

Committee Name and Date of Committee Meeting

Council - 30 September 2020

Report Title

Community Governance Review - Ravenfield Parish Council
Final Outcome

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)

Bal Nahal, Head of Legal Services
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Ward(s) Affected

Wickersley
Silverwood
Hellaby

Report Summary

A report providing a summary of the final 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. The report recommends a final outcome to the Review.

Recommendations

1. That the final 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.

List of Appendices Included

Appendix 1 First page of Petition
Appendix 2 Map of affected area

Background Papers

Report to Council 22nd July 2020
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 Final Outcome

1.	Background
1.1	As Members will recall, on 3 rd 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	<p>The reasons stated by Ravenfield Parish Council for the proposed amendment are as follows:</p> <p><i>“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”)</i></p> <p><i>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.</i></p> <p><i>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.”</i></p>
2.	Key Issues
2.1	Members will also recall that Terms of Reference for the CGR were agreed at the Council meeting on the 30 th October, 2019. As part of the CGR process set out in the Terms of Reference the outcome of the Consultation which was undertaken was reported to Council on 22 July 2020. As set out in that report the outcome of the consultation was broadly that the majority of consultees felt that the boundary should remain in the same place, and as such that there should be no change to the current arrangements in respect of the Parish boundary between Ravenfield and Bramley. As such the Council resolved that the proposed outcome of the Community Governance Review was that there be no change to the current arrangements in respect of the Parish boundary between Ravenfield and Bramley.

2.2	Following the report of the 22 nd July 2020, and the Council's resolution as to the proposed outcome of the CGR, a further period of consultation as set out in the Terms of Reference has been undertaken in respect of that proposed outcome. This further period of consultation is included in the timetable largely due to the possibility at the outset of the process of consultation on any proposed order. As set out in the Council report of the 22 nd July 2020, the proposed outcome of the CGR was published on the Council's website between 24 th July and 30 th August 2020.						
2.3	A total of 243 consultation responses have been received by means of website submissions.						
2.4	<p>The Consultation responses were as follows:</p> <table border="1" data-bbox="284 683 833 936"> <thead> <tr> <th data-bbox="284 683 549 792">Agree with the proposed outcome</th> <th data-bbox="549 683 833 792">Disagree with the proposed outcome</th> </tr> </thead> <tbody> <tr> <td data-bbox="284 792 549 866">140</td> <td data-bbox="549 792 833 866">103</td> </tr> <tr> <td data-bbox="284 866 549 936">58%</td> <td data-bbox="549 866 833 936">42%</td> </tr> </tbody> </table>	Agree with the proposed outcome	Disagree with the proposed outcome	140	103	58%	42%
Agree with the proposed outcome	Disagree with the proposed outcome						
140	103						
58%	42%						
3.	Options considered and recommended proposal						
3.1	<p>As referred to above the options set out in the substantive consultation were as follows:</p> <ol style="list-style-type: none"> <li data-bbox="284 1149 951 1184">1. No change to the existing arrangements <li data-bbox="284 1211 1374 1352">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. <p>Substantial consultation was undertaken in respect of the above options, and as stated above reported to the Council meeting of 22 July 2020.</p>						
3.2	The proposed outcome of the CGR has been consulted upon and the majority of responses are in agreement with the proposed outcome. The recommended final outcome of the CGR is therefore that there be no change to the current arrangements in respect of the Parish boundary between Ravenfield and Bramley.						
3.3.	If the recommendation 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 in the report of 22 July 2020, extensive consultation was undertaken in arriving at the proposed outcome of the CGR.
4.2	As set out above, further consultation has been undertaken in respect of the proposed outcome of the Community Governance Review.
5.	Timetable and Accountability for Implementing this Decision
5.1	If the recommendation is approved, no further action will be required to implement the decision.
5.2	If amendments to the Parish boundaries were to be undertaken (not recommended) 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 cost of this consultation will be covered within the Councils existing budget. 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:- <ul style="list-style-type: none"> • 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:- <ul style="list-style-type: none"> • 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 recommendation is approved 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
	01709 823361 - bal.nahal@rotherham.gov.uk

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	17/09/20
Head of Legal Services (Monitoring Officer)	Bal Nahal	15/09/20

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This report is published on the Council's [website](#).