

Full Council

14 February 2023

Community Governance Review – Parishes in the Vale of Allen group, the Winterborne Farringdon group, Chickerell and Weymouth - Draft Recommendations

For Decision

Portfolio Holder: Cllr S Flower, Leader of the Council

Local Councillor(s): Vale of Allen – Cllrs P Brown and R Cook
Winterborne Farringdon – Cllr R Tarr
Chickerell – Cllrs J Dunseith and J Worth
Weymouth – Cllrs P Barrow, T Ferrari, D Gray, R Hope, B Heatley, H Legg, L O’Leary, J Orrell, C Sutton, G Taylor and K Wheller
Portland – Cllrs S Cocking, R Hughes and P Kimber

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Report Status: Public

Brief Summary:

To agree Draft Recommendations for Community Governance of the parishes forming the Vale of Allen Grouped Parish Council, (namely Crichel, Gussage All Saints, Gussage St Michael, Hinton and Witchampton), the parishes forming the Winterborne Farringdon Grouped Parish Council (namely Bincombe, Whitcombe, Winterborne Came, Winterborne Herrington and Winterborne Monkton) and also the parishes of Chickerell and Weymouth to be published for public consultation between 20 February 2023 and 17 April 2023.

Recommendation:

1. That the proposals set out in Appendix 1 be adopted by the Council as Draft Recommendations for the purposes of the Community Governance Review.
2. That the Draft Recommendations be published for consultation purposes from 20 February 2023 to 17 April 2023 inclusive.
3. That the results of the consultation, together with proposed Final Recommendations, be reported to Full Council on 11 May 2023.

Reason for Recommendation: To ensure that community governance arrangements within the areas specified are reflective of the identities and interests of the community in that area and achieve electoral equality.

1. Why is the Council undertaking a review?

- 1.1 A community governance review looks at the governance arrangements of parishes in the area under review and, in accordance with legislation and the Guidance issued by the Local Government Boundary Commission for England, seeks to ensure that these are reflective of the identities and interests of the community in that area, and achieve electoral equality.
- 1.2 In July 2022, Dorset Council published final recommendations following a review of all parishes falling within the Dorset Council area. In making final recommendations, Full Council agreed that the parishes within the Vale of Allen grouped parish council, Chickerell, Weymouth and the parishes within the Winterborne Farringdon grouped parish council be removed from the final recommendations. Substantial alternative proposals were submitted in response to draft recommendations in respect of these parishes and Full Council believed that further public consultation should be undertaken to seek residents' views on these proposals. The Community Governance Review legislation requires that any Review is concluded within 12 months of the publication of the Terms of Reference, so it was not possible for further consultation to be undertaken as part of the earlier Review that concluded in July 2022. For that reason, these parishes were removed from the Review, and, on 20 October 2022, Full Council agreed [Terms of Reference](#) for a further Review in respect of these parishes only - no other parishes were to be considered as part of this further Review, unless affected by any proposals. This enabled full consultation to be undertaken with local residents and other interested parties that would be affected by any governance changes that might be agreed.
- 1.3 In undertaking the Review, Dorset Council ("the Council") will comply with the requirements of Part 4 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act") and the relevant parts of the Local Government Act 1972, and have regard to Guidance on Community

Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010.

2. What is a Community Governance Review?

- 2.1 A Community Governance Review is a legal process whereby the Council will consult with those living in the area, and other interested parties, on the most suitable ways of representing the people in the area identified in the review. This means making sure that those living in the area, and other interested groups, have a say in how their local communities are represented.
- 2.2 Section 93 of the 2007 Act allows principal councils to decide how to undertake a Review, provided that it complies with certain duties in that Act including details set out relating to consultation, the need to ensure any proposals reflect the identities and interests of the community in that area and is effective and convenient. The Council has to publish its recommendations but the manner in which the Council consults with its residents is not prescribed.

3. Initial Submission responses received

- 3.1 On 20 October 2022, Full Council approved terms of reference for a Community Governance Review for certain parishes in the Council area, looking at the existing governance arrangements and inviting representations from local councils, residents and any interested parties in respect of current and future governance arrangements.
- 3.2 Between 1 November 2022 and 28 December 2022, Dorset Council published a number of proposals for public consultation in respect of the areas under Review. As part of the consultation process, responders were invited to make alternative proposals to those published by the Council.
- 3.3 Initial submissions were reviewed by a Working Group made up of the Group Leaders and Deputy Group Leaders in preparing the Draft Recommendations set out at Appendix 1. A report of all submissions received can be viewed on the Review webpage [here](#).
- 3.4 The Draft Recommendations, once agreed, will be subject to a further period of public consultation between 20 February and 17 April 2023.

4. **Considerations in preparing Draft Recommendations**

- 4.1 In preparing draft recommendations for consideration, the Working Group has taken into consideration the Local Government Boundary Commission for England's (LGBCE) report that was prepared for the creation of Dorset Council. The LGBCE state that their final recommendations reflect the three statutory criteria of:

- Equality of representation
- Reflecting community interests and identities
- Providing for effective and convenient local government

The LGBCE concluded that their final recommendations for Dorset Council “provide for good electoral equality while reflecting community identities and interests where we have received such evidence during consultation.”

- 4.2 Whilst the Working Group recognised that Dorset Council are not bound by the same rules as the Commission in terms of reflecting principal council ward boundaries, the Guidance says that the principal council “should be mindful of the provisions of Schedule 2 (electoral change in England: considerations on review) to the Local Democracy, Economic Development and Construction Act 2009 in relation to reviews of district or London borough and county council electoral arrangements. These provide that when the LGBCE is making changes to principal council electoral arrangements, no unwarded parish should be divided by a district or London borough ward or county division boundary, and that no parish ward should be split by such a boundary. While these provisions do not apply to reviews of parish electoral arrangements, the LGBCE believes that, in the interests of effective and convenient local government, they are relevant considerations for principal councils to take into account when undertaking community governance reviews.”. This Guidance was reiterated by the LGBCE when advice was sought and they responded on 25 May 2022 advising “The Council are not bound by the same rules as the Commission in terms of reflecting principal council ward boundaries, so you don't have to recommend a parish ward that follows the Dorset Council ward boundary. However, in the spirit of effective and convenient local government, our view would be that it might be advisable to do so.”
- 4.3 This was a principle that the Working Group strictly applied to all parishes in the 2021 Review that was concluded last year, and it is important to ensure that the same principles are applied to the current Review to ensure consistency and equity in the Review decision.
- 4.4 With regard to Council Size (the number of Councillors elected to a town/parish council), the LGBCE Guidance refers to research undertaken by Aston Business School in 1992 and also to a circular published by the

National Association of Local Councils (NALC) which broadly reflected the findings of the research undertaken in 1992. Whilst the circular is no longer promoted by NALC, the Guidance states that the pattern of Council size “appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government”. Whilst each council should be considered on its own merits, the Guidance requires the Council to bear in mind “that the conduct of parish council business does not usually require a large body of councillors” and says that a parish council’s budget and planned or actual level of service provision may be important factors in reaching conclusions on council size.

5. Draft recommendations

5.1 Parishes forming the Vale of Allen Grouped Parish Council

5.1.1 Eleven responses were received from residents or interested parties in respect of proposals affecting the parishes forming the Vale of Allen Grouped Parish Council, together with responses from the Vale of Allen Grouped Parish Council and Holt Parish Council.

5.1.2 All responses in respect of moving the community of Bradford from Pamphill parish to Witchampton parish were supportive of this proposal.

5.1.3 Four respondents and Holt Parish Council did not support the proposals with regard to governance arrangements for Gaunts Common which it was felt, by many, should sit within the Holt Parish Council.

5.1.4 The Draft Recommendation of the Working Group is set out in Appendix 1.

5.2 Option 1 and Option 2 – Weymouth, Chickerell and parishes forming the Winterborne Farringdon Grouped Parish Council ([Options consulted upon](#))

5.2.1 Eight responses were received from residents or interested parties in support of Option 1.

5.2.2 Thirty responses were received from residents or interested parties in support of Option 2, together with a submission in support from one Dorset Councillor representing the Chickerell Ward. Chickerell Town Council responded in support of Option 2.

5.2.3 Seventeen responses were received from residents or interested parties and the Dorset Council Ward Member that didn’t indicate whether they preferred Option 1 or Option 2 but objected to the proposed Warding arrangements for the current Littlemoor Ward of Weymouth Town Council.

5.2.4 Responses were also received from Winterborne Farringdon Grouped Parish Council that supported the proposals in part, and opposed the proposals in part.

5.2.5 Weymouth Town Council made a submission that didn't support either Option 1 or Option 2 but, instead, submitted an alternative option. The Weymouth Town Council proposals was supported by a Weymouth Town Councillor who made an individual submission.

5.2.6 The Draft Recommendation of the Working Group is set out in Appendix 1.

6. Implementation

6.1 Following the close of public consultation in respect of the Draft Recommendations, the Working Group will consider the responses received and propose Final Recommendations to Full Council for consideration. If Full Council chooses to accept the Final Recommendations of the Review, concluded after public consultation, it will be necessary to prepare a Reorganisation Order and publish this, making maps available for public inspection. There are also various bodies that must be notified of the changes including the Local Government Boundary Commission for England.

6.2 Any changes to governance arrangements of the parishes will form a Reorganisation Order that will take effect on 1 April 2024 in readiness for the next scheduled parish elections in May 2024.

7. Financial Implications

7.1 There are no financial implications to Dorset Council associated with this report.

8. Environmental Implications

8.1 There are no environmental implications associated with this report.

9. Well-being and Health Implications

9.1 There are no well-being and health implications associated with this report.

10. Other Implications

10.1 There are no other implications associated with this report.

11. Risk Assessment

11.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

12. Equalities Impact Assessment

12.1 A detailed Equalities Impact Assessment has been prepared for the earlier Review that also relates to this Review and can be found attached to the Full Council report on 15 July 2021 [here](#).

13. Appendices

Appendix 1 – Draft Recommendations

Background Papers

[Local Government Boundary Commission for England - Guidance on Community Governance Reviews](#)