

# Public Document Pack



## PETERBOROUGH CITY COUNCIL SUMMONS TO A MEETING

You are hereby summonsed to attend an extraordinary meeting of the Peterborough City Council, which will be held in the Council Chamber, Town Hall, Peterborough on

**MONDAY 21 DECEMBER 2009 at 7.00 pm**

### AGENDA

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1. Apologies for Absence	
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5. Conclusion of Business: Formal Record of Time	

A handwritten signature in black ink that reads "Julian Beasley". The signature is written in a cursive style with a large, stylized 'J' and 'B'.

Chief Executive

15 December  
2009  
Town Hall  
Bridge Street  
Peterborough

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<b>COUNCIL</b>	<b>AGENDA ITEM 3</b>
<b>21 December 2009</b>	<b>PUBLIC REPORT</b>

**Supporting the Delivery of South Bank Opportunity Area, Peterborough, through Acquisition of Land in and around Peterborough United Football Ground.**

<b>R E C O M M E N D A T I O N S</b>
<b>FROM : Councillor Cereste – Leader of the Council</b>
<p>Council authorises the Chief Executive, in consultation with the Head of Shared Transactional Services (as Corporate Property Officer), Executive Director of Strategic Resources and Leader of Council to acquire the freehold interest in land in and around Peterborough United Football Ground, a strategic site in the South Bank Opportunity Area (SBOA) subject to those officers:</p> <p>(1) first concluding the terms of the contract and transfer as set out in this report  (2) simultaneously with the acquisition, granting a new lease to the Peterborough United Football Club (PUFC) of land adjacent to the football ground</p>

**1. ORIGIN OF REPORT**

1.1 This decision is brought before Council by the Leader of the Council who has consulted with fellow Members of the Cabinet, Chief Executive and Senior Council Officers regarding the opportunity to acquire a strategic land interest at Southbank.

**2. PURPOSE OF THE REPORT**

2.1 The report seeks the approval of the Council to authorise the Chief Executive to conclude terms and acquire the Freehold interest in land in and around Peterborough United Football Ground. (see attached ownership plan – Appendix 1 ) and to lease the remainder of the land within the freehold site to the Football Club

2.2 The site is owned by Peterborough United Holdings Limited which leases part of the ground to Peterborough United Football Club.

2.3 The purpose of this report is to invite the Council to consider and recommend that the Council approve the acquisition of this strategic land interest at South Bank and, in support of that acquisition, agree to the grant of a lease for the remainder of the land to the Football Club.

**3 BACKGROUND**

**3.1 Site Context**

3.1.1 The Southbank, as an overall development site, has a number of physical constraints. These include the River Nene to the North, established residential use along Glebe Road to the South, the Fletton Parkway to the East and London Road to the West.

- 3.1.2 The site is also dissected by the main East Coast railway line which creates both a physical barrier and a challenge to bringing forward development of the land to the north and south of the railway line in a comprehensive way.
- 3.1.3 Peterborough City Council (PCC) and its public sector partners East of England Development Agency (EEDA), Homes and Community Association (HCA) and Opportunity Peterborough (OP) have been working predominantly towards bringing forward, in two principle phases, the regeneration of the wider Southbank development. Phase 1 would involve land south of the railway line and Phase 2, land north of the railway line more recently known as Fletton Quays. The public sector owns and controls a substantial part of the overall Southbank area but not the whole.
- 3.1.4 The Cabinet Decision taken in December 2005, titled Southbank Development, set out a number of objectives. Against the primary objective of promoting regeneration, option based review work, indicative master planning and some financial modelling has been undertaken supported by collaboration between the Partners and strategic purchases. Given the complexities of this scheme and more recently the changing financial markets, none one of these initiatives have delivered development in this area.
- 3.1.5 However, more recent activities such as those listed below have meant additional key landholdings in this area are now in public sector ownership and control and a detailed and (more importantly) comprehensive approach to development is being promoted. Examples include:-
- The relocation of Elliot's from land in HCA control and the HCA's decision to work in collaboration with PCC and EEDA by including their landholdings into the Southbank regeneration area, the single approach concept.
  - PCC's supporting of the relocation of Matalan and B&Q from their premises at Cripple Sidings Lane and subsequently acquiring the freehold interest in this land.
  - PCC acquiring, through the use of Growth Area Funding (GAF), 7-23 London Road which fronts Horsefair Car Park.
  - Improving access to Cripple Sidings Lane and East Station Road, the two primary access roads serving the Southbank Opportunity Area, as part of the Town Bridge works.
  - Decision to amalgamate public sector controlled assets south of the railway line into the Department for Communities and Local Government (DCLG) sponsored Carbon Challenge Scheme.
  - Identifying and utilising - where possible - a range of grant funding opportunities and specialist technical advice from landowning partners; for example from the HCA in the form of grant funding for the Carbon Challenge initiative and substantial technical support with the complex brief preparation and procurement of the Development Partner for Carbon Challenge.

## **3.2 Land Assembly - Key Component of Successful Regeneration**

- 3.2.1 The public sector partners have to control/own the different land holdings within the SBOA to enable/facilitate the delivery of a comprehensive development solution to the site.
- 3.2.2 The planning process can impose conditions but this is limited to broader principles and has to take in to account the wishes of individual land owners. The public sector owns and controls approximately two thirds of the land to the south of the railway line with the balance (football ground and adjoining car parking) owned by Peterborough United Holdings Limited (PUHL)).

- 3.2.3 Members will be aware that PUHL secured at appeal, against officers recommendations, consent for up to 135 flats and a new stand as replacement for the current Moyes End Stand.
- 3.2.4 This consented scheme was and still is considered to be, by the three adjacent public sector landowners, at odds with what the Council is trying to achieve in terms of comprehensive regeneration of the southern quadrant of the SBOA.
- 3.2.5 The range of concerns include access, parking movement and connectivity, design continuity, height and massing and public realm to the more broader community and social benefits which emerge from comprehensive development including the improvement of health and well being, community cohesion, the creation of quality places to live and work and building pride in Peterborough.
- 3.2.6 There are only two areas of land located to the North and South ends of the SBOA which are not in public ownership; namely the London Road stadium site and the Mill complex (numbers 4 and 5 on the attached plan of land ownerships). The Mill complex is subject to a longer term acquisition/joint development strategy linked to a later phase of Southbank regeneration.
- 3.2.7 The Council, in acquiring the site, will take control of the Southern Quadrant thus enabling comprehensive development as this part of the SBOA will then be in the overall control of the Public Sector. An acquisition by the Council will also address two points of contention with the current owners. The first relates to the provision of a joint access solution for the Carbon Challenge site on Glebe Road. PUHL could seek to secure a negotiating position against the public sector partner's access proposals. The second relates to access rights claimed by PUHL over land beyond Cripple Sidings Lane. Unless resolved this could mean development of land in and around Horsefair Car Park by the public sector partners could be compromised with financial and delivery ramifications for the partners.
- 3.2.8 Discussions with PUHL have indicated that it has no long term desire to hold the site for its current purpose and when the Club's lease expires in 2014 it will be seeking vacant possession and development with a high value alternative use. PUHL is confident that financial markets will be more buoyant by then and they will be able to deliver a range of uses (as yet undetermined). PUHL have confirmed they would strongly oppose any attempt by any of the public sector partners to use their Compulsory Purchase powers in order to acquire the site.
- 3.2.9 Following initial discussions on the terms which PUHL would release its site, indications were that its asking price would preclude any further meaningful discussion on a strategic purchase by PCC. However, more recently PUHL has reconsidered its position and confirmed it is willing to dispose of its freehold interest to the Council at a lower price but with the sale to be concluded by the end of December 2009.
- 3.2.10 PUHL has agreed an off market sale to PCC of its freehold interest for **£8 million (eight million pounds)** which represents a significant discount on its original asking price.
- 3.2.11 Adding an allowance to cover stamp duty on the purchase, professional fees and the option to purchase an additional dwelling on Glebe Road in the event that access improvements were required, Council is requested to endorse a budget allocation of **£8.65 million (eight million six hundred and fifty thousand pounds)**. The land will be bought subject to leases being in place with Peterborough United Football Club.
- 3.2.12 Whilst the Council could wait until the end of the current Football Club lease (June 2014) before purchasing, there is no guarantee that PUHL would sell the asset and the opportunity would be lost to effectively achieve comprehensive control of the SBOA. This alternative approach could result in the construction of a community stadium complex elsewhere in the city.
- 3.2.13 Purchasing this asset now also prevents the significant danger of the final site in the southern quadrant being developed in isolation to the SBOA's aims (as defined in the Draft Southbank

Masterplan) and avoids the potential for an incoherent scheme being brought forward. The aim for the public sector partners is to facilitate coherent development.

- 3.2.14 For example, if there were to be a new community stadium built on the existing London Road site it could include a comprehensive range of community facilities which come with funding. Knowing what is possible will inform the planning for community facilities across the wider Southbank area and beyond and the finances required to underpin this. Undoubtedly one of the reasons why Southbank has not yet been brought forward for development is because of uncertainties as to what sites are under control.
- 3.2.15 Whilst it is well known that Peterborough United have aspirations for the Football Club to grow its fan base and in turn improve/modernise the facilities of the Club for the benefit of the wider Community, it is important to state that this recommendation is brought before Council out of a need to secure a key land holding in the Southern quadrant of the Southbank development.
- 3.2.16 Officers are aware from both PUFC and independent sources that the Club will be required to submit its proposals to the Football Association (FA) for upgrading the stadium to an all seater stadium within 3 seasons and that this falls close to the lease expiry date. Consequently officers have been working with the club regarding alternative off site options given PUHL's confirmation that it requires vacant possession at the end of the lease term (2014).
- 3.2.17 Whilst no decision has yet been made that the ground should remain in the longer term at London Road we have some understanding (through work underway) of how a redeveloped stadium with complimentary community and commercial uses could add significantly to the community and social regeneration benefits of the wider Southbank area as a vibrant mixed use development scheme.
- 3.2.18 An acquisition therefore assists in developing and testing the Community Stadium concept and future financing arrangements without the necessity/urgency to deliver an alternative ground solution.
- 3.2.19 An acquisition at this point in the Southbank master-planning process helps not only to deliver a comprehensive approach, it gives certainty in relation to the exact development area to be progressed, the manner in which it is brought forward for development and how this impacts or otherwise on PUFC.

### **3.3 Southbank Opportunity Area (SBOA) and Community Stadium Concept**

- 3.3.1 There can be no doubt whatsoever that the Southbank constitutes the city's most outstanding development opportunity. The potential clearly exists to create a new city quarter with outstanding river frontage. There is scope on this substantial site to create a stunning mixed use development potentially including education, community and leisure uses in addition to commercial and residential development.
- 3.3.2 The creation of a new community stadium for Peterborough could be the key project in terms of the regeneration of this area and could help to kick start the delivery of associated developments such as hotels and leisure space which would in turn accelerate the delivery of the site in difficult times.
- 3.3.3 There is much evidence to support the contention that the development of high quality, mixed use stadiums can accelerate regeneration. This is particularly true of clubs in the lower football divisions and Reading FC, Coventry FC, Colchester FC and Preston North End FC are good examples of what can be achieved using the stadium as a catalyst for further development/regeneration.
- 3.3.4 The traditional model of a football stadium i.e. a facility where football is played every second week during the season with little or no use beyond this, is now almost a thing of the past. Many progressive clubs have been moving towards a multi use approach for their stadium facilities and

more recently clubs like Preston North End have adopted a radically different model for stadium development.

- 3.3.5 If the Council's purchase is to proceed, it is extremely important to work with PUFC to further develop the community uses on this site and with a redevelopment bring forward a broader range of community uses which will benefit the entire city. A redeveloped stadium will also have the advantage of giving the football and other sports clubs a splendid new facility to play in and for the public to watch. This will assist the Council to meet national indicators under the Local Area Agreement 2008-2001 in particular to increase participation in sport and contribute towards building pride in Peterborough.
- 3.3.6 A new stadium has the potential to become one of the best community stadiums in the country and it can also kick off the broader and more integrated development of Southbank. This accords with the Council's objectives under the Community Strategy 2008-2021 to deliver substantial and truly sustainable development and to create strong and supportive communities (Priority 2 & Priority 4). The changes to the way the Council and its Partners manages growth projects in the future, in particular the creation of the Peterborough Delivery Partnership (PDP), which by the time Council meets should be endorsed by Cabinet, will also provide greater certainty of achieving a well planned and comprehensive development at Southbank
- 3.3.7 Any potential redevelopment of the existing ground is likely to be phased over a number of years with a variety of funding partners. Current thinking is that it is likely to be for 3 stands; the existing South Stand is modern by comparison to the rest of the stadium and in relatively good condition.
- 3.3.8 Construction of a typical 4500 seater stand (the existing more modern South Stand) could cost in the order of £5m (five million pounds). Combining this with a typical cost for the provision of a playing surface, utility connections and floodlighting in the order of £1.7m (one million seven hundred thousand pounds), there could be substantial benefits for the Council and its funding partners in delivering the Community Stadium at Southbank.
- 3.3.9 Whilst there are fewer investors in the market at present there is still interest in long term schemes that are well structured. Indeed, schemes that have anchor users - such as a community stadium - are far more likely to attract investment in this market.
- 3.3.10 Community stadium facilities can be both supporting and enabling. Supporting development has the potential to enhance the community offer, whilst enabling development is able to enhance the viability of the development. The viability of PCC's investment will also be dictated by the commercial success of the stadium facilities. An appropriate mix of facilities can attract capital funding and create operational sustainability via rental income in the medium to long term.
- 3.3.11 The Sports Strategy for Peterborough points to a requirement for improved and extended sporting and community facility provision based on the expected increase in population. A community stadium has the potential to contribute to these priorities for Peterborough.
- 3.3.12 The development of a community stadium can only be achieved by PCC and PUFC working together. This option would need to be designed to take advantage of the progress made on the carbon challenge project adjacent to the London Road stadium. Examples include sustainably sourced energy, joint and improved access and community facilities. PUFC has confirmed it is happy to continue at London Road and indeed it is their current preferred option.
- 3.3.13 In the event that a decision is taken to relocate the football ground and seek to achieve the regeneration benefits of a community based stadium on another site, then the main reason behind the acquisition, namely having control of a strategic site within the Southbank area, remains. The acquisition is about having the ability to marshal development, the manner and timing of and, providing the funding markets and a developer with certainty of being able to adopt a comprehensive approach

3.3.14 The acquisition of the stadium site will therefore be a landmark event in terms of triggering the broader development of the whole area.

#### **4. FINANCIAL IMPLICATIONS**

4.1 Whilst the Cabinet Decision taken in December 2005 - titled Southbank Development - set out a number of objectives, it did not specifically include plans for the acquisition of land in and around Peterborough United Football Ground. This acquisition is not currently included in the budget and policy framework, and hence a decision is required by Full Council.

4.2 PCC would be acquiring the asset "off market" and in advance of a potential disposal of the site at some future date. The Council could wait but there is no certainty of release and price the Council would have to pay.

4.3 There is, in the original sale agreement, a buy back provision but this is dependant on the asset being brought to the market. If the public sector partners' comprehensive approach to development is to be achieved, the wait and see strategy and reliance on this provision is not recommended.

4.4 However, it is fully understood that the Council does have many financial pressures at present but this strategic site is being acquired with an income flow and the scope to generate a range of enhanced income opportunities through new investment and a broad range of economic benefits.

4.5 The Council would use prudential borrowing to fund the purchase. At the cost of £8.65m, this would equate to revenue costs of around £724k per annum. Some of this cost would be covered by rental income from the site. This income is initially estimated to be £500k for 2010-14. The further financial benefits from further developing rental income and the regeneration of the South Bank have not been included at this stage. As such the Council would face net costs of £224k in the years 2010-14.

4.6 The proposed acquisition costs of up to £8.65m were not included in the Council's draft Medium Term Financial Strategy (MTFS) considered by Cabinet on 14 December. To have done so would have pre-empted the Council discussion and decision on 21 December. Within the MTFS presented to Cabinet there was provision for a planned contribution to reserves to support projects in future years. It is intended to reduce this contribution by the required amount to fund the net costs of this purchase. This can be done without affecting the council tax proposals within the MTFS.

#### **5. LEGAL IMPLICATIONS**

##### *5.1 Constitutional issues*

5.1.1 Although decisions to purchase land are ordinarily an executive (Cabinet) function, under the Constitution any decisions to purchase or lease land not currently within the agreed budget are the responsibility of Council. As no provision currently exists within the budget for the purchase and lease of the Football ground and the surrounding area, this decision falls to Council. (Schedule 4 Local Authorities (Functions and Responsibilities) Regulations 2000).

5.1.3 In making any decision to purchase the Council must have regard to its policy framework (Constitution part 3 section 1.1.4). Of particular relevance to this decision are

- The priorities within the Community Strategy 2008-21 (Delivering substantial and truly sustainable growth and creating strong and supportive communities)

- The policies which support the Strategy in particular the Local Area Agreement 2008-2011
- the development framework (planning) policies,
- the Sports Strategy and
- any strategic land use plans

5.1.2 As this is a decision of the full Council on a matter concerning the budget it is not subject to call in by the Scrutiny Committee. The decision of the Council takes effect at the time it is made.

## 5.2 *Powers to purchase and provide sporting facilities*

5.2.1 Statutory authority for purchase of the land is given by section 120 Local Government Act 1972 which permits the Council to purchase land by agreement in support of its business and functional activities or for the benefit improvement or development of their area.

5.2.2 Under section 19 Local Government Act (Miscellaneous Provisions) Act 1976 the Council has the power to provide facilities for recreation and sporting purposes. This is a wide discretionary power to provide outdoor pitches for team games, athletics grounds and premises for use by clubs or other societies having athletic, recreational or social objectives. It also permits the Council to make facilities available for use with the grounds for car parking and the sale of food and drink.

## 5.3 *Other considerations: state aid*

5.3.1 The Council must be mindful of state aid issues. Where the resources of the Council give financial or other benefit to a particular individual or company the arrangement might be inferred to have an element of State aid. Acting in a manner that prioritises non-commercial advantages to favour one of the parties to a transaction, (whether or not it accords with “well-being” provisions of the Council’s strategic objectives) is likely to raise considerations of State aid.

5.3.2 There are two transactions to which state aid might apply: the purchase of the ground from Peterborough United Holdings Limited and the lease of the ground to the Football Club.

5.3.3 The Council has secured specific expert assessments which show that the proposed arrangements are sound commercial transactions which might be considered appropriate by other enterprises in the same market. This negates any inference of state aid.

5.3.4 The Council are imposing community user clauses in the leasehold arrangements with the Football Club which would open up the use of the site to more general public uses and therefore avoid any inference of State aid. The lease of the land to the Football Club is therefore necessary to ensure the Council acts lawfully and the recommendations are drafted accordingly.

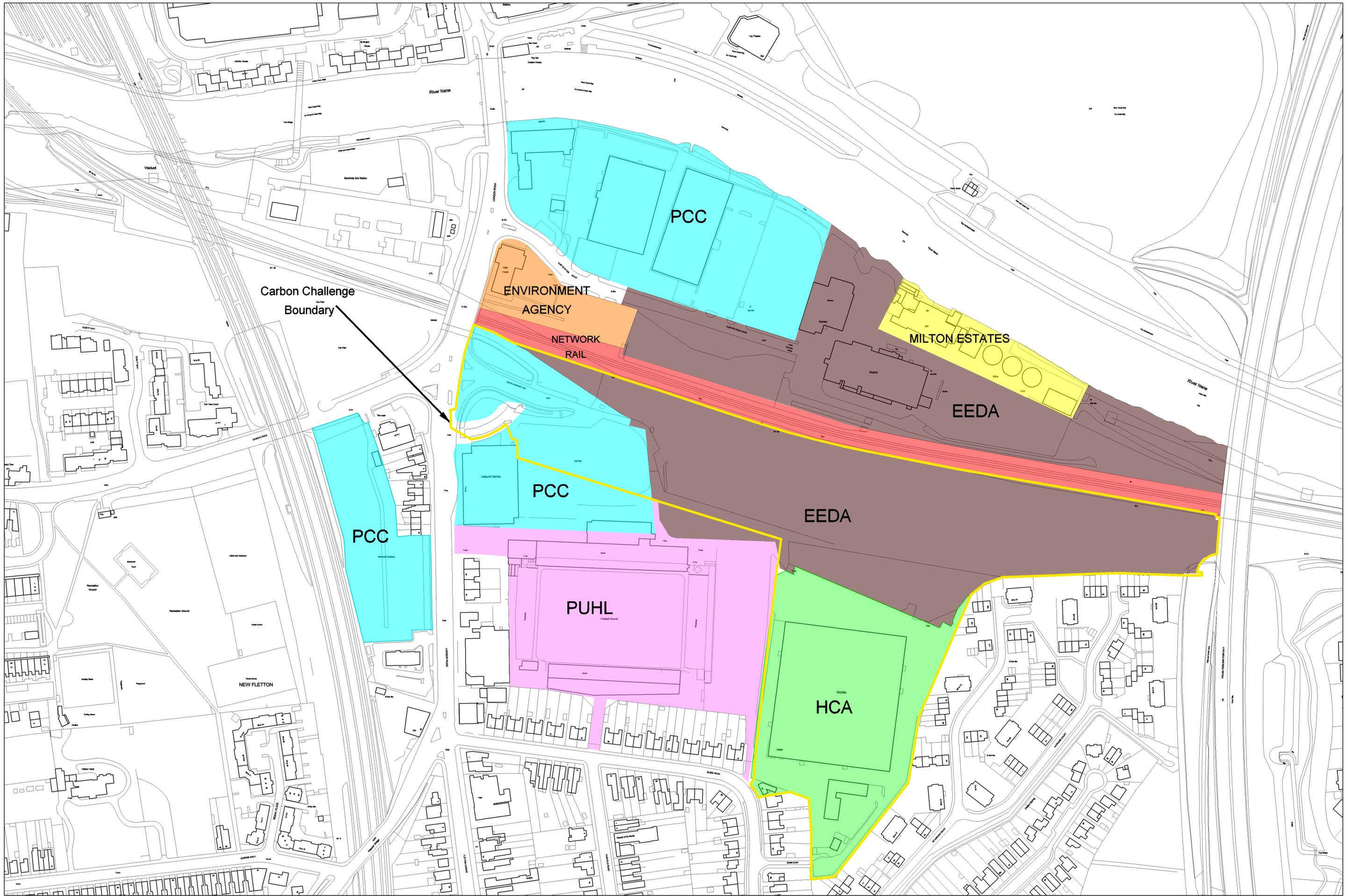
## 5.5 *Other considerations: Compulsory purchase*

5.5.1 Whilst the Council has various powers of compulsory purchase (section 226 Town and Country Planning Act 1990 and section 121 Local Government Act 1972) it is not considered that the Council currently meets the statutory criteria for compulsory purchase under these provisions.

## **6. BACKGROUND DOCUMENTS**

- A Sports Strategy for Peterborough 2009 -2014
- Peterborough Local Plan
- Community Strategy 2008-2021
- Local Area Agreement 2008-2021
- Executive Decision – South Bank Development – December 2005
- Recommendation Letter from David Taylor Partnerships (advisors to the Council) dated 9<sup>th</sup> December 2009

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<b>COUNCIL</b>	<b>AGENDA ITEM 4</b>
<b>21 December 2009</b>	<b>PUBLIC REPORT</b>

Contact Officer(s):	Gillian Beasley, Chief Executive and Returning Officer Sally Crawford, Community Governance Manager	Tel: 01733 452300 Tel: 01733 452339
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## **HAMPTON VALE AND HAMPTON HARGATE COMMUNITY GOVERNANCE REVIEW**

<b>R E C O M M E N D A T I O N S</b>
<b>FROM: the Governance Arrangements Committee</b>
<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Accepts the recommendation of the Governance Arrangements Committee to: <ol style="list-style-type: none"> <li>(i) establish the current unparished area of Hampton Vale and Hampton Hargate, as defined in the report, as a parish;</li> <li>(ii) Approve the creation of a parish council for Hampton Hargate &amp; Hampton Vale consisting of 14 Councillors to be elected( 7 representing Hampton Hargate and 7 representing Hampton Vale);</li> <li>(iii) Name the parish council as appropriate.</li> </ol> </li> <li>2. Authorises the Solicitor to the Council in consultation with the Executive Director of Operations and the Cabinet Member for Neighbourhoods, Housing and Community Development to settle any administrative matters in accordance with this report for the purpose of making a Reorganisation order to take effect on the 1 April 2010.</li> </ol>

### **1. PURPOSE OF REPORT**

- 1.1 The report seeks Council's approval of the recommendations of the governance arrangements committee to create a new parish for Hampton Hargate and Hampton Vale with a new parish council and requests the Council to consider making a Reorganisation Order to bring the parish council into being.

### **2. BACKGROUND**

- 2.1 The Local Government and Public Involvement in Health Act 2007 (the 2007 Act) devolved power from the Electoral Commission to local authorities to create and name parish councils and make arrangements for their electoral arrangements.
- 2.2 A petition was submitted to Peterborough City Council containing signatures exceeding 10% of local government electors of Hampton Hargate and Hampton Vale. The petition requested the formation of a single parish council for the neighbourhood of Hampton Hargate and Hampton Vale. The petition was verified using the electoral register. This petition prompted a duty to begin the process for a community governance review.
- 2.3 A community governance review is a two stage process: firstly it requires the Council to consult with the public with a view to making a decision on whether the governance arrangements for the area reflect the identities and interests of the local community. Secondly the review body makes

recommendations following the consultation and if the Council adopts those recommendations it must make and publish a Reorganisation order.

- 2.4 At its meeting on 10 December 2008, Council approved the terms of reference for the Governance Arrangements Committee to carry out a community governance review for Hampton Hargate and Hampton Vale. This report considers the recommendations of that Committee and whether to adopt those recommendations.

### **3. THE HAMPTON COMMUNITY GOVERNANCE REVIEW PROCESS**

- 3.1 A comprehensive consultation to seek the view of residents within Hampton Hargate and Hampton Vale began on 17 August 2009 and concluded on 16 November 2009. A leaflet with a detachable free post response form was delivered to all properties including local businesses in the Hampton Hargate and Hampton Vale areas, there were press releases, advertisements were placed in Your Peterborough and the Hampton Gazette, information placed on Peterborough City Council's and the Hampton Websites and a table at Hampton's Autumn Fair on Sunday 13 September also provided the opportunity for residents to seek further information and respond. A summary of residents' comments is attached at **appendix B**.
- 3.2 A public meeting was held at the Deaf Blind UK conference centre in Hampton on 22 October 2009 (minutes attached at **appendix C**) providing residents and ward councillors with the opportunity to question the County Executive Officer of the Cambridgeshire & Peterborough Association of Local Councils, the Neighbourhood Manager and Community Governance Manager and present their views to the Governance Arrangements Committee.
- 3.3 A plan showing the proposed area of the Parish Council is attached at **appendix A**.

### **4. GOVERNANCE ARRANGEMENTS COMMITTEE**

- 4.1 The Governance Arrangements Committee met on 17 November 2009 to consider the responses to the consultation and the recommendations it would make to Council. The draft minutes from this meeting are attached at **appendix D**.
- 4.2 Overall, 462 responses have been received of which 413 (89%) support the establishment of a parish council. The response rate of just under 13% is typical of this type of consultation which usually generates a response rate between 10% and 20%. The review has been well publicised and everyone was given the opportunity to make their views known. Members of the committee considered all comments on their merits.
- 4.3 To reflect the majority views of those who responded to the consultation the recommendations of the Community Governance Review Committee are;
- to establish Hampton Hargate and Hampton Vale as a parish
  - to establish a parish council for the Hampton area
  - to name the new council the Hampton Hargate and Hampton Vale Parish Council
  - to make appropriate electoral arrangements for the parish.

### **5. WHAT THE COUNCIL MUST DECIDE**

- 5.1 The Council must decide whether it chooses to implement the recommendations of the Governance Arrangement Committee. The primary decisions are:
- whether to create a parish for Hampton area
  - appropriate electoral arrangements
  - suitable name for the parish council.

## 5.2 Creating a Parish

- 5.2.1 In deciding whether to create a parish for Hampton Hargate and Hampton Vale the Council must consider certain factors set out in the Statutory Guidance. These are whether the parish is reflective of identities and interests within the community and secondly whether the parish will be effective and convenient.
- 5.2.2 The 2007 Act requires principal councils to consider the impact on community cohesion and have regard to the need to secure that community governance reflects the identity and interests of local communities; the impact on community cohesion is linked strongly to it.
- 5.2.3 Community cohesion is about local communities where people should feel that they have a stake in the society, and in the local area where they live by having the opportunity to influence decisions affecting their lives. This may include what type of community governance arrangements they want in their local area.
- 5.2.4 At its meeting on 17 November 2009, the Governance Arrangements Committee considered the impact of the proposal on community cohesion and agreed that Parish Councils can have an important role to play in the development of their communities, perform a central role in community leadership and offer the opportunity to strengthen community engagement and participation and generate a positive impact on community cohesion. It was also felt that parish councils complement the recently formed neighbourhood councils, playing an important role as standing invitees to the neighbourhood council meetings.
- 5.2.5 The committee also carefully considered all responses received to the consultation and noted that there were a number of concerns raised regarding additional payment on council tax. However, members considered that the representations in support of a parish council outweighed the objections against.
- 5.2.6 The principal council must also consider whether the size, population and boundaries of the proposed area of Hampton Hargate and Hampton Vale are viable to create a parish council.
- 5.2.7 Guidance from the Electoral Commission advises that boundaries should be easily identifiable and represented by barriers such as rivers, roads or railways. The general rule is that the parish should be based on an area which reflects community identity and interest, and is of a size which is viable as an administrative unit of local government.
- 5.2.8 The boundary of the proposed Hampton Hargate and Vale Parish Council is within the ward of Orton with Hampton and follows the polling district boundaries of ORH2 (Hampton Hargate) and ORH3 (Hampton Vale).
- 5.2.9 Parts of the proposed parish area, particularly Hampton Vale, are still under construction and the population will grow as properties become occupied. The development of the township centre is to be dealt with under a separate planning brief. It is not yet known whether it will contain business, community, residential or a mix of development.
- 5.2.10 The most recent analysis of the polling districts of Hampton Hargate and Hampton Vale shows an electorate of approximately 5,500 and the area has approximately 1,300 void properties (either under construction or unoccupied). When considering the size and boundary of the proposed parish, the Governance Arrangements Committee discussed the geographical area and concluded that this was logical. The Committee also considered the population and growth within the area. On being advised that the latest analysis showed the electorate being similar in number to North Bretton, members agreed their recommendation that there should be a similar number of parish councillors for Hampton Hargate and Hampton Vale.

## 5.3 Alternative Recommendations

- 5.3.1 It is open to the Council, having considered the recommendations of the Governance Arrangements Committee, to make a recommendation which is different to that proposed. Should the Council consider that an alternative proposal should be considered it must be certain

that the recommendation proposed is in the interests of the wider local community and giving effect to it would not be likely to damage community relations by dividing the community.

#### 5.4 Creation of a Parish Council

5.4.1 Should the Council decide to accept the recommendations of the Governance Arrangements Committee to create a parish for Hampton it is consequently obliged by law to create a parish council as there are more than 1,000 electors within the parished area.

#### 5.5 Electoral Arrangements

5.5.1 The Council is required to consider what electoral arrangements should apply to the parish council. The Community Governance Arrangements Committee considered the electoral arrangements at its meeting on 17 November 2009 and has recommended Hampton Hargate and Hampton Vale be equally represented with 7 parish councillors representing each ward, making 14 parish councillors in total for the parish council.

5.5.2 In adopting this recommendation the Council must be satisfied that this will provide sufficient representation for the number of electors for the next five years. Whilst the boundaries are established, growth will continue and the Council may wish - and can choose - to carry out a further community governance review after a period of time to ensure that the community governance arrangements continue to reflect local identities and facilitate effective and convenient local government.

#### 5.6 Naming the Council

5.6.1 Changes in legislation mean that a new council can be called 'x' parish council, 'x' town council, 'x' community council, 'x' neighbourhood council or 'x' village council. The powers and duties are the same whichever style of name is chosen. A town council must have a mayor.

5.6.2 The Governance Arrangements Committee recommends that the proposed parish council be named Hampton Hargate and Hampton Vale Parish Council.

### **6. ALTERNATIVE OPTIONS CONSIDERED**

6.1 To recommend that a parish council is not established in Hampton Hargate and Hampton Vale. However, this would not be in accordance with the wishes of the majority of residents who responded to the consultation and the reasons for the recommendation detailed at paragraph 9 of this report.

### **7. LEGAL IMPLICATIONS**

#### 7.1 Duty to Carry Out a Review

7.1.1 By sections 79 – 99 of the 2007 Act the Council is under a duty to:

- carry out a review on presentation of a community governance petition
- to consider whether a new parish should be created
- to decide whether the new parish should have a parish council
- to decide the name of the parish council
- if there is a parish council, what electoral arrangements should apply to it.

#### 7.2 Adopting the Recommendations

7.2.1 On adopting the recommendations of the Community Governance Review Committee the Council is committed to make a Reorganisation Order to establish the new Council. The Council has to be satisfied therefore that a new parish and a new parish council is the appropriate form of governance for the area.

- 7.2.2 In deciding whether to establish a new parish the Council must consider:
- the views of those consulted
  - that the proposed parish reflects the identities and interests of the community and is effective and convenient
  - what other alternative arrangements have been made for community representation or engagement.
- 7.2.3 Once having made the decision to create a new parish the Council must agree to the formation of a parish Council as the number of electors for the area exceeds 1,000.
- 7.2.4 Those considerations are dealt with in this report and it is for the Council to decide whether it agrees those recommendations
- 7.3 Reorganisation Order
- 7.3.1 Under the Local Government (Parishes and Parish Councils)(England) Regulations 2008 the City Council must transfer any allotments within the parish area to the newly created parish council on making the Reorganisation Order. Within the boundary of the proposed parish there are two sets of allotments for transfer to the new parish council.
- 7.3.2 Whilst there are no other statutory obligations in relation to transfer of land, the Council has a number of matters to consider in making the order: whether there is any ceremonial or historical property to be transferred, whether any funds or balances are to be transferred, what arrangements need to be made for the electoral register and whether there are any maintenance arrangements to be made. Consideration needs to be given to these matters before the Order can be made and it is proposed therefore that delegated authority be given to the Solicitor to the Council in consultation with the Executive Director of Operations and the Cabinet Member for Neighbourhoods, Housing and Community Development to decide these matters as appropriate prior to making the Order.
- 7.3.3 Statutory Guidance on Community Governance Reviews (the statutory guidance) suggests that the Reorganisation Order should be made to take effect from 1 April following this Council meeting. This is because precepting authorities can only issue precepts for entire financial years. This will however allow time for the Council to deal with the administrative arrangements for creation of the Council including any electoral arrangements.
- 7.3.4 Once the administrative matters are resolved the Solicitor to the Council has delegated authority to make a Reorganisation Order to give effect to the Council's decision.
- 7.4 Electoral Arrangements
- 7.4.1 The Order establishing the new parish council should come into effect with sufficient time to permit elections at the next available election date i.e. June 2010. However, it can take up to a year for the parish council to be constituted.
- 7.4.2 It has become increasingly common for neighbourhoods to set up a 'shadow parish council' to bridge the gap and look at long term strategies and plans for achieving its vision. It can establish an office for the parish council, raise funds and purchase assets which will be dissolved and transferred to the statutory parish council. The principal council may decide to appoint a 'temporary parish council'. The council can choose anyone to sit on this body and usually will appoint at least one ward councillor. The main difference between the 'temporary' and the 'shadow' parish council is that a 'temporary' parish council has all the legal powers of an elected parish council so they can appoint a parish clerk or other staff, exercise powers and provide services.
- 7.4.2 Electoral arrangements for the parish council will therefore need to begin at the earliest possible date but can begin following a decision of this Council and prior to the making of the Order. The administrative deadline for arranging any election is generally taken to be 15 February.

7.4.3 The Statutory Guidance requests that consideration be given to whether the City Council ought to make interim arrangements for the newly formed parish council to be represented by members of this authority between the date of the Order and the date of the elections.

## 7.5 Duties and Responsibilities of the Parish Council

7.5.1 Parish Councils have a wide range of functions such as footpaths, allotments, cemeteries, parks, open spaces, car parking, bus shelters, local transport, crime prevention and clean neighbourhoods. A list of these powers is attached at **appendix E**. Where no parish exists for that area the City Council is responsible for those functions.

7.5.2 Parish Councils which have achieved Quality status may be delegated additional functions at the discretion of the Council.

## 8. **FINANCIAL IMPLICATIONS**

8.1 If Council approves the establishment of a parish council for Hampton Hargate and Hampton Vale, each household in the area will be liable to pay a precept in addition to the current council tax charge.

8.2 The precept will be set by the authority based on the powers and responsibilities of the newly formed parish council. The first precept that could be set for the new Parish Council would be for the 2011-12 financial year (the Council will not be set up in time to set a precept and council tax to come into effect from 1 April 2010).

8.3 As a result, consideration must be given to how the Parish Council could operate and meet any costs arising during the 2010-11 financial year. In this year of establishment, the main costs incurred will be for running the elections. Usual practice for all Parish Council elections is for the City Council to run these (as they are usually combined with city elections) and then recharge the costs to the Parish Council. In this case it is felt that it would be acceptable for the City Council to wait and make this recharge to the Parish Council against its 2011-12 budget.

8.4 Peterborough City Council also provides a direct grant to all Parish Councils, based on a fixed sum for each resident on the electoral register. Currently for urban parishes, this is equivalent to £1.42 per head for 2010-11. For Hampton's current number of residents on the electoral register of 5,612, this would total around £7,969. This grant would come into effect in 2011-12, and the City Council would need to make appropriate provision in its budget at that time. Alternatively, consideration could be given to introducing a grant for 2010-11 however, this would have to be linked to clear outcomes for the Parish Council in order to be justified.

8.5 Additional payments may also be due if the Parish Council takes on responsibility for burial grounds and recreation grounds. Whilst the specific details would need to be worked out with the Parish Council once formed, it is anticipated that this would lead to a reduction in cost for the council, and hence have no overall cost impact.

## 9. **REASONS FOR RECOMMENDATIONS**

9.1 Parish councils have an important role to play in the development of their communities.

9.2 Parish Councils can perform a central role in community leadership and will have a standing invitation and participate in the new neighbourhood councils.

9.3 Setting up a parish council offers the opportunity to strengthen community engagement and participation, and generate a positive impact on community cohesion.

## **10 BACKGROUND DOCUMENTS**

Local Government and Housing Act 1989

Local Government & Public Involvement in Health Act 2007

Local Government Finance Act 1992

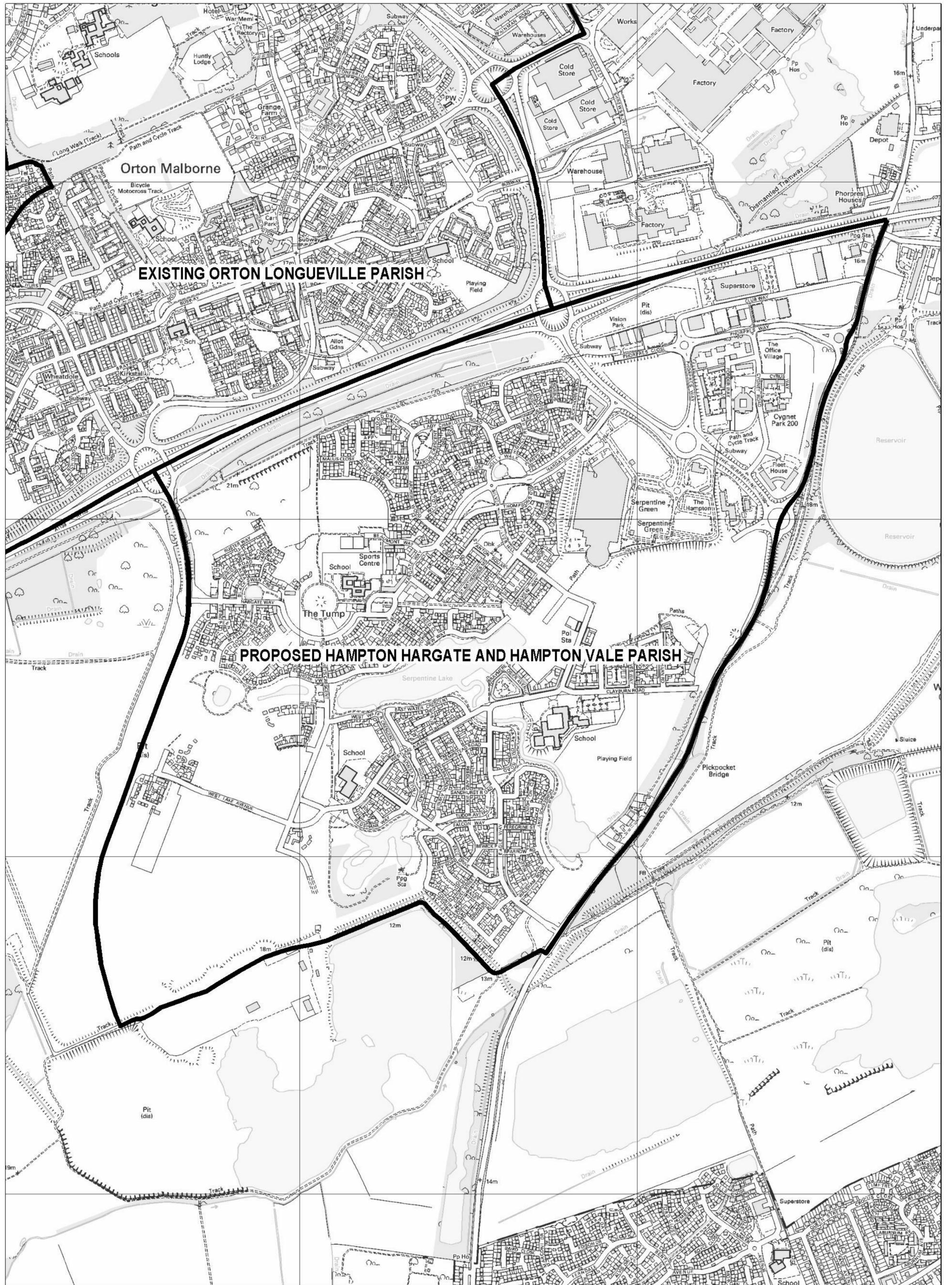
Local Governance: How to form a local council, National Association of Local Councils

Department for communities and local government, guidance on community governance reviews

Minutes of the Governance Arrangements Committee held on 22 October 2009

Draft minutes of the Governance Arrangements Committee held on 17 November 2009

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Orton Malborne

**EXISTING ORTON LONGUEVILLE PARISH**

**PROPOSED HAMPTON HARGATE AND HAMPTON VALE PARISH**

The Tump

Title PROPOSED HAMPTON HARGATE AND HAMPTON VALE PARISH

Department GIS Support

Drg. No.

PCC GIS

Scale 1:10,000

Date 17th November 2009

Name DB



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**Comments in support:**

- ❖ An area like Hampton needs a local level of governance with members who know the area well
- ❖ I would like to protect the infrastructure I bought into when coming to Hampton Vale 5 1/2 years ago eg I do not believe the council will replace the wooden posts like for like and so on. I think it is important to have direct representation
- ❖ As our development has never been adopted, we would like to see the parish council take on responsibility for our lack of street lighting, street cleaning (include. Weeding) & tidying up of derelict areas & given the necessary funding to do this
- ❖ I very much support the need for a Parish Council within The Hamptons. There has been a distinct lack of care in some areas already and it is vital that the whole of Hampton has a cared for and smart appearance which will continue to bring families to the area. I feel that this can only be achieved in an official way or we may end up like some parts of Peterborough which over the years have been allowed to decay and are now areas to avoid living unless you have no choice
- ❖ We feel Peterborough Council does nothing for Hampton, children are neglected, primary schools don't support even half of rapidly growing Hampton population, should someone say Stop to building more new houses until the schools are built for our children and ones more the issue of road adoption!
- ❖ We have weeds growing in pavements, over flowing bins causing so much rubbish. Waste land. These are all a growing problem and need attending to now. Including Policing
- ❖ I am hoping that a Parish Council will result in the outdoor environment being cared for i.e. litter being collected, grass verges cut, lakes maintained, trees looked after
- ❖ Landscaping around the new lake in Hargate is needed. The area is looking very messy, also by the new shopping area. In fact lots of areas in Hargate & Vale need attention. Once it was a nice area to live now it is looking a mess
- ❖ Many individuals have worked hard to successfully establish a community spirit amongst a lot of the residents and I believe it is important to build on this by establishing a Parish Council rather than blowing it all away
- ❖ As a new area there are specific needs that need local level representation such as facilities and management of village / community centres. This is currently lacking in Hampton. Hampton is also an area that attracts people to live in Peterborough from outside again this has specific requirements
- ❖ O&H Hampton & Peterborough City Council should be obliged to finish/complete Hampton by providing all the promised facilities (such as community building for multiple use, leisure centre, church, burial ground, station) before being allowed to move on to the next development south of Hampton. O&H & PCC should also still be taking better care of existing areas until a parish council is in place. Some areas are now looking uncared for and even in an established road like mine, there are huge weeds everywhere e.g. the area around the 'Pump Building'
- ❖ We believe the local residents have a more detailed understanding of local needs and priorities. Especially relating to the social aspects, there is a demand for a local church as well as youth centres; a local governance will be able to progress these matters with greater insight
- ❖ Either I or my husband would be happy to volunteer

- ❖ Because a Parish Council would keep this area in a better state than it is now. Weeds have taken over, please make this happen a.s.a.p.
- ❖ Hampton needs more attention to maintain standard
- ❖ Will future Hampton Townships be included?
- ❖ The Parish council is needed. The developers that have left Hampton are not interested in the upkeep of things such as faded road signs
- ❖ Would like to know approx how much extra will be charged in Council Tax to cover this? What powers will Parish Council have?
- ❖ We live in Hampton so we can see faults quicker than yourselves. There are many things that a Parish Council can do for the community e.g. Community Centres
- ❖ What Autumn Fair? Fayre? Where? Council would of course be required to represent our views
- ❖ I consider the formation of a Parish Council essential in order for the community to take responsibility for its immediate environment
- ❖ I feel that Hampton is not adequately represented. A parish council would be a good first step but we also need dedicated councillors for Hampton on the council
- ❖ We believe a Parish Council will benefit the community to keep the area in the way the residents' desire. I also believe working in unison with Peterborough City Council a Parish Council can develop the area going forward
- ❖ Parish Council for Hampton Vale is vital for the responsibility of preserving all that is good and valued and enjoyed by its residents who have chosen to come and live in Hampton Vale as they will strive to improve the quality of life and the wonderful parks, lakes and open spaces. Without a parish council this glorious environment that has been created will go to rack and ruin without PC to oversee things
- ❖ I see litter on road sides that need to be cleaned up
- ❖ Include Hampton Leys when built
- ❖ Grass in communal areas kept tidy
- ❖
- ❖ Maybe a local council will get things done locally. Roads appalling, nothing for young people to do etc. Parking/Parked cars.
- ❖ I would prefer a Town Council. Hampton is meant to be a Township. There are many towns smaller than Hampton that have a Town Council and Mayor. A Parish Council is often considered to be puisne
- ❖ I am concerned that we have not been given any information about the possible precept and what things would the parish council be responsible for
- ❖ Particularly in regards to the litter problems & lack of garden maintenance especially around the 2 small lakes & ditch in Marketstead
- ❖ A voice for Hampton Hargate & Vale is greatly needed and I feel this would best be served by the establishment of a Parish Council

- ❖ We believe that a Parish Council is an essential part of making Hampton a positive community to live in, and it is only through the creation of a Parish Council that the communities needs can be recognised and objectives can be achieved
- ❖ Hampton has a quite definite identity, and needs a Parish Council to make sure the area is well maintained and continues to improve. Feel that it will have a low priority with the council as it is seen as a nice area and this might mean it could deteriorate the parish council is needed to be the voice of residents
- ❖ I believe we need a Parish Council to help deal with any problems that may arise. People living on the estate are better able to see what needs doing and will be able to report this to the p/council that will then contact the council. Local people to look after the local areas
- ❖ The Hamptons needs a Parish Council if this area is left to PCC it will be badly managed - especially the landscape, lakes & community facilities - as evident in other areas of Peterborough - the Ortons being a good example
- ❖ We are hopeful that the Parish Council will then ensure maintenance of the lakes and particularly the original ones in Vale that are overgrown with weeds
- ❖ A parish council is vital to a community of this size where we have little or no community services at present, no community hall/centre & no place for children/youths to congregate indoors
- ❖ I have been waiting 10 years for a parish council along with all the other things i.e. church & rail-link as promised 10 years ago at a PCC meeting to welcome us from London
- ❖ We need local governance as the city is growing too big to be without it
- ❖ Yes. If this means less litter/graffiti. Less speeding, wheelie bins not being left outside the front of homes. Rubbish outside social housing off Hargate Way - being removed regularly, then we are all for it
- ❖ Hampton is a large area and will need a Parish Council to deal with difficulties unique to the area in the future
- ❖ As needs to be something for kid/teens to do. Nothing at present. Youth Centre? Etc
- ❖ I think that a parish council would be beneficial to all residents of Hampton to help grow and preserve our community
- ❖ A Hampton Parish Council would ensure that Hampton problems/issues are dealt with by people with a vested interest in Hampton. PCC cannot provide this tailored service
- ❖ 20 years service on Bretton Parish Council, moved to Hampton in Sept 08 would like to continue as a councillor here in Hampton
- ❖ Power to the people
- ❖ Sweep streets, Park lake (Pick Rubbish), Lighting round homes, Policing areas more
- ❖ It is a new area & needs a new Parish Council
- ❖ I would like to see Hampton looked after much better, kept cleaner, wasteland used for the good of the community and more leisure/gym facilities set up. My biggest issues are litter and graffiti

- ❖ Required because City Council are useless. Poor services - rubbish collection. Road safety - traffic calming required outside schools. No post office, no public toilets, no swimming pool, no community centre
- ❖ I would hope that a Parish Council could provide a Community Room or Centre for the use of various organisations such as Hampton Club for the over 60's
- ❖ The parish council also covers the area to the east of the A15 which I understand is also part of the Hampton area development
- ❖ I believe this issue to be crucial to the development and identity of the Hampton area
- ❖ I feel a parish council would better represent the views of the local community and would spend the money to best effect for all local residents
- ❖ Why not think ahead and include all Hampton (including Hampton Leys)
- ❖ I feel that a parish in Hampton would be great for the residents and the community as well for the OAPs who cannot get around, you have my support
- ❖ Our current parish council is linked with the 'Ortons'. It would be fantastic to have a dedicated council focusing on the needs of the local community
- ❖ Hopefully a parish council will have more success in community provision - than has been the experience here in the past ten years. I can only wish them well
- ❖ I would like to be considered for a position on the Council if it comes into being
- ❖ I feel that a Parish Council would give a more positive aspect to community life here in the Hamptons. They should have experience and knowledge to deal with all the current needs of the areas, such as activities and buildings necessary
- ❖ The challenges and opportunities in the Hamptons are different to those in Peterborough
- ❖ There are so many areas in Hampton that have not been finished by the developers and/or O+H - these areas are used by the public and as such are dangerous because they have not been fully completed. A Parish Council would be instrumental in making Hampton a safer place by chasing these responsible - some thing the council doesn't/can't do at the moment
- ❖ I feel a parish council in Hampton Hargate & Vale would be the best way of getting the communities views represented
- ❖ I believe that there are already enough levels of local government and the introduction of a parish council would cost me more money for a service I should already be receiving from Peterborough City Council. I believe the petition is as a result of the lack of involvement in local interests and adoption from the City Council at this time
- ❖ Will give us greater control
- ❖ Anything that will be helpfully to the community, carry on. I will be pleased
- ❖ Someone needs to take control of the parking problem. My neighbours have seven cars and are parked all over. No parking on blocked paving
- ❖ I believe a Parish Council in Hampton will benefit the whole community as it will help shape the future of the whole area and will be represented by local residents who have a vested interest in making the community a better place to live

- ❖ Parking on Eagle Way, Pot Holes, Post Office, Sports Complex & Pool
- ❖ When Hampton Leys is eventually constructed will it be incorporated into the Parish Council?
- ❖ As a potentially beautiful area full of open spaces the funding for the area should take into account the high number of visitors to the area as well as locals
- ❖ I feel this would benefit the local community in the Hamptons more fully
- ❖ Two important issues in Hampton need to be addressed. Litter and derelict land. A Parish Council would help to get these issues and others brought to the attention of the relevant authority
- ❖ At the moment I feel that the needs of Hampton are being ignored. Nobody seems to want to take responsibility for the rapidly growing community
- ❖ The estate is in poor order. Grass borders along pathways unkempt. Not a particularly nice place to live
- ❖ Littering, broken glass & keeping lakes & landscapes trim & cleaned algae & rubbish free
- ❖ How can we be assured that our Parish Council will remain committed to the causes of the Hamptons and not be tempted to promote their own needs egg avoiding corruption 'back handers'. Will a Parish Council work to wards ensuring that Hamptons have the community buildings and services that they so desperately need?
- ❖ We believe it would be a great benefit to the Hampton community when residents can if they choose to attend council meetings can voice there opinions and air their views
- ❖ I think it's important for councillors to live in the area they represent. Thought and planning must go in to creating a balanced community, providing the amenities they need (correct balance of fast food outlets etc)
- ❖ I firmly believe that this is the only way that the diverse nature of the area can be successfully maintained and managed
- ❖ I think the number of people living in the area both now and in the future warrants a local council
- ❖ Problems with Litter & Parking
- ❖ An essential component of our current democratic process
- ❖ We need facilities and someone to back us
- ❖ Roads and pavements need cleaning more often and believe a Parish Council would keep Hamptons cleaner than present. Confident a Parish Council would drive the community rooms and possibly a church
- ❖ The sooner it is set up the better. Orton & Hampton are not doing a very good job at the moment
- ❖ The Parish council should be made up from residents from Hargate and Vale equally

- ❖ Minor problems i.e. litter, parking etc which we feel a Parish Council could deal with on a local level
- ❖ I have personally had a lot of problems getting the builder and O&H to do what they are supposed to. The whole area is going downhill because no one will take responsibility. We really need a Parish Council
- ❖ Anti social behaviour - The Hampton police station to be more accessible to residents of Hampton. Clearing of footpaths & roads from litter
- ❖ I am fully in favour of a Parish Council in Hampton Vale & Hargate
- ❖ Hampton needs a Parish Council if it is to maintain its attractiveness and growth in the services that are essential to the local Youths and inhabitants generally
- ❖ I think its important that people locally have a degree of control over local issues
- ❖ In order to keep a close eye on the area and to maintain that the contractors (while they are there) keep to their promise to landscape correctly and for the future to maintain a high standard of cleanliness of the area. I would be prepared to serve on the council
- ❖ We need a voice to put forward our needs & views
- ❖ Sounds like a good idea
- ❖ I would like to see activities for young people also for those residents over 50's onward
- ❖ The unique & thriving community that is Hampton needs a Parish Council to guide it continuing growth once the developers have finished
- ❖ Hampton is an expanding community and therefore needs a parish council in its own right
- ❖ Hamptons interest will be better looked after
- ❖ Allows Council tax paid to be spent on Hampton not going into a central pot. Gives Hampton residents its own local government independence and accountability
- ❖ Our beautiful town is marred by litter and needs to be looked after, before it becomes the norm. Its such a shame that people are not encouraged to take a greater civil pride
- ❖ I am all for a parish council providing that the additional costs to our Council tax bill are not too high
- ❖ To maintain the standards we expect in Hampton a Parish council is needed. The monitoring of issues e.g. graffiti, dog fouling, litter, traffic/road safety are some of the problems
- ❖ I believe a Parish Council will allow the residents of Hampton to take greater control of the area and a voice to influence matters
- ❖ Can something Please be done about the dumping ground, eyesore strip of land that runs along side Buckthorn Road - We are being ignored!!
- ❖ With all the open spaces on the Hamptons there needs to be a Parish Council to represent the residents regarding maintenance of the area, security, changes (Planning issues) etc
- ❖ Adoption of the roads exhibition

- ❖ Hampton seems to be in limbo at the moment regarding its care and maintenance. There is a problem re litter, proper care of shopping areas, tree and plant areas. Some areas look like they are over run with weeds. A Parish council is the solution
- ❖ I just would like to say that the size of the area and the amount of properties in the area I think it should be served by someone who knows the area. Also can we have a BT exchange? The reason for this is there are a lot of professional people who live in the Hamptons, yet the Broadband speed is only about 1mbs. Surely placing an exchange would then enable the broadband speed to increase and enable more professional people to decide to live in the area. Also it would help in the distribution of the phone lines. Please consider this.
- ❖ That the Parish Council would have some say/influence in the roads and access around the two areas
- ❖ We need a full time children's centre. A youth project for the teenagers. A really good tidy up of Hargate & Vale. It is starting to look like a dump
- ❖
- ❖ I would like a Parish Council so that Hampton can be prioritised and maintained by local people. Feel Hampton is being neglected by O&H
- ❖
- ❖ Adoption of roads, reduce height of some speed humps on roads. Make sure people park cars in the allocated areas, not on verges. Parish would look after local interests
- ❖
- ❖ Response dependant on impact on council tax
- ❖

## Comments against:

- ❖ The extra cost on the council bill
- ❖
- ❖ The Residents Association carries out any local representation I feel I need. Also Peterborough City Council is local and quite responsive to issues I have personally raised
- ❖ Just another level of bureaucracy at cost
- ❖ At the present time I cannot see the need. Maybe when Hampton is complete and the PCC has adapted all the roads I would review my view
- ❖ The less council tax I pay the better. Roads need to be adopted before Parish Council set up
- ❖ I absolutely DO NO WISH to support the proposal!!! NO NO NO NO. So here's my view: We already get far too little for the amount we pay in Council Tax (Bins now emptied once a fortnight!!??? Great Value at over a Grand a year!!! NOT!!) Income Tax and all the other stealth taxes, why the Hell would we want to support a Parish Council too?? Is that all people have got to worry about? Creating a pointless little council, giving a few people a bloated feeling of self importance. Things are just fine as they are thank you very much. If they really want to do something worth while get onto BT about the level of Broadband service in our area!!!
- ❖ Another layer of costly bureaucracy
- ❖ This is an artificial parish i.e. not one from Domesday Book. Therefore would prefer to remain subject only to 1 local council "Peterborough". Fed up with self importance of various locals and do not want my council tax increasing to pay & support them! Especially in this tough economic climate
- ❖ I am writing in disgust that I have just found out not by a letter or leaflet, but by my parents that some people are wanting to set up a parish council in the Hamptons. I think it's disgusting that I will have to pay extra on my council tax for this service, that I think will do absolutely nothing for this community. I'm paying a stupid amount of council tax now for the one service that I get, which is bin collecting, even then some weeks my bin gets missed in your collection and have had to ring up several times for someone to come back out and re-collect it. There is no lighting down my road, hardly any bins around for people to put there litter in, which is making some parts of Hampton look a complete mess.
- ❖ It is not clear, but it appears that this would result in an additional cost through my Council Tax bill (as much as £44 a year more?) Furthermore it is also not really clear what the benefits will be, especially as Hampton is not what I would consider to be a typical English village "parish". There is no manifesto or specified intended objectives. Does Peterborough have any other Parishes within the city?
- ❖ I see no benefit whatsoever & certainly cannot afford extra costs - being unemployed. If a parish council goes ahead - I would move out of the area
- ❖ I do not want public funds further diluted by yet another quango
- ❖ The added Parish precept to an already high council Tax charge would be very difficult to pay. My street has not yet been completed by O & H and I do not feel that they would effective in getting this remedied in the current economic crisis when no funds are available to complete requirements
- ❖ We already pay enough council tax and in our experience Parish councils do not get more done and are ineffective. We are currently happy with the current councils efforts
- ❖ Along with over inflated council tax bills, a Parish would only over stretch the litter funds people have. I used to live in a Parish and it only confuses every little matter that needs attending to, resulting in disputes against City Council and Parish

- ❖ We have since changed our minds due to the economic situation. As OAPs an additional £50-60 per year on our council tax would be a problem for us
- ❖ All roads & public areas should be adopted by Peterborough council prior to any Parish council being set up. Council tax is too high I do not wish to add Parish council tax to my bill
- ❖ I would like, or prefer Polish City Council
- ❖ Too costly, already pay large management fee. Why - I pay council tax. Lots of roads not adopted. Are they effective?
- ❖ More tax, more beaurocracy. Make PCC supply the service residents pay for
- ❖ I would prefer to be represented by someone on the main city council
- ❖ Why waste more money on a forum for minority. I'd rather pay more for traffic speed control in Hampton
- ❖ We already have enough government
- ❖ Not at all. Not more money added to the already exorbitant council tax bills to fund their already high lifestyles
- ❖ We do not need another quango - the proposed increase in council tax precept to fund this is not acceptable
- ❖ More bodies will only be added onto our council bills don't you think we are suffer enough? Hampton area is getting worse. Do you think with a new Parish council would change things in this area. Is the people brought into this area need more education and self-discipline to put things right
- ❖ I do not want a Parish Council as I have lived with them before and the only thing I ever notice is extra money on my council tax so I do not see the point in one, Hampton seems to be functioning fine as it currently is.

❖ **Undecided:**

- ❖ My decision would depend to some extent on the additional cost on my council tax. I would need to know the motives of the people that wish to sit on the council. Would Vale be fairly represented rather than the emphasis on Hargate? Would the council have any influence on litter, graffiti, anti social behaviour etc?
- ❖ This should be funded by current council tax or local businesses. Residents should not be expected to pay more, we are not all wealthy in Hampton

**MEETING OF THE  
GOVERNANCE ARRANGEMENTS COMMITTEE  
HELD ON 22 OCTOBER 2009  
AT THE DEAF BLIND UK CONFERENCE CENTRE, HAMPTON**

Present: Councillors Benton and JR Fox.  
Also present: Councillors North, Scott and Seaton  
Ian Dewar, Cambridgeshire & Peterborough Association of Local Councils  
Officers present: Sally Crawford, Community Governance Manager  
Lisa Emmanuel, Neighbourhood Manager, South  
Lindsay Tomlinson, Senior Governance Officer

**1. Appointment of Chairman**

Councillor Benton was appointed chairman for the meeting.

**2. Apologies for Absence**

Apologies had been received from Councillors Goodwin and Swift. Councillor JR Fox attended as substitute for Councillor Swift.

**3. Declarations of Interest**

There were no declarations.

**4. Procedure**

The Community Governance Manager outlined the reason for the meeting, explaining that a petition had been received requesting that a parish council for Hampton be established. A consultation and publicity exercise had been undertaken culminating in the meeting of the Governance Arrangements Committee which would hear the views of the residents of Hampton.

**5. Consultation**

**5(i) Public Questions**

Residents queried the status and purposed behind the newly formed neighbourhood councils. There was confusion as to the powers of the neighbourhood councils and parish councils, queries about the funding for neighbourhood councils and a request for information about the membership of neighbourhood councils.

Officers advised residents that the neighbourhood councils were not intended to replace parish councils, but were a new initiative to act as a link between the Town Hall, the parish councils and the community. Decision making was being taken into the community via delegations from the Cabinet and Cabinet members in areas such as the programme of works under the Highways Act. They had separate powers from parish councils and were intended to strengthen the relationship between the city council and the parishes. Membership would be restricted to the elected city councillors but representatives of community organisations would be invited to attend. At present there was no direct funding allocation for the neighbourhood councils.

A resident queried the relatively small turnout at the meeting and asked if sufficient notice had been given.

Officers assured residents that although there had been a slight delay because of issues in confirming the venue for the meeting, Access to Information legislation had been complied with and there had been publicity about the meeting in the local media.

There was a query about the timeline for a decision and the work that would be necessary in forming a parish council, including funding arrangements.

Officers advised that there would be a further public meeting of the Governance Arrangements Committee which would consider all the representations received before deciding whether to make a recommendation to Full Council on 2 December 2009 as to whether a parish council should be established. If a parish council was established then in theory it could be set up in time for the local elections in May 2010. In response to a question about applying for funding prior to a parish council being established officers advised that they would look into the matter and report back.

### **5(ii) Ward Councillors**

**Councillor Scott:** It was the duty of elected members to reflect on the wishes of the people who elected them. The response rate of approximately 14% was surprisingly high and indicated support for the establishment of a parish council. Residents had raised issues about the formation of the new neighbourhood councils but this is just an accident of timing and it was a matter for Peterborough City Council to decide how the neighbourhood councils would work.

Residents who felt strongly against the establishment of a parish council also had the opportunity to make their views known.

**Councillor North:** This was about democracy and the people of Hampton had demonstrated that they wanted a parish council, therefore they should have one.

**Councillor Seaton:** It would be helpful to debate the difference between neighbourhood councils and parish councils as this was proving confusing for residents. If a parish council was established it would be useful to have Hampton parish councillor supporting their local neighbourhood council.

(There was a further short debate on the status of neighbourhood councils, their relationship with parish councils and councillors and the reason behind their establishment.)

### **5(iii) Representations in Favour of Establishing a Parish Council**

**Mr T. Loutit – Resident:** Mr Loutit, a resident of 10 years, explained that he was the Chair of the Hampton Parish Council Steering Group and was passionate about creating a safe and thriving community. In his opinion, the establishment of a parish council would play a vital role in giving the community a voice, helping to deliver services tailored to local needs. Issues such as anti social behaviour, littering, parking, the lack of youth facilities and the maintenance of green spaces all needed to be addressed. There was a large number of community groups already established in Hampton and they would benefit from a parish council.

To sum up, a parish council would deliver service to the local community, represent local residents and improve their quality of life.

### **5(iv) Representations Against the Establishment of a Parish Council**

There were no representations against the establishment of a parish council. However Councillor North, although not opposed to a parish council, pointed out that residents may raise objections when their council tax was increased.

Residents debated the issue of a need for a community centre in Hampton. Officers advised that community action plans were being drawn up and that issues such as this would be addressed as part of that process.

There was some discussion about funding of a parish council and the type of decisions that may be passed down to it from the city council, for example street lighting maintenance.

## **6. Date of Next Meeting**

Tuesday 17 November 2009 at 7.00pm at the Town Hall, Peterborough.

Meeting began at 7.00pm and closed 8.05pm.

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**MEETING OF THE  
GOVERNANCE ARRANGEMENTS COMMITTEE  
HELD ON 17 NOVEMBER 2009  
AT THE TOWN HALL, PETERBOROUGH**

Present: Councillors Benton, Goodwin and JR Fox.  
Officers present: Sally Crawford, Community Governance Manager  
Lisa Emmanuel, Neighbourhood Manager, South  
Lindsay Tomlinson, Senior Governance Officer

**1. Appointment of Chairman**

Councillor Benton was appointed chairman for the meeting.

**2. Apologies for Absence**

There were no apologies.

**3. Declarations of Interest**

There were no declarations.

**4. Minutes of the Meeting held on 22 October 2009**

The minutes of the meeting held on 22 October 2009 were approved.

**5. Community Governance Review – Hampton Hargate & Hampton Vale**

A petition had been submitted to the Council requesting the formation of a local government parish council for the neighbourhood of Hampton Hargate and Hampton Vale. The local authority had a statutory duty to undertake a community governance review for the purpose of making recommendations with regard to creating, merging or abolishing parishes and the Committee received a report on the views and comments received during the recent community governance review for Hampton Hargate and Hampton Vale.

The comprehensive consultation process had included a leaflet drop to all properties in the relevant areas, advertisements in Your Peterborough and the Hampton Gazette, information placed on Peterborough City Council's and the Hampton websites along with a table at Hampton's autumn fair. A public meeting had been held in Hampton at which residents and ward councillors had been given an opportunity to ask questions and present their views.

Overall 462 responses had been received of which 413 (89%) supported the establishment of a parish council. The members queried whether the response rate of around 13% was typical and were advised that responses to this type of consultation tended to be between 10-20%. The review had been well publicised and everyone had been given an opportunity to make their views known. Members considered all comments on their merits and particularly acknowledged concerns expressed regarding the increase in council tax.

There was some discussion about the geographical extent of the area covered by the requested parish council and the likely numbers of parish councillors. It was confirmed that currently it was proposed for the Hampton Hargate and Hampton Vale areas only, the population of that area being around 6,000 which equated to North Bretton which had 15 parish councillors. There was a feeling that, as Hampton Hargate and Hampton Vale were roughly the same size, each area should have a proportionate number of parish councillors.

Members of the Hampton Parish Council Steering Group were present at the meeting and in response to questions from the committee regarding their motives they confirmed the reasons behind the request for a parish council centred on the desire for local involvement in issues affecting the area and the wish to maintain Hampton as a pleasant place to live. They explained that residents felt somewhat in limbo as the developers, O&H Hampton still had control over some aspects of local provision and that this was presenting difficulties for residents in getting any improvements made. It was also felt by the steering group that a parish council would be more able to attract funding than a less formal community group. The steering group had been working with Mr Dewar from the Peterborough Association of Local Councils and he had provided much advice. They were committed to a proper training programme for parish councillors and already had a prospective parish clerk.

## **RESOLVED**

That, following consideration of the responses received during the consultation exercise, the impact on community cohesion and the size, population and boundaries of the proposal, a report be presented to Full Council on 2 December 2009 recommending that it approves the establishment of a parish council for Hampton Hargate and Hampton Vale comprising 14 councillors in total, split equally between the two areas to ensure equal representation from the two villages.

## **REASONS**

The Committee made their decision based on the following reasons:

1. Parish Councils have an important role to play in the development of their communities
2. Parish Councils can perform a central role in community leadership and will have a standing invitation and participate in the new neighbourhood councils.
3. Setting up a Parish Council offers the opportunity to strengthen community engagement and participation and generate a positive impact on community cohesion.

## **ALTERNATIVE OPTIONS**

It was acknowledged that some residents were not in favour of paying an increase in council tax to fund the precept for a parish council which could be between £10 and £30 per annum and the Committee could have decided to recommend against a parish council being established. However, this would be in contradiction to the majority of the responses received.

Meeting began at 7.00pm and closed at 7.30pm.

**Allotments**

**Powers & Duties:** Powers to provide allotments.

Duty to provide allotment gardens if demanded unsatisfied

**Statutory Provisions:** Small Holding & Allotments Act 1908, ss. 23, 26, & 42

**Baths and Washhouses**

**Powers & Duties:** Power to provide public baths and washhouses

**Statutory Provisions:** Public Health Act 1936, Ss 221, 222, 223 & 227

**Burial grounds, cemeteries and crematoria**

**Powers & Duties:** Power to acquire and maintain

Power to provide

Power to agree to maintain monuments and memorials

Power to contribute towards expenses of cemeteries

**Statutory Provisions:** Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1 Local Government Act 1972, s. 215(6)

**Bus Shelters**

**Powers & Duties:** Power to provide and maintain shelters

**Statutory Provisions:** Local Government (Miscellaneous Provision) Act 1953, s. 4

**Bye Laws**

**Powers & Duties:** Power to make bye-laws in regard to pleasure grounds,

Cycle Parks

Baths and Washhouses

Open spaces and burial grounds

Mortuaries and post-mortem rooms

**Statutory Provisions:** Public Health Act 1875, s. 164

Road Traffic Regulation Act 1984, s.57(7)

Public Health Act 1936, s.223

Open Spaces Act 1906, s.15

Public Health Act 1936, s.198

**Charities**

**Powers & Duties:** Duty to receive accounts of parochial charities

**Statutory Provisions:** Charities Act 1960, s.32

**Clocks**

**Powers & Duties:** Power to provide public clocks

**Statutory Provisions:** Parish Councils Act 1957, s.2

**Closed Churchyards**

**Powers & Duties:** Powers as to maintenance

**Statutory Provisions:** Local Government Act 1972, s.215

## **Commons and common pastures**

**Powers & Duties:** Powers in relation to enclosure, as to regulation and management, and as to providing common pasture

**Statutory Provisions:** Enclosure Act 1845;  
Local Government Act 1894, s.8(4);  
Smallholdings and Allotments Act 1908, s.34

## **Conference facilities**

**Powers & Duties:** Power to provide and encourage the use of facilities

**Statutory Provisions:** Local Government Act 1972, s.144

## **Community centres**

**Powers & Duties:** Power to provide and equip buildings for use of clubs having athletic, social or educational objectives

**Statutory Provisions:** Local Government (Miscellaneous Provisions) Act 1976 s.19

## **Crime prevention**

**Powers & Duties:** Powers to spend money on various crime prevention measures

**Statutory Provisions:** Local Government and Rating Act 1997, s.31

## **Drainage**

**Powers & Duties:** Power to deal with ponds and ditches

**Statutory Provisions:** Public Health Act 1936, s.260

## **Education**

**Powers & Duties:** Right to appoint school governors

**Statutory Provisions:** Education (No.2) Act 1986, s.4

## **Entertainment and the arts**

**Powers & Duties:** Provision of entertainment and support of the arts

**Statutory Provisions:** Local Government Act 1972, s.145

## **Gifts**

**Powers & Duties:** Power to accept

**Statutory Provisions:** Local Government Act 1972, s.139

## **Highways**

**Powers & Duties:**

Power to repair and maintain public footpaths and bridle-ways.

Power to light roads and public places

Provision of litter bins

Power to provide parking places for vehicles, bicycles and motor-cycles.

Power to enter into agreement as to dedication and widening.

Power to provide roadside seats and shelters, and omnibus shelters.

Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway.

Power to complain to district council as to protection of rights of way and roadside wastes

Power to provide traffic signs and other notices

Power to plant trees etc. and to maintain roadside verges

### **Statutory Provisions:**

Highways Act 1980, ss.43,50  
Parish Councils Act 1957, s.3;  
Highways Act 1980, s.301  
Litter Act 1983, ss.5,6  
Road Traffic Regulation Act 1984, ss.57,63  
Highways Act 1980, ss.30,72  
Parish Councils Act 1957, s.1  
Highways Act 1980, ss.47,116  
Highways Act 1980, s.130  
Road Traffic Regulation Act 1984, s.72  
Highways Act 1980, s.96

### **Investments**

**Powers & Duties:** Power to participate in schemes of collective investment

**Statutory Provisions:** Trustee Investments Act 1961, s.11

### **Land**

**Powers & Duties:** Power to acquire by agreement, to appropriate, to dispose of

Power to accept gifts of land

**Statutory Provisions:** Local Government Act 1972, ss.124, 126, 127

Local government Act 1972, s.139

### **Litter**

**Powers & Duties:** Provision of receptacles

**Statutory Provisions:** Litter Act 1983, ss.5,6

### **Lotteries**

**Powers & Duties:** Powers to promote

**Statutory Provisions:** Lotteries and Amusements Act 1976, s.7

### **Mortuaries and post mortem rooms**

**Powers & Duties:** Powers to provide mortuaries and post mortem rooms

**Statutory Provisions:** Public Health Act 1936, s.198

### **Nuisances**

**Powers & Duties:** Power to deal with offensive ditches

**Statutory Provisions:** Public Health Act 1936, s.260

### **Open spaces**

**Powers & Duties:** Power to acquire land and maintain

**Statutory Provisions:** Public health Act 1875, s.164

Open Spaces Act 1906, ss.9 and 10

### **Parish Property and documents**

**Powers & Duties:** Powers to direct as to their custody

**Statutory Provisions:** Local Government Act 1972, s.226

### **Postal and telecommunications facilities**

**Powers & Duties:** Power to pay the Post Office, British Telecommunications or any other public telecommunications operator any loss sustained providing post or telegraph office or telecommunication facilities

**Statutory Provisions:** Post Office Act 1953, s.51;  
Telecommunications Act 1984, s.97

### **Public buildings and village hall**

**Powers & Duties:** Power to provide buildings for offices and for public meetings and assemblies

**Statutory Provisions:** Local Government Act 1972, s.133

### **Public Conveniences**

**Powers & Duties:** Power to provide

**Statutory Provisions:** Public Health Act 1936, s.87

### **Recreation**

**Powers & Duties:** Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them

Power to provide gymnasiums, playing fields, holiday camps

Provision of boating pools

**Statutory Provisions:** Public Health Act 1875, s.164

Local Government Act 1972, Sched.14 para.27

Public Health Acts Amendment Act 1890 s.44

Open Spaces Act 1906, ss.9 and 10

Local Government (Miscellaneous Provisions) Act 1976, s.19

Public Health Act 1961, s.54

### **Town and Country Planning**

**Powers & Duties:** Right to be notified of planning applications

**Statutory Provisions:** Town and Country Planning Act 1990, Sched.1, para.8

### **Tourism**

**Powers & Duties:** Power to contribute to organisations encouraging

**Statutory Provisions:** Local Government Act 1972, s.144

### **Traffic Calming**

**Powers & Duties:** Powers to contribute financially to traffic calming schemes

**Statutory Provisions:** Local Government and Rating Act 1997, s.30

### **Transport**

**Powers & Duties:** Powers to spend money on community transport schemes

**Statutory Provisions:** Local Government and Rating Act 1997, s.26-29

### **War memorials**

**Powers & Duties:** Power to maintain, repairs, protect and adapt war memorials

**Statutory Provisions:** War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133

## **Water Supply**

**Powers & Duties:** Power to utilise well, spring or stream and to provide facilities for obtaining water therefrom

**Statutory Provisions:** Public Health Act 1936, s.125

\* Table provided by NALC – The National Association of Local Councils

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