

Community Governance Review

Final Recommendations

Osgodby Unparished Anomalous Area

July 2023

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1. 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. NYCC 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:
- i. Community governance reviews be undertaken for the unparished parts of Harrogate and Scarborough, incorporating Eastfield Town Council.
 - ii. 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.
- 1.4. 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 (now abolished), county division or 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. One of these anomalous areas include 3 properties at Osgodby which previously fell within the former SBC Weaponness Ward, now fall within former SBC Cayton Ward and NYCC Cayton Division (as NY divisions are now formed on former wards), and the parish boundary is no longer coterminous at that point.

- 1.5. 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.
- 1.6. The timetable for the review is set out below:

Revised Timetable*	
Aug 2022 to Oct 2022	Stage 1 consultation
Nov 2022 to Jan 2023	Consideration of responses and drafting of recommendations
Mar 2023 to May 2023	Stage 2 consultation on draft recommendations
May 2023 to Jun 2023	Formulation of final recommendations

* Reasons for revisions and delays are explained in Appendix A

- 1.7. This review offered two opportunities for residents to have their say. The Stage 1 consultation formed the basis of a set of draft recommendations detailed at 1.12 below, were approved by NYCCs Executive on 10 January 2023. The report presenting the draft recommendations and full consultation outcome report can be found here: [Agenda for Executive on Tuesday, 10th January, 2023, 11.00 am | North Yorkshire Council. The Executive resolved:](#)
 - i. That the responses from the consultation process which took place following publication of the Terms of Reference in July 2022 and the comments of the Member Working Group be noted.

- ii. That the draft recommendations (as amended) set out in Appendices 1, 2, 3, 4 and 5 of the report be agreed and publicised as part of a Stage 2 consultation commencing on 20 February for eight weeks.
- iii. That the Executive note the Notice of Motion approved by Harrogate Borough Council on 21 September 2022. Rather than hold a binding referendum, it was agreed that as part of the Stage 2 public consultation process for the Community Governance Review, every household in the Harrogate and Scarborough unparished areas will be written out to again with information on the detailed proposals.

1.8. During the stage 1 consultation 3 responses were received for the Osgodby area, the outcomes were as detailed in the table below:

Option	Number	Percentage
Option 1 – to create a parish council for the unparished part of Scarborough Town Centre and include the three unparished houses in Osgodby within it.	0	0%
Option 2 – the three unparished houses become part of Osgodby Parish Council and the unparished part of Scarborough Town Centre becomes a separate parish	1	33%
Option 3 – to leave Scarborough Town Centre and the three houses in Osgodby unparished.	0	0%
Option 4 - the three unparished houses become part of Osgodby Parish Council, and the unparished part of Scarborough Town Centre remains unparished.	1	33%
Some other option	0	0%
Don't know/not sure	1	33%
	3	100%

- 1.9. Two thirds of respondents favoured parishing of the unparished 3 properties, with the other third unsure, therefore draft recommendations were drafted based on extending Osgodby Parish boundary to become coterminous with NYC division boundaries.
- 1.10. A Stage 2 consultation exercise has now been undertaken, which forms the basis of these final recommendations. The full methodology used for the Stage 2 consultation is set out at Appendix A and the survey at Appendix B.
- 1.11. Residents were able to give views on each recommendation, by submitting a survey which listed each draft recommendation, and asked to say whether they agreed, disagreed, or didn't know / weren't sure, as well as provide any comments.
- 1.12. The draft recommendations that residents and stakeholders were consulted specifically on, for this area were:

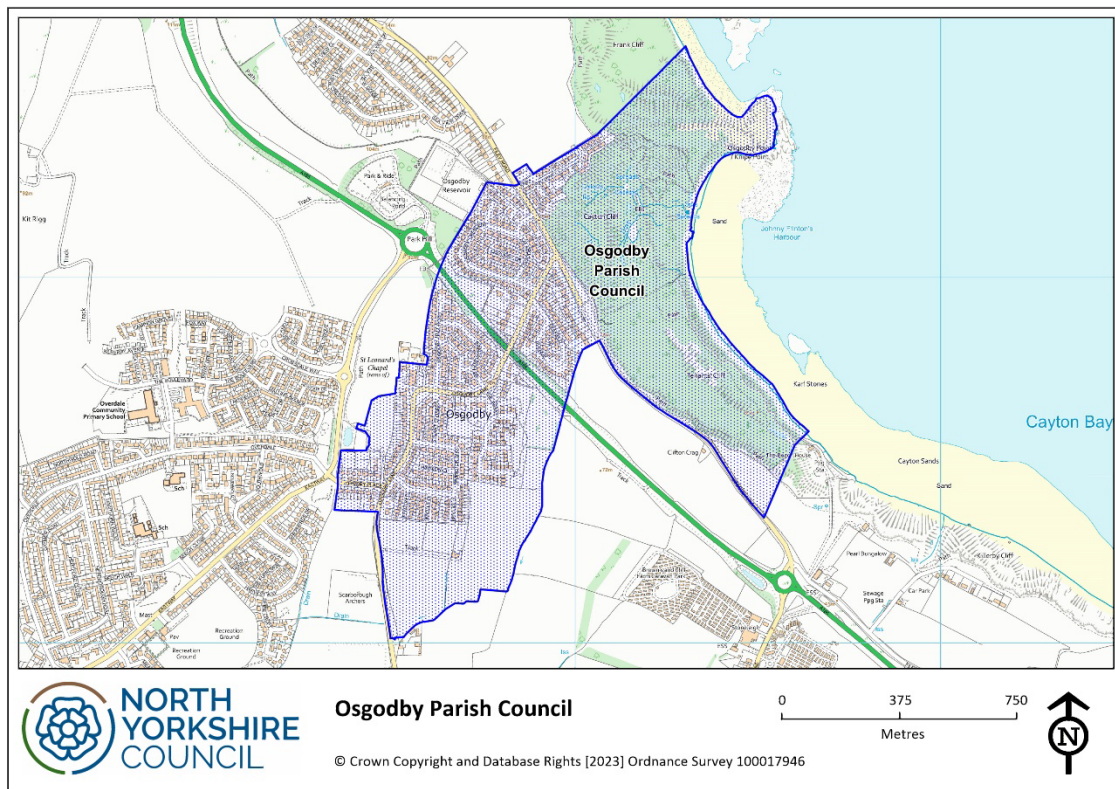
Recommendation 1 – To extend Osgodby Parish Council boundary to include those 3 properties currently outside of the parish, at the norther boundary line, and to become coterminous with the SBC Cayton Ward and NYCC Cayton Division.

Recommendation 2 – That the changes take effect on 01 April 2024 for administrative purposes.

Recommendation 3 - that the change takes effect on 15 October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)

2. Background Information

2.1. Osgodby Parish Council is not warded, and the current arrangement is as follows:



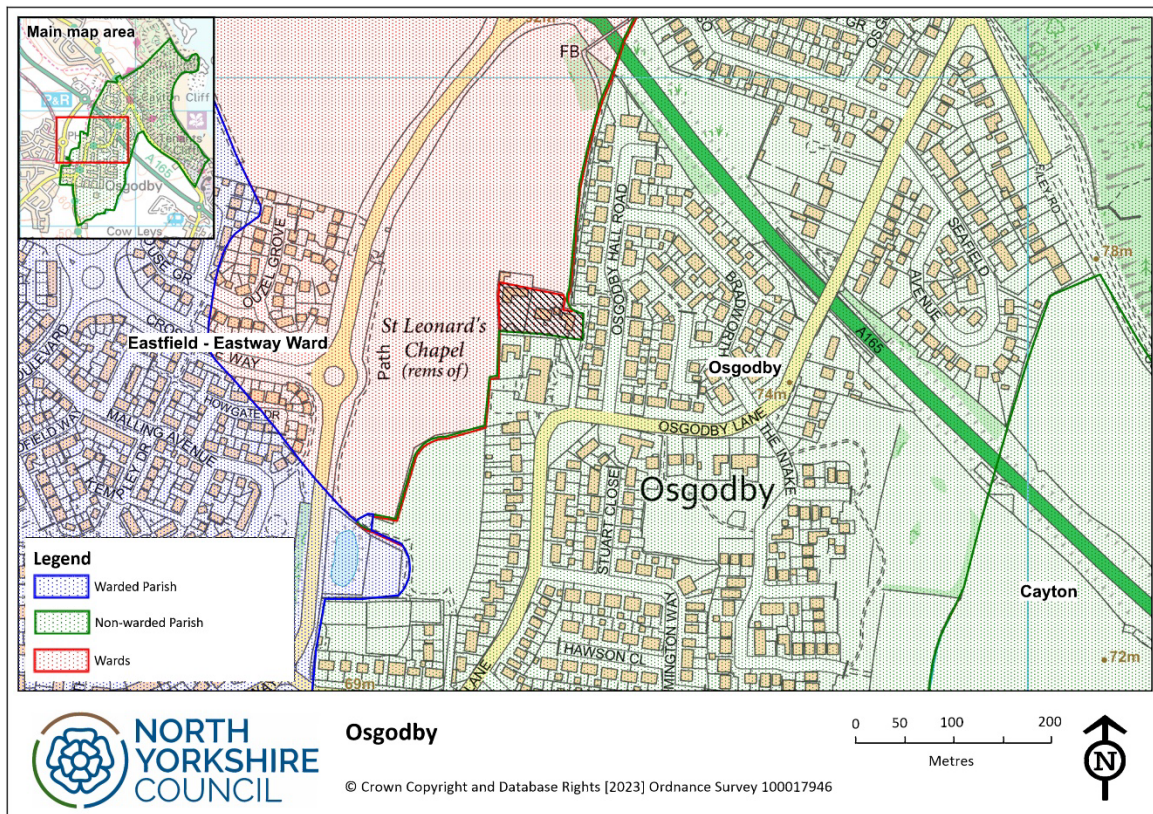
Osgodby Parish Council	Electorate (Dec 2022)	Households (June 2022)	Councillors
Whole area	1,061	698	7

Relevant History

2.2. The external boundary of the parish prior to the 2017/18 LGBCE review was coterminous with former SBC Cayton Ward, but the LGBCE took note that 3

properties which previously fell within the former Weaponness Ward could only access their properties through the residential estate within Cayton and decided to draw the Borough Ward boundary around the back of the properties so there was road access into the rest of former Borough Cayton ward for the electors that lived there.

- 2.3. The three affected properties fell within former SBC Cayton Ward and NYC Cayton Division, and the parish boundary is no longer coterminous at that point, which is an anomaly in that they are not parished (hatched area in the map below), yet the rest of that area falls within Osgodby Parish Council:



- 2.4. In 2018 two requests were received from Osgodby Parish Council for their council size to be increased to 7 from 8, which would have reverted the council back to the number of seats it had prior to 2015. SBC responded to say it felt the current arrangement of 7 councillors was still suitable for the parish especially with the main supporting reason for the reduction to 7 was for voting purposes at meetings, being an odd number. SBC advised that a CGR petition would be required to pursue a CGR, if the Council still felt the change was strongly desired.

- 2.5. In January 2021 SBC was considering areas requiring a CGR, at which time Osgodby Parish Council confirmed it no longer had desire to increase in size, but referred to the situation with new North Yorkshire Council and potential double devolution as a reason to potentially increase its size at a later date

Five year electorate forecast

2.6. The electorate and 5 year electorate forecast of Osgodby Parish Council is as follows:

Osgodby Parish Council	Electorate (Dec 2022)	Electorate Prediction (2027)	Predicted Electorate increase
Whole area	1,061	1,257	196

2.7. The increase in Osgodby is due to an expected increase of 126 dwellings detailed within the SBC Local Plan as HA15 Land off Rimington Way, with no other smaller site developments listed.

3. Assessment of Submissions

- 3.1. Responses were not limited to households only, anyone within an interest was invited to respond. All 3 directly affected properties were written to though only one response was received, from one of those properties.
- 3.2. The single response received for the second stage of consultation was in favour of the draft recommendations, to extend the parish boundary line and the timescales, though no comments were provided in support of their preference.

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.

4.2. The 3 unparished properties sitting within NY Cayton Division but outside Osgodby Parish Council clearly form part of the same community and have the same identity and interests as those which are parished. The LGBCE 2017/18 review identified that those 3 properties can only be accessed through the residential estate in Cayton (in Osgodby parish) and therefore within the NY Cayton Division. It is felt to

be in the interest of the affected residents to apply the same boundary line to the parish as has been applied to the division and ward boundary.

- 4.3. A modification to the town council boundary to capture all 3 properties within the same parish is likely to offer more effective and convenient local government to the affected residents, than to leave the very small area unparished, or to include with any new parish for the Scarborough town, or within any revisions to neighbouring Eastfield Town Council (refer to Eastfield CGR final recommendations).

5. Final Assessment and Final Recommendations

- 5.1. When considering the responses to both stage 1 and stage 2 consultation for this small area, alongside the statutory criteria, it is clear that this recommendation to extend the Osgodby parish boundary to capture all 3 directly affected properties is the suitable solution for the anomalous area to ensure coterminosity with the other electoral boundaries in the same area.
- 5.2. Coterminosity means boundaries that follow the same line, for example where a principal ward boundary (i.e. 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.
- 5.3. Therefore, the final recommendations arising from this community governance review are:

Recommendation 1 – To extend Osgodby Parish Council boundary to include those 3 properties currently outside of the parish, at the norther boundary line, and to become coterminous with the NYC Cayton Division.

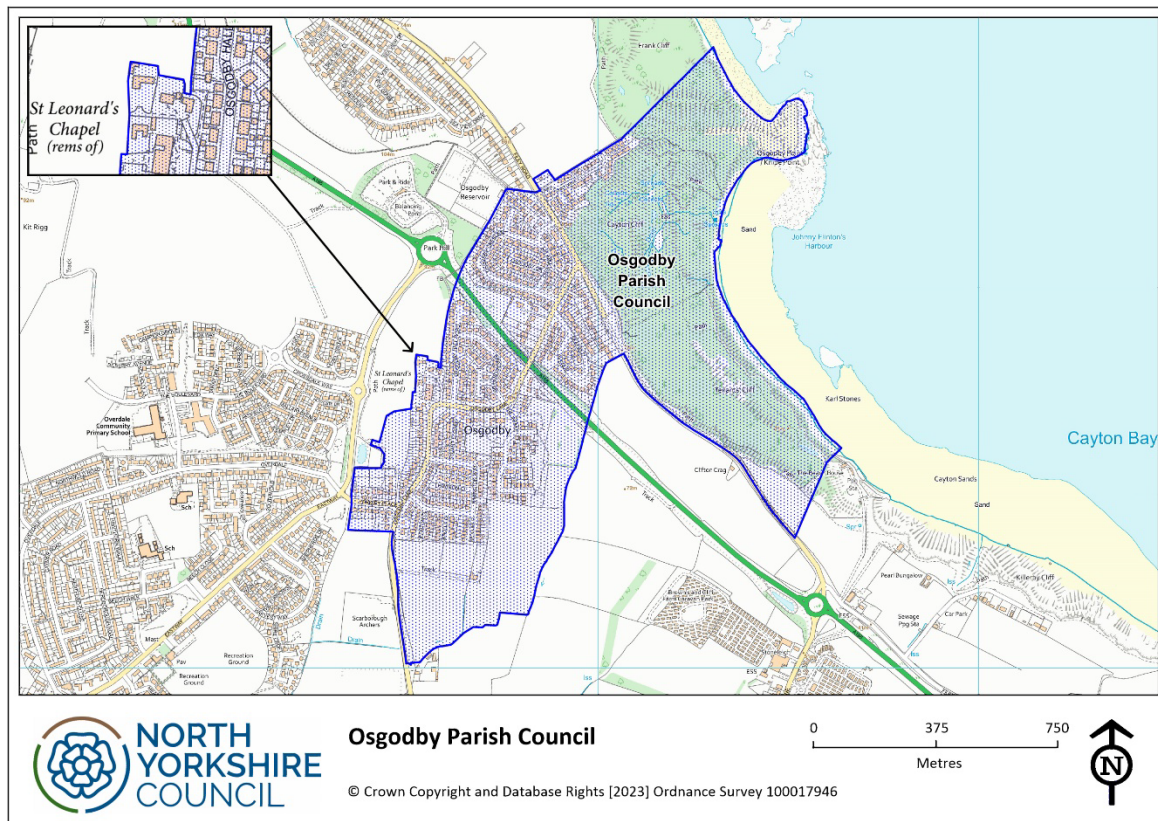
Recommendation 2 – That the changes take effect on 01 April 2024 for administrative purposes.

Recommendation 3 - that the change takes effect on 15th October 2023 for electoral purposes (ahead of publication of the revised register planned for 01 December 2023)

- 5.4. The warding pattern, council size, and electoral cycle are to remain unchanged.
- 5.5. Based on the recommendation the arrangements for Osgodby Parish Council would be:

Osgodby Parish Council	Electorate (Dec 2022)	Electorate Prediction (2027)	Councillors
whole parish	1,064	1,260	7

5.6. A map of the recommendations for Osgodby Parish Council are shown here:



5.7. The Councillor representation is not hugely affected by these recommendations, as it only affects 3 properties.

6. Consequential Matters & Next Steps

Precept

6.1. As parish councils do not receive money from central government, they are reliant on income raised from the precept. 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 Osgodby parish from 01 April 2024. Currently this is set at £13.23 for a Council Tax band D property.

Local Government Boundary Commission for England (LGBCE)

6.2. The principal council (NYC) must keep the Commission informed of any upcoming changes to parish arrangements within its area to ensure any forthcoming reviews

of divisions/wards within its area, take the new parish arrangements into consideration.

- 6.3. The LGBCE has indicated that a review of NYC divisions/wards will be taking place prior to the elections to NYC in 2027, and have therefore already been informed of this review of unparished areas, and will also be informed of all final recommendations.

Electoral Matters

- 6.4. As this proposed amendment to Osgodby Parish boundary is based on existing NYC divisions, with established polling districts, there is no need for a consequential polling district review. Though there is currently a separate polling district to accommodate the 3 affected properties (as they form part of different electoral areas and being unparished) and this will be addressed at the next polling district review.
- 6.5. Under section 18C of the Representation of the People Act 1983 and the requirement for principal councils to commence and complete a review of polling districts within 16 months from 1 October 2023, a compulsory review will be taking place which will ensure any changes can be made during that process.
- 6.6. in readiness for the publication of the revised register of electors due on 01 December 2023, NYC will ensure that that the changes are adopted within register structures, reflective of these final recommendations.

7. Contact Details

W: www.northyorks.gov.uk/CGR

E: CGR@northyorks.gov.uk

T: 0300 131 2 131

North Yorkshire Council, County Hall, Northallerton DL7 8A

Community Governance Review - Consultation Stage 2 Methodology

Osgodby Unparished Anomalous Area

- The stage 2 consultation began on Thursday 2 March 2023, and ran for a period of just over 9 weeks.
- The Community Governance Review webpage used for the stage 1 consultation was re-instated, and updated with further information for stage 2 including information from the stage 1 consultation, the Executive report and the draft recommendations.
- The consultation web page contained a link for an online survey allowing residents and other stakeholders to submit views on the draft recommendations.
- An A4 page information pack was also prepared containing the same information as was on the webpage, as well as a copy of the survey in paper format. The information pack contained the outcomes of the first stage of consultation, the specific draft recommendations being made, and the potential impact on residents.
- A letter informing residents of this next stage in the review process pack was posted to each of the 3 directly affected households on the electoral register in the unparished area of Cayton Ward. The letter explained the reasons for the review, and invited residents to have their say via the survey. Enclosed with the letter was an information pack, a paper copy of the survey and a pre-paid reply envelope. The letter signposted residents to the consultation area of the NYC website. A QR code was included on the letter to enable residents to access the survey directly from their mobile phones.
- An option was provided to request hard copies of the survey via telephone or email for those residents who preferred to complete a paper copy of the survey or who did not have access to the internet.
- Copies of the leaflet, paper survey and pre-paid return envelopes were made available at Scarborough Town Hall (Scarborough's main library was temporarily closed due to building works during this consultation stage).
- In addition to the letter to every household, key stakeholders were also emailed a link to the consultation webpage and invited to give their views. This included the following stakeholders:
 - local MPs, the PFCC and councillors for the relevant area
 - Directly affected parishes of Eastfield, Newby & Scalby, and Osgodby, as they had areas specifically detailed within the Terms of Reference

- Parish councils adjoining the unparished area
 - Scarborough Borough Council's consultation stakeholder list which included disability groups, business, charities, voluntary groups, local associations, business groups and local public services
 - Any respondees to the initial consultation who did not already appear on any of the above distribution lists
- The survey which was used for this unparished area invited residents to say whether they agreed or not (or state 'not sure') with each of the specific recommendations, and were able to provide comments against each recommendation.
 - In addition to the 'all households' letter, NYCC and SBC social media feeds were used to raise awareness of the review at commencement. This was supplemented by reminder posts during, and close to the end of the review on NYC social media feeds. All social media posts used a consistent approach with messaging, signposting and branding to avoid confusion for residents.
 - A press release entitled "New town councils recommended for Harrogate and Scarborough" was issued on 23 December 2022 leading to the review gaining coverage in the local press. A further press release entitled "Have a say on Harrogate and Scarborough town council proposals" was issued week commencing 03 March 2023 to promote the consultation.
 - An article titled "New Scarborough town council: your views needed" was also included in the Scarborough Borough Council Residents' newsletter circulated via email on 29 March 2023.
 - Council staff were informed of the review during LGR webinars and via the SBC 'Colleague News' newsletter and invited to take part.
 - An 'easy read' version of the information leaflet was prepared and was available on request for residents with learning difficulties and the survey could also be made available in other formats on request.

Community Governance Review - Osgodby

On 1 April 2023 Scarborough Borough Council (SBC) will be dissolved and replaced by the new North Yorkshire Council (NYC). On that date Charter Trustees will be established for the parts of Scarborough town which are not currently covered by a parish or town council to ensure the continuation of Mayoral and other ceremonial functions. This will be in place until a parish or town council is created. Charter Trustees do not have powers to deliver any services.

This Community Governance Review is seeking the views of residents and stakeholders. An initial phase of consultation has previously taken place asking whether the 3 properties north of Osgodby which are currently not parished (due to a boundary anomaly) should be included within Osgodby Parish Council or within any new governance arrangements for the Scarborough town centre.

Two thirds of those who responded told us they were in favour of parishing the 3 properties which are not parished, near Osgodby. From that, draft recommendations have been made. This second consultation is seeking views the following draft recommendations:

- To extend Osgodby Parish boundary to include those 3 properties currently outside of the parish, at the northern boundary line, and to become coterminous with the SBC Cayton Ward and NYCC Cayton Division
- That these changes take effect from 01 April 2024 for administrative purposes.

Using Your Personal information

Any information provided in this survey will be used in the strictest confidence and will only be used for the community governance review.

For further information on how we collect, use, share, secure and retain your personal information, and your legal rights, please see our Privacy Notice at www.northyorks.gov.uk/privacy-notices

Please respond by **5 May 2023**, even if you responded to the initial consultation, to help shape the future of this area.

Where are you from?

1. Please state which of the following best describes you:

- | | |
|------------------------------------------------------|---------------------------------------------------------------------------------------|
| <input type="checkbox"/> I live in Osgodby | <input type="checkbox"/> I am a representative of a community organisation in Osgodby |
| <input type="checkbox"/> I work in Osgodby | <input type="checkbox"/> Other (please state below) |
| <input type="checkbox"/> I own a business in Osgodby | |

2. Please answer the following:

Your home, work or business postcode:

Your community organisation:

Other:

Your views on the recommendations

Changes to Osgodby Parish Boundary

3. It is recommended to extend Osgodby Parish boundary to include those 3 properties currently outside of the parish, at the northern boundary line, and to become coterminous with the SBC Cayton Ward and NYCC Cayton Division.

Do you agree with this proposal?

Yes

No

Not sure

4. Do you have any comments on this recommendation?

Timescales

5. It is proposed that this change takes effect from 01 April 2024 for administrative purposes. Do you agree with this proposal?

Yes

No

Not sure

6. Do you have any comments on this recommendation?

About you

Age

7. Which age category are you in?

16-19

20-29

30-39

40-49

50-64

65-74

75-84

85+

prefer not
to say

Disability

8. Do you consider yourself to be a disabled person or to have long-term, limiting condition?

Yes

No

Prefer not to say

Thank you for taking the time to complete this survey.

Please return this completed form to:

Corporate Director,
Central Services North Yorkshire County Council,
County Hall,
Racecourse Lane,
NORTHALLERTON
DL7 8AL
no later than 5 May 2023.