



NORTH  
YORKSHIRE  
COUNCIL

1 April 2023

# Community Governance Review

## Draft Recommendations

Eastfield Unparished Anomalous Area

January 2023

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## 1. Background to the Review

- 1.1. A Community Governance Review (CGR) is a review of whole or part of a principal council's area for the purpose of making recommendations with regard to creating, merging or abolishing parishes and the naming and electoral arrangements of parishes. Where a parish of over 1,000 electors is created it must have a parish council. A parish council may be called a Town, Community, Neighbourhood or Village Council. The review is undertaken:
- In accordance with the legislation in Chapter 3 of the Local Government and Public Involvement in Health Act 2007:
  - Having regard to guidance published by the Secretary of State and the Local Government Boundary Commission for England; and
  - Complying with the terms of reference that the council has adopted for the review
- 1.2. A review is often undertaken when there have been changes in population or reaction to specific new issues to ensure that community governance for the area continues to be effective and convenient and reflects the identities and interests of the community. The aim of the review is to bring about improved community engagement, communities that are more unified, better local democracy and more effective and convenient delivery of local services.
- 1.3. The review offers two opportunities for residents to have their say. The first period of consultation has been undertaken, which forms the basis of these draft recommendations.

<b>Revised* Timetable for Consultation and Recommendations</b>	
August to October 2022	Initial consultation period
Nov 2022 to Jan 2023	Consideration of responses and drafting of recommendations
February to April 2023	Further consultation period on draft recommendations
April 2023 to June 2023	Formulation of final recommendations

\* Reasons for revisions or delays are explained in Appendix A.

- 1.4. If the Executive approve the draft recommendations a second period of consultation is planned for February to April 2023, to allow final recommendations to be drafted and presented to North Yorkshire Council in the summer of 2023.

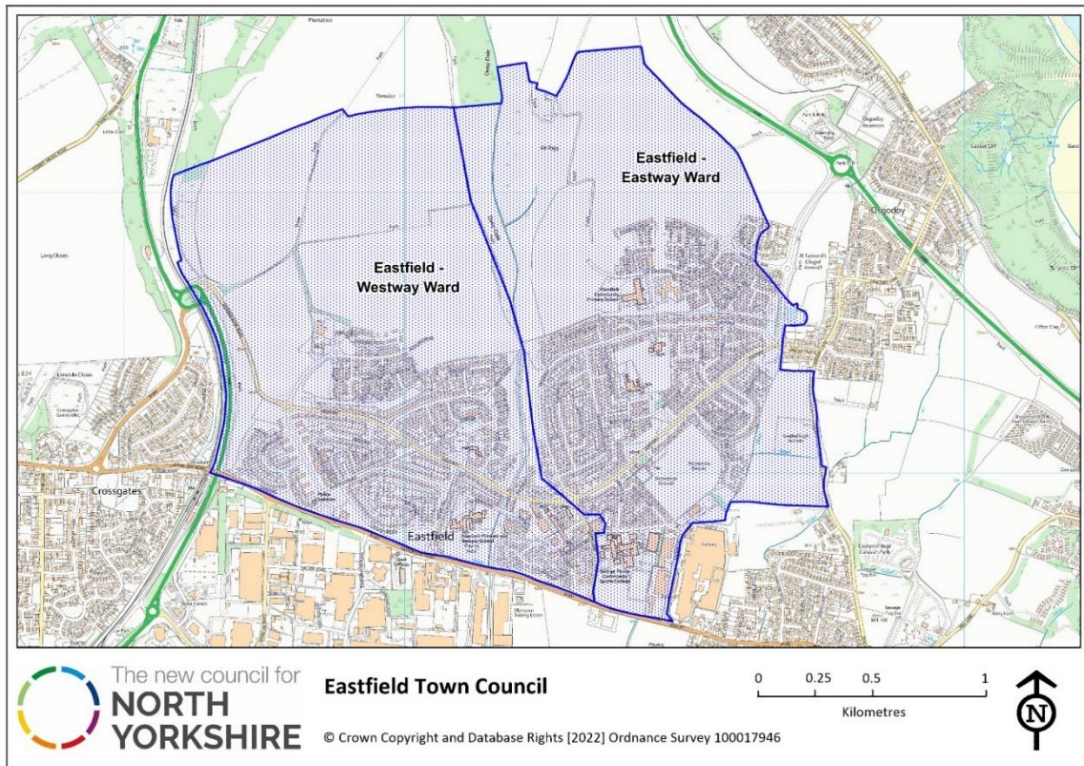
- 1.5. On 1 April 2023, a new unitary authority to be known as North Yorkshire Council will be created and will deliver all local services. The new council will replace North Yorkshire County Council and Scarborough Borough Council (SBC), along with the county's six other district councils.
- 1.6. A central pledge in the bid for a new unitary authority was 'double devolution'. This will enable town and parish councils the opportunity to take on greater responsibilities. Currently, the only parts of North Yorkshire which do not have a parish are the towns of Scarborough and Harrogate, hence those areas have limited ability to take on these responsibilities. More information on Local Government Reorganisation (LGR) is available here [The new council and devolution for North Yorkshire | North Yorkshire County Council](#).
- 1.7. Parish and town councils play a key role in representing the views and promoting the needs of communities and can provide services to their residents. Parish councillors are directly elected to the parish council by the electors of the parish area. Parish Councils are mainly funded by a levy incorporated into local residents' council tax bills, known as a precept. Parish Councils are also able to bid to a wide range of bodies for grant funding at a local level.
- 1.8. The terms of reference for the Scarborough area included three anomalous areas along the boundary lines of the unparished area, which following a Borough Council review of wards by the Local Government Boundary Commission for England (LGBCE) in 2017/18 saw changes made to wards which were once coterminous with the parish boundaries. The changes now mean that affected residents no longer fall within the same borough ward, county division and parish, with some remaining unparished. It is felt that these 3 anomalous areas could be addressed as part of this review, being consequential matters arising from the LGBCE review. These 3 areas consist of an unparished part of Eastfield (Middle Deepdale development), 3 properties at Osgodby, and Charles Williams Apartments which are currently split between being part parished within Newby & Scalby Town Council, and part unparished. Separate draft recommendations documents have been generated for each of those areas.
- 1.9. North Yorkshire County Council agreed to conduct this review at a meeting of the Executive on 19 July 2022. The report and the legal basis on which the review is conducted, along with the terms of reference for this review can be found here: [Agenda for Executive on Tuesday, 19th July, 2022, 11.00 am | North Yorkshire County Council](#). The Executive resolved that:
  - Community governance reviews be undertaken for the unparished parts of Harrogate and Scarborough, incorporating Eastfield Town Council.
  - The Assistant Chief Executive (Legal and Democratic Services) in consultation with the relevant Executive Members be given delegated authority to approve

the terms of reference once final typographical changes have been completed and to take any necessary action to progress the Community Governance Review.

- 1.10. The Local Government and Public Involvement in Health act 2007 requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account by judging them against the statutory criteria.
- 1.11. Following the resolution of the Executive to commence a review the terms of reference were published on the NYCC website and preparations finalised for the stage 1 consultation. The methodology used for the consultation is set out at Appendix A and the survey at Appendix B.
- 1.12. The tensions between the potential cost of the consultation and the need to offer all affected residents and interested parties the opportunity to respond were considered. Direct mail was chosen for all households within the areas under review. Other known stakeholders were contacted by email and the consultation was also publicised by means of local press and resident newsletters and social media. Online responses were encouraged but alternatives were available.

## 2. Current Arrangements and History of the area

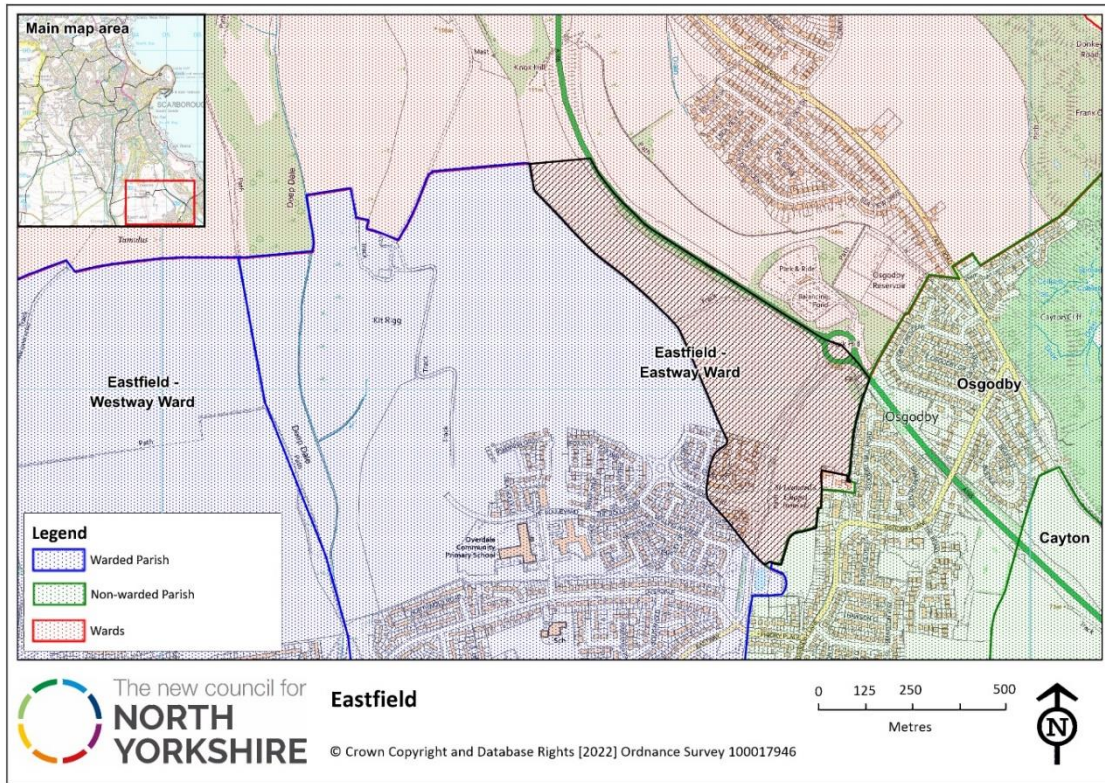
2.1. Eastfield Town Council is currently arranged by two wards, as follows:



Eastfield Town Council	Electorate (Dec 2022)	Households (June 2022)	Councillors
Eastway Ward	2,685	1,734	6
Westway Ward	2,058	1,392	5
<b>TOTALS:</b>	<b>4,743</b>	<b>3,126</b>	<b>11</b>

### Relevant History

2.2. The external boundary of the parish, prior to the 2017/18 LGBCE review was wholly coterminous with the SBC Eastfield Ward, but the LGBCE took note of the Middle Deepdale Development at the north-eastern area of Eastfield, and extended the SBC Ward boundary line to reach the A165. Residents in that area now fall within the Eastfield Ward of SBC and the Eastfield Division of NYCC, but the area remains unparished, and is shown shaded within the map below:



2.3. On 25 January 2016 the parish council resolved to change its name from Eastfield Parish Council to Eastfield Town Council. It does not have a Mayor.

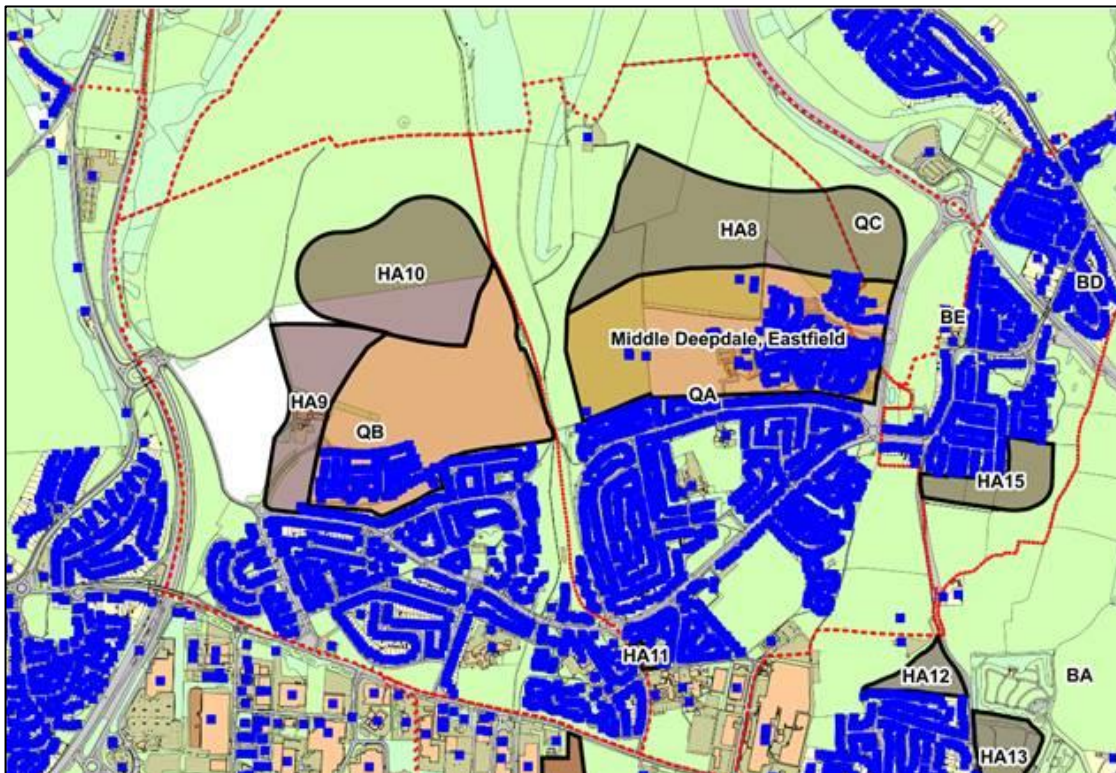
### Five year electorate forecast

2.4. The electorate and 5 year electorate forecast of Eastfield Town Council is as follows:

Ward of Eastfield Town Council	Electorate (Dec 2022)	Electorate Prediction (2027)	Predicted Electorate Increase	Councillors
Eastway	2,685	3,320	635	6
Westway	2,058	2,484	426	5
<b>Totals</b>	<b>4,743</b>	<b>5,804</b>	<b>1,061</b>	<b>11</b>

2.5. The increase in Eastway Ward (and spilling into the current unparished part) is due to an expected increase of 409 dwellings detailed within the SBC Local Plan as Middle Deepdale (East - Kebbell Phase 4), Middle Deepdale (East) Outline Remaining, Land to North of Middle Deepdale (east of Deep Dale Valley - HA8), Land to North of Middle Deepdale (east of Deep Dale Valley - HA8).

- 2.6. The increase in Westway Ward is due to an expected increase of 137 dwellings within the next 5 years, as detailed within the SBC Local Plan as Middle Deepdale (West 16/00873/RM), Middle Deepdale (West 20/02231/RM), plus just one smaller development comprising of 4 expected dwellings at Link Centre, Link Walk. There are further large developments planned for Westway, but they are not expected until after the 5 years currently being used for this review, which are listed as HA9 Land to west of Middle Deepdale, HA10 Land north of Middle Deepdale (west of Deep Dale Valley), and North of Lingholm Crescent
- 2.7. Some of the planned dwellings fall into the unparished part of Eastfield, and at the time the Local Plan was written, polling district QC representing the unparished part was not in existence, hence has not been separated out.
- 2.8. The housing development areas can be seen in the plan below, and the unparished part of Eastfield (polling district QC) only captures a small part of the existing and allocated development areas, with the rest falling within the parish boundaries:





### 3. Assessment of Submissions

- 3.1. The following table shows the number of households written to, with the number of submissions received, and response rate. As detailed at Appendix 1 responses were not limited to households only, anyone with an interest was invited to respond.

Households posted to	3,172
Responses received for area	151
Response rate	4.76 %

- 3.2. Submissions received, both in summary form and in full, can be found in the Consultation Report at Appendix C. Some comments are quoted in this assessment where they may be helpful to illustrate a point.
- 3.3. Response rates in the table above were calculated by comparing the number of returns with the number of households directly consulted by means of a mailout inviting responses from all properties in the areas under review. The total number of responses is 151.
- 3.4. The responses to the options provided in the survey were as follows:

Option	Number	Percentage
Option 1 – to create a parish council for the unparished part of Scarborough Town Centre and include the unparished part of Eastfield within it	25	16.9 %
Option 2 – the unparished part of Eastfield becomes part of Eastfield Town Council and the unparished part of Scarborough Town Centre becomes a separate parish	71	48 %
Option 3 – to leave Scarborough Town Centre and the unparished part of Eastfield unparished.	5	3.4 %
Option 4 - the unparished part of Eastfield becomes part of Eastfield Town Council, and the unparished part of Scarborough Town Centre remains unparished.	12	8.1 %
Some other option	8	5.4 %
Don't know/not sure	27	18.2 %
	<b>148</b>	<b>100 %</b>

- 3.5. The majority of respondents favoured parishing of the unparished part of Eastfield, selecting either option 1, 2 or 4 (73%). The larger percentage (48%) were in favour of the second option: that the unparished area becomes a part of Eastfield Town Council. Reasons given centred mostly around ideas of community identity.

*Some felt that option 1 was the better option: "Being at this end of Eastfield, I use all Scarborough facilities eg churches (St Martin's for example - just up the road our nearest church) / doctors etc more than any civic facilities on Eastfield so it makes sense to include this part of Eastfield in a parish that's newly created with Scarborough Town. I feel it's important to create a parish to enable a sense of community that's lacking and to represent our interests".*

However, the majority took the opposite view, that option 2 was the better option: *"Eastfield residents should have their interests and representations provided into the Eastfield Town Council to ensure consistency, efficacy and efficiency of local decisions which impact them having their views included. To not do so would see decisions made by Scarborough Parish(es) impacting some but not all of Eastfield residents and could conflict with and upon the consistency of those decisions being made by the Eastfield Council"*

*"It makes sense. The main function of the newly created Scarborough town council will be to rally support to improve the locality for tourism and business. Eastfield is residential and has a different focus".*

- 3.6. Only 3.4% preferred option 3 - to leave both the unparished area of Eastfield and Scarborough Town Centre unparished with cost or no need for change being cited as reasons.
- 3.7. Although 8.1% selected option 4 - for the unparished part of Eastfield to become part of Eastfield Town Council and leave the unparished part of Scarborough Town unparished, their reasons were all focused on why the area should become part of Eastfield Town Council with no reference made to why the unparished part of Scarborough should remain unparished.
- 3.8. Some respondents gave information about local groups which are active in the community though not necessarily able to provide an alternative form of governance to a parish council. The groups mentioned will be included in the next phase of consultation. Some respondents selecting don't know/not sure commented that they didn't have enough information.
- 3.9. Some respondents referred to future developments planned for Eastfield which are described in Section 2 of this document.
- 3.10. The majority of responses to the consultation agree that the unparished part of Eastfield should be parished whilst there were differing views on whether it should be part of a new Scarborough Town Council or be included in Eastfield Town

Council. The number of respondents (71) who chose Eastfield Town Council outnumbered those (5) who chose Scarborough Town Council.

## 4. Statutory Criteria

4.1. Section 93 of the Local Government and Public Involvement in Health Act 2007 requires that the Council must have regard to the need to secure that community governance in an area under review

- reflects the identities and interests of the community in that area
- is effective and convenient

and in deciding what recommendations to make the principal council must take into account any other arrangements for community representation or community engagement that already exist in an area.

### Identities and Interests

4.2. Parish councils have two main roles: community representation and local administration. For both purposes it is desirable that a parish should reflect a distinctive and recognisable community of place, with its own sense of identity. The views of local communities and inhabitants are of central importance. Some of the factors which help define communities of place are: the geography of an area, the make-up of the local community, sense of identity, and whether people live in a rural, suburban, or urban area.

Middle Deepdale is a clearly identifiable built up area joined up with the existing Eastfield area. Eastfield is generally becoming more recognisable as a town in its own right, and is now styled as a 'town' council. The town is built upon two clear sides, Eastway, and Westway, with the names of the existing wards deriving from the names of the main roads going through the residential estates. Eastway and Westway will always be split at the northern part as they have the '*natural landscape character of Oliver's Mount Wooded Scarp encircling the area west, north and east, forming the site's boundaries to the east and west*' (wording from Middle Deepdale Landscape Sensitivity Analysis 2014), with a link road connecting the areas.

The town is mainly residential, with a small shopping area, a nursery, primary and secondary school, a community centre and at least two churches within the area. There is a natural boundary line provided by the A165 already adopted at SBC ward level by the LGBCE due to the developments expected at Middle Deepdale.

## **Effective and convenient local government**

- 4.3. Local communities should have access to good quality local services, ideally in one place. A parish council may be well placed to do this. With local parish and town councils in mind, effective and convenient local government essentially means that such councils should be viable in terms of providing at least some local services, and if they are to be convenient they need to be easy to reach and accessible to local people.

A modification to the town council boundaries to capture all of Middle Deepdale development as it grows is likely to offer more effective and convenient local government to the residents affected than to leave the area as is – unparished, or to include with any new parish for the Scarborough town.

- 4.4. Creating a smaller single parish for Middle Deepdale alone could be successful at a local level and bring local communities together, this would not provide the single unified voice to speak on behalf of the whole Eastfield area, nor would it provide a parish council large enough to consider delivering services locally and with economies of scale.

## **Existing Arrangements for Community Representation**

- 4.5. The consultation survey asked if respondents were aware of any existing local community governance in the areas (e.g. community or neighbourhood forums, resident associations etc.) which would serve the local community as an alternative to a parish council. The principal council is required to take into account any other arrangements already in place in an area.
- 4.6. A number of local organisations were named by respondents and are listed at page 15 in Appendix C. Of the organisations listed, there are 3 externally funded services or projects (Westway Arms, Eastfield PACT and More for Eastfield), plus an NYCC library (More than Books), a Police hub, an NHS medical centre, and a residents association.
- 4.7. If the outcome of the review were that the unparished part of Middle Deepdale remained unparished or become part of a larger Scarborough parish, these organisations' ability to sufficiently represent and advocate for the interests of the Middle Deepdale would be limited.
- 4.8. Residents associations may be unrepresentative of the areas they cover as their membership is self-selecting. No governance is involved and they lack the accountability and status of a democratically elected council. Such groups work best when they cover a specific area and are invited by the town/parish council to contribute to debate on a range of topics.

- 4.9. It would be expected that such organisations would be involved in a community network for Eastfield, and work together for the benefit of the town. However, none of the organisations named could provide an alternative to being part of a town or parish council. Whilst community organisations have the right to bid to take responsibility for assets or local services should they wish, they would not be able to take on statutory powers such as consultation on planning applications.

## 5. Final Assessment and Draft Recommendations

- 5.1. The majority of respondents favoured parishing of the unparished part of Eastfield, (73%), and 48% were in favour of it becoming part of Eastfield Town Council, therefore it is proposed to extend Eastfield Town Council boundary north east towards the A165 to become coterminous with the SBC Eastfield Ward and NYCC Eastfield Division.

Coterminosity means boundaries that follow the same line, for example where a principal ward boundary (ie North Yorkshire Electoral Division boundary) follows the same line as a parish council boundary. Coterminosity aids electoral administration; non-coterminous boundaries can be confusing for the electorate and difficult to administer.

- 5.2. The proposed recommendation would also consequentially exclude those three properties currently within the unparished area near Osgodby, which are being recommended to be included within Osgodby Parish Council (see Osgodby draft recommendations).

**Recommendation 1 – The north-eastern boundary line of Eastfield Town Council be extended towards the A165 to match the Eastfield Division and Ward boundaries (and consequentially excluding the 3 known anomalous properties at Osgodby).**

- 5.3. If the Community Governance Review continues on the current timetable, and second stage consultation shows support for the draft recommendations it is likely that an order to amend the boundary will be made in the summer of 2023. If that is the case it is proposed that the date for implementation would be 01 April 2024 for administrative purposes (budget and precept setting by Eastfield Town Council).

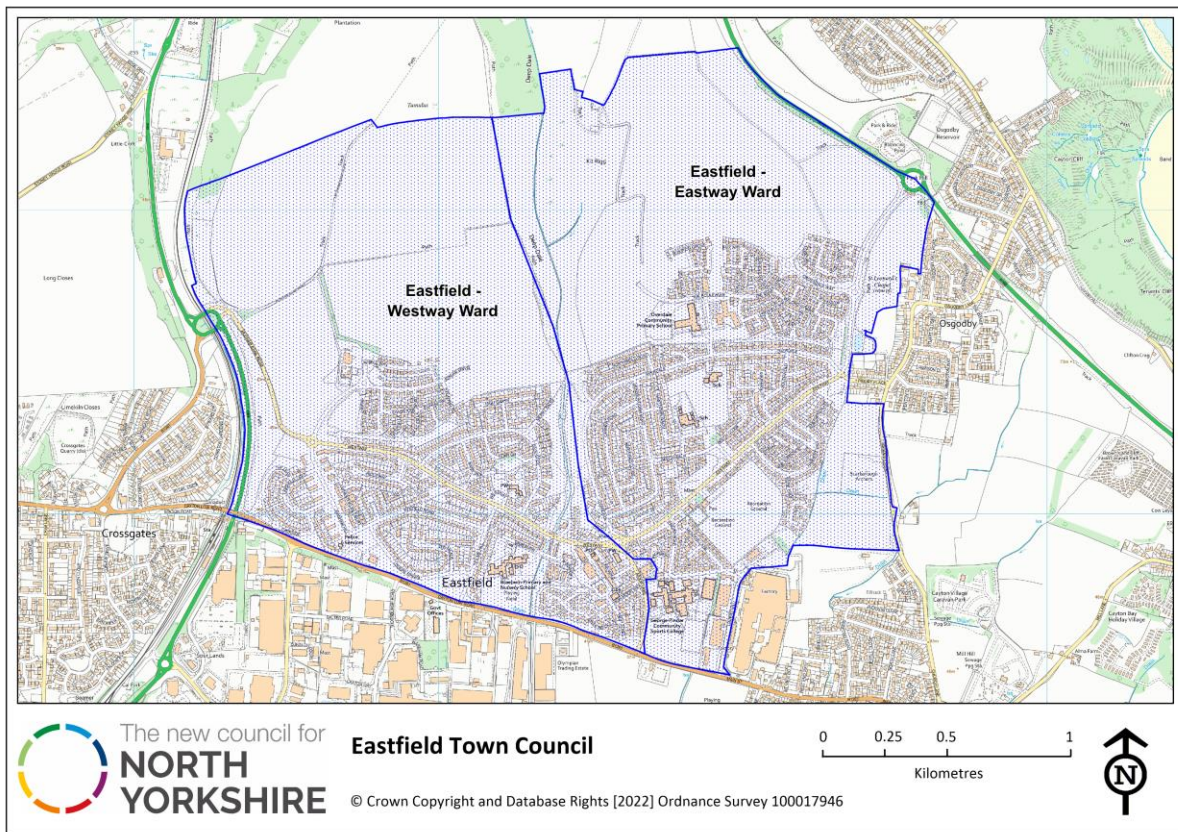
**Recommendation 2 – that the change takes effect on 01 April 2024 for administrative purposes.**

- 5.4. The warding pattern, council size, and electoral cycle are to remain unchanged.

5.5. Based on the recommendation the arrangements for Eastfield Town Council would be:

Eastfield Town Council	Electorate (Dec 2022)	Electorate Prediction (2027)	Councillors
Eastway Ward	2,769	3,479	6
Westway Ward	2,058	2,490	5
<b>Totals</b>	<b>4,827</b>	<b>5,969</b>	<b>11</b>

5.6. A map of the recommendations for Eastfield Town Council is shown here:



5.7. The councillor representation is not hugely affected by these recommendations and are felt to be acceptable even when taking the scale of the developments at Middle Deepdale into consideration. Variances are likely to go from 5% and -6% for Eastway and Westway respectively, to 6% and -7% in the 5 next years.

5.8. Parliamentary polling districts already in place within the proposed parish area can be applied, as the warding pattern within the proposed parish area is coterminous with existing ward and county divisions. To allow electoral administrators sufficient time to make changes to electoral registers ahead of register publication planned for 01 December 2023 for the area, (nominations for elections on correct registers

for example) the changes would need to be applied to registers on 15<sup>th</sup> October in the year preceding proposed initial elections.

**Recommendation 3 – that the change takes effect on 15<sup>th</sup> October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)**

- 5.9. It is acknowledged that Eastfield Town Council would benefit from a CGR of the whole parish (which is out of scope of this review) at a future date should the rate of progression for housing allocations HA8, HA9 and HA10 be as predicted in the SBC Local Plan, which are planned for within the next 10 years.

## 6. Consequential Matters

- 6.1. Those properties to be included within the area currently do not pay a parish precept, but would be included within the parish precept area for Eastfield from 01 April 2024. Currently this is set at £73.71 for a Council Tax band D property.

## 7. Contact Details

### Named officers?

W: [www.northyorks.gov.uk/CGR](http://www.northyorks.gov.uk/CGR)

E: [CGR@northyorks.gov.uk](mailto:CGR@northyorks.gov.uk)

T: 01609 780780

North Yorkshire County Council, County Hall, Northallerton, North Yorkshire, DL7 8AD

Appendix A - Consultation methodology

Appendix B – Consultation survey

Appendix C – Full consultation results