

Local Government
Boundary Commission
For England
Report No.572

Review of Non-Metropolitan Counties

COUNTY OF DORSET

LOCAL GOVERNMENT
BOUNDARY COMMISSION
FOR ENGLAND
REPORT NO. 572

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

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SECRETARY OF STATE FOR THE ENVIRONMENT
REVIEW OF NON-METROPOLITAN COUNTIES
THE COUNTY OF DORSET AND ITS BOUNDARY WITH SOMERSET

COMMISSION'S FINAL REPORT AND PROPOSALS

INTRODUCTION

1. On 27 January 1986 we wrote to Dorset County Council announcing our intention to undertake a review of the county under Section 48(1) of the Local Government Act 1972. Copies of our letter were sent to all the principal local authorities and parishes in Dorset and in the adjoining counties of Devon, Hampshire, Somerset and Wiltshire; to the National and County Associations of Local Councils; to Members of Parliament with constituency interests and to the headquarters of the main political parties. In addition, copies were sent to those government departments with an interest, the regional health authority; the public utilities; the English Tourist Board; port authorities in the county; the editors of the Municipal Journal and Local Government Chronicle and to local television and radio stations serving the area.

2. The County Councils were requested to co-operate as necessary with each other and with the District Councils concerned, to assist us in publicising the start of the review by inserting a notice for two successive weeks in local newspapers so as to give a wide coverage in the area concerned. The County Councils were also asked to ensure that the issue of the consultation letter was drawn to the attention of the police and to services in respect of which they have a statutory function, such as the administration of justice and police, in respect of which they have a statutory function.

3. A period of six months from the date of the letter was allowed for all local authorities, including those in the adjoining counties, and any other person or body interested in the review, to send to us their views in detail on whether changes to the county boundary were desirable and, if so, what they should be and how they would serve the interests of effective and convenient local government, the criterion laid down in the Act.

THE SUBMISSIONS MADE TO US

4. In response to our letter we received representations from the County Councils of Dorset and Somerset and from the District Councils of South Somerset and West Dorset. We received representations from a number of interested parish councils, organisations and bodies, and members of the public in Dorset and Somerset.

5. The submissions made to us included various recommendations for changes to Dorset's boundaries with Somerset, Hampshire and Wiltshire; there were no suggestions for changes to the boundary between Devon and Dorset. The suggestions for changes put forward in respect of the boundary between Dorset and Hampshire are being dealt with under the review of Hampshire, which is still in progress. Our Report No. 535 dealt with the boundary between Dorset and Devon and was sent to you on 28 April 1987. Our Report No. 556 dealt with the boundary between Dorset and Wiltshire. It was sent to you on 29 July 1988.

6. Other representations we received either offered no comments, favoured no change to Dorset's boundaries or simply suggested a return to the County's pre-1974 boundaries.

BOUNDARIES BETWEEN THE COUNTIES OF DORSET AND SOMERSET

Babylon Hill

7. South Somerset District Council suggested that part of Babylon Hill, east of Yeovil, containing 35 houses, some commercial and industrial properties and a

golf course, should be transferred from Dorset to Somerset. The Council saw this development as part of Yeovil's urban fringe which had spilled over the boundary along the River Yeo. The Council considered that Babylon Hill was not a community distinct from Yeovil and that it would be more sensible for the whole area of continuous urban development to be administered by one local authority, which could control planning policy for it.

8. Somerset County Council supported the suggestion, on the grounds that the revised boundary would more accurately reflect the pattern of community life and aid the effective operation of County and District services. Yeovil Town Council also supported the change, on the grounds that the area already shared the life of the town, the district and the County all of which should be administered as a contiguous whole.

9. Dorset County Council objected to the transfer and pointed out that the majority of the local authorities in Dorset did so. The County Council felt that the River Yeo formed the most natural, well-defined boundary while the proposed boundary would follow field boundaries, and appeared to be ill-defined. The Council did not agree that development overlapped the Yeo was sufficient reason for change or that there was any difficulty over planning policies for the area.

10. West Dorset District Council objected strongly to the change. It had written to all the ratepayers who would be affected and forwarded their replies to us: all but one were against going into Somerset; the main reasons being Somerset's higher rates, fear of development extending from Yeovil and loyalty to Dorset.

11. Bradford Abbas Parish Council sent objections both to the District Council and to us. Clifton Maybank Parish Council was said by the County Council to object while a resident of the area, and a local Dorset firm, also wrote to us to register their opposition to the change.

12. We considered whether the present degree of development warranted a boundary change but noted that further, though limited, development was still to take place in the area. We initially concluded that some change was desirable, as we felt that the area was part of Yeovil's urban fringe. However, we saw the case for reducing the area to be transferred, if possible to encompass only the existing and expected development, thereby leaving the surrounding open land and the golf course in Dorset.

13. We attempted to find an alternative boundary line to achieve this end. We considered whether either side of the A30 could form the boundary, transferring either the land to the north or that to the south to Somerset. We rejected both these options because each would have left the development at Yeovil Bridge split between two counties. We also felt that it would not be possible to devise a satisfactory and readily identifiable county boundary encompassing only the developed area. We concluded that only two options remained: to accept South Somerset District Council's recommendation as a whole or to propose no change to the boundary at Babylon Hill.

14. We considered the arguments for and against transferring Babylon Hill. Opposition to the change from the residents who would be affected and from the Dorset authorities was almost unanimous, yet the area around Yeovil Bridge clearly had an affinity with Yeovil and was part of the same community. We also noted, from the information before us, that the further development to take place at Babylon Hill was limited. We concluded that on balance the boundary should not be changed at Babylon Hill and we decided to issue an interim decision accordingly. We considered, however, that a small area of uninhabited land, to the north of Yeovil Junction Station, which had originally been part of the Babylon Hill proposal and which was isolated from Dorset by the railway, should be transferred to Somerset. We decided to issue a draft proposal accordingly.

Yeovil Junction Station

15. South Somerset District Council suggested that Yeovil Junction Station and its adjoining land should be transferred from Dorset to Somerset on the grounds that the station primarily served Yeovil and the access to it was from Somerset. The Council also felt that planning policies for the area were important to Yeovil and that there was a problem of exercising proper licensing control over the taxis which ply for hire outside the station.

16. Somerset County Council and Yeovil Town Council both supported the recommendation for the same reasons as they had put forward in favour of transferring Babylon Hill to Somerset. Two Somerset parishes were also in favour of the change, as was British Rail, which felt that it would aid discussions on the provision of extra facilities for passengers and of better integrated transport arrangements.

17. Dorset County Council, West Dorset District Council and a local, Dorset, firm objected to the transfer. The County Council noted that the proposed boundary was better defined than the existing one but felt that, as the station was separate from Yeovil, on a rural site, it could not be said to be part of the town's urban fringe. The County Council drew attention to the Yeovil Junction - Penn Mill Station bus service which it had inaugurated and would wish to see continued. It did not accept that there were problems in planning for the area. The District Council pointed out that local residents opposed the change and said that licensing taxis in the area presented no major difficulty.

18. We felt that it was illogical that the station should be in Dorset when it served Yeovil and its highway access was from Somerset. We noted that both South Somerset and West Dorset District Council, for different reasons, were concerned about the operation of taxis from the station. South Somerset regretted its inability to control the fares for journeys into its District because it could not extend licensing outside its area. West Dorset saw no problem in cross-border operations, but pointed out that taxis should not be

operated from the station unless licensed by it, as the controlling authority, and that licenses were not difficult to obtain. British Rail supported the change. We concluded that change in this area would correct what appeared to be a distinct anomaly in the county boundary and decided to issue a draft proposal accordingly.

OUR DRAFT PROPOSAL AND INTERIM DECISION TO MAKE NO PROPOSALS

19. Having considered the submissions from the principal authorities and all the other representations we had received, we decided to publish a draft proposal, based on South Somerset District Council's suggestion, to transfer Yeovil Junction Station, and the isolated land to the north of it, from Dorset to Somerset. Our proposal involved the transfer of parts of the parishes of Bradford Abbas and Clifton Maybank in the District of West Dorset to the Parish of Barwick in the District of South Somerset. We decided, in addition, to publish an interim decision to make no proposals for change in the Babylon Hill area.

20. Our draft proposal and interim decision were published on 23 November 1987.

Having advertised the start of the review extensively throughout Dorset and its adjoining counties, we decided that, in view of the limited nature of our draft proposals, we need only advertise them and our interim decision in the areas affected. Copies were therefore sent to the principal authorities directly concerned and to those persons and bodies who appeared to us to have an interest in the review of the boundary between Dorset and Somerset. The County Councils of Dorset and Somerset were asked to arrange publication of a notice giving details of our draft proposal and interim decision and to place copies of it on display at places where public notices are customarily displayed. They were also asked to place copies of our draft proposal/interim decision letter on deposit for inspection at their main offices for a period of eight weeks. Comments were invited by 18 January 1988.

RESPONSE TO OUR DRAFT PROPOSAL AND INTERIM DECISION

21. We received, direct, 17 representations in response to our draft proposal/ interim decision letter. Dorset County Council objected to our draft proposal and reiterated its opposition to change at Babylon Hill. Somerset County Council supported our draft proposal and re-stated its case for change at Babylon Hill; it also put forward two alternative boundary lines for this area.

22. West Dorset District Council was satisfied with our interim decision to propose no change at Babylon Hill and with our draft proposal to transfer the land near the station which was isolated from Dorset by the railway. However, it objected to the proposed transfer of the station itself for its previously-stated reasons. South Somerset District Council noted our interim decision and supported our draft proposal. Yeovil Town Council wholeheartedly agreed with Somerset County Council's views on the draft proposal and interim decision, Bradford Abbas Parish Council stressed its continuing strong objections to the transfer of Babylon Hill to Somerset and the Chairman of Clifton Maybank Parish Meeting objected to the transfer of Yeovil Junction Station on the grounds that it does not form part of Yeovil's urban fringe.

23. The Dorset Police felt the proposed changes were logical improvements and had no adverse comments to make. However, the Avon and Somerset Constabulary agreed with South Somerset District Council's original proposal to transfer both Babylon Hill and Yeovil Junction Station to Somerset. The Police Federation for England and Wales had no comments to make on our proposal. British Gas and Wessex Water had, respectively, no objections to raise and no comments to make on our draft proposal and interim decision.

24. The owner of a local Dorset firm, which occupies premises at Babylon Hill, welcomed our interim decision to make no change in that area. He stated that he wished to stay in Dorset as rates were lower and the local authority services were good. He also felt that Babylon Hill is, in fact, a community separate from Yeovil.

OUR FURTHER DRAFT PROPOSALS

25. We considered the representations made to us and noted that there had been little response to our draft proposal and interim decision (particularly from members of the public). The affected local authorities had simply re-stated their respective arguments for, or against, change.

26. Somerset County Council had suggested that our interim decision to make no proposals for change at Babylon Hill was inconsistent with the fact that we had, in the context of another review, published draft proposals for change to areas on the outskirts of Norton-Radstock which the Council felt to be broadly similar to Babylon Hill. However our approach is to treat each case on its merits and we did not think that these two cases were in all respects alike.

27. We considered Somerset County Council's two new alternative boundary lines for Babylon Hill. Each suggestion would have involved transferring less land from Dorset than its original recommendation. We had earlier recognised that the Babylon Hill area was closely associated with Yeovil but felt that the change originally recommended by Somerset County Council had been too extensive. Transferring a smaller area had not seemed practicable because of the difficulty of finding a suitable, readily-identifiable boundary. Somerset County Council's 'minimal transfer' suggestion seemed, however, to meet both considerations. We decided, therefore, to issue a further draft proposal based on this line.

28. Our further draft proposal was published on 10 June 1988. Copies were sent to all those who had received the letter announcing our draft proposal and interim decision. The County Councils of Dorset and Somerset were asked to arrange publication of a notice giving details of our further draft proposal and to place copies of it on display at places where public notices are usually displayed. They were also asked to place copies of our further draft proposal letter on deposit for inspection at their main offices for a period of eight weeks. Comments were invited by 5 August 1988.

RESPONSE TO OUR FURTHER DRAFT PROPOSAL

29. We received 31 representations in response to our further draft proposal.

30. Dorset County Council objected to the further draft proposal in the strongest terms. The Council reiterated its previous objections to the original, more extensive, suggestion made by Somerset County Council and said that these objections applied equally to the further draft proposal. The Council felt that the River Yeo is the only feature in the area offering a clearly defined and permanent boundary; it also felt that the Dorset Structure Plan contains policies which can control the eastward spread of Yeovil, notwithstanding the limited development which has already taken place at Babylon Hill. The Council also considered that our proposed boundary would be ill-defined, using field boundaries which might easily change. It pointed out that the proposed boundary would divide the A30 and Compton Road which would, it stated, result in 'dead' mileage for road maintenance vehicles. Somerset County Council supported our further draft proposal.

31. West Dorset District Council reiterated its strong opposition to our proposal. Bradford Abbas Parish Council expressed its very strong opposition to our further draft proposal and largely restated its previous arguments against change. The Parish Council felt the proposed boundary would be artificial, asserting that it would cross open fields (this would not be the case, in fact) and it forwarded a petition against the change organised by the affected residents. Queen Thorne Parish Council also protested most strongly against the further draft proposal, largely for the same reasons as those of the other objectors. Yeovil Town Council expressed its support for our further draft proposal. It felt that the inclusion of Babylon Hill in Somerset would present an opportunity to adopt a more cohesive and rational approach towards the local government of the area.

32. West Dorset Health Authority supported the views of Dorset County Council and West Dorset District Council. Avon and Somerset Constabulary felt that the

further draft proposal would tidy up the natural boundary of Yeovil and that, therefore, the policing of the area should be more efficient. Dorset Police generally raised no objections to the further draft proposal. British Gas South Western foresaw no difficulty and Southern Electricity had no comments to make.

33. The Sherborne Society felt that an area of open country should be maintained between Yeovil and Sherborne. The Society also considered that Babylon Hill has its community of interest with Dorset; that the River Yeo is the natural county boundary and that the area would be best protected by Dorset Planning Authorities. Dorset County Council supported the Society's views. The Council for the Protection of Rural England also endorsed the views of the Society and regarded it as imperative that the existing county boundaries be maintained to prevent further encroachment on the land separating Yeovil and Sherborne. The Wessex Regionalists saw no justification for the proposed change and confirmed their opposition to changes which disregard boundaries of great antiquity.

34. Sir James Spicer, the Member of Parliament for the Dorset constituency which would be affected by the transfer, supported the views of Dorset County Council and West Dorset District Council. He felt that the Babylon Hill area provides West Dorset with a valuable 'breathing space' which might soon be intruded upon if it were to become part of Somerset. The Dorset County Councillor representing the Compton Road and Yeovil Bridge area objected to the further draft proposal and could see no reason for it. He pointed out the degree of opposition from both the local residents and the local authorities and he felt that the proposed boundary would not be well-defined or permanent enough, especially by comparison with the River Yeo. The Councillor voiced his fear that, under Somerset planning authorities, Babylon Hill might be quickly developed and noted that the proposed boundary would divide responsibility for highway maintenance, and would result in 'dead' mileage for refuse collection vehicles. He considered that there would be no benefits from the change in terms of effective and convenient local government and thought it illogical to exclude the golf club from the transfer.

35. Two local businesses reiterated their opposition to being transferred into Somerset. One of them also made the point that the proposed boundary would divide the administration of the Sherborne-Yeovil dual carriageway. We also received 13 representations from members of the public. Almost all were opposed to our further draft proposal. Their reasons were those which had previously been submitted - fear of Yeovil's expansion, Somerset's higher rates, loyalty to Dorset and the traditional nature of the existing boundary.

36. Only one member of the public wrote (twice) in support of the further draft proposal. He considered that Yeovil and Babylon Hill are closely related and that they should, therefore, be administered by one local authority, in Somerset - in fact, he thought that a larger area of Babylon Hill should be transferred to Somerset.

37. The Chairman of the Somerset Trail Riders Fellowship wrote to us to voice his concern about the future of Bradford Hollow Lane (a green lane which our further draft proposal would transfer from Dorset to Somerset). He was concerned to preserve full vehicular rights over this unclassified, unmade road. It was pointed out to him that this would be a matter for Somerset County Council, if the draft proposal were implemented; a copy of this letter was sent to the County Council.

OUR FINAL PROPOSALS

38. As required by Section 60 of the Local Government Act 1972, we have considered the representations made to us. We noted that the same or very similar arguments had been put forward by the local authorities and residents as we had received in response to our interim decision to make no proposals. The case for and against change at Babylon Hill thus still seems to us to be finely balanced.

39. We find it hard to believe that the residents of the Babylon Hill area do not have a community of interest with Yeovil, and Somerset, for example in terms

of employment, leisure and shopping. In addition, the Yeovil Bridge area is not physically separate from Yeovil itself and it therefore seems to us to be sensible for the whole of the continuous urban area to be administered by one set of local authorities in Somerset.

40. Bradford Abbas Parish Council has expressed its concern that our proposal would, if implemented, so reduce the Parish as to leave it unviable. We do not, however, believe that the Parish would become unviable as a result of the change since the area of land proposed for transfer along with the number of properties and residents involved, is small in comparison to the rest of the Parish, the main community of which would not be affected.

41. A number of representations made to us have put forward the view that our proposed boundary would be ill-defined. In fact we have been careful to ensure that the new boundary would follow features visible on the ground. From the outset of the review it has been clear to us that the built-up area at Babylon Hill has an affinity with Yeovil, but our difficulty has been to propose a line which would transfer this built-up area into Somerset, and establish a clearly identifiable boundary, without including large areas of open countryside. It was for this reason that we initially rejected Somerset County Council's suggestion of a more extensive area and decided to make no proposals. However, one of the County Council's alternative suggestions presents us with the solution to the problem in that it affects the minimum area necessary to unite the continuous urban fringe of Yeovil while giving a well-defined county boundary.

42. We have received no further representations concerning our draft proposal for Yeovil Junction Station and we remain of the opinion that the station should, logically, be in Somerset (since it serves Yeovil). We conclude therefore that in the interests of effective and convenient local government, we should confirm both our further draft proposal and our draft proposal as our final proposals.

PUBLICATION

43. A separate letter enclosing copies of this report is being sent to the County Councils of Dorset and Somerset, asking them to deposit copies of the report at their main offices for inspection for six months and to put notices to this effect on public notice boards and in the local press. The text of the notice will explain that the Commission has fulfilled its statutory role in the matter and it now falls to you to make an Order implementing the proposals, if you think fit, though not before six weeks from the date they are submitted to you. Copies of this report, which includes small-scale maps, are also being sent to those who received our further draft proposal letter and to those who responded in writing.

LS

Signed: G J ELLERTON (Chairman)

 J G POWELL (Deputy Chairman)

 G E CHERRY

 K F J ENNALS

 G R PRENTICE

 HELEN SARKANY

 BRIAN SCHOLES

S T GARRISH
Secretary

9 February 1989

13F

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

COUNTY BOUNDARY REVIEW

DORSET

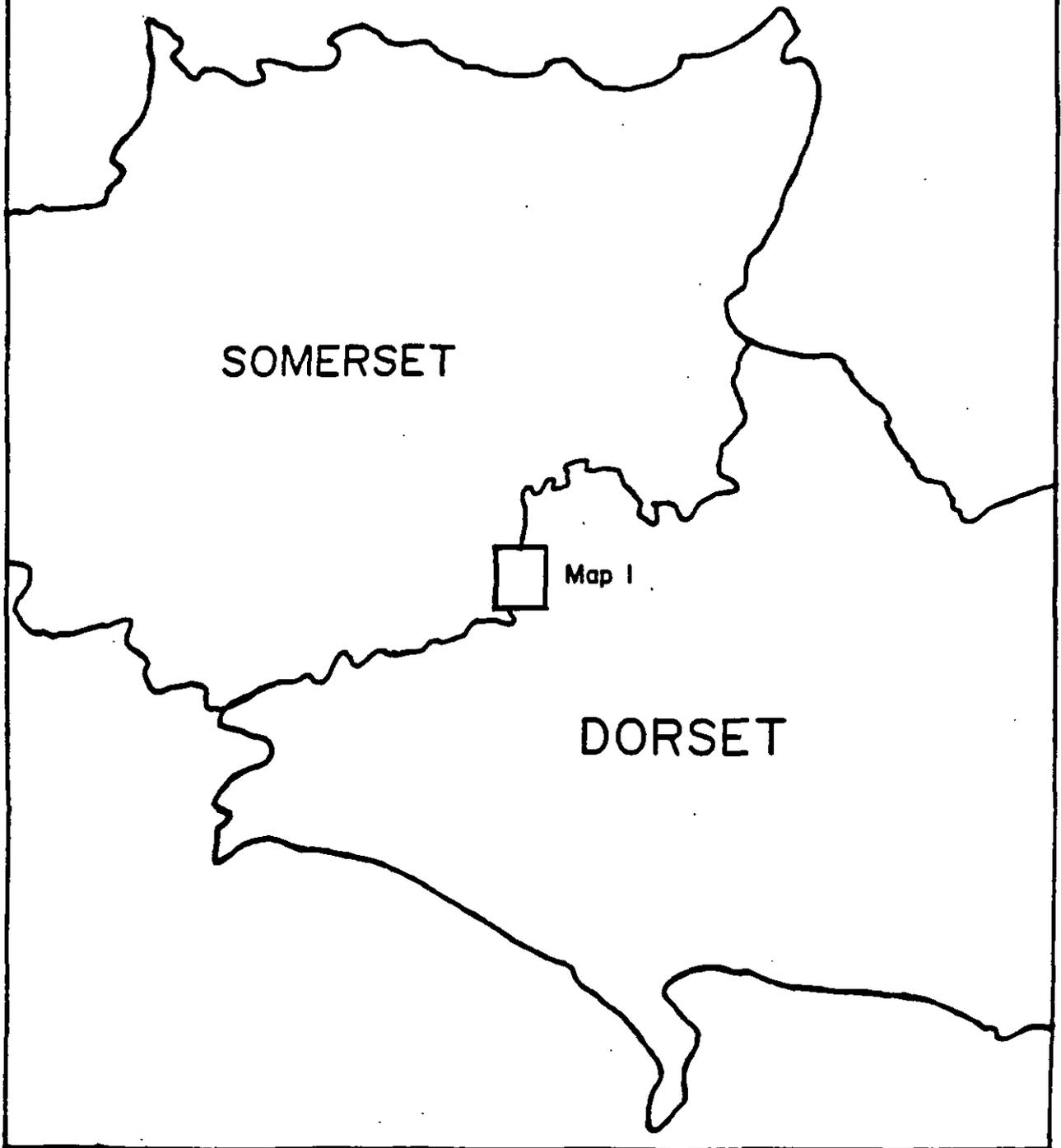
AFFECTING SOMERSET

FINAL PROPOSAL

Existing County Boundary
Proposed County Boundary
Existing CP Boundary



LOCATION DIAGRAM



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