

Community Governance Review

1. Purpose of Report

- 1.1. The purpose of the report is to make recommendations to full Council on the Community Governance Review (CGR), and to update members on other schemes where it is felt no decision can yet be reached.

2. Background

- 2.1. A Community Governance Review is a review of the whole or part of the Council's area to consider one or more of the following:-
 - Creating, merging, altering or abolishing parishes
 - The naming of parishes and styles of new parishes
 - The electoral arrangements of parishes (including the number of councillors to be elected to the council and parish warding)
 - Grouping or de-grouping parishes
- 2.2. The Council appointed a Working Group to carry out this Review and to make recommendations to the Council in due course. The Working Group comprises a representative from each group of the Council (with a substitute permitted to attend). Individual members of the Working Party have been mindful of their position as local members in some cases, and have received advice and guidance in that respect from the Council's Monitoring Officer. In particular, it should be noted that following the consultation members of the Working Group withdrew from discussions on the formulation of recommendations affecting their respective divisional area. The Review has to ensure that the community governance arrangements within the areas under review reflect the identities and interests of the communities concerned and provide effective and convenient governance for local people. Further guidance can be found at:
<https://www.gov.uk/government/publications/community-governance-reviews-guidance>
- 2.3. In February 2015, Council resolved to discontinue further work on some schemes for which there was no longer a local appetite to proceed. These are appended for information only.
- 2.4. The Working Group is now in a position to bring forward a number of recommendations for community governance changes for approval by Council. These are appended to this report. In other cases, it is proposed that further consideration and consultation is required.

- 2.5. Each geographical area has a separate document pack and mapping pack.

3. Main Considerations for the Council

3.1. In carrying out the review, and in formulating its recommendations, the Working Group has had regard both to its legal obligations under Part 4 of the Local Government and Public Involvement in Health Act 2007 and to the statutory guidance issued jointly by the DCLG and the Local Government Boundary Commission for England which can be found at: <https://www.gov.uk/government/publications/community-governance-reviews-guidance>. In reaching a decision on these recommendations, the Council must have regard to the same criteria, which are therefore summarised below.

3.2. Section 93 of the 2007 Act requires the Council, when undertaking a review, to ensure that community governance within the area under review will be:-

- Reflective of the identities and interests of the community in that area, and
- Effective and convenient

3.3. The Guidance gives further advice in relation to the two main criteria, as summarised below:-

Identities and Interests of Local Communities

- Communities need to be empowered to respond to challenging economic, social and cultural trends and to demographic change
- Parish Councils can perform a central role in community leadership
- How people perceive where they live - their neighbourhoods – is significant in considering the identities and interests of local communities. Neighbourhoods can be defined by the geography of an area, the make-up of the local community, a sense of identity and whether people live in a rural, suburban or urban area.
- Parishes should reflect distinctive and recognisable communities of interest with their own sense of identity
- The feelings of the local communities and the wishes of local inhabitants are the primary considerations in considering this factor
- There may be a variety of different communities of interest within a Parish and any review should consider communities as offering a sense of place and of local identity for all residents

Efficient and Convenient Local Government

- Effective and convenient government is best understood in the context of a local authority's ability to deliver quality services economically and

efficiently and give users of services a democratic voice in the decisions that affect them.

- Local communities should have access to good quality local services, ideally in one place and a parish council may be best placed to do this
- Parish Councils should be viable in terms of providing at least some local services which need to be easy to reach and accessible to local people

3.4. The Guidance also provides that, when considering the two statutory criteria set out in paragraph 3.2 above, the Council should take into account a number of influential factors, including:

- The impact of community governance arrangements on community cohesion and
- The size, population and boundaries of a local community or parish.

3.5. Further guidance is provided in relation to these two factors:-

The impact of community governance arrangements on community cohesion

- Community cohesion is about recognising and responding to changes in the make up of a community to enable different groups of people to integrate and get on well together. This includes developing a shared sense of belonging and developing positive relationships between people from different backgrounds. Cohesion is also about how people perceive the composition of their local community and what it represents.

Size, Population and Boundaries

- Size, population and boundaries are relevant considerations in deciding whether community governance arrangements are effective and convenient. Authorities should be based on natural communities reflecting people's expressed choices. A parish should be based on an area which reflects community identity and is of a size which is viable as an administrative unit of local government. Boundaries should reflect 'no man's land' between communities and be (and be likely to remain) easily identifiable, such as rivers, roads or railways.

3.6. When considering the proposals for changes to the structure or area of parish councils, the Working Group has been mindful of proposed developments that are likely to take place in those areas. The Guidance provides that, when considering the electoral arrangements for an area, the Council must also consider any changes to the number or distribution of electors that is likely to occur within the next five years. Therefore, where planned development is known, this had been taken into account.

3.7. Where, as a result of an alteration to parish boundaries, a property moves from one parish to another, this may well have an impact on the overall level of Council Tax payable by the occupants of that property, as the amount of precept levied by different parish councils will vary. However, as

can be seen from the guidance summarised above, this is not a relevant factor when considering whether it is appropriate to change the community governance arrangements in a particular area.

4. Consultation

- 4.1. The terms of reference for the Working Party provided that it would identify relevant consultees and determine the most appropriate and effective methods of communication. The terms of reference provided that any representations received as result of the consultation process would be considered by the Working Party and be taken into account in the formulation of recommendations to the Council.
- 4.2. Schemes were consulted upon, by one of two methods
 - 4.2.1. By individual letters to the residents and relevant town or parish councils. A copy was also sent to all local Wiltshire Councillors in the wider area affected. Both they and the parish or town council also received a property list.
 - 4.2.2. By arranging public meetings to discuss the proposals. Again, this has been communicated to the parish or town councils and local Wiltshire Councillors, with the same supporting information.
- 4.3. The following actions were taken in publicising the consultation:
 - Parish and Town Councils, and local members were circulated with details of proposed schemes and public meetings
 - Web site
 - Publication of full council report dated 28 September 2015 (also included on web site)
 - Press release week beginning 6 October - editorial coverage in the Wiltshire Times, Gazette & Herald and Salisbury Journal.
 - Published on the WC News Portal – this allows it to also sit on the front page of the WC website
 - Uploaded the release to all the Our Community Matters websites
 - Released to all Community Engagement Managers to promote the public meetings and the consultation generally
 - Promoted extensively on social media – Twitter and Facebook
 - Parish Newsletter – 6 October
 - Elected Wire and Electric Wire on Friday 10 October
 - The circulation of leaflets via local free newspapers was not always straightforward and/or in some cases timely. Additional public meetings were held in the Melksham area in response to request from the councils involved, and details of the further, third meeting were publicised in the 21 October edition of the Melksham News
- 4.4. Feedback was invited and received via:
 - Website, including the consultation portal

- Hard copy surveys from meetings
 - Hard copy surveys for letters to individual households in some areas
 - e-mails
 - Hard copy ad hoc letters
- 4.5. The review schemes are broken down into geographical areas. At the end of each area in the appendices to this report is a mapping “pack” and a documentation “pack”. Where e-mails contained relatively brief For or Against responses, these are simply listed on a summary sheet within each pack. Where the e-mails were more complex, they have been included in the documentation pack.

5. Timing

5.1. Unitary Review

The Local Government Boundary Commission for England (LGBCE) receives data from all councils annually to highlight significant levels of electoral inequality. This is defined as:

- more than 30% of its wards/divisions have an electoral imbalance (ratio of electors to members) of more than 10% from the average for the authority;
- and/or it has one ward/division with an electoral imbalance of more than 30%; and the imbalance is unlikely to be corrected by population change within a reasonable period.

The LGBCE have expressed interest in our figures for the last two years, but have now confirmed that Wiltshire will not feature in its work programme before 2017/18. This means that unitary divisions will not be affected by any parish alterations before that.

5.2. Parliamentary Review

Under current legislation the reference data for the review of Parliamentary boundaries will be the local authority boundaries (external, ward, and polling district) as they existed on 7 May 2015, and the Parliamentary electorate figures as they exist in the register to be statutorily published on 1 December 2015.

Whilst the alteration of parish boundaries and parish wards may cause some administrative difficulties, this need not derail the present CGR process.

5.3. Elections

It is a generally accepted rule that no major changes should be introduced within six months of any main election. The end date for any changes affecting parish elections should therefore be no later than the end of October 2016 at the latest. The operative date to give effect to any changes can be shown in the Order(s), e.g. 1 April 2017, and that would be sufficient to produce registers on new boundaries from 1 December 2016, albeit with many smaller polling district to recognise the boundaries as they existed at 7 May 2015.

5.4. Precepts

Depending on how many changes are approved by Council, there will be considerable work involved in reconciling property records to their new parish, both in respect of council tax and in many other departments. Further, parish councils would need an indication of their tax base for precepting purposes, and an introduction date of 1 April 2017 would seem to offer the best compromise.

6. Next steps

6.1. Any changes to community governance arrangements that have been approved by the Council are brought into effect by means of a formal Order. However, before any order is made, it would also be necessary to consider whether there are any consequential changes that need to be made. For instance, where a boundary alteration results in a change in the number of electors in a parish, or the distribution of those electors within the parish, it may be appropriate to consider whether there needs to be changes to the warding arrangements within the parish, or to the number of councillors. If a parish is to be abolished, there would need to be consideration as to what is to happen to any assets held by that council. This would be considered as a separate exercise, following the decisions made at this meeting. Final orders will be brought back to council for formal approval.

7. Safeguarding Implications

7.1. There are no safeguarding impacts arising from this report

8. Equalities Impact of the Proposal

8.1. There are no equalities impacts arising from this report

9. Risk Assessment

9.1. There are no significant risks arising from this report, although the situation with regard to boundaries and seats must be in place by no later than the end of October 2016 if the Unitary and Parish elections in May 2017 are not to be compromised. It will be necessary to ensure that sufficient resources are available to complete this work within the required timescale.

10. Financial Implications

10.1. There are no financial implications arising directly from this report

11. Legal Implications

11.1. This Review is being carried out by the Council under the powers in Part 4 of the Local Government and Public Involvement in Health Act 2007. It also has regard to the Guidance on Community Governance Reviews published by the DCLG. Details of this are set out in the report

12. Public Health Impact of the Proposals

12.1. There are no public health impacts arising from this report.

13. Environmental Impact of the Proposals

13.1. There are no environmental impacts arising from this report.

14. Recommendations

The Working Group recommends:-

- 14.1. That Council approves the recommendations set out in the Appendices to this report in respect of the parishes that have been reviewed;**
- 14.2 That, where changes to the area or structure of parishes are approved, the Working Group gives further consideration to the consequential changes (if any) that may need to be made to the electoral arrangements for those parish councils, including any changes to warding and brings these back to Council for final approval.**

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Background Papers

Letters and documents appended from councils, other organisations and individuals

Appendices

Schemes

Mapping pack for each scheme

Document pack for each scheme

EC LGBCE Guidance on Community Governance Reviews March 2010

FREQUENTLY ASKED QUESTIONS

What is a Community Governance Review (CGR)?

These reviews were previously called Parish Reviews and they are usually undertaken every 10-15 years to make sure that the boundaries and electoral arrangements of parishes within an area are working well.

A CGR must:-

- Reflect the identities and interests of the communities in that area; and
- be effective and convenient.

Consequently, a CGR must take into account:-

- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of a local community or parish.

Therefore any changes made by a CGR must improve communities and local democracy in the parish or parishes concerned.

Why is the Council doing this now?

The Local Government and Public Involvement in Health Act 2007 transferred responsibility for these reviews to principal councils. A number of parishes and towns within the county have asked the council to review their boundaries.

Some information on this Review refers to parish or town wards – what are these?

Some large parishes are divided into smaller sections, called wards, and these can reflect the character of a parish. For instance, if a parish contains two villages, with quite separate identities, then the parish might be split into two separate wards, with separate parish councillors for each ward.

How many councillors can a Parish Council have?

There must not be fewer than five councillors on a parish council but there is no maximum number given. Ideally, the number of members on a parish council should reflect the size of the parish overall.

Will my post code change?

No, Royal Mail has a separate process for setting postcodes, which do not correlate with parish boundaries.

Does changing a parish boundary make any difference to the likelihood of development occurring on the edge of settlements?

No. The criteria, and the legislation that sits behind it, for determining whether or not parish boundaries should change bears no relation to the legislation that guides the determination of planning applications. In simple terms, if a proposal for development comes forward the parish within which that development sits has no direct relevance to the decision whether to grant planning permission or not.

Will this affect my council tax bill?

Possibly. Most parish councils levy what is known as a precept to cover their costs. Typically the contribution toward your parish council is around 5% of the council tax you pay. There are variations between parish precepts so it is likely that this element of your council could change if your property moves into a different parish.

The 2014/15 and 2015/16 Council Tax band D charge and precept for all parishes can be seen at:

<http://www.wiltshire.gov.uk/counciltaxhousingandbenefits/counciltax/ctaxhowmuch/counciltaxbanddandpreceptallparishes.htm>

It is not possible to say what the 2016/17 charges will be, and nor is it possible to predict the effect of the Community Governance proposals on these parish precepts.

Will I have to get official documents like my driving licence changed if my property moves from one parish to another?

No. The key elements of your address for official purposes are your house name/number, street and postcode. There are many examples already of where a postal address records a property in a different town/parish than the one in which it is actually situated.

If my property moves from one parish to another, do I need to change my passport details?

No. Your passport does not contain your address, therefore there is no requirement to update the details.

What sort of factors might be taken into account when looking at community identity?

There is no set list of factors; the following offers a few suggestions:

- Where do you tell your friends you live?
- Where are your key services, e.g. shops, doctors, pub, sports club, social club?
- Where do you think the boundary with the next parish is?
- Do you know which parish you live in?
- Are there any natural physical boundaries such as a river, road, hill nearby?
- Are there any Community groups or associations in the area which help to indicate where communities begin and end?

Where can I read more about Community Governance Reviews and how they operate?

The Department for Communities and Local Government and the Local Government Boundary Commission have produced guidance on how to conduct reviews and what they should cover.

This can be seen at: <https://www.gov.uk/government/publications/community-governance-reviews-guidance>