



Community Governance Review: *The fight for our parish goes on!*

We've held back this issue to report on the outcome of two crucial meetings – read on!

Despite strong opposition from Cheddon Fitzpaine and other affected parishes, Somerset West & Taunton Council (SWT) have stubbornly pushed through their Community Governance Review (CGR). Among its final recommendations is the 'hostile' re-paragraphing that would cut Cheddon Fitzpaine down to a sixth of its current size (i.e. to the village and surrounding rural area) by relocating the whole of Maidenbrook Ward into a new Taunton Town parish. The Review with its controversial recommendations was formally adopted by Somerset West and Taunton Council (SWT) at their meeting on September 29th. It was then sent forward to Somerset County Council (SCC), whose Members approved it at their meeting on October 5th (the Review had to go to SCC because we are in the transition period to the incoming SCC Unitary Authority).

WHY DON'T WE WANT THE NEW SET-UP?

Your Parish Council is dead against the changes because, after constantly pushing SWT to explain the benefits for our community, the best (and only) answer we could get was from one Member was:

"I'm sure some of your residents would prefer to be part of something bigger and much more powerful."

Furthermore, public consultation has shown that many of our parishioners feel the same, while only a negligible minority support the Review's findings.

Unless it's reversed, here's how it will affect us all.

- **The Review will split our established community in two WITH NO BENEFIT TO EITHER PART;**
- **It undermines the important role of traditional parish councils, where Councillors work unpaid for their friends and neighbours in a way that has nothing to do with party politics;**
- **According to figures already published, residents of Maidenbrook Ward will see the 'precept' part of their council-tax bill AT LEAST DOUBLE under the new Town Council;**

- **Hundreds-of-thousands of £s of CIL money (see below) arising from expected future development in the Maidenbrook Ward will be diverted into the new Taunton Town Council to spend wherever it likes within its area;**
- **The interests of ALL our current parishioners will carry less weight within the new set-up;**
- **The obvious priority for the new Town Council will be to upgrade the town-centre to a level that's worthy of its County Town/Garden Town status – which is fine, but why at our expense?**

SWT's CIL-GRAB

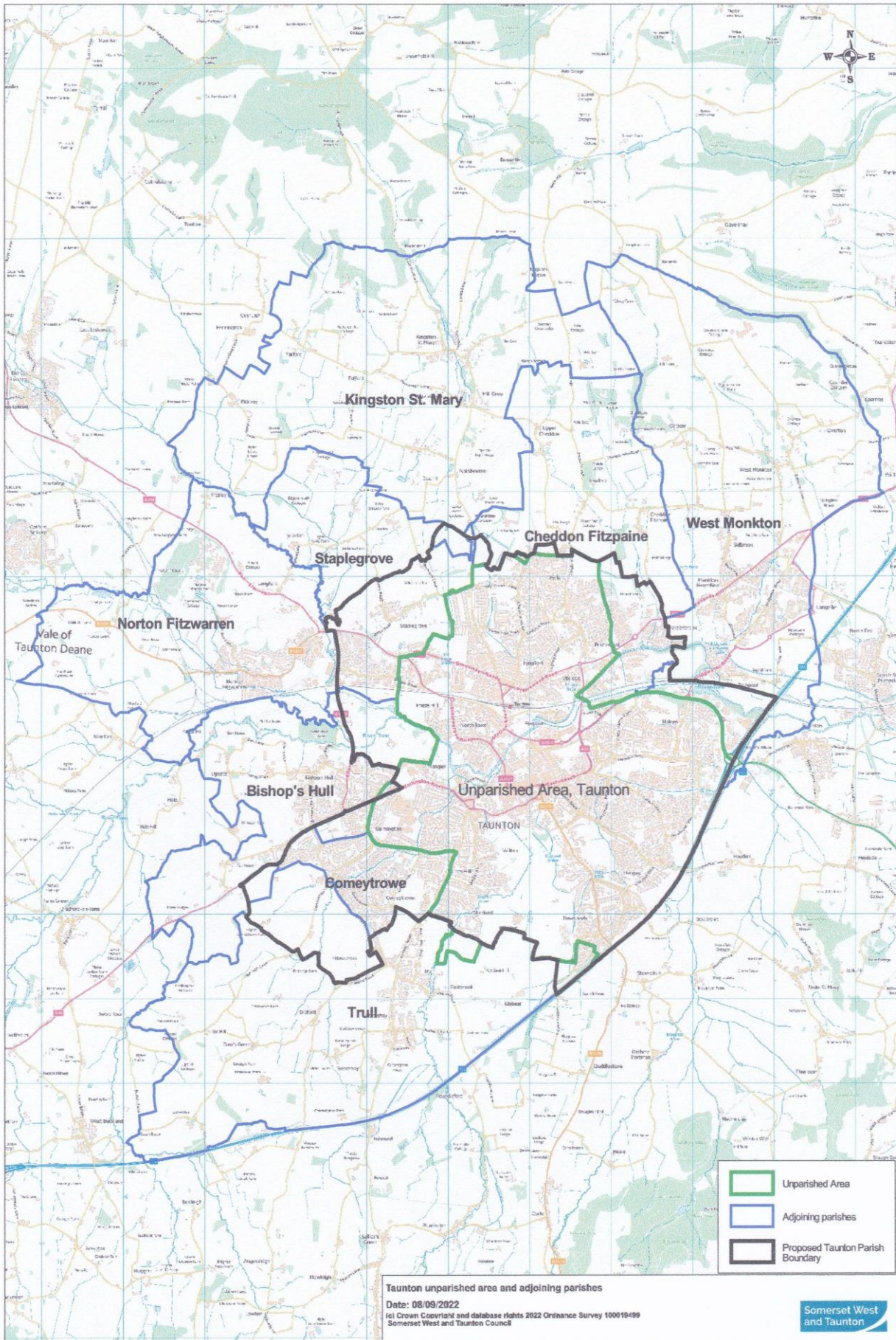
Under the Review, the whole of our current parish community would lose its automatic entitlement to benefit from very large sums of CIL revenue (Community Infrastructure Levy). Instead, the money would move across with Maidenbrook ward into the new Taunton Town Council, who could spend it ANYWHERE WITHIN THEIR AREA. Given the current state of Taunton town centre, we believe that's where 'our' money would be invested to bring the centre up to County- and Garden-Town standard.

SWT flatly deny that CIL gains influenced their Review. Apparently we are supposed to believe that this potential contribution to the budget of the new Town Council was just a happy accident!

FOOTNOTE: In the light of SWT's denial that CIL money was a factor, it's interesting to note that, while the recommendations of the Review aren't due to be implemented until next April (2023), SWT have decided to withhold all CIL payments due to the parishes affected by the Review with effect from the 1st of THIS MONTH (OCTOBER)! Presumably they're keeping it safe for the new Town Council!

***Contributions for the December 2022
newsletter to the Parish Clerk by
16th November please!***

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WHERE DO WE GO FROM HERE?

Even at this late stage, this does not have to be a 'done deal'. Having taken legal advice, we've decided to proceed with legal action. We're not challenging the findings of the Review as a whole. What we are challenging is the inclusion of Cheddon Fitzpaine Parish. It is the view of our legal team that this constitutes a mis-interpretation by SWT of the relevant Statutory Guidance and that SCC's approval and implementation of the Review is therefore legally flawed.

WHAT ABOUT THE UNPARISHED AREA?

If our legal action is successful, the much-needed parishing of the unparished area in and around the town-centre will be at risk. The blame for this unfortunate outcome will rest squarely with those within SWT who greedily opted last October to 'go large' with their land- and CIL-grab. They did this against the recommendations of their own CGR Working Group, who were following expensive legal advice from a QC. That advice was that the schedule for switching over to the new Unitary Authority was so tight that it might only allow enough time for parishing the unparished area.

Well, the pigeons that were released last October are coming home to roost. SWT took the risky option of going for a bigger Town Council and now the whole CGR – including the non-controversial parishing of the unparished area – is in jeopardy. It is reasonable to assume that this unfortunate situation played a major part in the way SWT and SCC members voted. Many of them expressed strong sympathy for our cause but clearly felt unable to jeopardise the critical parishing of the unparished area by voting-down the Review.

WHAT THE CGR FINAL REPORT SAYS ABOUT OUR PARISH (NOTE: The highlighting is ours)

(a) Cheddon Fitzpaine Parish

- 1.1 The draft recommendations proposed that the urban area within the Maidenbrook Ward of Cheddon Fitzpaine Parish Council, including sites earmarked for housing development in the near future, should be included within the boundary of the proposed new Taunton Parish.
- 1.2 In coming to this recommendation, the Council had considered that whilst the rural parts of Cheddon Fitzpaine Parish had a distinctive identity and sense of place separate from Taunton, the currently urban area of Nerrols Farm felt part of Taunton and in reflecting the identities and interests of these residents these areas should be included within the proposed Taunton Parish/Town Council area. The influence of

development over the past twenty years in this particular area was an example whereby paragraph 84 of the guidance came into play with the urban growth of Taunton meaning that neighbours lived in different parishes. Absorbing this area into the proposed Taunton Parish/Town Council area would restore Cheddon Fitzpaine Parish back to its previous identity as a village parish.

- 1.3 112 responses to the second stage consultation were received from respondents identifying themselves as residents of Cheddon Fitzpaine Parish. Of these, 85% did not agree that the boundary of any Taunton Parish/Town Council should take in areas of urban extension and 91% did not support the overall draft proposals.
- 1.4 Cheddon Fitzpaine Parish Council did not submit a formal response but had done so in the first stage consultation, when it had also provided the results of a separate survey which it had undertaken of local residents.
- 1.5 The Working Group considered the matters raised, noting that many of the responses from Cheddon Fitzpaine were blanket negative ones without detailed reasons given. A comment was made that the guidance had not been engaged for example when questioning the viability of the Parish on a reduced electorate, when 150 was considered the minimum for a viable Parish.
- 1.6 The abolition of Cheddon Fitzpaine as a Parish was ruled out, as no response from the Parish had requested such a thing, bar a response requesting the inclusion of the whole Parish to ensure Hestercombe House was included. This was also considered and rejected.
- 1.7 The Working Group, having taking into account the consultation responses and the statutory guidance were in unanimous agreement with not amending the proposal. It was considered that the growth of Taunton had led to these new estates in Cheddon Fitzpaine Parish and they had no integral relation to the village centre, so the merit in that argument was considered weak. The proposal would revert Cheddon Fitzpaine as a locality to its status pre-2000. Specifically in discussion of the future maintenance of the country park which had been raised in responses, this was seen as an asset that any future Town Council would surely have some role in supporting even though it would remain in Cheddon Fitzpaine. It was stated that the maintenance agreement in relation to the park is proportionate so the reduction in electors would not harm the viability of a future Cheddon

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Fitzpaine Parish to play its role in supporting the Country Park.

1.8 The Working Group therefore resolved to confirm its recommendation that the urban area within the Maidenbrook Ward of Cheddon Fitzpaine Parish, including sites earmarked for housing development in the near future, should be included within the boundary of the proposed new Taunton Parish.

We'd like to comment on the blocks of text we've highlighted above:

(From 1.2)

“the currently urban area of Nerrols Farm felt part of Taunton and in reflecting the identities and interests of these residents these areas should be included within the proposed Taunton Parish/Town Council area.”

The above seems to be a completely subjective judgment on SWT's part unsupported even by the results of their own consultation – see 1.3 below.

(From 1.3)

“ 112 responses to the second stage consultation were received from respondents identifying themselves as residents of Cheddon Fitzpaine Parish. Of these, 85% did not agree that the boundary of any Taunton Parish/Town Council should take in areas of urban extension and 91% did not support the overall draft proposals.”

The figures speak for themselves and reflect (albeit to a lesser degree) the results of our own consultation questionnaire. Also, the 'urban extension' referred to was actually built as an extension to our parish, not Taunton town. It's part of our community, NOT theirs!

(From 1.5)

“ The Working Group considered the matters raised, noting that many of the responses from Cheddon Fitzpaine were blanket negative ones without detailed reasons given.”

Since when did answers to opinion surveys become invalid unless supported by detailed reasons? The clear implication is that members of our community have somehow been brainwashed (by their Parish Council presumably!) to give certain answers without understanding the issue. This is nothing short of scandalous on the part of SWT!

(From 1.7)

“Specifically in discussion of the future maintenance of the country park which had been raised in responses, this was seen as an asset that any future Town Council would surely have some role in

supporting even though it would remain in Cheddon Fitzpaine.”

Still physically within a down-sized version of Cheddon Fitzpaine parish but seemingly under the control of West Monkton PC and Taunton Town Council.

In summary, we, your Parish Council, truly despair at the thought that this sort of cynical 'community engineering' could ever be attempted in a democratic society like ours. It needs to be stamped out wherever and whenever it rears its ugly head: and THAT'S just what we are seeking to do with our legal action against SCC.

CGR: LAST BUT NOT LEAST...

We've all had the experience of something happening that you instinctively know just can't be right. That's how we've felt about SWT's re-parishing proposal from the start. It looked wrong, it felt wrong, it even *smelled* wrong. We were therefore heartened when our solicitor told us about a highly-relevant legal precedent involving Slough Borough Council trying to abolish Britwell Parish Council. When the case went to court in 2019, the judge ruled in favour of the Parish Council. Why? Because Slough BC had mis-interpreted the Statutory Guidance!

Parish Council Meetings

Held at 7pm in the Committee Room at Cheddon Fitzpaine Memorial Hall on the second Monday of the month, these meetings are open to everyone.

14th November, 5th December.

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