

**Review of Community Governance in the Parishes of
Barnard Castle and the surrounding area by Durham County Council**
(covering the parishes of Barnard Castle, Marwood,
Stainton and Streatlam, and Whorlton and Westwick)

Final Recommendations

On 2 April 2014 the County Council approved and published terms of reference to conduct a Community Governance Review covering the parished areas of Barnard Castle, Marwood, Stainton and Streatlam, and Whorlton and Westwick.

The terms of reference were to consult and consider whether the proposal submitted from Barnard Castle was convenient and reflective of the identities and interests of the community in that area.

Background

Barnard Castle Town Council submitted a request asking the County Council to undertake a review of community governance in the Barnard Castle area which made the following proposal:

“That the Town Council boundary should follow the River Tees north as far as East Holme House, to the east along East Holme House track encompassing Barnard Castle golf course and the Red Well enclosure to join Black Beck and Town Pasture Lane as far as the existing north western boundary of Westwick Parish, with the southern boundary to be the existing boundary of Marwood Parish and Westwick Parish, with the exception of a small field north of Westwick that includes Mount Eff farm” and

“that part of The Oval, Stainton Grove, should be transferred to Stainton and Streatlam Parish and that Mount Eff should be transferred to Westwick Parish.”

The Town Council said:

“The reason and justification for this request has always been that the identity of Barnard Castle is linked to its urban boundary, which defines a natural community and forms the limit of the settlement. Hence, this should be the logical boundary of the parish. A parish boundary defined in these terms would represent a distinctive and recognisable community of interest, with a sense of identity related to the civic history of the town, its services and amenities. A parish boundary, which properly reflects the natural associations of those within the urban streetscape of Barnard Castle, would strengthen community engagement, and participation, and provide opportunities for service users beyond the current parish boundary, but within the municipal scope of Barnard Castle, to contribute to the town’s community cohesion”.

Initial Consultation

Consultation took place with households and stakeholders in the area between 2 April 2014 and 9 May 2014 and produced an information leaflet and questionnaire.

239 consultation documents were sent to households in the parishes of Marwood, Stainton and Streatlam, Whorlton and Westwick. These parishes were identified as being directly affected by the proposal put forward by Barnard Castle Town Council.

In addition to this consultation letters were sent to the local MP, the Rt. Hon Mrs H Goodman, Teesdale Area Action Partnership, County Durham Association of Local Councils (CDALC), local County Councillors and the affected Parish Councils of Marwood, Stainton and Streatlam, and Whorlton and Westwick.

The consultation document and response form was made available on the County Council's website.

Due to the high number of households within the parished area of Barnard Castle, the County Council issued a press release and placed further information on the Council's website. 300 copies of the consultation document were provided to the Town Council, where they were made available to the public at the Town Council offices. The Town Council had also advertised the review and consultation in the local media and via social media.

The consultation document set out two options for the future governance arrangements with consultees being asked to indicate one of two options.

Option one was to implement changes to the current community governance arrangements in accordance with the proposals submitted by Barnard Castle Town Council. That would mean that the boundary of Barnard Castle Town Council would be redrawn to follow the River Tees north as far as East Holme House, to the east along East Holme House track encompassing Barnard Castle golf course and the Red Well enclosure to join Black Beck and Town Pasture Lane as far as the existing north western boundary of Westwick Parish, with the southern boundary to be the existing boundary of Marwood Parish and Westwick Parish. This would be with the exception of a small field north of Westwick that includes Mount Eff farm, which would be transferred to Westwick Parish Council.

Indicating a preference for option one would also have meant that The Oval, Stainton Grove (currently within the parish of Marwood), would be transferred to the parish of Stainton and Streatlam.

Option two was to leave the current governance arrangements as they were at present, meaning there would be no change.

Analysis of Responses

A total of 82 responses were received from households in the parishes of Marwood, Stainton and Streatlam, Whorlton and Westwick.

There were 2 responses from statutory consultees.

13 respondents opted for option 1 - to implement changes to the current community governance arrangements in accordance with the proposals submitted by Barnard Castle Town Council.

70 respondents opted for option 2 - to leave current governance arrangements in the areas under review, unchanged.

One respondent did not select either option as they saw the benefits in both.

In terms of the statutory consultees, Marwood Parish Council expressed their disappointment that Barnard Castle Town Council had not approached Marwood Parish, to either discuss the proposals with the Council or its residents.

The second statutory consultee form could not be identified, although the author did comment that the only financial benefit of the proposals would be to Barnard Castle Town Council in the form of increased precept and access to Section 106 contributions coming from a local housing development. The response also stated that the proposals from Barnard Castle Town Council would leave the smaller parish areas much worse off. Both of these responses selected a preference to leave current governance arrangements in the areas under review, unchanged.

No completed web forms were received and there were no responses received from households in Barnard Castle parish.

The responses and additional comments made by households are broken down by area as follows:-

Parish	Forms issued	Forms returned	Option 1 Number of responses & summary of associated comments	Option 2 Number of responses & summary of associated comments
Marwood Urban - Mount Eff	3	2	0	2 <ul style="list-style-type: none"> • No benefit to residents. • The impact of a council tax increase.
Marwood Urban - The Oval	56	10	1	9 <ul style="list-style-type: none"> • No benefit to residents as little in common with the urban area of Barnard Castle and may isolate more rural areas. • Any change would force an increase in council tax charges.

Marwood Urban	99	42	6	36
			<ul style="list-style-type: none"> • Make use of amenities within Barnard Castle and should therefore contribute towards services. 	<ul style="list-style-type: none"> • No benefit to residents of Marwood and happy with current governance arrangements and services provided by the Parish Council. • Do not see why need to change boundary and impose higher council tax charges for no additional services. • The rural / farmland areas have no place within a Town Council. • No rationale or evidence to suggest that the proposals would result in better local democracy or more effective local services.
Marwood Rural	81	28	6	21
		(1 respondent did not make a selection as saw benefit in both options)	<ul style="list-style-type: none"> • Would make sense to have parish boundary same as natural boundary. • Would like to benefit from more localised services. • One person said that they felt that Marwood in a smaller form would fit well under Eggleston Parish Council. 	<ul style="list-style-type: none"> • No advantage or clear benefit in changing boundary and happy with the arrangements and current services provided. • The changes are neither affordable nor necessary.

Analysis of Consultation Responses

The responses from the consultation indicate a clear, majority support for there to be no change to the current governance arrangements in the 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 madefor the purposes of community representation or community engagement in respect of the area under review.
- iii. The Council must take in to 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 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.

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 do not wish to see any changes to the current governance arrangements and members may be concerned about imposing an arrangement that has no support (and more opposition) and the possible impact that could have on community cohesion.

Draft Recommendations

Draft recommendations were published on 23 July 2014 and a further period of consultation commenced which ended on 3 September 2014. Consultation documents advising of the draft recommendation were issued to the stakeholders and householders who were part of the initial consultation, and a press release was issued.

We received four responses in support of the draft recommendations:

Three of these responses were from householders within the parish of Marwood, who were all supportive of the draft recommendation, that community governance arrangements in the affected parishes remain unchanged.

The fourth response was from the County Durham Association of Local Councils, on behalf of their Smaller Councils Forum. The Forum had expressed their dissatisfaction at such proposals by larger local councils, which were considered to be a 'take over' of land, and put smaller councils at a disadvantage in terms their precept request and council tax charges for their residents. The forum requested that the County Council take this factor into account during this consultation and future boundary change proposals that would be considered by the Authority.

Final Recommendation

Taking into account the guidance, the statutory obligations and the results of the consultation exercises and the responses received following the publication of the draft recommendations, the County Council's final recommendation is that community governance arrangements in the parished areas of Barnard Castle, Marwood, Stainton and Streatlam, and Whorlton and Westwick, remain unchanged.