



Public Session

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To:	Council
Date:	24 April 2018
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Executive Member	Councillor Mark Crane, Leader of the Council

Title: Community Governance Review – Thorpe Willoughby Parish Council

Summary:

Selby District Council received a request from Thorpe Willoughby Parish Council to amend the parish boundary to include the land up to the Selby Bypass. This can only be done through a Community Governance Review and following approval at Full Council on 12 December 2017, a review was undertaken into the request. Council is now asked to make a decision on the proposal.

Recommendations:

To consider the request from Thorpe Willoughby Parish Council to amend the Parish boundary.

Reasons for recommendation

To ensure Selby District Council complies with legislation.

1. Background

- 1.1 Selby District Council received a request from Thorpe Willoughby Parish Council to amend the parish boundary to include the land up to the Selby Bypass. Any amendments to parish boundaries can only be undertaken through a Community Governance Review. Under Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2017, the Council has to consider any requests for a review.
- 1.2 At its meeting on 12 December 2017, Council decide to commence a Community Governance Review to consider the request. A consultation exercise was commenced on 15 January 2018 and closed

on 9 March 2018. A further period of consultation was undertaken with the residents in the affected areas. An overview of the consultation responses and other issues affecting the review are outlined in this report.

2. Community Governance Review

- 2.1 A Community Governance Review is a review that can take place for the whole or part of the District area to consider one or more of the following:
- Creating, merging, altering or abolishing parishes.
 - The naming of parishes and the style of new parishes
 - The electoral arrangements for parishes (the ordinary year of election, council size, the number of councillors to be elected to the council and parish warding) and
 - Grouping parishes under a common parish council or de-grouping parishes.
- 2.2 The Local Government and Public Involvement in Health Act 2017 outlines the legal framework within which council must undertake these reviews.
- 2.3 The request from Thorpe Willoughby Parish Council is attached at Appendix A and a map demonstrating the affected area is attached at Appendix B.
- 2.4 In conducting the review, the Council has to consult local government electors for the area under review 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.

Consultation Responses

- 2.5 Following the agreement to proceed with a review by Council, a consultation on the proposed boundary change was carried out commencing on 15 January and closing on 9 March 2018. It was decided to consult the residents living in the area which would be affected by the possible boundary change. In total, six consultation responses were received and these are attached at Appendix C. The responses can be summarised as follows

Respondent	Response
Hambleton Parish Council	<ul style="list-style-type: none"> • Raised concerns over not being approached by Thorpe Willoughby Parish Council • Do not wish to be liable for any costs to do with the proposals

	<ul style="list-style-type: none"> • All concerns of residents of Hambleton must be taken into account
Gateforth Parish Council	<ul style="list-style-type: none"> • Raise no objections to the proposal
Resident of Hambleton	<ul style="list-style-type: none"> • Reasons given for the review are misleading and insufficient to justify the expense. Hambleton and Thorpe Willoughby both maintain similar facilities and residents from each village use both facilities. There are also a number of facilities which are privately owned. • The increase in population would make little difference to the current facilities that Thorpe Willoughby Parish Council currently maintains. • Hambleton Burial Authority maintains a graveyard for the Hambleton parish residents only and there is no such graveyard in Thorpe Willoughby. The proposed boundary change would mean potential residents would lose the benefit of a local graveyard. If the application is allowed, it should be on the condition that Thorpe Willoughby Parish Council create their own burial authority and graveyard within Thorpe Willoughby.
Resident of Hambleton	<ul style="list-style-type: none"> • Previous requests to amend the boundary have been turned down by Hambleton Parish Council. No correspondence has been sent to Hambleton Parish Council by Thorpe Willoughby Parish Council notifying them of their intention to request a review. • There is no valid reason for the change to the boundary which predates 1797. No reasons have been supplied by Thorpe Willoughby Parish Council and the services and amenities referred to, are not administered by Thorpe Willoughby Parish Council but instead by private companies. • There is still a connection between the two villages via the A1238 and Fox Lane which residents and businesses use on a regular

basis.

- Thorpe Willoughby Parish Council would gain additional precepts receipts from the current properties and from any new developments. Hambleton Parish Council would lose these precepts. Any new and current residents in the affected area would also the protected burial rights and burial costs available only to the residents of Hambleton along with other benefits that are available only to Hambleton residents.
- The area under review only contains a small number of dwellings which are some distance apart from the centre of Thorpe Willoughby. As Hambleton is a rural village, it is common to have outlying dwellings close to any part of its parish boundary and these residents receive the benefits enjoyed to those in the centre of the village. Using the proximity of these dwellings to those within the present Thorpe Willoughby area is not a strong enough reason to justify a boundary change.
- Hambleton Parish Council is able to facilitate the needs of the present residents and any future residents in the areas concerned. #
- No justification for the boundary line chosen.
- The full financial costs should be met by Thorpe Willoughby Parish Council.
- Wish to retain the current boundary line.

Residents in affected area

- Currently equal distances between Thorpe Willoughby and Hambleton and use the amenities in both areas. Cannot see any good reason to move this boundary.
- The only reason the move is proposed is because of possible financial implications and not to the benefit of residents.
- Developers are already putting a strain on

	the facilities of Thorpe Willoughby, so moving the boundary to the bypass would eventually increase the strain and not improve it.
Thorpe Willoughby Sports Association	<ul style="list-style-type: none"> • Support the proposal to amend the parish boundary. Feel it is ludicrous that the land we lease, which is owned by Thorpe Willoughby Parish Council, is part of Hambleton Parish. • The centre of the village of Hambleton is around two miles away and we have no affinity whatsoever with Hambleton. • Hambleton Parish Council have not shown any interest in the playing fields or Sports Association in the past 10 years.

Council Tax

Amending the boundary will result in land taken away from Hambleton Parish and Gateforth Parish. It would also result in residents living in the amended boundary areas paying a different rate of council tax to the rate they currently pay. As an example, the band D changes for 2018/19 for each area are as follows:

	Gateforth	Hambleton	Thorpe Willoughby
Parish Precept	£47.13	£41.50	£50.95
Total Council Tax including County, Police and Fire	£1773.22	£1767.59	£1777.04

As Thorpe Willoughby has the higher charge, this would mean any affected residents in Hambleton and Gateforth pay a slightly higher council tax charge. From current analysis, there appears to be around 10 properties in total who would fall into Thorpe Willoughby as a result of the change from both areas.

Planning/Local Plan

The area requesting to be moved is also affected by current planning applications and designation in the Council's Local Plan as potential development sites as outlined in Appendix D. This has issues relating to future precept and Community Infrastructure Levy (CIL) funding. The current factors affect the area:

- Planning approval has been refused for an outline application for residential development for up to 68 dwellings with all matters reserved in the area noted as THRP-U.

- The areas THRP-U and THRP-N have failed the initial sift of site assessments by the Council due to them being considered to not be part of the settlement and are in the country side.
- A planning application has been submitted for the area noted as THRP-I with all matters reserved for a residential development following the demolition of the existing buildings within the site. A decision has not been made on this application.
- Planning approval has been granted for an outline application for the area noted as THRP-M with all matters reserved for a residential development however this application has been the recent subject of a planning appeal and the result of the appeal is yet to be confirmed.

A change of Parish may result in sites being counted against a different settlement in setting the base line for Plan Selby. Thorpe Willoughby and Hambleton are Designated Service Villages (DSVs). Gateforth is a secondary village. Thorpe Willoughby is identified as one of the most sustainable DSVs capable of accommodating growth and complementing the expected growth of Selby Town.

Hambleton Burial Authority

As a result of the consultation, it has been identified that Hambleton Burial Authority maintains a graveyard for the residents of Hambleton parish only and if any residents were to fall under Thorpe Willoughby as a result of the boundary change then may lose that right and would come under the Brayton Burial Authority. Following discussions with the Hambleton Burial Authority, it has been agreed that should the boundary change be approved, any residents currently living in the properties in the affected area would still maintain the right to purchase a plot in Hambleton cemetery. The Burial Authority has stated that this would only apply to current residents and not new residents who move into those properties. The Hambleton Burial Authority has provided provide a formal notice to the Council to that effect.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Implications

The Local Government and Public Involvement in Health Act 2017 outlines the legal framework within which council must undertake these reviews.

3.2 Financial Implications

These have been outlined in the report.

4. Background Documents

None

Appendices:

Appendix A – Request from Thorpe Willoughby Parish Council

Appendix B - Map of area requested to be moved and of Gateforth, Hambleton and Thorpe Willoughby Parishes.

Appendix C – Consultation responses.

Appendix D – Local Plan Sites

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