



Case study on a Community Governance Review

SOUTHSEA TOWN COUNCIL (PORTSMOUTH)

The context

This case study describes a Community Governance Review undertaken by Portsmouth City Council, which resulted in the abolition of Southsea Town Council. The former parish reverted to an unparished area in January 2011.

Southsea Town Council was created in 1999 following a successful submission to the Office of the Deputy Prime Minister (ODPM), under the previous (Local Government & Rating Act 1997) system for local governance changes, on the basis of a 2,169 signature petition. Residents had become concerned about how planning and licensing decisions were made locally and sought greater influence over those processes by setting up a local council.

In its submission to Government, Portsmouth City Council said that it was not convinced of the need for a parish council or that its creation would secure more convenient or effective local government for the area. It doubted the level of local support, particularly for funding that would be raised through a precept on the Council Tax. It also argued that the proposed boundaries were artificial. Nevertheless, ODPM agreed to establish the new local council and it was set up in May 1999.

Southsea Town Council contained five electoral wards and it was represented by 15 councillors, each serving a term of four years.

Until the creation of this Town Council no part of Portsmouth had been parished. The Parish area lay within Southsea, a part of Portsmouth that contains a stretch of its seafront and two of the City's retail areas.

What happened in the review

The existence of the Town Council was controversial from the outset. The opposition lobby considered that Southsea was an anomaly, because it was the only local council within the City and that such councils did not suit an urban setting. Also, that the boundaries did not

reflect well what many regarded as the town of Southsea.

But there was always a strong political dimension to the debate. Liberal Democrat Councillors, the majority group on Portsmouth City Council, were largely in favour of abolition, whereas Conservative Councillors by and large favoured retention. Latterly it was Liberal Democrats who held most of the seats on the Town Council.

The Town Council raised a precept in its earlier years, but in its later years no precept was made and there was fairly limited use of its powers. It campaigned on local issues, seeking to influence the City Council. It awarded grants to local causes and funded small infrastructure improvements in the local area. It had an office in a former retail and restaurant unit in Southsea town centre, which was open to the public until 2007.

As early as 2003/04 the City Council established a panel to review the existence of the Town Council. A 2005 poll of residents showed that 56% of those who had voted were in favour of abolition. This result formed the basis of a December 2005 submission to the Department for Communities & Local Government (CLG) for abolition. Portsmouth City Council's submission recognised findings from their own advisory panel, that views about abolition were polarized and strongly held.

CLG rejected that submission in November 2006. Its reasons were that:

- The proportion of total electors voting in 2006 for abolition (11.7%) was lower than the proportion who had voted for the council's creation in 1998 (12.8%);
- They had received a significant number of representations in favour of the council and noted that Southsea had recently achieved Quality Status; and
- There was little evidence of other forms of devolved arrangements for residents in the absence of the Town Council.

A further proposal for abolition was rejected by the City Council on a technicality in 2008. Following this, Portsmouth decided to undertake its own Community Governance Review, which it could then do under new legislation delegating this responsibility to principal authorities (the Local Government & Public Involvement in Health Act 2007).

This Review commenced in July 2009 with the publication of the terms of reference. For the consultation with electors the City Council decided on a postal vote rather than a poll at the ballot box. It was considered that this would produce a higher turnout.

The consultation was advertised in three local newspapers and in public buildings, such as libraries and community centres. Letters were sent to businesses and their employees, and written invitations to participate were sent to all households within the Town Council's area. Responses were received from a range of organisations representing the local councils

sector and from parish council clerks. There were 132 representations received from local people. The review considered the following points which had been raised:

For abolition	Against abolition
It was an unwanted extra layer of bureaucracy that duplicated powers held by the City Council	The Town Council could focus upon local issues better than the City Council and could better lobby for local people
Town Councillors provided little or no community benefit that could not be provided in another way	It had an important local democratic function; all national political parties support them (in urban and rural areas)
Existing methods of consultation e.g. Area Forums, worked well and were sufficient	The Town Council was a guardian of local facilities; its involvement in planning was important and complemented the City Council
Residents were open to a greater potential Council Tax liability	The Town Council had Quality Status, but frequent reviews had not given it a fair chance to settle in
The Town Council precept paid wholly for facilities that were used by residents from across the city	The Town Council's town centre office was a valuable local service in itself
The Town Council's role in planning and licensing were only advisory and lacked real powers	The extra tax (precept) involved was a price worth paying
There was no effective oversight of the Town Council	The distinct character of Southsea could be better preserved and enhanced by a Town Council

The postal vote closed in February 2010 by when a total of 3,391 (24%) acceptable votes had been returned from a Town Council electorate of 14,137. Of these, there was a two-to-one majority of votes cast against Southsea Town Council continuing to exist.

The City's Chief Executive took a decision paper to the full Council in March. That paper made no formal recommendation for either abolition or continuation, but rather it set out the arguments based on the Review findings. Councillors were also given a copy of the central government guidance about Reviews, to help inform their discussions and ensure they were aware of all the considerations.

The Council decided to abolish the council on the basis of: "representations made as part of the review, including the views of parish councillors and the non-binding poll of electors and the City Council being satisfied that there are satisfactory arrangements in place to engage local communities following the abolition of the Town Council." Southsea Town Council was formally abolished on 23rd March 2010 with its assets reverting to Portsmouth City Council.

Lessons from the review

Change in legislation

Changes brought about by the 2007 Act, which delegated responsibility for Community Governance Reviews to principal authorities, made it easier to create new local councils. But the opposite is also true; the changes made it easier to abolish them. Opponents of the new system have argued that it is weak, because it contains no right of appeal against Review decisions and this can lead to a situation swayed by local politics. However, in the end no Councillors actually voted to retain the Town Council at the City Council meeting. All Liberal Democrat and some Conservative members voted for abolition, while thirteen Conservatives abstained.

Consultation

The Review process followed the national guidance closely. It was thorough in the way that it consulted with the electors of Southsea Town Council and with other interested parties. The decision to conduct a postal vote on residents' views (termed an advisory poll by Portsmouth City Council) was taken in order to try and achieve a higher turnout. Although there were a number of ineligible votes, Portsmouth City Council considers that this was better than the alternatives. It also received a healthy number of individual representations at this stage of the Review.

Effective and convenient governance

When putting the decision before Councillors, officers at the City Council were very careful to balance the advisory poll results with considerations about local democracy, community engagement and service delivery – issues cited in the national guidance. Given the history and high-profile debate about Southsea Town Council, the decision paper was very clear in setting out the arguments in full and in as neutral a way as possible. This position was reinforced by providing Councillors with a full copy of the national guidance about reviews.

However, this case study shows just how contentious Community Governance Reviews can become. Some argue that the abolition movement was politically motivated from the moment Southsea Town Council was established and that the Town Council never had a proper chance to show if it could enhance effective and convenient government.

The national guidance

The national guidance on Community Governance Reviews was broadly seen by Portsmouth City Council as helpful. However, it notes that the language tends to assume local councils are being created rather than abolished, so it was not as valuable as it might have been on points of detail. Despite the Town Council being debated for years, the final Review – delegated to the City Council – was completed rapidly. Its 7 months time-span was well within the one year limit suggested by the national guidance. It helped that many in the City

Council were by then familiar with aspects of the process from the earlier reviews.

Concluding comments

There is no doubt that the short history of Southsea Town Council was shaped by a bitter and divisive debate about its existence. Many supporters of the Town Council still feel that this undermined attempts to make it a success.

But leaving that aside, it is also fair to see the Review which ultimately led to its abolition as being a full, transparent and consultative process. The result of the advisory poll is also undisputable and the City Council says there are no calls now for the Town Council to be re-instated.

“Setting up Southsea Town Council was always contentious and there have been arguments for and against since. But now that it has gone, people have moved on.”

– Portsmouth City Council officer

There are very few legacy issues. Some assets of the former Town Council have reverted to Portsmouth City Council in the form of unspent money raised through the precept. These are being spent by the City Council in compliance with previously agreed budgets.

Portsmouth City Council website: <http://www.portsmouth.gov.uk/yourcouncil/16961.html>

This document was written for the National Association of Local Councils (NALC) by Brian Wilson Associates and David Atkinson Consulting.

Particular thanks are due to Portsmouth City Council and others for their timely input to this case study. It should be noted that this document does not necessarily represent their views and any errors are the author’s.

May 2011