

Boughton and Dunkirk Neighbourhood Plan (B&DNP) wishes to comment on:  
The Swale Borough Council (SBC) 'Terms of Reference' and Community Governance Review 2025/2026.

The 'consultation' is fundamentally flawed and could lead to judicial review.

To parish any unparished areas is welcomed.

Turning to the area of the B&DNP, it is designed as a 'land grab' by Faversham Town Council (FTC) into surrounding parishes.

The boundary change (6) would include part of the B&DNP made plan area, which forms part of SBC Local Plan, and cannot be legally transferred.

It does not comply with SBC community consultation documents or the Gunning principle:

The principles are as follows:

**1. Consultation must occur while proposals are still at a formative stage:** *This means that public bodies should engage with stakeholders before final decisions are made, allowing for genuine input into the decision-making process.*

The B&DNP team were not consulted or involved in producing the online form.

We do not know which parishes were contacted, although from information now available Boughton under Blean (BuB) and FTC were.

**2. Sufficient information must be provided to allow for intelligent consideration:** *Consultees should receive adequate information about the proposals to understand their implications and provide informed feedback.*

The online consultation does not give sufficient information i.e. changes to precept.

Further, for the consultation to be meaningful, the Borough Council needs to set out at this stage the reasons and justification to be reviewing the particular Ward or parish boundaries, so those involved in the process can better understand the reasons behind the considered changes.

For the area the B&DNP working Group is most interested in, i.e. the Watling Ward.

Extension to Brenley no information or explanation is given.

Similar recommendation is directed to other boundary changes, noting limited justification for the splitting of the Watling Ward. For effective consultation more information should be provided i.e. ratios of residents to councillors and best Council structure for effective governance"

**3. There must be adequate time for consultees to respond:** *Public bodies should allow enough time for stakeholders to consider the proposals and formulate their responses, ensuring that the consultation is meaningful.*

Consultation starting on the 18<sup>th</sup> December 2025 reduced the statutory time for responses.

**4. Consultation responses must be conscientiously considered:** *Decision makers are required to take into account the feedback received during the consultation process before finalizing their decisions. This principle emphasizes the importance of genuinely considering the views of consultees.*

This cannot be achieved without a proper consultation to all electors. 'It's online' does not satisfy the above principle.

## The ToR.

5.5 It shall have particular regard for the need to secure that community governance within the area under review:

- reflects the identities and interests of the communities in that area

This criterion is not met.

## 6. Assessment of proposals

6.1 Proposals will be assessed against the following objectives and questions: -

### Objective 1

Support the Identities and Interests of Communities

To recognise parishes as coming from the community, belonging to the community and requiring community support.

This criterion is not met. By its very nature the review, does not respect the communities it wishes to change.

### Key Questions:

Is a parish council, or change to a parish boundary the most effective resolution to the community's needs?

Is this parish boundary practical and **reasonable?**

We do not believe it is.

## 7. Consultation

7.1 The Council is required 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. The Council will also identify **any other person who, or body that, it feels may have an interest in the Review** and write to them inviting them to submit their views at all stages of the consultation.

This should mean a referendum to all electors on the electoral roll, and a list of 'others' should be available. Same applies for 7.2

7.3 The Council will publicise the Review by displaying a notice at the Council Offices and creating a dedicated page on the Council's website. The Council will also write to all potentially impacted Parish Councils.

This should have been done before the review was drawn up.

The map (below) is flawed. It notes 'the red line...currently parished by Boughton under Blean'. This is incorrect as it ignores the part in Selling Parish (left of the blue line).

6

Would you like the existing Watling ward boundary be extended to the M2 and A2 London Road at Brenley Corner, meaning it is no longer parished by Boughton under Blean Parish Council and would be under Faversham Town Council?

**Note:** the red line on the map indicates the land within the line is currently parished by Boughton under Blean Parish Council. \*



Yes, I would like to see this boundary change

No, I think it should remain as it is

I am not a resident of this area

We turn specifically to the document:

**1. South East Faversham** - submitted to SBC – a proposal and justification.

**Proposal:** To extend the Watling Street boundary to the M2 and A2 London Road at Brenley Corner.

There is no reasonable justification to extend Faversham TC boundary into the countryside. The first consultation should be directed to the parish Councils impacted before this simplistic questionnaire was produced and placed in the public domain (without background documents).

**Justification:**

*1.1 Should the proposed South East Faversham development be approved, it would currently straddle three parishes and could cause administrative confusion.*

It is premature to be justifying a parish boundary change on a development that has not happened or has not gone through the due planning process and where we are in the early stages of a local review (Reg 18).

*1.2 The reference to South East Faversham strongly suggests the site is part of Faversham*

The **developer** chose to call his application 'South East Faversham' as a **way** of geographically describing the physical area, NOT to suggest it is part of Faversham. This is not a reason to change the parish boundaries to validate the developer's chosen name.

*1.3 Boughton and Courtenay and Selling Parish Council boundaries are divided by the M2 motorway, which would typically serve as a distinct boundary.*

Boughton and Courtenay is a ward within Swale, and not a parish.

Many urban areas across the country have different parishes falling within one urban area without creating administrative difficulties. If the Town Council is making a move for change it must be based on practical difficulties to warrant such a change or irrefutable benefits.

The parish boundaries have been successfully administered for 61 years with the M2 in place and no complications (junctions 5 to 7 were opened in 1965).

*1.4 A boundary at the M2 would be clearly identifiable and form a physical break, or green belt, between communities.*

If one is talking of a Green Gap, (not a green belt which is a clearly defined planning designation and this is not), it operates successfully as a Planning principle across administrative boundaries.

Not only is the proposed boundary change based on a pattern of development yet to be determined, it also conflicts with the principle of maintaining a green gap between Boughton and Faversham generated through public consultation and confirmed as set out in the neighbourhood plan which has been through public examination and is now a 'made' plan.

*1.5 Residents would naturally feel a sense of place with regard to Faversham and more likely to use services such as train station [it is a **railway** station], doctors and supermarkets.*

People in Boughton and Dunkirk actually feel a greater sense of place within the countryside than Faversham.

Households in Boughton and Dunkirk already use Faversham for doctors as well as Whitstable. Selling as a station (with less restrictions on parking) and Canterbury West.

For shopping and supermarkets many, if not most, residents are frequenting Faversham, Whitstable and Canterbury where there is a wider choice.

*1.6 This additional area forms part of the urban expansion.*

Members of FTC and/or whoever drafted their submission are clearly pre-determining the outcome of the Duchy planning application.

We would also note FTC has never taken an interest in this land until possible precept funds could come forward. We wonder why they have not tried to grab 'Land east of Faversham

expansion' in Graveney with Goodnestone parish, SHELAA/118 as suitable. A further 2665 houses. The same arguments against this would apply.

Finally, broad comments on 5 below as background documents are not available.

## **5. Areas under review**

*5.1 The review will consider the establishment of Town or Parish Councils for Sittingbourne including but not limited to the following electoral wards Homewood, Roman, Murston, Kemsley, Milton Regis, Chalkwell, The Meads, Woodstock, with consideration of existing local council arrangements in these areas.*

We presume and welcome this as they will need to be parished when forming unitary authorities.

*5.2 The review will also consider the establishment of Parish Council for Halfway in the electoral ward area Queenborough and Halfway with consideration of existing local council arrangements in these areas.*

Halfway should have its own representation, but without background documents it is not possible for us to comment or for SBC to make a rational decision.

*5.3 The review will also consider name change for Warden Parish Council to Warden Bay Parish Council*

If proposed by Warden PC with documented local support this shouldn't be contentious.

*5.4 The review will also consider boundary changes as approached by Parish Councils or residents including Iwade and Bobbing.*

Why are only Iwade and Bobbing mentioned? Complete lack of transparency or is it just poorly researched and put together?

*5.5 It shall have particular regard for the need to secure that community governance within the area under review:*

- *reflects the identities and interests of the communities in that area; and*
- *is effective and convenient.*

We appreciate what this is trying to convey, but it fails. 'Reflects the identities..... etc' can only be determined with a proper consultation/referendum.

Whilst 'effective and convenient' is a phrase in the 'Guidance on community governance reviews' from the Department for Communities and Local Government, back in March 2010 we do not think convenience is a great pillar to build governance upon.

*5.6 When carrying out the Community Governance Review, Swale Borough Council must also take into account other existing or potential community governance arrangements. A review does not mean there will be changes but will examine if there is a case for change.*

We agree there should not be changes without proper consultation/referendum.

*5.7 Appendix A is a map of the borough including ward and parish boundaries for reference.*

This map appears correctly and is very useful.

## **The Four Gunning Principles for Public Consultation:**

The gunning criteria for public consultations as laid out in 1985 are:

- **Gunning Principle 1:** Consultations must occur while proposals are still at a formative stage.
- **Gunning Principle 2:** Sufficient information needs to be supplied for the public to give the consultation 'intelligent consideration'.
- **Gunning Principle 3:** There needs to be an adequate time for the consultees to consider the proposal and respond.
- **Gunning Principle 4:** Conscientious consideration must be given to the consultation responses before decisions are made.