



AGENDA ITEM:

17

COUNCIL: 23 July 2003

Report of: Council Secretary & Solicitor

Relevant Portfolio Holder: Councillor

Contact for further information: Mr. G. Martin (Extn. 5066)

SUBJECT: REVIEW OF RUFFORD PARISH

The following ward is affected: Rufford

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Council of the results of the consultation exercise conducted as to the future of Rufford Parish Council and to determine, in the light of those results, how to proceed.

2.0 RECOMMENDATIONS

- 2.1 That those residents of Rufford who responded be thanked that, in the light of the responses detailed in the report, Council indicates how it would wish to proceed.
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3.0 BACKGROUND

- 3.1 At the meeting of the Council on 13 December 2000 the Executive Director (Resources and Economy) was authorised to carry out a review under the provisions of Part II of the Local Government Act 1972 for the purpose of considering whether or not to make a recommendation to the Secretary of State to constitute a new parish of Holmeswood, by the separation of part of the parish of Rufford.
- 3.2 The decision was made in response to a petition from residents of Holmeswood seeking the creation of a new Parish Council for their area.
- 3.3 Guidance on the establishment of new parishes is given in DETR Circular 11/97, which advises that as a general rule a parish should be based on the smallest area which reflects community identity and interest and which is viable as an administrative unit.

- 3.4 Part II of the Local Government and Rating Act 1997 gives the Council power to conduct a review and sets out the procedure to be followed. In basic terms the Council must take the steps it considers sufficient "to secure that persons who may be interested in the review are informed of:
- a the decision to conduct a review;
 - b the subject of the review; and
 - c the period within which they may make representations on the review.
- 3.5 In conducting the review, the Council has to take into consideration any representations made to them within the period mentioned at c above.
- 3.6 After conducting a review, unless they decide not to make any recommendations to the Secretary of State, the Council must:
- (a) prepare draft recommendations and take the steps they consider sufficient to secure that persons who may be interested in them, are informed of them, and of the period within which representations about them may be made,
 - (b) deposit copies of the draft recommendations for inspection throughout the period within which representations about them may be made, and
 - (c) take into consideration any such representations made to them within that period.
- 3.7 If the Council then decide to make any recommendations, they must send them to the Secretary of State, and
- (a) deposit copies of their recommendations; and
 - (b) take the steps they consider sufficient to secure that persons, who may be interested in the recommendations, are informed of them, and the period within which copies may be inspected.
- 3.8 The Secretary of State may, if he thinks fit, give effect by Order to any recommendations with or without modifications made to him. Such an Order establishing a parish council must include any provision which appears to the Secretary of State to be necessary for the election of the parish council, and an Order may direct the District Council concerned to:-
- (a) establish a parish council for a new parish constituted by any such Order
 - (b) make specified electoral arrangements for the parish council, and
 - (c) make specified provision for the election of the parish council.

4.0 CURRENT POSITION – CONSULTATION RESPONSES

- 4.1 On 4 April 2003 a letter was sent to all electors in the Rufford Parish, together with a questionnaire setting out options available. In addition, consultation letters were sent to Rufford Parish Council and neighbouring Parish Councils, the County Council and County Councillor and Ward Councillors for Rufford and the adjacent wards.
- 4.2 The letters asked that completed questionnaire/responses be returned to the District Council by Monday, 2 June.
- 4.3 A response of 225 questionnaires was received from the Parish as a whole, equal to 13.5% of the total possible (1666 electors). A breakdown of the responses shows:
- a 105 votes (47% of responses/6.3% of total possible) in favour of Option 1
- leave existing arrangements in place;
 - b 111 votes (49% of responses/6.7% of total possible) in favour of Option 2
- separate Holmeswood from Rufford;
 - c -8 votes (4% of responses/0.5% of total possible) in favour of Option 3 -
joining Holmeswood with Mere Brow.

A response of 76 questionnaires was received from the Holmeswood Ward, equal to just under 27% of the total possible (282 electors).

- 4.4 The results of returned votes show a fairly even split between options 1 and 2 with minor support for option 3. This latter option was included in the consultation to ensure that all feasible options were presented to the electors, based on the existing Parish Ward of Holmeswood. In addition, one letter was received suggesting a split of the Holmeswood Ward between Tareton and Rufford, with the boundary at Mossend.
- 4.5 Councillor Cropper (Scarisbrick Ward) and Councillor Mrs Westley (Burscough East Ward) both expressed support for the option to split Holmeswood from Rufford.
- 4.6 The response received from Rufford Parish Council includes the following comments:
- "The parish Council do not object if the residents of Rufford wish to have their own Council, but we strongly feel that this should be left to Holmeswood residents only and not included in any survey with others. Finally, if Holmeswood are granted their own Parish Council, we request that our complement of Councillors rise from five to seven".
- In relation to this latter point, attached as an appendix to this report is a note agreed by the Parish Council setting out the advantages and disadvantages of the proposal to split the Parish.
- 4.7 A further analysis of the votes for option 1 shows that of the total of 105, 18 were from Holmeswood ward electors and 87 were from Rufford ward electors.

Similar analysis of the votes for option 2 shows that of the total of 111, 58 were from Holmeswood ward electors and 53 were from Rufford ward electors.

In total, therefore, only 58 electors in the Holmeswood Ward were in favour of the split - ie 20.8% of all electors in Holmeswood (282 electors in total) or just under 75% of Holmeswood electors responding.

5.0 COMMENTS ON RESPONSES

- 5.1 In relation to the first point raised by Rufford Parish Council, the total electorate of the Parish was included in the consultation exercise on the advice of the office of the Deputy Prime Minister (ODPM). The ODPM view is that the future of the Parish is a matter on which all residents of the Parish should be consulted and not just those likely to reside in the proposed new Parish.
- 5.2 The request for the reconstituted Rufford Parish Council to have 7 members will be taken into account in the event of the Council deciding to proceed in this matter.
- 5.3 The major issue for the Council to determine is whether the extent of the support for splitting Holmeswood justifies proceeding. As indicated, 15.3% of the total parish electorate responded and of those the vote was quite evenly split between the status quo (47%) and the division of the parish (49%). Across the Parish as a whole, this works out at 6.3% for status quo and 6.66% for division. Given the advice from the ODPM that the views of the Parish as a whole have to be taken into account, Council may feel that these figures provide insufficient support to proceed.
- 5.6 The ODPM indicate that, before submitting a case to the Secretary of State, they would need to be satisfied that there is sufficient support for the proposed division of the Parish. The ODPM, however, are unable to give advice as to what level of support would be seen as "sufficient".
- 5.6 In assessing the level of support, it is useful for the Council to look at the development of the situation in Rufford. When the Council first received a request to undertake a review, an overwhelming majority (255 of the 291 electors - 87.6%) signed the petition in support. The request was made at a time when demand for the split was high. The note circulated as an appendix makes it clear that the way the Parish Council operates is now significantly different and that a split would be detrimental to the Parish as it currently operates.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 If the Council decides to proceed with the creation of a separate Parish Council for Holmeswood, there would be significant officer time in consulting electors on proposals and dealing with related correspondence, including correspondence with the ODPM.

6.2 There would be no significant financial or resource implications if the Council decided not to proceed.

7.0 RISK ASSESSMENT

7.1 There are no significant risks associated with this report.

8.0 SUSTAINABILITY AND COMMUNITY STRATEGY IMPLICATIONS

8.1 The Council is committed to involving local people in its decision making and has consulted all electors in Rufford in relation to this issue.

8.2 There are no significant community strategy implications arising.

9.0 CONCLUSION

9.1 Although there was initially a very high demand from Holmeswood electors for a separate Parish Council, this has not been borne out by the results of the consultation, presumably because of the changes to the way the Parish Council operates.

9.2 In view of the ODPM advice that proposals should attract sufficient support, a move to create a separate Parish Council for Holmeswood may be unsuccessful.

Background Documents

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
Various	completed questionnaires	Review file
30.4.03	Letter from Mrs Harrison, The Garth, Sandy Lane, Holmeswood	Review file
26.4.03	Letter from Clerk to Rufford Parish Council	Review file

Appendices: Note attached to letter from Rufford Parish Council.

RUFFORD PARISH COUNCIL (Parish Review)

Administration of Rufford Parish Council 7 Councillors (5 Rufford Ward + 2 Holmeswood Ward)

As relatively small Parish Council with only 7 Parish Councillors the historical way in which the Council was run was:

No use made of sub-committees
10 meetings per year of Full Council only

Primarily the Council was operated by the Chair and Clerk who would effectively carry most of the weight of running the Council especially during the summer months when the Council did not meet for two of these months.

This system had both advantages and disadvantages:

Advantages

Quicker decision making processes

Less paper work

Disadvantages

No real appreciation of the impossibility of the Chairman's position.

No real work for 6 of 7 Parish Councillors

No experience or knowledge of running a Parish Council gained by the bulk of the Councillors.

No real communication between individual Ward Councillors except at Full Parish Council meetings and only when discussed as an agenda item.

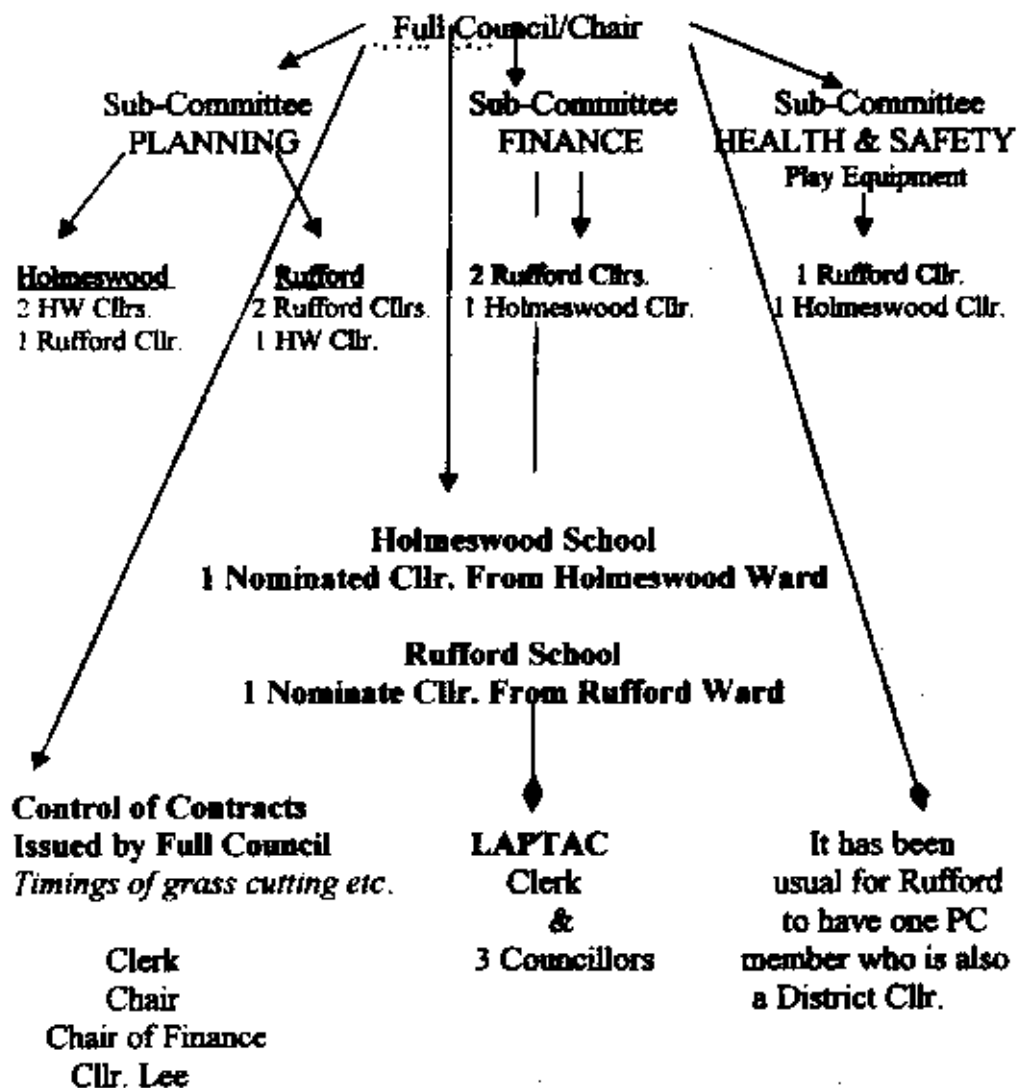
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For the past three years under the Chairmanship of Mr.P. Grace the operation of the Parish Council has changed somewhat:

Even though the Parish Councillors number remains the same there has been a dramatic increase in the involvement of all Councillors in the running of the PC.

There are now 12 meetings held per year and the use of sub-committees (where ever possible with a balance between Rufford and Holmeswood Ward Councillors) has been introduced.

The present make up of the Council is as follows:



Like the historical way in which the Parish Council was run the new approach also has advantages and disadvantages:

Disadvantages
More paperwork

Advantages
Less weight placed on Clerk and Chair
More/Greater involvement for all Councillors
More/Greater responsibility for individual Councillors
More/Greater discussion between individual Councillors
More/Greater appreciation of each Ward's problems
More/Greater ease when assimilating new Councillors in to an effective role in the Parish Council.

In conclusion:

Rufford Parish Council is not the same as it was three years ago. The personnel may be the same but their roles and involvement have changed resulting in more flexibility and communication (with regard to sorting out problems and presenting practical ideas for the benefit of both Holmeswood and Rufford Ward).

This greater involvement on a day to day basis by the Councillors has led to Rufford Parish Council being a far more effective and ambitious Parish Council with some very solid achievements realised over the last three years.

I believe that a split in the existing set-up of Rufford Parish Council would be detrimental to both villages and not in the public interest.

A split at this or any other time could:

- A: Upset existing Parish Plans and plans in the pipeline.
- B: Unbalance Rufford Ward leaving only 5 Cllrs. To undertake the work of the present 7 Councillors.
- C: Leave Holmeswood Ward to create, staff and manage a Parish Council from scratch.
- D: The division of assets would effectively stop Rufford Parish Council from continuing with projected improvements etc. as these matters were dealt with.