



Council

Thursday, 29 September 2022

Upper Saxondale Community Governance Review

Report of the Chief Executive

**Cabinet Portfolio Holder for Strategic and Borough-wide Leadership,
Councillor S J Robinson**

1. Purpose of report

This report has been compiled by the Upper Saxondale Community Governance Review Task and Finish Group as set up by Council in March 2022. It outlines the Community Governance Review that has taken place in accordance with Part 4 of the Local Government and Public Involvement in Health Act 2007, to establish whether a separate parish should be created for Upper Saxondale.

2. Recommendation

The Upper Saxondale Community Governance Review Member Task and Finish Group recommends that Council resolves to:

- a) create a separate parish for the area defined by the map in Appendix Three and that:
 - this area be named Upper Saxondale
 - this area have a parish council
 - this council be called Upper Saxondale Parish Council
 - Upper Saxondale Parish Council has seven members; and
- b) delegate authority to undertake the necessary steps to formalise the creation of a separate parish for Upper Saxondale to the Chief Executive.

3. Reasons for Recommendation

A petition was brought forward by the community of Upper Saxondale, which triggered a Community Governance Review in accordance with Part 4 of the Local Government and Public Involvement in Health Act 2007. The Task and Finish Group set up by Council has undertaken the Community Governance Review and presents its findings below. Council must now decide if there is sufficient evidence to support the recommendation of the Task and Finish Group, which is to create a separate parish for Upper Saxondale.

4. Supporting Information

- 4.1. In December 2021, Council received a petition from residents of Upper Saxondale requesting the establishment of a new Upper Saxondale Parish Council, separate to the existing parish councils in the area. The petition was validated by the Borough Council's Electoral Services team with 233 valid signatories.
- 4.2. In March 2022, Council approved the setting up of a cross party Task and Finish Group to conduct the Community Governance Review. The Terms of Reference of the Group were as follows:
- Consider the views of the Upper Saxondale community as put forward by the lead petitioner from the Upper Saxondale Residents' Association.
 - Consider officer advice in drawing up the stage one consultation materials for the Upper Saxondale Community Governance Review consultation.
 - Consider the submissions received in response to the stage one consultation for the Review.
 - Develop a recommended way forward which will form the basis of the second stage of consultation with the Upper Saxondale community.
 - Consider the responses of the second round of consultation for the Community Governance Review of Upper Saxondale.
 - Make final recommendations to Council in September 2022.

First meeting of the Upper Saxondale Community Governance Review Task and Finish Group

- 4.3. The Upper Saxondale Community Governance Review Task and Finish Group held its initial meeting on 16 March 2022. They heard from Mr Ian Storey, Chairman of the Upper Saxondale Residents' Association, who outlined why the community had set up the petition to trigger the Community Governance Review and why they felt a separate parish for Upper Saxondale would result in convenient and effective local governance.
- 4.4. In addition, officers informed the Group about the legislation and process surrounding a Community Governance Review before presenting draft materials which would form the basis of the first consultation with residents in the area defined by the petition submitted by the Residents' Association.
- 4.5. Following the meeting the first consultation period started. A leaflet (Appendix One) was hand delivered to every household and business in the area on 21 March 2022 with a deadline for submissions of 13 May 2022. This was supported with a media release and social media posts throughout the consultation period. Letters were also sent to affected parish councils and Nottinghamshire County Council. The Upper Saxondale Residents' Association also undertook their own awareness raising campaign locally in support of the consultation.

Second meeting of the Upper Saxondale Community Governance Review Task and Finish Group

- 4.6. The second meeting of the Task and Finish Group was held on 6 June 2022. The Group considered the results of the first consultation to which the Council had received 166 responses (26.6% of the electorate). Of those that were consulted:
- 25.5% of residents said 'yes' they would like to see a new parish set up for Upper Saxondale
 - 1.1% of residents said 'no' they would not like to see the creation of a new parish
 - 73.4% of residents did not respond to the consultation.

Of those responding to the stage one consultation, 95.2%% were in favour of setting up a new parish for Upper Saxondale.

- 4.7. The Task and Finish Group debated the results of the consultation as well as additional material put forward by officers such as alternatives to the boundaries defined by the petition map and comparisons with other similarly sized parishes within the Borough in terms of numbers of councillors. The Group also discussed several issues connected to the creation of a parish council to ascertain if the Borough Council's assistance was required in the period between September 2022 and May 2023. The conclusion of this discussion was that the Council's ongoing role would be one of guidance on request.
- 4.8. The decision was made to proceed to the second stage of consultation with a slightly altered map (which followed the boundaries for the local wards as defined by the Local Government Boundary Commission for England in their recent review) and a recommendation that seven councillors would be in keeping with other local parishes and provide effective governance.
- 4.9. The second stage of consultation started on 27 June 2022 (with a closing date of 19 August 2022) with a second leaflet (Appendix Two) being hand delivered to all residential and business premises in the area. A personal letter was also sent to the residents of Saxtons Lings who were not included in the first stage of the consultation as their property fell outside the petition area (but the Task and Finish Group had opted to follow a slightly revised boundary line in this second stage of consultation, which now included Saxtons Lings in the proposed Upper Saxondale parish). The County Council was invited to respond to the consultation as were the parishes of Radcliffe on Trent and Cropwell Butler as in the first consultation. In addition, the parish of Saxondale received an invitation to participate on request of the Chairman of the Saxondale Parish Meeting. As with the first stage of consultation, this was supported with a media release and social media posts throughout the consultation period. The Upper Saxondale Residents' Association also undertook their own awareness raising campaign locally in support of the consultation.

Third meeting of the Upper Saxondale Community Governance Review Task and Finish Group

4.10. The third meeting of the Task and Finish Group was held on 31 August 2022. The Group considered the results of the second consultation to which the Council had received 163 responses (25.7% of the electorate). Of those that were consulted:

- 24.4% of residents agreed with the Council's recommendation to create a separate parish for Upper Saxondale
- 24.4% of residents agreed with the new parish being named Upper Saxondale
- 24.0% of residents agreed with the number of councillors being seven (three respondents felt that five councillors would be sufficient)
- 24.4% of residents agreed with the proposed boundaries for the new parish.

Of those responding to the stage two consultation, 95.1%% were in favour of setting up a new parish for Upper Saxondale.

4.11. The following comments of support were made:

- I believe that having our own parish council will provide better and more targeted services for local residents. Also, it will provide better communication lines and clarity in responsibilities giving local residents more say over local issues.
- Since the proposed boundary also includes the village of Saxondale it would seem appropriate for the name to reflect that. Maybe Upper Saxondale and Saxondale? Or perhaps that is a bit long – maybe 'The Saxondales'?
- Brilliant idea – fully support it.
- Having a new parish for Upper Saxondale makes perfect sense.
- Upper Saxondale is a distinct community and should be represented by its own council.
- I fully support the proposals set out to create an Upper Saxondale Parish Council.
- Happy with everything.
- This is a positive step for Upper Saxondale, and we fully support it.
- As before we feel that we are a large enough community to require our own parish council to deal with matters unique / pertinent to our community.
- As a resident of Upper Saxondale, I believe this to be in the best interests of our community and that it would provide convenient and effective local governance
- Believe this proposal will ensure the heritage of the Upper Saxondale area will be protected and maintained
- Boundary to include surrounding fields to Upper Saxondale – as they may be at risk of housing / sold – also a key part of Upper Saxondale uniqueness. If not fields, the woodland area which gives residents access to the outer edges of Upper Saxondale. This is the only issue I see with an independence from ROT Parish Council

- I trust it doesn't jeopardise the maintenance of the area including the Victorian pergolas?
- 4.12. 1.25% of residents (8) responding to the consultation did not agree with the Council's recommendation to create a separate parish for Upper Saxondale. No explanatory comments were provided.
- 4.13. Other comments (neither in support or against the proposal) included:
- Do not need seven councillors for this area – five is more than sufficient.
 - Why doesn't the NE edge of the boundary follow the line of the new A52 road? At the moment it's following the original line of the A52 before it was upgraded and moved, which means that a single property (the flat roofed home previously a telephone exchange) in the village/parish of Saxondale be moved to the new parish of Upper Saxondale, separating it from its current community and adjacent neighbours. That doesn't make sense to us or seem fair to the homeowner who may then feel isolated from Saxondale and very remote from Upper Saxondale.
 - The Shell fuel station on Saxondale roundabout falls into the new parish of Upper Saxondale. Will their council tax precept be paid to Upper Saxondale parish and if so, what would be the commitment from the parish to this business?
- 4.14. 74.3% of residents consulted did not respond to the consultation.
- 4.15. Radcliffe on Trent Parish Council sent the following feedback in response to the consultation:
- 'Radcliffe on Trent Parish Council support Upper Saxondale in their creation of a separate parish. The Parish Council would like to ensure an equitable division of assets and precept.'
- 4.16. Cropwell Butler Parish Council sent the following feedback in response to the consultation:
- 'This should have been extended to a more comprehensive review of parish boundaries in the area, including an assessment of whether it would be advantageous to Tythby to be incorporated into Cropwell Butler parish. In addition, we don't appear to have been given any information on what the impact will be on our parish population or council tax base, and therefore possible increase to average precept for the remaining parish.'
- 4.17. The Chairman of Saxondale Parish Meeting sent the following feedback in response to the consultation:
- 'We have no objection in principle to the formation of a Parish Council for the Upper Saxondale (St James Park) community, subject to the points raised below:

1. Whilst we have questioned the boundary adjoining Saxondale used for this purpose, that is not the fault of the applicants, but it does call into question several issues. However, I need to investigate these further and I may come back on these points. As proposed, it does mean that there will be one NG13 property within the proposed site which is an NG12 area. This is plainly daft.
2. We do not see the necessity of taking the amount of land that has been requested which goes well beyond the population area of the community in question. In short, this appears to be an unnecessary land grab which serves little purpose, (unless of course further development is proposed for the area and the proposers are looking to future CIL monies). We feel it would be appropriate for the current land proposal to be restricted to what is actually necessary.
3. The name of the proposed Council is a little too close to our own and could lead to confusion. We would like to see this changed. Saxondale village has been around before 675 AD and is well recorded in historical records. Upper Saxondale was formed following a vote in 1999.
4. As proposed, only about 30% of the land shown on the plan (the built-up area) is Upper Saxondale with the remainder falling mainly into Cropwell Butler. The main population in the area is currently within the Radcliffe Community and only partly within Cropwell Butler. Accordingly, a name reflecting this association may be more appropriate, for example RoT North or Cropwell Park, or similar which allow a more independent identity.
5. The request for seven parish councillors appears extreme and out of context with other local parishes (e.g. there is only double this number on BTC). This number, should the scheme go ahead, should be reduced.
6. Whilst the percentages shown in respect of those voting show 25% in favour of the stated proposal, notably 74.5% either do not agree or have not responded. It is also notable that the percentage voting is about 10% less than signed the original petition, so clearly some people have reconsidered their views. It does not seem that the return figures provide a sufficient enough mandate to proceed.
7. There lies an underlying question as to whether a separate parish is appropriate in this area, particularly given the existence of RoTPC and Cropwell Butler PC. Whilst not negating what I have stated in my third paragraph above, I cannot see how governance would be improved and it is difficult to envisage what the true benefits would be. If the main benefit is seen as a local voice – and the petition does state “ensure that Upper Saxondale electors are effectively represented at parish level” - then adding Upper Saxondale as a third ward to RoT may provide a more effective solution as this would provide a voice on RoTPC. Similarly, if the desire is as the petition states “ensure that the parish precept is spent for the benefit of the Upper Saxondale community” then a formal voice(s) on RoTPC may be more appropriate way forward.

8. Dividing RoTPC into smaller sections detracts from infrastructure proposals and loses financial economies of scale which is not good for the local community and detracts from good governance. If this proposal is agreed, then other areas where similar circumstances prevail may look to take a similar view. Whilst the breaking up of larger parishes may be of benefit to the Borough authority, it is not good for the local community as a whole and a strategic overview of the application should be considered.

For the above reasons, we feel that the proposal, in its current form, has not demonstrated benefit to the local community nor to the wider strategic environment and does not appear to be sufficiently supported within the community'.

- 4.18. Nottinghamshire County Council will consider the proposals at their Governance and Ethics Committee on 28 September 2022 (rearranged from 13 September, due to the national period of mourning). The recommendations are expected to be supported by members of the Committee, some of whom are also Borough Councillors (and memebcs of the Task and Finish Group), so can provide up to date feedback at the meeting, if required.

Task and Finish Group recommendations

- 4.19. On taking the views of the local community and neighbouring parishes, as well as the County Council, into account the Upper Saxondale Community Governance Review Task and Finish Group is recommending the creation of a separate parish for Upper Saxondale, with a parish council named Upper Saxondale Parish Council comprised of seven parish councillors in line with the boundaries outlined on the map in Appendix Three. The Group feels that this represents the best model of effective governance for this community.
- 4.20. Should Council decide to accept the recommendations of the Task and Finish Group, a Reorganisation Order will be sent to the Secretary of State, the Rushcliffe Electoral Register will be amended before publication in December 2023 and officers will ensure a suitable Polling Place is identified in advance of the first parish council elections for Upper Saxondale which will be held in May 2023.
- 4.21. Certain administrative tasks will need to be undertaken in preparation for the first meeting of Upper Saxondale Parish Council. These include drafting a constitution, hiring a clerk, and transferring assets from the Upper Saxondale Resident's Association to the new parish council. The Council will offer support where required with these activities and also set the first precept for the Council to create an operational budget for the financial year 2023/24.

5. Alternative options considered and reasons for rejection

The Council could decide that the governance arrangements already in place for Upper Saxondale are effective and that no change is necessary. This,

however, would be against the views expressed by local residents as part of the Community Governance Review process.

6. Risks and Uncertainties

There are risks involved in setting up a separate Parish Council for Upper Saxondale with regard to getting candidates to stand for election, effective operation, and the transfer of assets. The Task and Finish Group is satisfied that effective plans are in place to mitigate these risks.

7. Implications

7.1. Financial Implications

7.1.1. There are some costs in setting-up the new parish (such as changes to the Council Tax system), and these will be recovered from the new parish council when it is properly constituted.

7.1.2. Rushcliffe Borough Council will set the initial precept in its Council Tax setting report at Full Council (March 2023). The precept, net of any initial costs, will be transferred to the new parish after the May local elections and it's first constituted meeting.

7.2. Legal Implications

There are no legal implications connected to the recommendations contained in this report other than those mentioned elsewhere in the report.

7.3. Equalities Implications

There are no equalities implications connected to the recommendations contained in this report.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no crime and disorder implications to the recommendations in this report.

8. Link to Corporate Priorities

Quality of Life	It is important that residents feel that their community is governed at an appropriate level and is representative of their identify as a community – this contributes towards their quality of life.
Efficient Services	It is important that local governance is appropriate to the community and operates effectively.
Sustainable Growth	
The Environment	

9. Recommendation

The Upper Saxondale Community Governance Review Member Task and Finish Group recommends that Council resolves to:

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 - this area be named Upper Saxondale
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Background papers available for Inspection:	Council – 3 March 2022
List of appendices:	Appendix One – Stage One Consultation Materials Appendix Two – Stage Two Consultation Materials Appendix Three – Map of the proposed parish