

Ms Leigh Usher
Head of Democratic Services
Fareham Borough Council
Civic Offices
Civic Way
Fareham
PO16 7AZ

1st June 2016

Dear Ms Usher,

Re: Draft recommendations following Funtley Community Governance Review

I am writing on behalf of the Funtley Village Society (FVS), in response to your letter to all residents dated 23rd May 2016.

Our first concern is the fact that you have set a deadline for responses of 6th June which, bearing in mind the bank holiday weekend and half term holiday week prior to this date, when many residents will be away, will allow virtually no time for residents to consider and respond to your proposal. We strongly request that this date be extended by two weeks to give residents adequate time to deliberate and respond.

In general we find your letter and conclusions to be heavily biased against the expressed wishes of a large majority of Funtley residents and it does not reflect the facts of our case in a true and accurate manner, thus misleading not only the residents but also the Councillors who will be asked to vote on this matter. By accentuating the reservations of a small minority of dissenters while completely ignoring the arguments of the majority you have been guilty of a gross distortion of the case for a Parish Council. Funtley residents have been presented with the facts about the benefits that a Parish Council could bring as well as the costs, in writing, hand delivered to each address, and in external leaflets produced by the National Association of Local Councils. As a result, they voted overwhelmingly in favour by 74.5%. You have omitted to mention this in your letter, choosing instead to make much of the objections of a small minority.

There are 9,500 parish and town councils in England, 262 in Hampshire, most of which work successfully with local boroughs to the benefit of their residents. Some of these are local to us and have provided us with first hand experience of their successes. Have you taken this into account and contacted them also?

We would remind you of the advice given in the Parish and Town Councils Guide, which states:

'Both the current Government and its predecessors have spoken favourably of parish and town councils. The 2006 local government white paper, 'Strong and prosperous communities', stated:

"We will make it clear that there will be a presumption in favour of the setting up of parish councils so that local authorities will be expected to grant communities' requests to set up new parish councils, except where there are good reasons not to, and that existing parish councils are not to be abolished against the wishes of local people."

The Coalition Government's 2013 consultation paper on setting up new parish councils said:

"We believe that localism is best achieved when it is led by the local communities themselves. We see town and parish councils as playing a vital role in helping local people to make this happen; it is for this reason we want to support those neighbourhoods who want to set up a parish council."

The Funtley Village Society has always been completely honest with residents in their numerous communications and stated clearly, both verbally and in our literature, the powers a parish council would have as well as the limitations on its authority, along with the funding that would be available. You mention in your communication, that at the Community Action Team (CAT) meeting you held, there were 20 residents. You failed to acknowledge that the Funtley Village Society had already held a meeting prior to this to explain the facts to residents, which was attended by a much larger turnout. This is contrast to our own literature, where we gave equal prominence to the council run CAT meeting, as well our own meeting. At this meeting, residents had the opportunity to meet local councillors from other parishes, as well as members of the Hampshire Association of Local Councils (HALC). We have since also hosted a workshop for Fareham Councillors, attended by only five invitees. We have offered 3 dates to Councillors, not to lobby them but offering to share knowledge and information – many Councillors did not even pay us the courtesy of replying. We are more than happy to ask HALC to share their presentation with those Councillors who were unable to attend in order that they have the full facts to enable them to make an informed decision.

The following statement explains why we feel you have not given adequate reasons (as you are required to do by the Localism Act) to refuse the request of 74.5% of our residents.

As a Society we carefully considered whether Parish Council status would be beneficial for our residents and engaged the help of the Hampshire Association of Local Councils in order to ensure that no one would be misled. We researched all the available literature and read the Localism Act 2011 to ensure that we were fully informed before approaching our residents with the facts about a Parish Council. You may remember that we were obliged to correct Fareham Borough Council over the letter which accompanied your survey, as it stated incorrectly that a Parish Council could only have responsibility for areas which were handed down by the Borough Council (the error was never publicly corrected as we requested – the only correction appearing on your website – without any notice to residents that you had done so). It could be argued that at least some of the residents who changed their minds (you do not state how many these were) may have done so on the basis of your factually incorrect letter. In summary, residents should be well aware of the powers a Parish Council would have and your letter is incorrect and patronising to suggest otherwise.

The following paragraphs address each point made in your letter:

- Welborne, Local Planning Applications etc – as a statutory body, a Parish Council would have to be involved in discussions surrounding future developments. You are correct in saying that the Funtley Village Society does have a seat at the table presently – but not as a statutory body as you mention in your presentation. Experience has told us over the past few years, that public engagement regarding developments has been woefully inadequate and little more than a tick box exercise. As a statutory body, we would have a right to be present in discussions (as a society we do not have that right). A Parish Council's neighbourhood plan, would also afford more credibility and influence than a non statutory body's neighbourhood plan would.
- Traffic calming – temporary speed limiters were requested by the Funtley Village Society. This would not have occurred otherwise. We have not received any data from these monitors as we requested and there has been no further action taken to reduce speeding in the village. It is a responsibility that as a parish, we would be able to share with Hampshire County Council (HCC) and provide some of our own funds to help this work progress.
- Improve street lighting – again you commit the error of assuming that because this function would be delegated to the parish, it would not have any greater influence on its timely implementation. With parish funds we can help improve lighting in a more timely manner, than would be possible if we had to wait for Hampshire County Council to put measures in place.
- Funding improvements – again you have misled the residents by implying that the only funds available to us would be those collected via the precept.
- This is incorrect. As a parish we would be able to apply for many more grants than we would be able to as a Society. In fact as a result of talking to other parishes, it is apparent that this is where the bulk of parish funding comes from. To include the benches and the notice board in your letter is misleading, as they have not yet appeared and we have had no guarantee that they will. When fully discussing a precept with our residents, by far the majority were more than happy to pay the extra for the community benefits it would bring.

We would remind you that Fareham Borough Council set the Community Infrastructure Levy (CIL) at zero for the Welborne development, thus affording our local community no funding for local improvement. As a parish council we would be entitled to these monies for future developments near our village.

The Parliament and Constitution Centre states: (Statutory Note SN/PC/04827)

'On 10 January 2013, the Department for Communities and Local Government announced that in areas where there is a neighbourhood development plan in place, the Parish Council will be able to receive 25% of the revenues from the CIL arising from the development they have chosen to accept'.

- Manage the local area – the Funtley Village Society has never suggested that as a parish we would be responsible for completely upgrading the play area at Funtley to the sum that you suggest. A Parish Council would, however, be able to provide additional equipment such as

adult exercise machines and have a management plan in place for the upkeep of the area. This they would be able to manage alongside Fareham Borough Council. The mini makeover you refer to in 2015 was not communicated to the Funtley Village Society and we cannot see what has been completed as part of this work. Again, the nature of the total refurbishment although promised (not yet delivered), has not been communicated with the Funtley Village Society or residents and therefore should not have been put into your presentation as a reason why the Parish Council should not be formed.

- Bringing the community closer together – you imply that the Funtley Village Society has the same ability to do this as a Parish Council would. We disagree. A Parish Council would have the funds, through grants, to hold local fêtes and many more events than we are able to do at present. As volunteers the Funtley Village Society presently have little time to organise such events ourselves – on the other hand a Parish Council clerk would be employed to do much of this work regarding fund applications and communications. Also on the subject of democracy we should not ignore the fact that the Funtley Village Society cannot exercise all the functions you suggest as a substitute for a Parish Council. You of all people should acknowledge that the Funtley Village Society is a self appointed organisation of local residents (albeit a responsible and conscientious one) that is not democratically accountable to an electorate. You should be demanding that the functions you so willingly ascribe to the Funtley Village Society must be exercised by a Parish Council with a democratic mandate that is subject to periodic election.

It is disingenuous to focus on comments in your presentation from the 25.5% of residents who argued against a Parish Council while ignoring the opinions of the majority 74.5%. Of course, in any consultation there will be people who dissent from the majority view. But this is how democracy works. You may remember that those who fought against the Welborne development were in the minority (according to your survey) but were not given the same influence as you are affording those in the village who oppose a Parish Council. Where would we be if you had given those who opposed Welborne the same privilege?

Also we would like to see some direct quotations in your presentation, from the 74.5% of residents that supported a Parish Council – in order to provide a balance that is presently unforgivably absent.

You mention that the consultation has made you consider the need to work more closely with our community and strengthen your relationship with us. We would like to know what your plans are for doing this.

In summary, Article 21 of the Universal Declaration of Human Rights states:

'The will of the people shall be the basis of the authority of government'.

We believe you are in blatant breach of this, as 74.5% of Funtley residents have requested that in line with the Government's Localism Act, you recommend granting Funtley the status of a Parish Council.

If you will not reconsider your recommendations, then we request that the council calls a binding referendum within the next 3 months.

We would like you consider this communication and make the necessary adjustments to your letter to residents and presentation in order to give a more balanced view of the results of the governance review. In addition and going forward, we request that this process is opened up immediately for

real and meaningful debate, rather than being the current closed shop with no real communication or scrutiny.

Yours sincerely,

Edward Morell

For and on behalf of the Committee
The Funtley Village Society.

Cc Steven Lugg, Chief Executive of the Hampshire Association of Councils
Chris Borg, National Association of Local Councils
Cllr Pam Bryant and Cllr Louise Clubley (Fareham North Ward Councillors)

