

Review of Community Governance in the Parishes of Cassop-cum-Quarrington and Shincliffe by Durham County Council

Final Recommendations

On 20 March 2013 the County Council approved and published terms of reference to conduct a Community Governance Review in the parishes of Cassop-cum-Quarrington and Shincliffe.

The terms of reference were to consider:

- Whether the area referred to as the Bell Ward of Shincliffe Parish Council should remain in the current parish or be transferred to Cassop-cum-Quarrington parish; and,
- if the request was granted, to review the Council size and warding arrangements of both parishes to ensure that they accorded with relevant legislation.

Background

An Electoral Review of Durham County Council was carried out by the Local Government Boundary Commission for England (LGBCE), between 2008 and 2011.

Prior to this review, Shincliffe Parish Council comprised seven councillors (council size) with no warding arrangements (un-warded). One of the consequential arrangements which arose from the recommendations of the LGBCE's electoral review, saw the creation of two parish wards:-

- Shincliffe parish ward (returning six parish councillors) and;
- Bell parish ward (returning one parish councillor).

The parish wards were created because the parish of Shincliffe would have been divided by different Electoral Divisions. Recommendations arising from electoral reviews can occur and measures must be taken to ensure that each parish ward lies wholly within a single Electoral Division, hence the need for the creation of a parish ward in this area. The LGBCE could not, as part of their review, recommend changes to the external boundaries of parishes.

The request to undertake a community governance review was by way of joint representation from both Cassop-cum-Quarrington and Shincliffe Parish Councils. Supported by local evidence, they suggested that residents living in an area of new housing development on the former Cape Site, Bowburn along with residents moving into the area would look to the village of Bowburn for their immediate local services such as doctors, leisure services, social activities and shopping.

The Bell Parish Ward took in the area of the former Cape site, an area which at the time consisted of around 110 properties and some 148 electors. This was evidenced further in the recommendations of the LGBCE during the County Council's electoral review that the LGBCE were persuaded that "the development of the Cape Site would be an integral part of Bowburn village".

The terms of reference provided for an initial consultation exercise to commence on 7 May 2013, following the local elections.

Initial Consultation

Initial consultation took place with households in the Bell Parish Ward of Shincliffe Parish Council between 7 May and 14 June 2013 given that this was the area that would be directly affected by the proposal. Households were provided with background information and were asked if they agreed with the proposal put forward to extend the boundary of Cassop-cum-Quarrington Parish Council to include the Bell Ward area of Shincliffe Parish Council. Comments were also sought from the local Member of Parliament, County Durham Association of Local Councils (CDALC), local County Councillors and Durham Area Action Partnership.

Analysis of Responses

A total of 41 responses were received – 25 responses were in agreement with the proposal, while 16 respondents were against the proposal. The purpose of the initial consultation was to gauge the opinion of residents living in the Bell Ward given that there had been an indication from both Parish Councils that people living in the affected area would be in favour of the proposal. Whilst there appeared to be some local desire to transfer the Bell Ward area to Cassop-cum-Quarrington Parish Council, it was considered necessary to undertake further detailed consultation with the affected households in the Bell Ward, as there was no clear steer either in support of, or in opposition to, the proposal. During the course of the consultation residents had indicated a preference to receive more detailed information before they could make an informed choice.

Following consideration by the County Council at its meeting held on 24 July 2013, a further stage of public consultation with households in the Bell Ward area was approved.

Second Consultation

The second consultation was more detailed in nature and comprised:

- a more comprehensive summary of the proposals;
- the current size and warding arrangements of both Parish Councils;
- the 2012/13 and 2013/14 precept for both Parish Councils.

Households were also asked to indicate how strongly they agreed or disagreed with the proposal. Those disagreeing were asked to comment on their reasons for opposing the transfer of the area.

Comments were also sought from the local Member of Parliament, CDALC, local County Councillors and Durham Area Action Partnership.

As part of this consultation, officers held two drop-in sessions (afternoon and evening) for any residents to discuss and query any aspects of the review directly with officers. The sessions generated little interest.

Analysis of Responses

19 paper responses were received to the consultation, as follows:

Response	No of returns
Strongly Agreed	5
Agreed	4
Disagreed	0
Strongly Disagreed	10
Don't know	0

Several respondents who disagreed with the proposals expanded on their concerns, which are summarised below with the Council's response to those concerns:

Concerns expressed	Comments
Impact on access to schools	Transferring the Bell Ward area into Cassop-cum-Quarrington Parish Council would not affect access to schools. Parents do have the right to express a preference for the schools/academies they wish their children to attend. Sometimes there are not enough places to accommodate every child, simply because each school/academy has an admission limit set each year. Where any school/academy was oversubscribed the Authority would apply over-subscription criteria. Durham County Council does not operate "catchment areas". Parish Council boundaries are not a consideration when school places are allocated.
Potential devaluation of property and land	Any recommendations would not affect or result in any changes to an address or postcode. Officers are not aware of any evidence whereby recommendations would have an impact on house prices or insurance premiums
Representation of electorate represented by Parish Councillors	The proposal to transfer the Bell Ward area from Shincliffe Parish to Cassop-cum-Quarrington Parish would have minimal impact on the electorate/councillor ratio. The current ratio of electorate to councillor for both Parish Council's is as follows:- Shincliffe Parish Council - 222 electors per Councillor Cassop-cum-Quarrington Parish Council - 256 electors per Councillor

CDALC had no comments to make on the review and were prepared to leave it for the outcome of the review to shape the way forward for the local communities.

The results from the second round of consultation were considered by the Council's Constitution Working Group on 5 September 2013. Following due consideration the Group resolved to recommend to Council that the transfer of the Bell Ward of Shincliffe Parish Council to Cassop-cum-Quarrington Parish Council should be **APPROVED**.

The main grounds for concern expressed during the consultation, which centred around the impact on access to schools, potential devaluation of property and land and the number of electorate represented by Parish Councillors, were addressed as part of the consultation.

Parish Council boundaries are not a consideration when school places are allocated and the transfer of the Bell Ward would not result in any changes to addresses or postcodes. Indeed, addresses and postcodes in the Bell Ward area are both detailed as Bowburn and there is no clear separation of the Bell Ward properties from the Bowburn settlement.

It was clearly more convenient for residents of the Bell Ward to use the facilities in Bowburn, for example, doctors, chemist, shops and community centre as there are no similar facilities within the Shincliffe Parish Council area.

During the Electoral Boundary Review of the County Council, the Bell Ward area was considered and identified as part of Bowburn and included within the Coxhoe Electoral Division.

Taking these points into consideration and the fact that both Parish Councils were in support of the transfer, the Constitution Working Group took the view that the area known as the Bell Ward of Shincliffe Parish Council should be transferred to Cassop-cum-Quarrington Parish Council.

Final Consultation

The decision to transfer the Bell Ward area to within the Cassop-cum-Quarrington Parish boundary, triggered a further stage of consultation to enable the Council to consult with households in Cassop-cum-Quarrington and Shincliffe and to ensure that all the requirements set out in the terms of reference would be met.

Cassop-cum-Quarrington

The size and warding arrangements of Cassop-cum-Quarrington Parish Council needed to be addressed given that the proposal was to transfer an additional area to be included within the parish boundary. The consultation in this area was with households within the Cassop-cum-Quarrington parish and also to those households that it was proposed to transfer and addressed the following issues:

- warding arrangements;
- the drawing up of appropriate ward boundaries if required;
- the number of councillors to be elected to the parish council; and
- the number of councillors to be elected per ward should warding arrangements be introduced

The Council consulted on three options that were considered viable and adherent to guidance and legislation for the future arrangements of the parish.

Option	Comment
A separate ward called the 'Bell Ward' could be created resulting in Cassop-cum-Quarrington having three Wards.	The County Council was not minded to support this option as the Bell Ward would be too small and bear no resemblance to the current existing warding pattern.
The area could be merged with the West Ward of the Parish	Consideration would then be needed as to the level of representation between the East and West Ward to ensure a fair level of representation of councillors per electors (the County Council's preferred option).
The removal of all warding arrangements for the whole parish meaning a reduction of the Council size from 15 to 12 Councillors	The County Council did not believe that the removal of all warding arrangements with a Council size of fifteen would be in the interests of convenient local government or would be practicable in terms of administrative purposes, such as elections. Twelve Councillors would be a more convenient Council size should no warding arrangements be proposed.

Comments were also sought from Cassop-cum-Quarrington Parish Council, local Member of Parliament, CDALC, local County Councillors and the local Area Action Partnership.

Analysis of Responses

97 responses were received to the consultation and are summarised in the following table:

Response	No of returns
Expressed a preference to merge the Bell Ward with the current West Ward of the Parish	62
Expressed a preference to remove all warding arrangements on Cassop-cum-Quarrington Parish Council and reduce the Council size to 12 Councillors	29
Expressed a preference to create a separate ward on Cassop-cum-Quarrington Parish Council which would result in the Parish Council having three wards	5
Didn't feel as though they had sufficient knowledge of council operations and stated that they "wished to go along with the majority decision"	1

The responses provided a clear, local desire for the governance arrangements within Cassop-cum-Quarrington Parish area to remain unchanged by the transfer of the Bell Ward area. Responses also indicated a clear wish to maintain the status quo with two wards and 15 elected Councillors.

Indeed this was the County Councils preferred option – the current arrangements had been both convenient and effective for the parish area and the transfer of the Bell Ward area would not affect this.

Cassop-cum-Quarrington Parish Council made a representation that they wished to see the removal of all parish wards and a desire to retain 15 Parish Councillors. Unfortunately, this was not an option open for consultation as it was felt that fifteen elected Councillors to an un-warded area would make the single election of Councillors impracticable and inconvenient in terms of electoral administration arrangements.

Shincliffe

The size and warding arrangements of Shincliffe Parish Council needed to be addressed given that the proposal was to transfer an area from within the parish boundary of Shincliffe to Cassop-cum-Quarrington. A statutory notice was placed in the local media informing residents of Shincliffe Parish about the proposals and invited comments on the future arrangements which included:

- Whether any warding arrangements should be introduced for Shincliffe Parish;
- On the drawing up of appropriate ward boundaries if required;
- The number of councillors to be elected to the parish council; and
- The number of councillors to be elected per ward should warding arrangements be introduced.

Shincliffe Parish has two wards, one of which is the Bell Ward, served by one Councillor. Officers identified that there could be an issue as to the future of that Councillor should the proposal be implemented and this ward be transferred to Cassop-cum-Quarrington Parish Council. It was necessary to ascertain whether the existing ward councillor could remain on Shincliffe Parish Council and represent the remaining electorate. Legal advice was received.

The transfer of the Bell Ward to Cassop-cum-Quarrington Parish Council would result in Shincliffe Parish Council being un-warded (as it was prior to the creation of the Bell Ward). The six Councillors representing the unaffected ward plus the Councillor representing the interests of those residents in the Bell Ward, would continue on the Parish Council until the expiry of their Term of Office (2017). No by-election would be required.

Analysis of Responses

The impact of the arrangements for the Shincliffe parish area were minimal and the transfer of the Bell Ward area from Shincliffe to Cassop-cum-Quarrington would see Shincliffe Parish Council reverting back to an arrangement that provided good, convenient and effective governance arrangements prior to 2013. No objections

were received to any of the proposals. Shincliffe Parish Council responded to the final consultation and were in agreement with the proposal to revert back to an unwarded Parish with seven Councillors (as it was prior to the creation of the Bell Ward in May 2013).

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:

- (a) It must have regard to the need to secure that community governance within the area under review:
 - (i) reflects the identities and interests of the community in that area;
 - (ii) is effective and convenient.
- (b) In deciding what recommendations to make, the Council must take into account any other arrangements, apart from those relating to parishes and their institutions:
 - (i) that have already been made, or
 - (ii) that could be made for the purposes of community representation or community engagement in respect of the area under review.
- (c) The Council must take in to account any representations received in connection with the review.
- (d) Under Section 100 of the Act, the Council must have regard to guidance issued by the Secretary of State.

The guidance referred to in paragraph 14 (iv) is Guidance on Community Governance Reviews, published in March 2010 by Communities and Local Government and the Local Government Boundary Commission for England.

This 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 does stress that parish councils are an established and valued form of neighbourhood democracy and management in rural areas that increasingly have a role to play in urban areas and generally have an important role to play in the development of their communities. The need for community cohesion is also stressed along with the Government's aim for communities to be capable of fulfilling their own potential and overcoming their own difficulties. The value which is placed upon these councils is also highlighted in the fact that the guidance states that the Government expects to see the creation of parishes and that the abolition of parishes should not be undertaken unless clearly justified and with clear and sustained local support for such action.

It 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 Council must also take into account other arrangements that have been made and could be made for the purposes of community engagement and they must consider the representations received in connection with the review.

Final Recommendation

Taking into account the guidance, the statutory obligations and the results of the consultation exercises, the Council's final recommendation is that:

- (i) The Bell Ward area, as shown at Appendix 1, be transferred from Shincliffe Parish to Cassop-cum-Quarrington Parish with effect from 1 April 2014.
- (ii) The Bell Ward area be merged with the existing 'West Ward' of Cassop-cum-Quarrington Parish Council with Cassop-cum-Quarrington Parish Council continuing to consist of two wards. Those being the West Ward and the East Ward.
- (iii) No change be made to the council size of Cassop-cum-Quarrington Parish Council as a result of the transfer. This will remain at 15 Councillors.
- (iv) Shincliffe Parish Council revert to an un-warded parish retaining seven Councillors with effect from 1 April 2014.

For enquiries for further information on these final recommendations please contact Sharon Spence, Democratic Services Manager on 03000 269 731.

