



Report to Director of Organisational Development and Democratic Services

Subject: Community Governance Review of Bestwood St. Albans Parish Council

Date: 6 March 2017

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1. Purpose of the Report

- 1) To inform the Director of the outcome of a Member Reference Group convened to formulate draft recommendations on the future governance arrangements for Bestwood St. Albans Parish Council.
- 2) To seek approval from the Director to publish draft recommendations outlined for further public consultation.

2. Background

- 2.1 In April 2016 Gedling Borough Council received a valid community petition from residents of the Village Parish Ward of Bestwood St. Albans Parish asking the Borough Council to consider the establishment of a separate parish council for the area. At the meeting of Council in September 2016 a decision was taken to carry out a Community Governance Review (CGR) which covered the entirety of the Parish.
- 2.2 At the meeting of Council it was resolved to formally launch the review by agreeing a terms of reference and inviting comments from all parishioners and other interested parties. To enable this to happen, a leaflet was delivered to all properties in the Parish as well as to other key stakeholders. The leaflet asked whether they agreed with the request to form a separate parish council for the Bestwood Village area and asked for their views on the future governance for the area. The CGR is carried out according to provisions in Part 4 of the Local Government and Public Involvement in Health Act 2007 and with regard to "Guidance on

community governance reviews” issued by the Department for Communities and Local Government.

- 2.3 Consultation responses have now been received and, as per the resolution of Council in September 2016, a member reference group was convened to consider the responses and propose a way forward. The Director of Organisational Development and Democratic Services, in consultation with this member reference group, has delegated authority from Council to publish draft recommendations incorporating these views. The recommendations would then be subject to further public consultation.

3. Consultation Responses

3.1 Summary of Individual/Group Responses

120 responses from groups or individuals have been received to the consultation (these responses were not delivered by a resident’s group or survey). The responses received directly to the consultation can be summarised as follows:

Not supporting the petition: 26

Supporting the petition: 66

Other: 28

The individual responses have been categorised as follows:

Expressing a view that the Parish Council should remain as it is: 26

- 1 received from Warren Action Group
- 24 received from residents of the Top Valley Parish Ward
- 1 received from a resident giving their address as “Warren Hill”

Expressing a view that the Parish Council should split into two new parish councils: 66

- 5 received from residents of the Top Valley Ward
- 1 received from the Mark Spencer MP
- 54 received from residents of the Village Parish Ward
- 1 received from a “resident of the village” with no address provided
- 1 received from a current Parish Councillor for the Village Parish Ward – address not given
- 3 received from residents from outside the Parish
- 1 received without an address

Other (i.e. not expressing a view one way or another but providing comment or proposing an alternative): 28

- 6 received from residents of the Village Parish Ward
- 2 received from residents outside of the area.
- 19 received from residents of the Top Valley Parish Ward
- 1 from the County Secretary of the Nottinghamshire Association of Local Councillors.

Of the responses categorised as “other”

- 1 described the “Top Valley” community spirit positively stating that if the council were to split then a separate parish council for the area would be desirable.
- 5 said that the Parish Council was unnecessary and should be abolished.
- 1 described the tensions between Parish Councillors, saying that they should get along for the good of the area without "infighting".
- 1 described the positive community atmosphere in the Bestwood Village area.
- 1 expressed the view that the area should be kept as part of Gedling Borough Council and not moved into the Ashfield District.
- 2 asked for improvements to the Bestwood Community.
- 1 respondent said, in summary, that a larger Parish Council would make sense due to economies of scale but that the current Parish Council appears unprofessionally conducted with clear "animosity".
- 1 would like a parish council for the Top Valley Ward if the existing Council were to close.
- 1 said that as there were more Parish Councillors for the Top Valley Ward it appeared that all decisions were made for the benefit of that area and the numbers should be equalised or the wards be separated.
- 1 response asked whether parish boundaries would be drawn as they are if re-done today. It also that there are two distinct communities in the current Parish but that this isn't always unworkable within a parish council area.
- 2 would ideally like Top Valley to stay part of the existing Parish Council but states that if this was not possible the area must have its own parish council.

- 1 considers that Bestwood Village residents are being unreasonable in wanting more money spent on their area and is pleased with the recent improvements to amenities in Top Valley as a result of the Parish Council.
- 1 does not support the establishment of a residents' forum.
- 1 says that the review is a poor use of tax payers' money and that positive changes have been made to the Top Valley area since the last elections.
- 1 describes the positive difference to the Top Valley area since the last Parish Council elections.
- 1 agrees with recent Parish Council expenditure with the exception of Christmas lights and fireworks.
- 1 feels that the area is in decline and should be looked after by the local council.
- 2 state that Bestwood Village should have a separate parish council with the Top Valley area being served exclusively by Gedling Borough Council.
- 1 states that it is unfair that council tax money is spent elsewhere in an area that they do not live.
- 1 states that they would vote for the Village Ward.
- 1 commented on the lack of joined up services in the Warren Wood/Top Valley area and that provision of goods and services to the area is in need of improvement.

3.2 Summary of Residents Groups Responses

3.2.1 The Warren Action Group had surveyed 96 residents and a summary of the survey was submitted. Of the 96 residents surveyed, 81 "opted to have WAG write a letter, on their behalf, to Gedling Borough Council." The majority of the letters supported maintaining the status quo and asked that for a separate parish to be established for the Top Valley Ward if the current Parish Council was to close. A copy of the WAG survey is included as appendix one to this report.

3.2.2 61 responses collected and submitted by Village Parish Ward parish Councillors were received. These responses, in summary, supported the petition and called for a separate parish council for that area. A copy of the survey response is included as appendix two to this report.

3.3 In summary 120 responses were received directly to the consultation with a further 157 items of responses to surveys forwarded to the Council from residents' groups (The Warren Action Group and Village Ward Parish

Councillors).

4. Member Reference Group deliberations

- 4.1 The Member Reference Group consisting of Councillors Barnfather and Powell (Conservative Group) and Councillors Collis, David Ellis and Paling (Labour Group) met in January 2017 to review all consultation responses, which had been circulated prior to the meeting. Members noted that not all of the responses received were from parishioners and took this into account when giving weight to consultation responses.
- 4.2 At the outset the Group emphasised that whatever decision was taken the principles described in the DCLG guidance should be strictly followed. In particular the Group noted paragraph 33 of the guidance which states that the Council would need to “have regard to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.”
- 4.3 The Member Reference Group noted from the consultation responses that there was clearly a difference of opinion between residents of the Village Ward, who clearly supported a separate council for Bestwood Village, and residents of the Top Valley Ward who largely preferred to maintain the status quo of one Parish Council covering both wards. They noted that this was not universally the case and a number of consultation responses did not follow this pattern.
- 4.4 Members discussed the current operating environment of the existing Parish Council and noted that there were clear tensions at the Council evidenced by the atmosphere and disagreements witnessed at recent meetings. A number of consultation responses make reference to animosity and bad feeling amongst parish councillors as well as disagreements over how money should be spent in the area. They also noted that three Parish Clerks had left the employment of the Council in a relatively short period. Of further concern was the large number of Code of Conduct complaints received against Parish Councillors. While Members noted that the operation of the existing Parish Council was far from ideal, this alone was not reason enough to alter the governance arrangements of the entire Parish.
- 4.5 Members considered the area in question: The Parish of Bestwood St. Albans. They observed that the two wards of the parish were very different in their composition. They made the following points:
 - The Village Parish Ward was comprised of the communities of Bestwood Village and the area surrounding Killarney Park. These

areas had a 'rural feel' as they were served by limited public transport, had only one village shop, had very limited amenities such as pubs and health provision.

- The Top Valley Parish Ward is largely comprised of the area known as Warren Hill, which is essentially part of the Greater Nottingham conurbation. The area benefits from the amenities of being part of Greater Nottingham and has good, regular public transport links into the City.
- The two wards of the Parish Council are separated from each other by Bestwood Country Park meaning that there is no direct road link between the two areas resulting in any joined up feeling of community being difficult to identify. Guidance states that boundaries should be easily identifiable such as "parks and recreation grounds which sometime provide natural breaks between communities but they can equally act as focal points." For the purposes of this review there is no evidence that Bestwood Country Park is used as a focal point for community that provides both parish wards opportunities to strengthen community cohesion.

4.6 Members next discussed how Parish boundaries would be drawn if starting from scratch. It was observed that at the time of the establishment of Bestwood St Albans Parish Council, the Top Valley Parish Ward was largely undeveloped fields with very few residential properties. Therefore at that time it could be argued that the vast majority of the Parish's residents were contained within the area of the Village Parish Ward. The residential areas in the Top Valley Parish Ward were built in 1970s, very separately to the rest of the Parish, adjacent to the Greater Nottingham Area. As the area of Bestwood Country Park forms a natural border between the two areas with one side of the park being part of Greater Nottingham and the other being the Bestwood Village area, a Parish drawn from scratch would be very unlikely to combine the two areas.

4.7 Paragraph 69 of the DCLG guidance states that community cohesion "is what must happen in all communities to enable different groups of people to get on well together. A key contributor to community cohesion is integration which is what must happen to enable new residents to adjust to one another." Paragraphs 70 to 76 of the guidance describe in more detail issues relevant to community cohesion. The Member Group did particularly consider paragraph 75 of the guidance which states that principal councils should consider whether any community governance review recommendation it makes will "undermine community cohesion in the area." For the reasons outlined in paragraph 4.6 and the lack of evidence of any connection between the two communities of the Parish, the Group did not feel that community cohesion would be "harmful" if the

Parish Wards of Bestwood St. Albans were split. Members did acknowledge that from the consultation feedback there was clear evidence of positive community cohesion both within the Top Valley and Bestwood Village communities individually but that this was not collectively across the whole Parish.

- 4.8 The guidance addresses issues around the size of parish and community councils. It concludes that there is no ideal maximum or minimum size for a parish council with populations served by parish councils ranging from 50 to over 40,000 electors. The guidance concludes that council size should “be based on natural communities...reflecting people’s expressed choices” and be reflective of “community identity and interest which is viable as an administrative unit of local government.” The average size of parish electorate in Nottinghamshire (according to the Nottinghamshire Association of Local Councils) is 1654 which showed the Member Group that both the Top Valley Parish Ward and the Village Parish Ward could be viable parish councils on their own in terms of population with 2573 and 1571 electors respectively.
- 4.9 Members went on to examine the issues surrounding boundaries. The Parish is currently divided into two Parish Wards with the ward boundaries being the same as the boundaries that separate parliamentary constituencies and county council divisions. It was concluded that the existing parish ward boundaries were defensible, logical boundaries.

Members decided to recommend the dissolution of the current Parish and the establishment of two new parishes.

5. Proposal

- 5.1 In accordance with the recommendations of the Member Reference Group it is proposed:
- 1) That a new Parish with a Parish Council is established to cover the area comprised of the Village Parish Ward named “The Parish Council of Bestwood Village.” The Parish Council should have seven members.
 - 2) That a new Parish with a Parish Council is established to cover the area comprised of the Top Valley Parish Ward named “The Parish Council of St. Albans.” The Parish Council should have nine members.
 - 3) That Elections shall be held in May 2018 for the new Parish Councils, with further elections held the year after to return the Parish Councils to the appropriate cycle of elections for all other Gedling Parishes.

- 4) The Parish Council for the Parish of Bestwood St. Albans should be dissolved and the Parish of Bestwood St. Albans abolished.
- 5.2 Section 93 of the Local Government and Public Involvement in Health Act 2007 requires Community Governance to be both “Reflective of identities and interests of the community of the area” and “effective and convenient.”

Community Governance being Reflective of identities and interests of the community of the area

- 5.3 The recommendations are made in the hope of creating "sustainable community that is well run with effective and inclusive participation, representation and leadership." The guidance also emphasises the importance of community cohesion. In making the recommendations the Council considers that community cohesion could thrive in the Village Parish Ward and Top Valley Parish Ward Communities if separate parish council were created. Although both areas had many priorities in common, such as concern over anti-social behaviour, a desire to improve the local environment etc, neither the consultation responses from local people and stakeholders nor the Council's own knowledge of the area showed any meaningful links between the two communities.
- 5.4 The guidance makes reference to the importance of recognising how “people perceive where they live.” From the consultation responses received there is evidence that people identify strongly with the area that they live and that this area is defined as one of the two existing parish wards. For example local residents groups have been established such as the Warren Action Group and the Village Vision Group. These groups show that there is a shared sense of community within each of the existing parish wards. However, there is has been no evidence presented of any “shared vision” that extend to the whole of the parish area. Consultation responses also described other groups, such as Scouts and the Women’s Institute, which operate within each of the parish wards but do not cut across both. From the evidence that the Council has available it is it has been concluded that two separate, distinct communities exist within the Parish and that those communities should each have individual democratic representation.
- 5.5 Some of the consultation responses made reference to communities in the two Parish Wards being “linked.” Although there is some historical and church related context that links the two areas, there is little evidence that the communities work together for a common purpose to support an “integrated and cohesive community” as defined by the DCLG guidance. Several responses refer to redressing the imbalance of the way the parish precept has been historically spent. Whilst it is understood why some

residents may be concerned by this, further “redressing” of the imbalance was not felt to be in the best interests of the communities as a whole.

Effective and convenient local government

- 5.6 Another key consideration for such reviews is that the new arrangements are "effective and convenient." The guidance states that a parish council has two main roles: "community representation and local administration" and that a parish should have a "distinctive and recognisable community of place, with its own sense of identity...delivering quality services economically and efficiently giving users of services a democratic voice in the decisions that effect them". It goes on to say that "local communities should have access to good quality local services ideally in one place." In the context of this review, the Council has made its recommendations with the aim of providing the two communities of the current parish "effective and convenient" parish governance so that localised services for each community can be designed and delivered by each of the new parish councils.
- 5.7 It is recognised that urban areas such as the Top Valley Parish Ward, are not traditionally represented by a parish council. However the Council recognises the 2006 white paper on parish councils which describes parish council as having an "increasing role" in urban areas. A number of consultation responses note that a resident's forum, or other such representation short of a parish council, would not be the preferred option for the community. In recommending a parish council for the area, the Council believes that community cohesion can be strengthened. As the guidance states "a parish is based on an area which reflects community identity and interest and which is of a size which is viable as an administrative unit of local government." It is considered that the recommendations address this point and that other forms of community representation, such as a residents' forum similar to the Warren Action Group, would not be the best solution as they do not represent enough of the community in question.
- 5.8 In making the recommendation for number of Councillors, Members had considered the DCLG guidance and the 1992 research by the Aston Business School. It was established that a typical Parish Council representing between 501 and 2500 electors had between 6 and 12 councillors and that there was no established “best practice” in this area.
- 5.9 In order to bring in the new arrangements elections would be held in May 2018 with further elections in 2019 to return the new Parishes to the established cycle of elections. This was felt to be the appropriate course of action to establish the new parish councils as soon as possible. Bringing

the new Parishes into line with the established election cycle for parishes would be more cost effective in the long term.

- 5.10 The Community Governance Review is being carried out in accordance with DCLG guidance and relevant legislation. In carrying out the review the Council has not simply agreed with the case that the petitioners have put. The draft recommendations have been made, after applying the guidance and legislation, and aim to propose a solution in the best interests of the entire community of Bestwood St. Albans.
- 5.11 It is acknowledged that there may be greater overall administrative costs associated with having two separate parish councils and additional elections. However, it is considered that two parish councils would better represent the communities that they each serve and that the size of each new parish, when compared with other parish councils, would make them viable.

6. Appendices

- Appendix 1 - Summary of Warren Action Group Survey
- Appendix 2 - Sample of pro forma survey response distributed and submitted by Village Parish Ward Parish Councillors

7. Recommendations

That:

- 1) The Director of Organisational Development and Democratic Services publishes draft proposals for the future governance arrangements of Bestwood St Albans Parish as outlined in paragraph 5.1 above.
- 2) Public consultation takes place between 6 March and 1 May as required in the Terms of Reference for the review;
- 3) A report is submitted to Council in July 2017, as required by the Terms of Reference for the review, summarising consultation responses and bringing the Community Governance Review to its conclusion.