

# FORMING A HIGHCLIFFE PARISH COUNCIL

M Mawbey

November 2015

## 1. INTRODUCTION

1.1 If a local council were to be set up it would become the first tier of governance and be below Christchurch Borough Council. Local Councils (Town/Community/ Neighbourhood/Parish Councils) do not have responsibilities but do have powers and duties. Appendix A lists possible powers and duties. Such local councils have a chairman, a number of councillors and a clerk to carry out the functions necessary.

1.2 The recommended minimum number of councillors is five but there is no maximum but 25 is suggested. Burton and Winkton Ward has two district councillors whereas Burton Parish Council has ten councillors. This can facilitate more effective engagement with the 3404 electors.

1.3 The discharge of powers and duties is funded by the residents who pay an additional amount on the council tax known as a precept. For Burton this is about £13 per year and will bring in £19,700 in 2015/2016.

1.4 Larger councils such as Verwood and Ferndown have precepts of £45.70 and £44.31 which bring in £270,051, £330,454 respectively; Swanage receives £643,580.

## 2. SETTING UP A LOCAL COUNCIL

### 2.1 General

2.1.1 Setting up a local council is straightforward but can be a lengthy procedure. It must be stressed that effective consultation with the residents is essential as is keeping the Local Authority involved.

### 2.2 Geographical Area

2.2.1 The first task is to set up the boundary of the new local council area. There are advantages in the boundary being related to existing district ward boundaries which simplifies elections.

2.2.2 The wider area known as Highcliffe has three district wards:

- Highcliffe
- North Highcliffe and Walkford
- West Highcliffe

2.2.3 The geographical area of the new local council could be one or a combination of these. If the combination of the three were to be chosen then it would be logical to exclude the area of West Highcliffe ward to the south of the A337 and A35 Bypass. Account will also need to be taken of the extent of the Roeshot Hill development.

## 2.3 Making the Case to Residents

2.3.1 The case for setting up a new local council and the extent of its boundaries will need to be put to the local residents through a series of public meetings and other forms of engagement. Clearly the residents have to be behind the initiative for they must be aware of the benefits and that they will have to fund it through the precept. There is a need for a well-organised and inclusive campaign.

2.3.2 Appendix B lists an amended list of powers and duties and how they might be relevant to Highcliffe.

## 2.4 Raising a Petition

2.4.1 The success of the campaign will be reflected in the support for a petition in favour of the formation of the local council. The petition would be addressed to the Secretary of State through Christchurch Borough Council. To proceed further at least 7.5% of the electorate must be in favour.

Ward	Electorate	7.5% of Electorate	Properties*
Highcliffe	3169	238	2270
North Highcliffe & Walkford	3046	228	1700
West Highcliffe	4759	357	3000
Total	10,984	824	7000

\* estimate

## 2.5 Community Governance Review

2.5.1 On receipt of the petition Christchurch Borough Council would have a duty to review the case and make its recommendations within 12 months. If the case was successful the Local Council could be formed and a shadow council could take office until May 2019 when elections would take place, concurrent with the CBC elections. Throughout the period it would be advisable to maintain the campaign with local residents. A review was carried out recently of the East Dorset Local Councils ([www.dorsetforyou.com/412554](http://www.dorsetforyou.com/412554))

## 2.6 Elections

2.6.1 A proportion of the costs of the local council election would have to be borne separately from those resulting from the district election.

## 2.7 Budgets and Precepts

2.7.1 The local council will set its own budget and precept which is not subject to a cap. The total amount which the local council would receive cannot be calculated since it is based on the number of equivalent Band D properties and takes account of discounts etc. An estimate has been made of the number of properties in each of the wards and it has been assumed that all would be rated in Band D and that there would be no deductions. Hence with a £10 precept the income would be around £70,000 per year. In addition to this sum there could be grants and donations.

## **2.8 Number of Councillors**

2.8.1 Taking the three-ward model there are currently 7 councillors so applying a factor of 2x to arrive at the total on the new council does not appear to be unreasonable. At the moment each ward is divided in two polling districts (HCA, HCB, NHA, NHB, WHA, WHB) so each polling district could be subdivided further in two. Each councillor could then represent the views of residents in around 500 properties.

## **3. CONCLUSIONS**

3.1 The case for the formation of a new council is the key task. There are a number of tasks which are fundamental:

- The extent of its boundary needs to be defined;
- The expected total precept needs to be established (Stour Valley Partnership);
- The powers and duties which the new council will have, need to be specified;
- Within those roles and duties the actual p
- The annual cost of carrying the role (including the salary for a clerk) needs to be estimated to allow a shadow budget to be set.
- From the previous steps the precept required can be estimated.

3.2 Finally it will be necessary to identify the advantages of having a local council as opposed to the status quo.

## **4. RECOMMENDATIONS**

4.1 It is suggested that a committee should be set up to make the case for setting up a local council.

4.2 The primary task of the committee should be to make the case for a local council as set out above. It may assist if the case studies referred to in the references and the minutes of Christchurch other Dorset Councils are reviewed to see what topics they address.

### **Bibliography**

1. "Power to the People, Section 1- What are local councils?" National Association of Local Councils
2. "Power to the People, Section 2 – Create your own council". National Association of Local Councils
3. "Power to the People, Section 3 – Establishing your new local council". National Association of Local Councils
4. "Parish and Town Councils: Recent Issues". House of Commons Library Briefing Paper Number 04827. 15 May 2015.
5. "Guidance on Community Governance Reviews". Local Government Boundary Commission, March 2010

6. "Parishes and other local precepting authorities 2013-2014 England". Department for Communities and Local Government.

#### Relevant websites

<https://www.gov.uk/government/get-involved/take-part/set-up-a-town-or-parish-council>

<https://www.gov.uk/government/publications/community-governance-reviews-guidance>

<http://www.nalc.gov.uk/our-work/create-a-council>

<http://www.nalc.gov.uk/library/publications/power-to-the-people/809-section-1/file>

<http://www.nalc.gov.uk/library/publications/power-to-the-people/1647-section-2-how-to-create-your-own-local-council-july-2015/file>

<http://www.nalc.gov.uk/library/publications/power-to-the-people/1648-section-3-establishing-your-new-local-council-july-2015/file>

<http://www.localgov.co.uk/Parish-council-responsibilities/29135>

<http://www.cpalc.org.uk/cpalc-publishes-a-60-second-guide-41-calculating-a-town-or-parish-council-precept>

[www.dorsetforyou.com/412554](http://www.dorsetforyou.com/412554)

## APPENDIX A

### POWERS AND DUTIES

A.1 Below is a list of the powers that a Local Council can have. Not all of these will be applicable:

- Allotments
- Burial Grounds, Cemeteries, Churchyards and Crematoria
- Bus Shelters
- Bye-laws – the power to make bye-laws concerning: baths and washhouses (swimming pools), cycle parks, mortuaries and pleasure grounds
- Clocks – public clocks can be provided and must be maintained
- Community Centres, Conference Centres, Halls, Public Buildings
- Drainage – of ditches and ponds
- Entertainment and the Arts
- Footpaths
- General Spending – parish councils can spend a limited amount of money on anything they deem of benefit to the community that is not covered by the other specific responsibilities described in this list
- Gifts – parish councils may accept gifts
- Highways – lighting, parking places, right to enter into discussions about new roads and road widening, consent of parish council required for diversion or discontinuation of highway, traffic signs and other notices, tree planting and verge maintenance
- Land – acquisition and sale of
- Legal proceedings – power to prosecute and defend any legal proceedings in the interests of the community, power to take part in any public enquiry
- Litter - provision of litter-bins and support for any anti-litter campaigns
- Planning – parish councils must be notified of, and display for residents, any planning applications for the area. Any comments submitted to the planning authority by the parish council must be taken into account
- Postal and Telecommunication Facilities – power to pay a public telecommunications operator any loss sustained in providing services in that area
- Public conveniences – provision and maintenance of public toilets
- Recreation – provision of recreation grounds, public walkways, pleasure grounds, open spaces, village greens, gymnasiums, playing fields, holiday camps and boating ponds
- Rights of Way – footpath and bridleway maintenance
- Seats (public)
- Signs – danger signs, place names and bus stops signs
- Tourism – financial contributions to any local tourist organisations allowed
- Traffic Calming
- War Memorials
- Water Supply – power to utilise stream, well or spring water and to provide facilities for general use

## APPENDIX B

### RELEVANT POWERS & DUTIES

POWER/DUTY	RELEVANCE
Allotments	Management of the Walkford allotments
Bus Shelters	Maintenance and provision of new ones (cliff top)
Bye-laws – the power to make bye-laws concerning: cycle parks and pleasure grounds	Recreation ground, Nea Meadows etc
Clocks – public clocks can be provided and must be maintained	G&T clock
Community Centres, Conference Centres, Halls, Public Buildings	All are private except for Highcliffe Castle.
Drainage – of ditches and ponds	Lakewood, A337, Chewton Bunny
Entertainment and the Arts	Carnival, Food Festival, Music Festival, Open Street etc.
Footpaths	Cliff paths and various others across the area require maintenance including keeping clear of vegetation.
General Spending – parish councils can spend a limited amount of money on anything they deem of benefit to the community that is not covered by the other specific responsibilities described in this list	Improvements to recreation ground and children’s play areas. Provision of bandstage. Renovation of fingerposts
Gifts – parish councils may accept gifts	
Highways – lighting, parking places, right to enter into discussions about new roads and road widening, consent of parish council required for diversion or discontinuation of highway, traffic signs and other notices, tree planting and verge maintenance	All relevant
Land – acquisition and sale of	Possible acquisition of Chewton Common land for leisure use.
Legal proceedings – power to prosecute and defend any legal proceedings in the interests of the community, power to take part in any public enquiry.	
Litter - provision of litter-bins and support for any anti-litter campaigns	Provision of more bins, support for litter picks
Postal and Telecommunication Facilities – power to pay a public telecommunications operator any loss sustained in providing services in that area	
Public conveniences – provision and	Provision of toilets on the promenade.

maintenance of public toilets	
Recreation – provision of recreation grounds, public walkways, pleasure grounds, open spaces, village greens, gymnasiums, playing fields and boating ponds	Possibility of provision of a playing field in Walkford
Rights of Way – footpath and bridleway maintenance	
Seats (public)	
Signs – danger signs, place names and bus stops signs	Relevant
Tourism – financial contributions to any local tourist organisations allowed	
Traffic Calming	Relevant
War Memorials	On St Marks land