

Somerset West and Taunton Community Governance Review

What is a Community Governance Review?

- The objective of undertaking a community governance review is to ensure that local governance will continue to be effective and convenient and will reflect the identities and interests of local communities.
- **Why?**
- Unparished Area created in 1974 when the former Taunton Deane Borough Council was created.
- District Council can levy Special Expenses on the Unparished Area and has done in recent years to fund a grants programme that can pay for things a Town and Parish Council could - but this is limited.
- In March 2021 SWT resolved;
- *As per the resolution made by Taunton Deane Borough Council on 19th March 2018, that a Community Governance Review (CGR) of the Unparished Area of Taunton was commenced with a view to creating a new Town or Parish Council(s) from 1st April 2023.*
- A cross party Members Working Group was established to commence the Community Governance Review for the Unparished Area of Taunton (as per the Member Working Group Protocol approved by Council on 30th March). The CGR itself was then officially commenced on 12th November 2021 following a Council meeting in October that set the area for review.
- Creation of a Town Council was a commitment as part of the Unitary Business Case

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Community Governance Reviews

- *Local Government & Public Involvement in Health Act 2007*
- Principal Council powers to amend governance and electoral arrangements at parish/town council level
- Must carry out a Community Governance Review (CGR) before doing so
- Procedure for CGR not prescribed but must take into account Government guidance; consult and take into account any representations received; publish terms of reference and any recommendations

Criteria for decisions

- Community governance arrangements to (*2007 Act, section 93*):
 - - Reflect the identities and interests of the community in the area; and
 - Be effective and convenient
 - Also to take into account (*Guidance, para 53*):
 - - Impact on community cohesion; and
 - - The size, population and boundaries of a local community or parish.

Guidance

- Recommendations ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services
- 'Place' matters when setting up a new parish and place shaping to respond to challenges and opportunities
- Criteria is not set on likely precept/Council Tax implications

Role of Working Group

- The Member Working Group has made reports and recommendations to Full Council with regard to proposals for Terms of Reference for the review, proposals for consultation, any amendments to proposals after the public consultation, and the implementation of the final review recommendations.
- Met as a Community Governance Working Group regularly since May 2021 to consider the issues.
- Conducted research into other Councils that have recently undergone the CGR process e.g. Weymouth, Torbay, Kidderminster et al.
- Determined a detailed timetable and consultation programme for the CGR
- Worked on the Consultation Text and Terms of Reference.
- Engaged with the Charter Trustees, Boundary Commission and Department for Levelling Up Housing and Communities (DLUHC).
- Researched further into the financial aspects and assets and liabilities in the Taunton area with particular regard to Allotments.
- Took a report to Full Council in October 2021 where the geographical scope for the review was agreed and this also allowed for the Terms of Reference to be published and the review to formally start.
- Working Group Preferred Option approved by Full Council on 3rd March 2022

Next steps – timeline

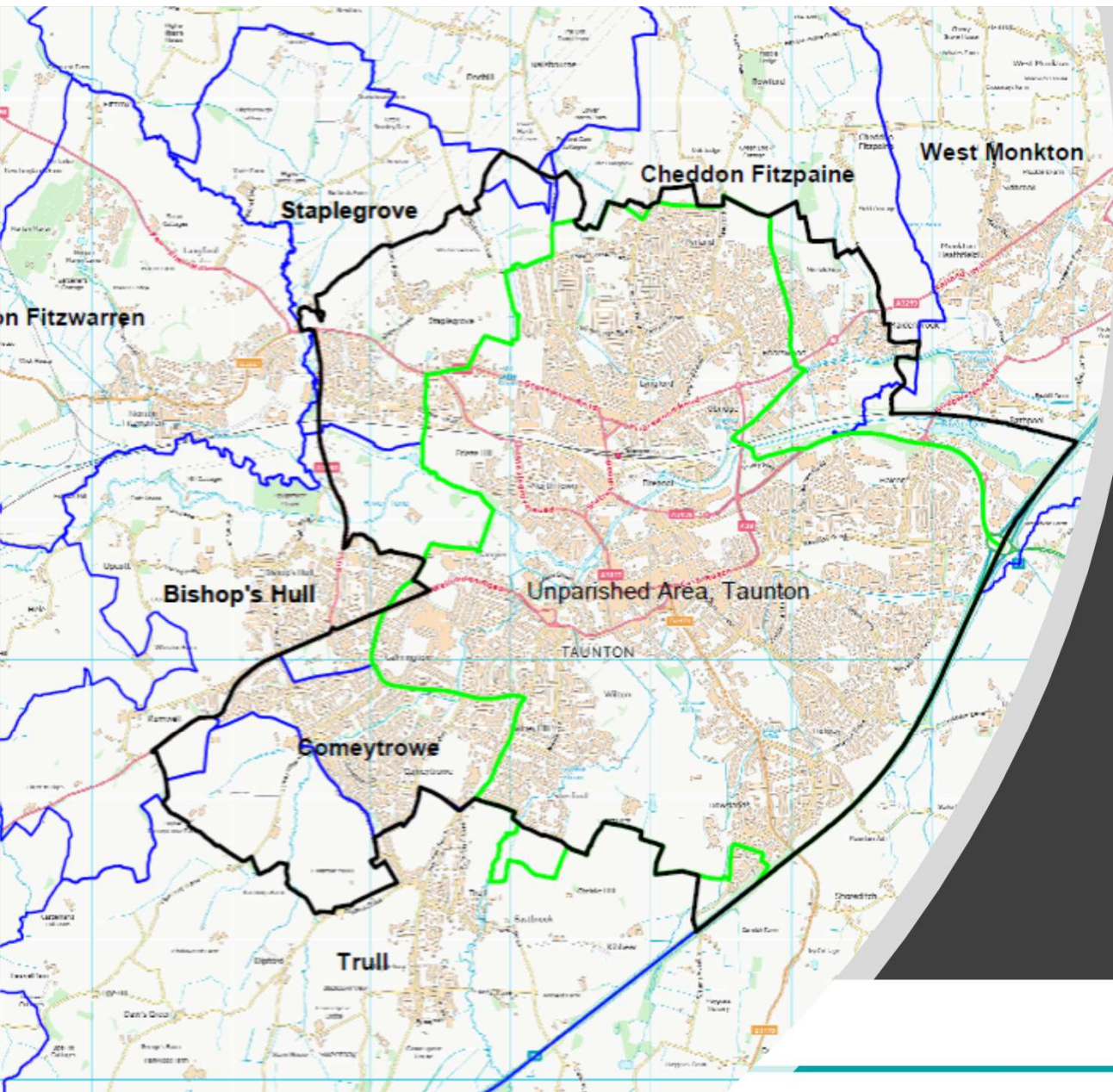
- June 14th – July 26th 2022 – 2nd Stage Consultation to take place on proposed option
- July 27th - August 24th 2022 – Analysis of results and preparation of any Council report.
- September 6th – SWT Full Council to approve final recommendations and any re-organisation order
- September/October – Special SCC Council meeting will be required to give effect to the Re-organisation Order under the Transitional regs

Implementation phase

- October – Elections and Revenues and Benefits to make consequent final changes and calculations.
- Following that order being made the Council could create a Shadow Town Council to start to begin to help with the work required in advance of vesting day on 1st April 2023. (Appointees would likely be the Charter Trustees/County Councillors representing the area involved).
- Oct – April 23 – Finding premises, new website, staff resource, actioning any statutory transfers of assets/services, drafting Constitutional documents.
- Thursday 4th May 2023 – Elections to be held to the new Parish Council if created

SCC Cllr involvement in the lead-up to Oct SCC FC

- Taunton Town Council Sub-Workstream as part of the Governance Workstream reporting through monthly as part of the LGR process.
- All Member Briefing to be set up – Date TBC
- Councillors on the Working Group: Cllrs D Perry (Chair) M Rigby (V Chair), J Hunt, S Coles, A Sully, N Cavill, L Lisgo, L Whetlor
- CGR/LGR Lead Member on the SWT Executive – Cllr S Wakefield
- Workstream Officers include those from SCC Democratic Services - Mike Bryant and Michelle Brooks



Proposals for Stage 2 Consultation

Stage 2 Consultation 14th June – 26th July

- Officers and Councillors on the Working Group have offered to attend meetings to give a presentation and take questions from Councillors/residents.
- Postcard below to circa 44,000 residents and businesses landing w/c 27th June 2022

Have Your Say!

A town/parish council for Taunton?

Somerset West and Taunton Council is currently undertaking a review to decide on whether changes should be made to existing local governance arrangements.

Somerset West and Taunton

Have Your Say!

We want to hear from local residents, business owners and organisations within your area!

Scan the QR code to respond to the stage 1 consultation on this issue or alternatively follow the link below to find out more and request a paper copy:
<https://www.somersetwestandtaunton.gov.uk/cgr/>



Somerset West and Taunton



Background

- UPA of Taunton the only area in Somerset that does not have a Town or Parish Council to represent its residents.
- Note re: Terminology – once established a parish council serving an urban area may resolve to be called a Town Council. It is thought likely a parish council established to serve Taunton will do so.
- Somerset West and Taunton Council has recommended that a new parish should be created for Taunton and a council established to serve that parish. It has further recommended that the area to be covered by the new parish/town council should not be limited to the currently unparished area but should also take in areas of urban extension that have been developed over the years or are proposed into some surrounding parishes, so as to reflect the reality of the area covered by present-day Taunton and the community identity of its residents

What kinds of services could a town or parish council provide and how much would it cost?

- There are almost 10,000 parish and town councils across England, with populations ranging from fewer than 200 to almost 100,000. The range of services provided varies accordingly and each town or parish council decides what, if any, services it will provide.
- The Working Group of Cllrs has looked at typical examples and the types of services that could be provided by a Town Council could be things such as parks maintenance, toilets, Car parks etc.
- There are a number of things that need to be established for vesting e.g. premises, allotments, civic regalia

What kinds of services could a town or parish council provide and how much would it cost?

- A town or parish council itself decides what level of precept to charge but in the case of any new town or parish councils, the principal Council would set the precept for their first year of operation based on the estimated cost of the level of activity expected. In relation to service delivery and the level of precept, just as for any town or parish councils elsewhere in Somerset West and Taunton, a new Town or Parish Council could decide in future to take on additional services of the sort set out above, in negotiations with the new Unitary Council.

Precept comparative data

	2022/23 Tax Base (Band D Equivalents)	2022/23 Precept £	2022/23 Band D Rate £
Taunton Charter Trustees	15,255.85	58,722	3.85
Total 'parish' council tax currently raised in the unparished area	15,255.85	87,815	5.78
Parishes Considered within the Community Governance Review:			
Bishops Hull	1,213.94	35,400	29.16
Cheddon Fitzpaine	909.06	37,247	40.97
Comeytrowe	1,990.73	24,000	12.06
Kingston St Mary	431.98	12,385	28.67
Staplegrove	788.77	12,910	16.37
Trull	1,087.58	31,000	28.50
West Monkton	2,126.44	64,517	30.34
Selected other Town Councils:			
Minehead	4,238.04	753,261	177.74
Watchet	1,236.03	192,980	156.13
Wellington	5,376.16	413,677	76.95

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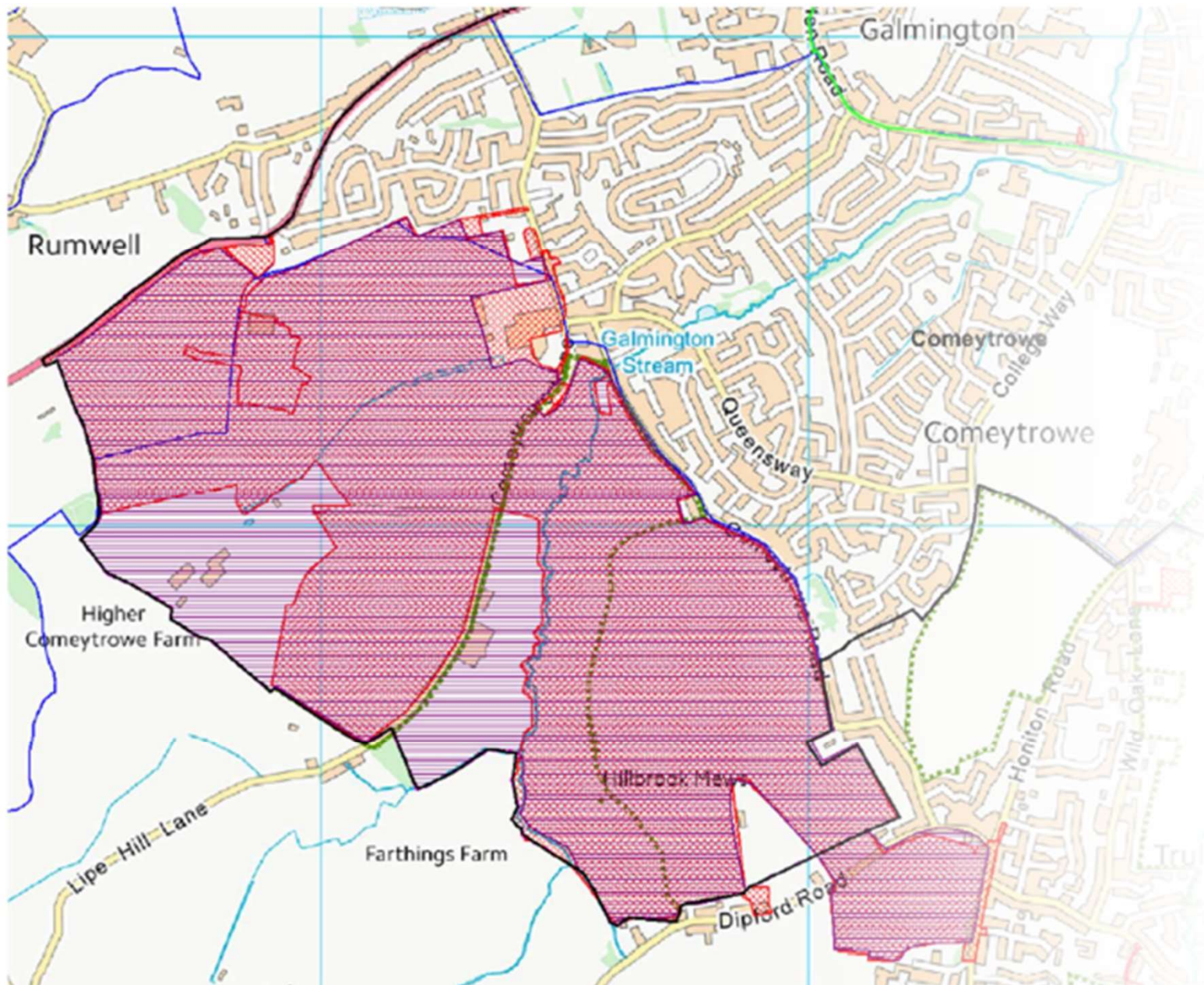
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Costs

- As the level of services provided varies significantly between town or parish councils, so does the level of the precept that they charge Council Tax payers.
- For example, the average town/parish precept payable in 2022-23 by a Band D Council Tax payer within the Somerset West and Taunton Council area is £47.79 per annum.
- The national average Band D precept of all precepting parish and town councils in 21/22 the current year is £74.81 per annum.
- The Charter Trustees for Taunton for 22/23 precepted £58,722, from the Unparished Area of Taunton ratepayers. This was equivalent to £3.85 expenditure per Band D property.

Stage 2 Consultation Proposals

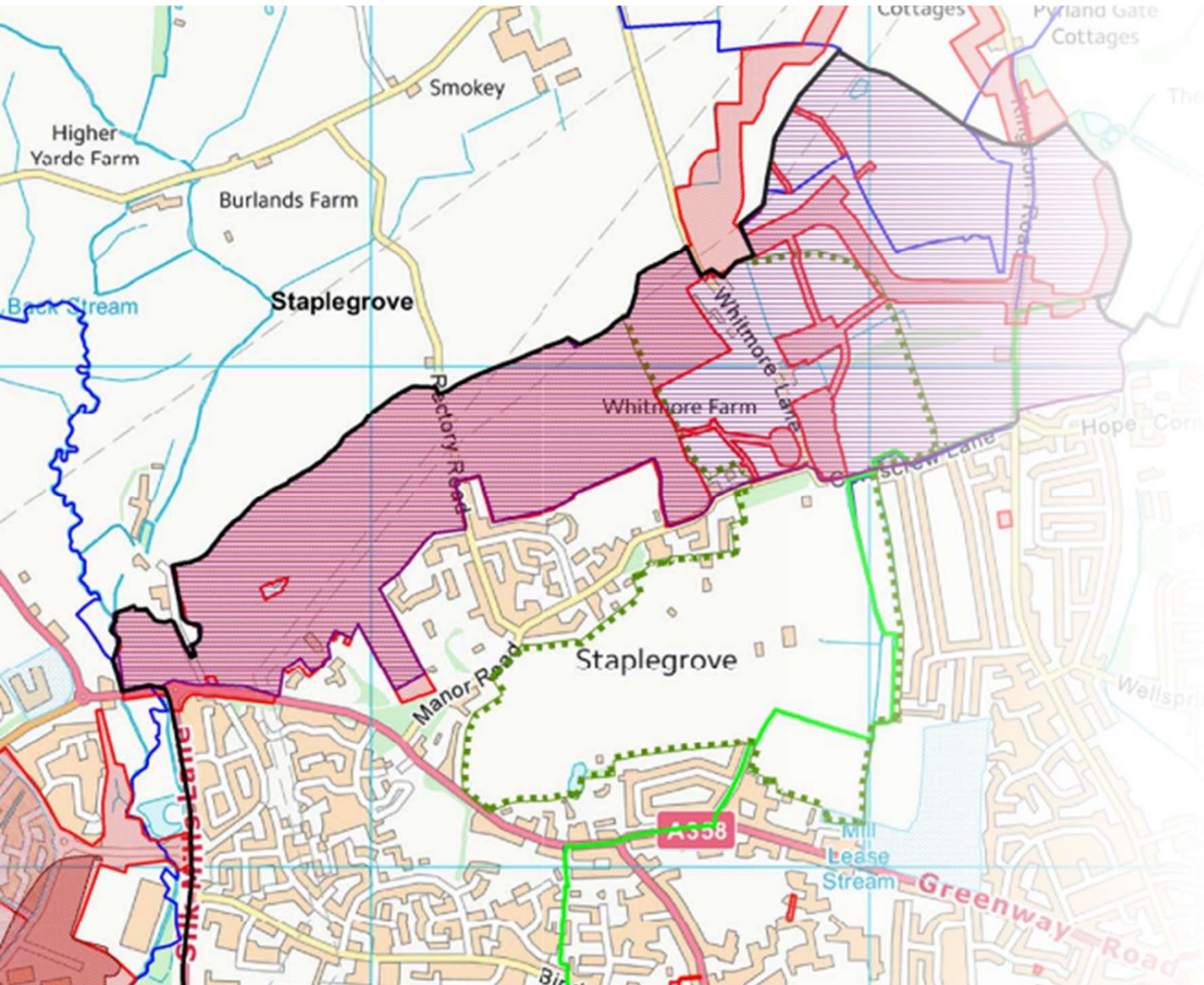
- That a single parish be created to serve the currently unparished areas of Taunton and that in addition:
- **(i) Comeytrove Parish Council be abolished, and the entire area of Comeytrove Parish be included within the boundary of the proposed new Taunton Parish.**
- (ii) The Killams Green area, currently within Trull Parish Council area, be included within the boundary of the proposed new Taunton Parish.
- (iii) The part of the forthcoming development in the south-west corner of Taunton that currently falls within Trull Parish should be included within the boundary of the proposed new Taunton Parish.
- (iv) The boundary of Trull Parish to the north-west of Cotlake Hill be altered to follow the green wedge around the Sherford urban area, with the small area to the south of that boundary that is currently within the unparished area of Taunton becoming part of Trull Parish.
- **(v) The area covered by the Maidenbrook Ward of Cheddon Fitzpaine Parish Council, including several sites earmarked for housing development in the near future, be included within the boundary of the proposed new Taunton Parish.**
- **(vi) The urban parts of Staplegrove Parish, including the entirety of the forthcoming development in the north-west corner of Taunton, be included within the boundary of the proposed new Taunton Parish.**



Recommendation (i) and (iii)

- (i) *Comeytrove Parish Council be abolished, and the entire area of Comeytrove Parish be included within the boundary of the proposed new Taunton Parish.*

- (iii) *The part of the forthcoming development in the south-west corner of Taunton that currently falls within Trull Parish should be included within the boundary of the proposed new Taunton Parish.*



Recommendation (vi)

The urban parts of Staplegrove Parish, including the entirety of the forthcoming development in the north-west corner of Taunton, be included within the boundary of the proposed new Taunton Parish.

Stage 2 Consultation Proposals

- (vii) The slim part of Staplegrove Parish jutting to the west of Silk Mills Lane be included within the boundary of Norton Fitzwarren Parish.
- **(viii) If the proposed changes bring about a remaining Staplegrove Parish area of fewer than 150 electors, that remaining area be merged with Kingston St. Mary Parish.**
- (ix) A small southern portion of the Kingston St. Mary Parish area, representing that part of the proposed Staplegrove East development that falls within the parish, be included within the boundary of the proposed new Taunton Parish.
- (x) With the exception of Galmington Trading Estate and a small section south of the A38 near Rumwell, no part of Bishops Hull Parish should become part of the proposed new Taunton Parish, and the small triangular residential area at the cross-section with Wellington Road, currently within the unparished area, should become part of Bishops Hull Parish.
- (xi) The Hankridge Retail Park, Creech Castle and the associated Toneway Road, currently within West Monkton Parish, be included within the boundary of the proposed new Taunton Parish, which should run along the railway to the M5.
- (xii) The boundary between Norton Fitzwarren Parish and Bishops Hull Parish, just north of Mill Cottages, be amended to follow the route of the railway line.
- (xiii) Further consideration be given to whether the current boundary between West Monkton and Cheddon Fitzpaine parishes between Maidenbrook and Yallands Hill south of the Country Park should be amended, for example by following the A3259 westwards to Maidenbrook Lane, in the light of any comments from the respective parish councils.

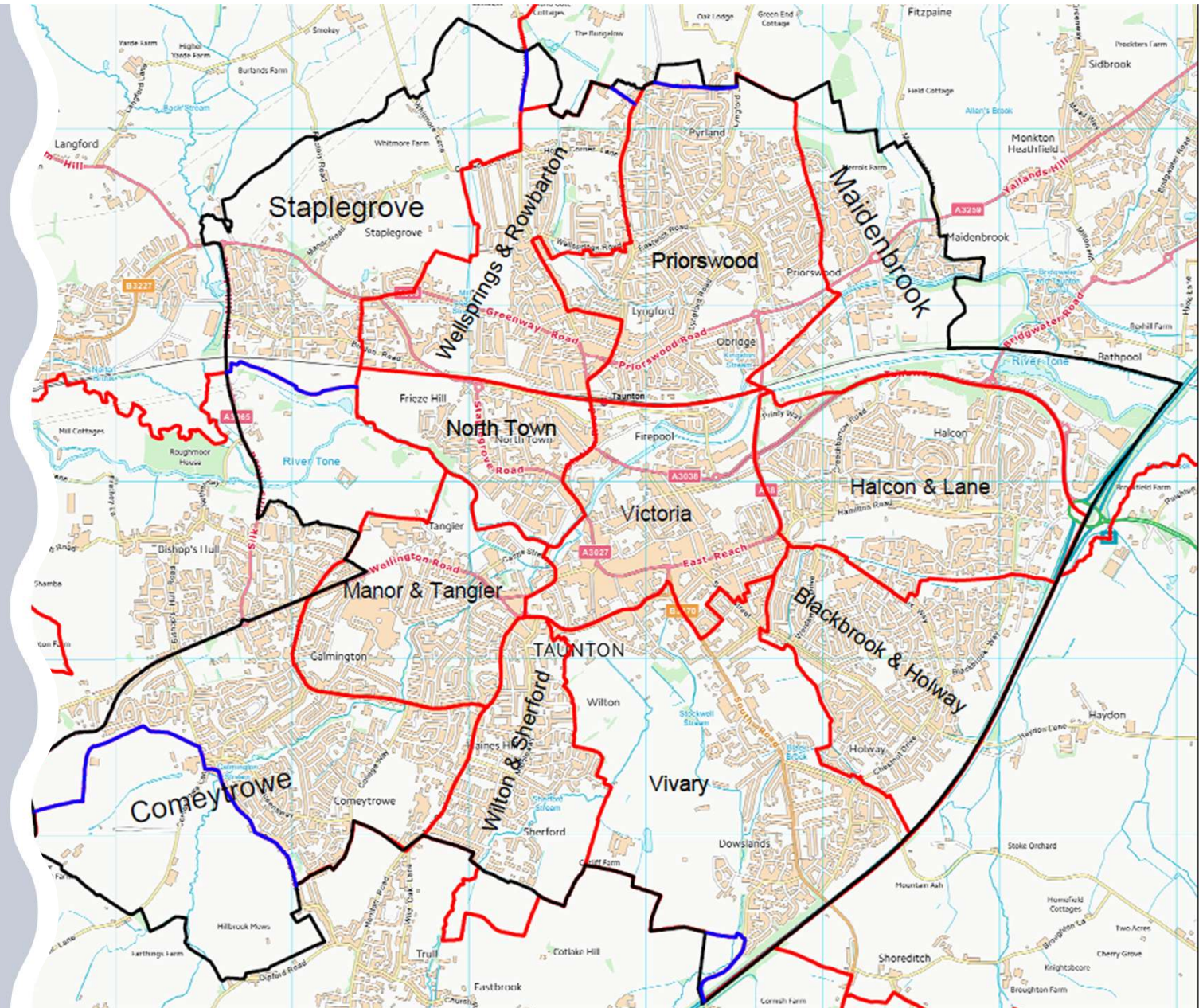
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Stage 2 Consultation Proposals

- B. That the new parish be named 'Taunton Parish' and that a parish council be established to serve the new parish with effect from 1 April 2023.
- C. That with the exception of the area described at A(xi) above, the area of West Monkton Parish Council be completely removed from further consideration of the review and its inclusion in any new Taunton Parish/Town Council.
- D. That the area of Norton Fitzwarren Parish Council be completely removed from further consideration of the review and its inclusion in any new Taunton Parish/Town Council.
- E. That the first elections to the proposed new Parish/Town Council for Taunton should be held on the ordinary day of elections (the first Thursday in May) in 2023.
- **F. That the Council established to serve the proposed new Taunton Parish should have a council size of at least 20 councillors, with the final number to be determined in the context of the proposals to be developed in regard to the warding arrangements within the new parish.**
- G. That the proposed new Taunton Parish be warded and that draft proposals for the warding arrangements, and those of any other warded parishes in the area under review, be developed for inclusion in the second stage of consultation.
- H. That no change be made to the number of Parish Councillors of any of the other continuing parishes within the area under review.
- 2.3 That a revised timetable for the second stage consultation and the remaining stages of the community governance review be agreed as set out in paragraph 11.3 to this report, including meeting(s) of the Working Group and Council, if necessary, to agree the final content of the second stage consultation.

Electoral Arrangements - 20 Cllrs and 11 wards



Blackbrook & Holway	Existing Blackbrook & Holway district ward.	4,646	2
Comeytrove	Existing Comeytrove Parish plus (i) adjacent part of the forthcoming development that is currently within Trull Parish; (ii) Galmington Trading Estate and small section south of the A38 near Rumwell, currently in Bishops Hull Parish.	4,629	2
Halcon & Lane	Existing Halcon & Lane district ward plus Hankridge Retail Park, Creech Castle and associated Toneway Road, currently in West Monkton Parish.	4,351	2
Maidenbrook	Existing Maidenbrook ward of Cheddon Fitzpaine Parish, except for small section south of the Country Park and A3259 (to West Monkton Parish).	1,814	1
Manor & Tangier	Existing Manor & Tangier district ward minus the small triangular residential area at the cross-section with Wellington Road (to Bishops Hull Parish).	2,426	1

North Town	Existing North Town district ward.	2,130	1
Priorswood	Existing Priorswood district ward.	6,686	3
Staplegrove	The urban parts of the existing Staplegrove Parish including the whole of the forthcoming development in the north-west corner of Taunton, plus the small southern portion of the existing Kingston St Mary Parish included in the proposed Staplegrove East development.	2,455	1
Victoria	Existing Victoria district ward.	4,125	2
Vivary	Existing Vivary district ward (including Killams Green area currently in Trull Parish).	3,762	2
Wellsprings & Rowbarton	Existing Wellsprings & Rowbarton district ward.	4,418	2
Wilton & Sherford	Existing Wilton & Sherford district ward minus the small area to the south of the green wedge around the Sherford urban area and to the north west of Cotlake Hill (to Trull Parish).	2,045	1
Totals		43,487	20

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The Questions;

- 3. Do you agree that Taunton should be represented by a Town Council?
- 4. Do you agree that a Town Council for Taunton could help to promote a sense of community in the town and promote community cohesion?
- 5. If a Town Council is established for Taunton, do you agree that its boundary should reflect the current reality of the town and include areas where urban development has occurred or is under way extending beyond the historic boundary?

The Questions:

- 6. Do you agree with the proposal made by Somerset West and Taunton Council for changes at the parish level including the establishment of a new Taunton Town Council & consequential changes in a number of surrounding parishes?
- 7. Do you believe that services such as parks and open spaces, public toilets, control of litter, Car Parking and community events e.g. Christmas Lights Switch On are important to the place where you live? and if so, should town and parish councils consider providing such services if the principal council is unable to continue doing so?

The Questions:

- 8. Do you agree that any new Taunton Town Council should be divided into wards for the purpose of electing Councillors to represent local people?
- 9. Do you agree with the proposal by Somerset West and Taunton Council that the number of Councillors to be elected to any new Taunton Town Council should be 20 and the ward boundaries and names should be as shown in the Map titled B?
- 10. If the parish and parish ward boundaries are changed as proposed, these will no longer match the corresponding district council ward boundaries or county division boundaries in some places, do you agree that LG BCE should be asked to amend the relevant boundaries where necessary to align them with the revised parish boundaries?

Community Infrastructure Levy (CIL)

- The transfer of property , rights and liabilities from a abolished or changed Council are dealt with under regulation 7 of the local government parishes and parish councils England regulations 2008 -
<https://www.legislation.gov.uk/uksi/2008/625/regulation/7/made>
- In simple terms this says that where a council is abolished or subject to an alteration in its area consisting of the loss of a transferred area then all property rights and liabilities which relate to the transferred area will be given to the transferee authority to which the transferred area transfers. i.e. **any unspent CIL receipts relating to development located in that part of a Parish Council's area that is being transferred to a Taunton Town Council should be paid over to TTC on the date of transfer 01/04/23.**
- SWT has no authority to set conditions as to how those transferred assets are handled and it does not appear thus could create any overarching condition that the transferred assets were used in one part of the new parish encompassing what may be called Taunton Town council. The discretion would lie with any new Town or Parish Council. Clearly where there is a transfer to more than one parish then a formula has to be created to deal with the proportions which is outlined in the regs based on population.
- There are limitations on what CIL can be spent on in terms of being used for infrastructure investment to support/mitigate the impact of development on the area.

Neighbourhood Plan

- A neighbourhood planning area does not have to follow administrative boundaries and can encompass an area smaller or greater than a parish council's area.
- Community governance reviews and neighbourhood planning follow two separate processes. A community governance review will not automatically change a neighbourhood plan area, which will continue to exist for the originally designated area.
- Neighbourhood plan policies will remain in place and be enforced for the area of land that they cover even if that land becomes part of a different parish.

Neighbourhood Plan

- However, a local planning authority can amend the boundary of a neighbourhood area after it has been designated, but only if the local planning authority is responding to a new application for a neighbourhood area to be designated. [Section 5 of the Neighbourhood Planning Act 2017](#) (which amended the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004) facilitates the amendment of neighbourhood areas and provides for what is to happen to any neighbourhood plan or order that has already been made in relation to that area. The explanatory memorandum to Section 5 of the 2017 Act states that 'This might be necessary, for example, where a community governance review leads to changes to a parish boundary or the creation of a new parish, or where parish councils choose to undertake neighbourhood planning together or to plan for their own area where they have previously acted together'.
- **Therefore any neighbourhood plan will in the first instance continue in force regardless of any change to the parish boundary.** Neighbourhood planning areas cannot overlap so if Taunton Parish decides to pursue a neighbourhood plan they would not be able to include their whole parish until such time as the NP expires or a PC decide to review their NP. Note that reviewing a made plan to change the NP area would require all statutory processes to be repeated, including area designation, consultation, examination and referendum.

Any Questions?

WE WANT TO HEAR YOUR VIEWS

Please tell us what you think about the matters above or any other issues concerning governance at the town or parish council level by **Tuesday 26th July 2022**. Link to the survey:

<https://yoursay.somersetwestandtaunton.gov.uk/governance/cgr2/>

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