

Committee Name and Date of Committee Meeting

Council – 22 July 2020

Report Title

Community Governance Review - Ravenfield Parish Council
Outcome of Consultation

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Services

Report Author(s)

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Ward(s) Affected

Wickersley
Silverwood
Hellaby

Report Summary

A report providing a summary of the consultation responses received in respect of the Community Governance Review being undertaken by the Council following the receipt of a petition from Ravenfield Parish Council.

Recommendations

1. That the proposed outcome of the Community Governance Review is that there be no change to the current arrangements in respect of the Parish boundary between Ravenfield and Bramley.
2. That a further period of consultation as set out at paragraph 4.2 be undertaken in respect of the proposed outcome of the Community Governance Review (as stated at Recommendation 1).

List of Appendices Included

- Appendix 1 First page of Petition
- Appendix 2 Map of affected area
- Appendix 3 Analysis of consultation responses received
- Appendix 4 Consultation Response from Bramley PC

Background Papers

Report to Council 30th October 2019

Terms of Reference approved 30th October 2019

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Community Governance Review - Ravenfield Parish Council Outcome of Consultation

1. Background

- 1.1 As Members will recall, on 3rd May, 2019, the Council received a petition from Ravenfield Parish Council requesting that a Community Governance Review (“CGR”) be undertaken in the Ravenfield Parish in respect of the Parish boundary. The first page of the petition is at Appendix 1. The petition is a valid petition under the provisions of the Local Government and Public Involvement in Health Act, 2007 (“the Act”), which devolved the power to take decisions about matters such as this to the Council, as “Principal” Council in these circumstances.
- 1.2 The petition requested that a CGR be undertaken with a view to altering the existing boundary of the Parish of Ravenfield. A map of the existing Parish boundary and the amendment proposed by Ravenfield Parish Council is at Appendix 2.
- 1.3 The reasons stated by Ravenfield Parish Council for the proposed amendment are as follows:

“This is a petition addressed to Rotherham Metropolitan Borough Council under section 88 of the Local Government and Public Involvement in Health Act 2007 (as amended by the Legislative Reform ((Community Governance Reviews) Order 2015 (hereinafter referred to as “The Act”)

We the undersigned, request that Rotherham Metropolitan Borough Council change the boundary between Bramley and Ravenfield Parishes under Community Governance Powers granted to them under legislation. The boundary between Moor Lane South and Lidget Lane should be moved south to a line stretching from the southern border of site LDF0774 (Rotherham Local Plan) running from Moor Lane South eastward to Lidget Lane (identified as a red line on the map attached to the petition.

The request is made due to the change of use on LDF0774 to residential and the inevitable increase in population. Residents of the new housing will live in the community of Ravenfield and use Ravenfield village facilities. The current boundary would create an anomalous situation and be harmful to community cohesion.”

2. Key Issues

- 2.1 Members will recall that Terms of Reference for the CGR were agreed at the Council meeting on the 30th October, 2019. As stated above, and in the Terms of Reference, the CGR is specifically considering whether to alter the existing boundary and thereby area of the Parish of Ravenfield.
- 2.2 Consultation in accordance with the Terms of Reference has been undertaken, including:

- A leaflet regarding the CGR was delivered to all addresses in the two affected Parishes;
- Terms of Reference of the Review have been published on the Council's website with an opportunity for electors to make comment;
- A drop-in session was organised in both affected Parishes with facility for further information to be provided and residents to express their views;
- Ward Councillors representing the area affected by the Review were written to and provided with the Terms of Reference of the CGR;
- Terms of References were provided to local MPs, Rotherham CCG, SY Police and local businesses.

2.3 A total of 520 consultation responses have been received by means of website submissions, e-mails, letters and handwritten consultation forms submitted at the drop in sessions, and to the Clerks of the affected Parish Councils.

2.4 An overarching analysis of the Consultation responses is set out below:

In this analysis the options are:

- Option 1: Boundary to remain the same
- Option 2: Boundary to be amended as requested by Ravenfield Parish Council

Option 1	Option 2
353	163
68%	32%

Four website responses were received which did not express a preference between Option 1 and Option 2.

The number of responses and the means of submission is set out below:

Email response	Website response	Posted response
41	150	329
8%	29%	63%

An overview of the reasons stated within the consultation responses is at Appendix 3.

In summary, generally residents of Bramley were in favour of Option 1. They felt that the residents of the proposed new development would use the facilities and services within Bramley, and therefore Bramley PC should receive the Community Infrastructure Levy money and present from the proposed new development. Further many residents of Bramley felt that there would be increased traffic from the proposed development through their village, and that therefore they should benefit from increased income to their Parish Council.

In general, residents of Ravenfield were in favour of Option 2. In contrast to the above responses, they felt that the residents of the proposed new development on Moor Lane, South would be more likely to use the facilities and services in Ravenfield due to the proximity of the proposed development to the centre of Ravenfield, and therefore felt that Ravenfield Parish Council should benefit from the Community Infrastructure Levy and precept from the proposed new houses.

2.5 As part of the consideration of residents' views in relation to this CGR, it should be borne in mind that to trigger the CGR in the first instance, a valid petition was submitted, which contained 258 signatures in favour of Option 2 above, namely the boundary being moved as requested by Ravenfield Parish Council. Clearly some of the signatories to that petition will have subsequently responded to the consultation.

2.6 A formal response to the consultation submitted by Bramley Parish Council is at Appendix 4.

3. Options considered and recommended proposal

3.1 As referred to above the options set out in the consultation were as follows:

1. No change to the existing arrangements
2. Reducing the existing parish of Bramley and extending the Parish of Ravenfield to include the land allocated for residential use adjacent to Moor Lane South, proposed by the petition from Ravenfield Parish Council.

3.2 Taking into account the outcome of the consultation, along with the comments submitted in the consultation responses, the arguments put forward by both Parish Councils, the fact that it has not been possible to consult with residents of the relevant area as no houses within the proposed development are built yet, and the considerations set out at Paragraph 7 below, the recommended proposal is Option 1, no change to the existing arrangements.

3.3. If Option 1, as referred to above, is approved, then the Act states that there could not be a further CGR in respect of the same issue for two years. In those circumstances should a further CGR be undertaken, sometime after that two year period, it may be that some or all of the houses on the potential residential development at Moor Lane South will have been built and occupied and as such, consultation with those centrally effected future residents may take place. This would enable an evidenced based conclusion to be drawn as to the relative impact of the proposed development.

4. Consultation on proposal

4.1 As set out above extensive consultation has taken place in coming to the recommendations above.

4.2 Further consultation will take place upon the proposal following this meeting. The proposed outcome of the Community Governance Review will be put on the Council's website between 24th July 2020 and 30th August 2020, and residents' views will thereby be sought as to the proposal.

5. Timetable and Accountability for Implementing this Decision

5.1 A further report will be brought back to Council in September 2020, taking into account the further consultation, with a final recommendation.

5.2 If amendments to the Parish boundaries are recommended (as in Option 2) those changes would come into effect in April 2021.

6. Financial and Procurement Advice and Implications

6.1 There are no direct financial implications to the Council from the recommendation that there will be no change to the current arrangements in respect of the Parish boundary between Ravenfield and Bramley. The recommendation will not impact the methodology for how Parish precepts are calculated and how Community Infrastructure Levy (CIL) payments are applied. A total of 15% of the CIL contribution from a housing development is paid across to the Parish Council where the development is located, this is increased further to 25% if the Parish Council has a neighbourhood plan. As it is proposed the boundaries will not be changed, the distribution of the CIL contribution will not change.

6.2 The report recommends a further period of consultation as set out at paragraph 4.2 be undertaken in respect of the proposed outcome of the Community Governance Review. The cost of this consultation will be covered within the Councils existing budget. Further, there are no direct procurement implications arising from the recommendations detailed in this report.

7. Legal Advice and Implications

7.1 Under S.93(4) of the Act when considering the consultation responses, the Council is bound to have regard to the need to secure that community governance within the area under the review:-

- Reflects the identities and interests of the community in that area; and,
- Is effective and convenient.

7.2 Further, Guidance on Community Governance Reviews (issued by the Department for Communities and Local Government and the Local Government Boundary Commission for England in March 2010) [the Guidance] required consideration to be given to:-

- The impact of community governance arrangements on community cohesion;
- The size, population and boundaries of the local community or parish.

8. Human Resources Advice and Implications

8.1 None

9. Implications for Children and Young People and Vulnerable Adults

9.1 None

10. Equalities and Human Rights Advice and Implications

10.1 None

11. Implications for Ward Priorities

11.1 None

12. Implications for Partners

12.1 If the recommended option as set out above is adopted then the Parish Council boundaries between Ravenfield and Bramley will remain the same.

13. Risks and Mitigation

13.1. None

14. Accountable Officers

Bal Nahal, Head of Legal Services

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	14/07/20
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	14/07/20
Head of Legal Services (Monitoring Officer)	Bal Nahal	14/07/20

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