



Name of Meeting:	CABINET
Meeting Date:	19 December 2006
Directorate:	Governance Resources & Improvement
Corporate Manager:	Francis Fernandes
Agenda Status:	Public part of Agenda

Report Title	Petition to Extend Upton Parish Boundary
---------------------	--

KEY DECISION	NO
---------------------	-----------

1. Recommendations

1. That the Petition be sent to the Secretary of State for Communities and Local Government together with a statement of the Council's views which agrees with the proposals in the Petition.
2. That the Secretary of State and the Electoral Commission also be informed that the Council have decided to consider the electoral arrangements for the proposed Parish Council in that they consider it should be divided into two wards.

2. Summary

A petition has been received supporting a proposal that the present unparished areas of Upton Grange, part of the new Upton Development and the Banbury Lane Development be included within the Boundary of Upton Parish. The petition is signed by 284 residents living in the area. It now falls to the Council to forward the petition to the Secretary of State together with their views about it

3. Report Background

Legal Position

The procedure for reviewing parish boundaries is contained in the Local Government and Rating Act 1997. One of the ways this can be initiated is by a petition being made by local government electors in an area that is not presently parished, for that area to be constituted as a parish and for a Parish Council to be established for it. The number of signatories to the petition must be at least 250 or 10% of the electors in that area, whichever is the greater. Within 2 months of receiving the petition the Council must forward the petition to the Secretary of State, together with a statement of their views about it. The County Council must also be notified, who can send their views either to the District Council or to the Secretary of State.

If the Council decide to consider the electoral arrangements for the proposed parish council they should also inform the Electoral Commission.

The Proposals

The present petition was received on 21 September 2006 but interest has been expressed in adding Upton Grange to Upton Parish Council since 2003.

A plan showing the proposals is annexed. It includes the whole area between the present eastern boundary of Upton Parish and Upton Way. This area comprises the existing Upton Grange Development and part of Site A of the new Upton Development. The proposal also includes the Banbury Lane Development.

In relation to Upton Grange and the Upton Developments there is no doubt that the existing boundary carries no present geographical significance, whereas the proposed boundary along Upton Way would be logical and recognisable.

In relation to the Banbury Lane Development the inclusion of this area in Upton Parish might help that rather isolated development integrate with the wider developing community on the western side of the Town.

Electoral Arrangements – Wards

Even without the proposed additions Upton Parish is set to grow enormously in its population since it includes both the Upton and St Crispin Developments. The opinion of the Electoral Officer is that the opportunity should be taken to look at dividing the Parish into two wards – one to the north of Weedon Road and one to the south.

4. Options and Evaluation of Options

Options

1. As recommended in this report. This appears the most appropriate course to meet the needs of the locality.
2. To disagree with the proposal. Given that the request made by the petition is a reasonable one coming from members of the public in the locality this option is not recommended.
3. To suggest that a decision be deferred, pending a more comprehensive review of parish boundaries. However, undertaking such a review is not a corporate priority and it would inevitably divert resources from other priorities. It would also not be an appropriate time to do this in view of the possibility of more wide ranging local government reorganisation following the recent white paper.

5. Resource Implications (including Financial Implications)

If accepted the proposals will involve some staff time to implement, particularly in Electoral Services and Council Tax; but no additional resources will be required.

6. Risk and Opportunity Issues

None identified

7. Consultees (Internal and External)

Internal	Community Development, Electoral Services, Council Tax
External	County Council

8. Compliance Issues

A: How Proposals Deliver Priority Outcomes

Strategic Improvement Plan
Links to Council's priority of improving interaction with the public
Corporate Plan
Links to Priority 1: Listen to local people and provide the services they need

B: Other Implications

Other Strategies

Finance Comments
N/A

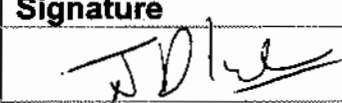


Legal Comments
N/A

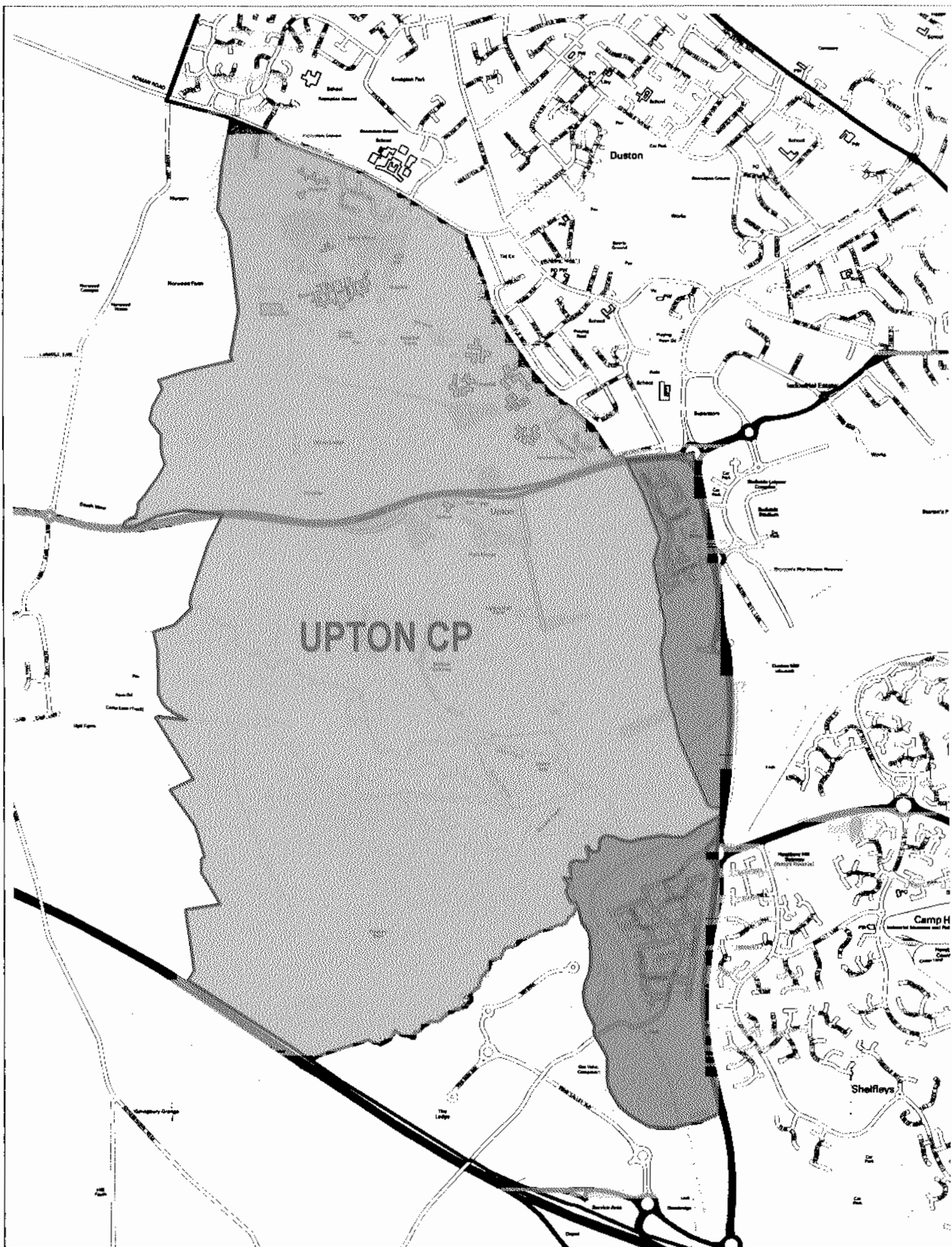
9. Background Papers

Title	Description	Source
Local Government and Rating Act 1997	<p>Act of Parliament</p> <ul style="list-style-type: none">• Petition• Correspondence• Minutes of Upton Parish Council 10 July 2006• Minutes of Upton Grange Residents Association 3 July 2006• Minutes of Banbury Lane Residents Association 24 August 2006	

Report Author
J Inch
Senior Solicitor

Ext: 7335

Name	Signature	Date	Ext.
Author		8.12.06	7335
Corporate Manager		8.12.06	
Director			



Rev: L. Pore
 Date: 7th December 2006
 Scale: 1:20,000
 Type: Legal
 Project:

Title

Proposed Changes to Upton Parish Boundary

Produced from the 2004 Ordnance Survey 1:1250 mapping with the permission of the
 Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction
 infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019855