

Report to: **Annual Council**  
Date: **19 May 2016**  
Title: **COMMUNITY GOVERNANCE REVIEW**  
Portfolio Area: **Strategy & Commissioning**  
  
Wards Affected: **Ermington and Ugborough, Ivybridge (East) and Ivybridge (West)**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:  
(e.g. referral on of recommendation or implementation of substantive decision)

**Consultation on the published draft proposals is due to commence on Monday, 23 May 2016.**

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**RECOMMENDATIONS:**

**That the Council RESOLVES that:**

- 1. The main points arising from the initial submissions (paragraph 3.2 below refers) be noted;**
- 2. The draft proposal to transfer the area to the East of Ivybridge (recently added to create the new Ivybridge East Ward) from Ugborough Parish to the Ivybridge Parish be published for further consultation;**
- 3. The impact of any future Section 106 contributions should be considered in relation to any boundary change, whilst bearing**

**in mind the Section 122 Community Infrastructure Levy regulations; and**

- 4. In the event of any boundary change being approved, the procedure for determining applications made to the Community Re-Investment Fund be amended to ensure that, for relevant applications, the local Ward Member for Ermington and Ugborough also be included as a consultee alongside the local ward Members for Ivybridge (East) and Ivybridge (West).**

## **1. Executive summary**

- 1.1 In accordance with the adopted terms of reference (as outlined at appendix A), the Community Governance Review on a proposal to transfer the area to the East of Ivybridge (recently added to create the new Ivybridge East Ward) from Ugborough Parish to the Ivybridge Parish is now at Stage 3 of the process.
- 1.2 In accordance with Stage 3, the Council is now required to consider the initial submissions received before approving that the draft proposals be published and subjected to further public consultation.

## **2. Background**

- 2.1 At its meeting on 12 February 2015, the Council considered a motion that had been submitted by Cllrs Saltern and Holway (Minute 65/14(a) refers);
- 2.2 Following a discussion, the Council subsequently agreed that a 'Community Governance Review be instigated that has the main purpose of consulting on a proposal to transfer the area to the East of Ivybridge (recently added to create the new SHDC Ivybridge East Ward) from Ugborough Parish to the Ivybridge Parish';
- 2.3 The terms of reference were subsequently agreed and published on 2 November 2015;
- 2.4 Upon their publication, and in order to take full account of the views of the affected local residents, officers contacted all 27 householders affected. In addition, other relevant stakeholders (SHDC local ward Members, Ivybridge Town Council, Ugborough Parish Council and Devon County Council) were contacted and notification of the Review was also published on the Council website;
- 2.5 Four replies were subsequently received before the deadline of Wednesday, 24 February 2016, three from residents of Filham against the proposal and one from Ivybridge Town Council in favour;

2.6 These replies were presented and considered by the Political Structures Working Group at its meeting on 11 May 2016.

### 3. Political Structures Working Group Deliberations

4.1 The Working Group meeting was attended by six of its eight Members (Cllrs Baldry, Hitchins, Hodgson, Saltern, Tucker, Ward). Furthermore, Cllrs Bastone, Cuthbert, Green, Hicks, Holway and Pearce were also in attendance in a non-voting capacity. The meeting was supported by Legal and Democratic Services Senior Specialists;

4.2 To aid its deliberations, a discussion paper was considered by the Working Group that summarised the main arguments that had been made in support and in opposition to the proposal. These are repeated in the table below:

In Support	In Opposition
<p>With regard to the new boundary line, it is reasonable to assume that the Ivybridge parish boundary should reflect that of the Ward boundary for both the SHDC and DCC electoral wards.</p>	<p>The Filham Hamlet (particularly North Filham) would be split in two;</p> <p>Differing rates of Council Tax would be levied (the Ivybridge precept being more) on properties likely to receive the same level of services as those paying less;</p> <p>Filham has more characteristics in common with Ugborough and Bittaford than it does with Ivybridge;</p> <p>Confusion could result in which Council would take responsibility if problems occurred within the parish, specifically in North Filham;</p> <p>Dissatisfaction experienced in previous dealings with Ivybridge Town Council;</p> <p>The validity of the Review is in question, as no population changes or new local issues have arisen which merit the instigation of a Review;</p> <p>The aims of the Review in improving community engagement, providing more cohesive communities and local democracy do not apply; and</p>

	The Ivybridge Parish interest in the boundary change is only financial.
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4.3 In its discussions, the Working Group was particularly mindful of the need to consider all of the representations that had been submitted and, in so doing, concerns were expressed at the lack of any comments from Ugborough Parish Council;

4.4 Some Members were so swayed by the arguments in opposition to the proposals that a motion was proposed and seconded whereby the Council should be recommended to terminate the Review at this Stage.

In contrast, other Members felt that the Review should be allowed to run its course (as per the original Council motion) and reiterated that the Council would not be making any firm decisions at this time, but would be merely taking the Review to the next consultation stage.

When put to the vote, the proposal was declared lost by a vote of two in favour, three against with one abstention;

4.5 Whilst being supportive of taking the review to the next stage, Members emphasised the following points:

- It was essential that Ugborough Parish Council made a formal submission before the next deadline of Friday, 9 September 2016;
- That the impact of any future Section 106 contributions should be considered in relation to any boundary change, whilst bearing in mind the Section 122 Community Infrastructure Levy regulations;
- That, in the event of any boundary change being approved, the procedure for determining applications made to the Community Re-Investment Fund should be amended to ensure that, for relevant applications, the local Ward Member for Ermington and Ugborough also be included as a consultee alongside the local ward Members for Ivybridge (East) and Ivybridge (West).

Taking into account the importance of these points, a motion was proposed and seconded whereby the Council should be recommended to consult further on the draft proposal to transfer the area of land.

When put to the vote, this proposal was declared carried by a vote of four in favour and two against and is therefore reflected in the recommendations contained within this agenda report.

#### 4. Implications

Legal/Governance		The Local Government and Public Involvement in Health Act 2007 requires the Council to 'consult the local government electors for the area under review
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		and any other person or body who appears to have an interest in the review and to take the representations that are received into account by judging them against the statutory criteria (as below):  'That Community governance within the area under review reflects the identities and interests of the community in that area and is effective and convenient.'  Section 122 of the Community Infrastructure Levy regulations.
Financial		There are no additional financial implications directly related to this report
Risk		The Review is adhering to its approved timetable and, at this initial stage, there are no risk implications directly related to this report.
<b>Comprehensive Impact Assessment Implications</b>		
Equality and Diversity		There are no equality and diversity implications directly related to this report.
Safeguarding		There are no safeguarding implications directly related to this report.
Community Safety, Crime and Disorder		There are no community safety or crime and disorder implications directly related to this report.
Health, Safety and Wellbeing		There are no health, safety and wellbeing implications directly related to this report.
Other implications		N/A

### **Supporting Information**

#### **Appendices:**

A. Community Governance Review – Terms of Reference

#### **Background Papers:**

Discussion Paper presented to the Political Structures Working Group meeting on 11 May 2016;  
Initial Submissions received from Ivybridge Town Council and Messrs Scull, Sibley and Kerton; and  
DCLG Guidance on Community Governance Reviews.