

Report to: Cabinet



Date of Meeting 1 December 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Honiton Community Governance Review Petition

Report summary:

Cabinet considered a report on the Honiton Community Governance Review Petition at its 3rd November 2021 meeting. The recommendation was to progress a review having first obtained and considered the views of both Honiton Town Council and Gittisham Parish Council. This report provides an update and enables Cabinet to further consider the matter in light of correspondence received.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. Cabinet considers the representations from Gittisham Parish Council and Honiton Town Council and decides whether to revise its previous recommendation to Council.

Reason for recommendation:

In accordance with the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007; the principal legal framework within which councils must undertake these reviews. It is for Members to determine the appropriate approach in relation to a Honiton Community Governance Review.

Officer: Henry Gordon Lennox, Strategic Lead (Governance & Licensing)

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information [Local Government and Public Involvement in Health Act 2007 Communities and Local Communities - Guidance on community governance reviews March 2010](#)

[Cabinet 3rd November 2021](#)

[Gittisham Parish Council 4th November 2021](#)

[Honiton Town Council 8th November 2021](#)

Link to [Statement of Intent](#)

Priorities (check which apply)

- Better Homes and Communities for all
 - Greener East Devon
 - A resilient Economy
 - Services that matter
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1. Background

- 1.1 Cabinet received a report at its 3rd November 2021 meeting in relation to the Community Governance Review Petition that had been received. The report also identified various anomalies in the boundaries around the western end of Honiton. The Cabinet resolved;

RECOMMENDED to Council;

1. That, subject to receiving the views of Honiton Town Council and Gittisham Town Council, the Council undertake a Community Governance Review of the Gittisham Parish / Honiton Town Council boundaries and approve a budget of £5,000 for carrying out the review.

2. That the Terms of Reference be agreed, including the timetable and arrangements for public consultation.

3. That further reports will be brought to Cabinet in order that decisions may be made in respect of draft proposals and final recommendations of the Review

- 1.2 Since that meeting the Council has been provided with updates from both Gittisham Parish Council and Honiton Town Council.

- 1.3 Members are invited to review their recommendation in light of the comments below.

2. Gittisham Parish Council

- 2.1 Gittisham Parish Council considered the matter at its meeting of 4th November 2021 and the minutes for that meeting are in the background links.

- 2.2 Gittisham Parish Council formerly wrote to the Council on 10th November 2021 saying;

[The Parish Council] have asked as a matter of urgency for any decision on whether a review takes place to be postponed until next year, until a comprehensive consultation can be carried out.

1. *The failure to identify the need to consult GPC and HTC is incredulous given the consequences that might arise following a review of Parish/Town Council boundaries.*
2. *The report was initiated as a result of understandable concerns over Ward boundaries but has been escalated to promoting a Community Governance Review addressing the Parish/Town Council boundaries. The justification for this escalation at para 3.1 of the report is misleading in that the informal approach referred to was the need for a discussion about the balance of Councillors representing the 3 distinct residential areas (Vale, Hayne and village) and the employment land LP allocation. There was no reference to reviewing the Parish/Town Council boundaries.*
3. *There are 2 assumptions in para 3.8 and 3.10 to the effect that Gittisham Vale and Hayne Farm to the effect that these areas are likely to be seen as part of Honiton. Whilst this may be a geographical observation it does not reflect the views of the residents. There is no evidence presented to justify these assumptions.*
4. *The report presents no financial implications. To enable proper consideration of the appropriateness of a CGR there should have been some reference to the financial consequences of possible boundary changes. The consequences for GPC are far reaching and would have a detrimental financial effect for residents of the Vale and Hayne Farm.*
5. *The officers' recommendation at 3.11 has a degree of logic but the Cabinet referral to Council promotes the commencement of a CGR. This is premature given the total lack of consultation with both Gittisham and Honiton Town Councils and with those residents that would be directly affected by any boundary change.*
6. *Gittisham PC presented some initial comments prior to the Cabinet Meeting but these were not reported at the Cabinet Meeting. Given the extraordinary lack of any consultation prior to this report being presented to Cabinet, the failure to report the GPC preliminary comments to the Cabinet is a further area of concern.*
7. *GPC considers that there is a strong case for this report to be withdrawn from further consideration and should this not be possible, that the report should be deferred to a date later in 2022 to enable proper consideration and consultation with all those that would be affected by any boundary changes.*
8. *In the meantime, it might be pertinent to resolve the Ward boundaries.*

3. Honiton Town Council

- 3.1 Honiton Town Council considered the matter at their 8th November 2021 meeting, the agenda is in the background links but at the time of writing the minutes were not available. The agenda contained the following;

15. Community Governance Review and Boundary Review Council is asked to NOTE the report to EDDC Cabinet 3 November 2021 and RESOLVE to make any comments to EDDC at this stage.

- 3.2 It is understood that Honiton Town Council did resolve in accordance with the above and the views are being sought to enable a formal response to be provided.
- 3.3 While the minutes of the meeting are not yet on line, the Clerk has reported that the following comment was made;

'Should Old Elm Road be opened up as part of the boundary review? One of the reasons given originally for its closure was the narrow railway bridge but this has been deemed acceptable for the Hayne Lane development.'

3.4 In addition the Clerk received one comment from a Honiton Town Council councillor which is set out below;

"I am in agreement that a boundary review should be undertaken between the parishes of Honiton and Gittisham, with the view of at the very least aligning town council boundaries with current District ward boundaries as set by the Boundary Commission. It is clear to me that the boundaries are archaic, following geographic and historical markers (a stream for example) as opposed to congruent neighbourhood boundaries. It has also been made clear to me through conversations on the doorsteps during my work as a Councillor and political candidate that there is interest in starting a Boundary CGR.

Therefore, I believe a boundary review should be taken on the 3 following points:

- Changing the parish boundaries between Honiton and Gittisham to incorporate the Gittisham Vale ward (and even possibly extra areas earmarked for development in the Cabinet report 8.11.21) into the Honiton Town Council area.*
- Changing the interior ward boundaries of Honiton town to better balance the populations of the wards, or even creating a new ward/wards to allow this to happen. This will allow for more proportionate representation across the town, considering the St. Paul's ward houses approximately 38% of the population but has 45% of Town Council seats. I am particularly mindful of the proposal suggested by Cllr Coombes for a St. Margaret's ward encompassing everything west of Sidmouth Road.*
- Changing the number of Honiton Town Councillors per ward to allow for a proportionate level of representation by population, and in doing so increasing the number of councillors to 21 (or another, odd number) to allow for a better balance of workload across Councillors in light of an increasingly large work programme.*

I note the precept change has been mentioned by Councillors in Gittisham. However, at current levels, the change in price for the precept would represent about 1 and a half cups of coffee from a chain store per month, in an area with higher retirement rates than much of the town.

It is also pertinent to look at the Hayne Lane development taking place. It is very important to note that, even though many people who live on this estate may recognise themselves to live in Honiton, not Gittisham, and all the services they would use on a daily basis would most likely be in Honiton, they are still outside our boundaries. This is also unfair on our infrastructure, meaning that S106 and CIL monies are directed away from the estate's adjoining town and away from the services that provide for them.

I am not at all worried about the short timescales involved. Although I would have wished for better communication from the District to the Town Councils about this agenda item, I feel that the timescales being discussed for a CGR are appropriate considering there is a 3-month window within the process itself to allow for public consultation. The start of a CGR process does not necessarily mean it will actually happen.

Therefore, I support a boundary review under the proposed timescale in line with the Colyford CGR, under the above remits and premises."

3.5 Together the above forms Honiton Town Council's response.

4. Conclusion

4.1 Members are asked to consider the comments above and determine whether they would like to review their recommendation to Council or whether the recommendation of progressing a Community Governance Review should remain.

4.2 Depending on discussion, it may be necessary to review the Terms of Reference and more particularly the timetable set out therein.

Financial implications:

The finance comment from the November report still stands should members wish to progress with the review in that Cabinet would be required to recommend to Council a budget of £5k.

Legal implications:

The legal implications are detailed in the previous report to Cabinet in November 2021 (background links) and the report does not raise any further implications requiring comment.