residents are against reviewing the boundary, ward members are split and Tonge Parish Council are opposed to changing the boundary, this course of action is not recommended

4.2 ***Lucas Close Community Governance Review*** – given the lack of resident support, the alternative is to conclude the current review and no further action will be taken and the boundary will remain as it is. If the boundary is left as it is, residents will still have to make an 8 mile round trip to vote at their polling station in Sheerness and will continue to be represented by Sheerness Town Councillors and Sheerness Borough Ward Councillors, despite being geographically part of Queenborough.

As no compelling reasons have been given for not changing this boundary, and those in support of changing the boundary have highlighted many good reasons to proceed with the boundary change, it seems prudent to proceed with a 2nd stage consultation

5 Consultation Undertaken or Proposed

Great Easthall, Tonge Parish area:

5.1 The initial stage consultation started in May and ran to the end of June 2022:

Residents: 637 leaflets/questionnaires were sent to residents. 169 responses were received (26.53% response rate)

In addition, the following interested parties were asked for comment on the boundary review:

- a) Ward members for Murston and Teynham & Lynsted wards
- b) Tonge Parish Council
- c) Kent County Council – KCC members for Swale East and Sittingbourne North plus Lizzy Adam (Operations & Client Relationship Manager, Governance, Law & Democracy) and the Electoral & Boundary Review Committee.
- d) Kent Association of Local Councils
- e) Local Government Boundary Commission for England
- f) Boundary Commission for England

Full details of responses and comments can be viewed in Appendix (I)

Lucas Close, Sheerness Town Council area:

- 5.2 The initial stage consultation started in May and ran to the end of June 2022:

Residents: 18 leaflets/questionnaires were sent to residents. 5 responses were received (27.78% response rate)

In addition, the following interested parties were asked for comment on the boundary review:

- a) Ward members Sheerness and Queenborough & Halfway wards
- b) Sheerness Town Council
- c) Queenborough Town Council
- d) Kent County Council – KCC members for Sheppey plus Lizzy Adam (Operations & Client Relationship Manager, Governance, Law & Democracy) and the Electoral & Boundary Review Committee.
- e) Kent Association of Local Councils
- f) Local Government Boundary Commission for England

Full details of responses and comments can be viewed in Appendix (III)

Lucas Close - Stage 2 Consultation Proposed

- 5.3 If the 2nd stage consultation is approved by council, it will be very similar to the initial stage consultation. We will send residents an updated leaflet and questionnaire proposing the new boundary change and detailing the results of the initial consultation. It will also contain information about possible changes to the precept if residents moved from Sheerness Town Council to Queenborough Town Council. Residents will be invited to make further comments and will be asked whether they support the proposed changes to the boundary. In addition, we will continue to consult with all other interested parties as listed in 5.2.

- 5.4 The Local Government Boundary Commission for England have confirmed that “None of the parish arrangements in your borough are protected so you can

proceed with the parish changes without needing to seek the Commission's consent." However, if the proposed Town Council boundaries were changed, we would need the Commission's approval to change the borough ward boundaries, so they are co-terminus with the new town council boundaries. Ideally, they would need confirmation of the changes by October 2022 in order to make the ward boundary changes in time for May 2023 local elections.

6 Implications

Issue	Implications
Corporate Plan	Conducting the review in a way which fulfils our statutory obligations as efficiently as possible while also encouraging all sections of the community to make their views known will contribute to the council's corporate Priority 4: Renewing local democracy and making the council fit for the future.
Financial, Resource and Property	The reviews will be financed through existing resources and £5,000 has been budgeted to conduct the review, within the Electoral Services budget.
Legal, Statutory and Procurement	<p>Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 devolves the power to take decisions about matters such as the creation of parishes, changes to parish boundaries and electoral arrangements including warding and numbers of parish councillors from the Secretary of State and the Electoral Commission to principal councils in England. Principal councils are also required to have regard to guidance on undertaking community governance reviews, which has been published by the Boundary Commission.</p> <p>Lucas Close 2nd stage consultation – given the lack of resident support, legal advice was sought to determine, whether to recommend proceeding with the Community Governance Review. Whilst Legal felt they couldn't give a definitive answer, they agreed that resident's views carry no more weight than other interested parties. They also noted "Section 84 of the Local Government and Public Involvement in Health Act 2007 which states '<i>a boundary change between existing parishes, or parishes and unparished areas, rather than the creation of an entirely new parish, will be sufficient to ensure that parish arrangements reflect local identities and facilitate effective and convenient local government.</i>' It is clear from the map provided that Lucas Close forms part of Queenborough and appears to satisfy this." Given that all other responses, from both Town Councils and ward members from both wards affected, were 100% in favour of changing the boundary, Legal deemed it appropriate to continue the Community Governance Review for Lucas Close.</p>

Crime and Disorder	None identified at this time.
Environment and Climate/Ecological Emergency	None identified at this time.
Health and Wellbeing	None identified at this time.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this time.
Risk Management and Health and Safety	None identified at this time.
Equality and Diversity	In undertaking the consultation, the council will have regard to the joint statutory guidance issued by the Department for Communities and Local Government and the Local Government Boundary Commission for England in respect of reflecting the identities and interests of the local community and that it is effective, convenient, and accessible to everyone. A full Equality Impact Assessment will be undertaken by the council before any final decision is taken on the review.
Privacy and Data Protection	None identified at this time

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix (I): Great Easthall CGR Responses
- Appendix (II): Great Easthall map with current boundary
- Appendix (III): Lucas Close CGR Responses
- Appendix (III): Lucas Close Map – proposed new boundary

8 Background Papers

Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007. The full text of the 2007 Act can be accessed at: [Local government and public involvement in health act 2007](#).

Guidance on Community Governance Review which is issued by the Department for Communities and Local Government. The guidance can be accessed at: [Guidance on community governance reviews](#).