

Review of Community Governance in the Parishes of Hagley and Clent by Bromsgrove District Council

Final Recommendations

On 1 October 2014 the Bromsgrove District Council ["BDC"] approved and published terms of reference to conduct a Community Governance Review covering the parished areas of Hagley and Clent. The terms of reference were to consult and consider whether the proposal submitted from Hagley Parish Council, was convenient and reflective of the identities and interests of the community in that area.

Background

Hagley Parish Council submitted a qualifying petition from the requisite number of local electors, in the following terms:

"We, the undersigned, support the proposal for Hagley Parish's boundary to be altered to include the proposed Transfer Area, shown on the plan on the reverse of this sheet. We formally request that Bromsgrove District Council undertake a Community Governance Review and consider our request".

Plan 1 appended to this document is the plan referred to BDC members to consider options for consultation, including the petition proposal. It illustrates the difference between options 1 and 2 as set out below. This plan also illustrates the two different types of area included in the petition; the residential part (marked "A") and the other area/s, currently unoccupied (both marked "B"). It is anticipated that future housing development will take place in areas "B".

The village of Hagley has grown over the years. The proposed transfer area ("A") includes a number of residential roads which would appear to be part of the village but which are, in fact, located within the parish of Clent, including a road where houses on opposite sides are in different parishes. The stated objective of Hagley Parish Council is to achieve community cohesion for the village, as it currently exists "de facto" and as it continues to develop in the future.

The number of electors in the parishes currently are:

Parish	Parish Ward	Number of Electors
Clent	Clent West	1,061
	Clent East	934
Hagley	Hagley East	2,078
	Hagley West	1,550
	Hagley South	121

The figure highlighted in "Clent West" is the number of electors in the area proposed to be transferred to Hagley.

The second plan attached illustrates Clent Parish, with the village of Clent and its surrounding rural areas as it is currently, with the proposed transfer area adjacent to Hagley village, hatched.

Initial Consultation

Consultation took place with households and stakeholders in the area between 1 November, 2014 and 30 January, 2015. Consultees were asked to select between the four following options:

Option 1 – to adopt the proposed change as set out in the petition

Option 2 – to adopt the change as proposed by Bromsgrove District Council.

Note

This option was proposed by BDC. It would transfer the area already containing residential properties (area “A”) but not the undeveloped sites (areas “B”). This option would have maintained the District Wards, as settled in the Local Government Boundary Commission for England (“LGBCE”) review of 2014 and avoid the need to apply to LGBCE for a consequential alteration following a review.

Option 3 – that no change be undertaken; or

Option 4 – to make an alternative proposal.

Electoral Reform Services [“ERS”], on behalf of the Council, sent notification of the options to all households within the electoral areas of Clent and Hagley parish councils, along with an opportunity to vote on the proposals. If more than one person within a household wished to respond to the consultation, they could do so by responding individually to the Council’s consultation.

Consultation letters were sent to local public representatives and the affected parishes. The Council had also advertised the review and consultation in the local media and via social media and the consultation document and response form was made available on the Council’s website.

Responses on Initial Consultation

In response to the ERS ballot, a total of 1,316 responses were received from households in the parishes of Hagley and Clent, a turnout of 46%. Of this number, the results were:

Option 1 – 75.4%

Option 2 – 4.6%

Option 3 – 19.8%

Option 4 – 0.2%

The alternative suggestion under Option 4 was to amalgamate the two parish councils.

There were 2 responses from statutory consultees: Hagley Parish Council submitted a “Feasibility Study” in support of Option 1. A letter from the chairman of Clent Parish Council indicated that Clent was a reluctant participant in the review, as Clent PC had not asked for it to take place and did not support a change to the boundary.

There were 358 responses to the BDC open consultation, as follows:

Option 1 – 345

Option 2 – 4

Option 3 – 9

Option 4 – 0

Analysis of the responses on the initial consultation

The responses from the consultation indicated a clear majority support for there to be a change to the current governance arrangements in the area by a transfer of the area identified in the petition from Clent to Hagley parish council area.

The Law, Duties and Guidance

Under section 93 of the Local Government and Public Involvement in Health Act 2007, a Principal Council must comply various duties when undertaking a community governance review, including:-

- i. It must have regard to the need to secure that community governance within the area under review:
 - a. reflects the identities and interests of the community in that area;
 - b. is effective and convenient.

- ii. In deciding what recommendations to make, the Council must take into account any other arrangements, apart from those relating to parishes and their institutions:
 - a. that have already been made, or
 - b. that could be made

for the purposes of community representation or community engagement in respect of the area under review.

- iii. The Council must take into account any representations received in connection with the review.

Under Section 100 of the Act, the Council must have regard to guidance issued by the Secretary of State. In March 2010 Communities and Local Government and the Local Government Boundary Commission for England Community Governance Reviews, published guidance on community governance reviews.

The guidance refers to a desire to help people create cohesive and economically vibrant local communities and states that an important aspect of this is allowing local people a say in the way their neighbourhoods are managed. The guidance also states that the Council must have regard to the need to secure community governance within the area under review reflects the identities of the community in the area and is effective and convenient.

The guidance also acknowledges that how people perceive where they live is significant in considering the identities and interests of local communities and depends on a range of circumstances, often best defined by local residents.

In this case, the majority of the residents who responded to the consultation have stated that they wished to see the changes to the current governance arrangements as set out in the petition.

Draft Recommendations

Following a meeting of BDC Electoral Matters Committee on 26 March 2015, Option 1 became the draft recommendation to be further consulted on for a period of three months from 1 April 2015 to 30 June 2015. In addition to the posting of the consultation on the council's website, letters were sent to Hagley and Clent parish councils, requesting that they publicise the consultation within their localities, and the web page was updated.

BDC received 115 responses to the further consultation. The results were:
111 supported the draft recommendation;
3 supported "no change"; and
1 consultee suggested that the two parish councils should be amalgamated.

Of the 111 responses in support of the draft recommendation, between 36 – 39 (2-3 are unclear) were from residents who currently live within Clent parish council area but who identify with the village of Hagley and who support the proposed transfer from Clent to Hagley.

Final Recommendation

Taking into account the guidance, the statutory obligations and the results of the consultation exercise and the responses received following the publication of the draft recommendations, the final recommendation for the Electoral Matters Committee is that the community governance arrangements in the parished areas of Hagley Parish and Clent should be changed to reflect the proposal contained in the originating petition, which became Option 1 of the original consultation, and subsequently became the Council's draft Recommendation.

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