

Wiltshire Council

Electoral Review Committee

21 September 2021

Community Governance Review 2021/22

Purpose

1. To approve Terms of Reference for a Community Governance Review to take place during 2021/22.

Background

2. A Community Governance Review (CGR) is a process wherein a principal authority can adjust the governance arrangements of parishes within its council area. This can include amending the number of councillors or wards, the external boundaries, or even the creation/merger/abolition/grouping of entire parishes.
3. The Council may undertake reviews at any time where it considers it appropriate to do so, for example where there have been changes in populations as a result of new developments, and in response to reasonable requests received from individuals, groups or parish councils themselves.
4. Following communication from the Committee, and subsequently, over 80 proposals or 'Schemes' were received in 2019. The Committee determined which areas should be reviewed in advance of the May 2021 elections at a meeting on 31 October 2019. A review commenced on 1 November 2019 and concluded with decisions of Full Council on 9 September 2020.

Main Considerations

Summary

5. At its informal online meeting on 12 July 2021 the Committee considered the 44 remaining schemes or expressions of interest for a review and resolved to prioritise the following reviews, following preparation and consideration of draft terms of reference:
 - Calne Without and surrounding parishes (Calne, Cherhill, Compton Bassett, Heddington, Bremhill, Hilmarton);
 - Beechingstoke and surrounding parishes (Stanton St Bernard, Patney, Marden, Wilsford, North Newnton and Woodborough);
 - Malmesbury and St Paul Malmesbury Without.
6. The Committee also considered a request from Biddestone Parish Council to change its name. Whilst this is a process that can be undertaken through a CGR, it is also able to be progressed under S75 of the Local Government Act 1972. As this is a simpler process, the Committee agreed to progress the request for a change of name under S75, and that any future name change requests would also be progressed through that process.
7. For the remaining schemes or requests not taken forward in the draft Terms of Reference these would be scheduled for consideration in any later reviews.

8. A workshop was held for Committee members on 14 September 2021 to discuss options for any CGR process to assist with the scoping of the Terms of Reference and subsequent proposal, taking into account priority of schemes agreed by the Committee on 12 July 2021 and considering resourcing capacity.
9. The draft Terms of Reference encompassing those areas and detailing the scope of the reviews are included at **Appendix A**.

Next Steps

10. Subject to the draft Terms of Reference being approved, it is proposed that the CGR formally commences on 22 September 2021. This will initiate Stage One, which involves information gathering and research on the proposed areas for review, as well as inviting any further schemes which are within the bounds of the agreed Terms of Reference.
11. The Council website will be updated to include submitted schemes within the review areas, to be updated as appropriate as further information becomes available. There will be communications to parishes and the public and other interested persons or bodies, if appropriate, for any additional comments, as well as engagement with local Unitary Members, as part of an initial phase of pre-consultation. It may, if appropriate, organise surveying or public meetings for review areas.
12. The Committee will then consider all the information it receives and develop draft recommendations, intended in the first quarter of 2022. Consultation will be required on any changes recommended by the Committee, which may involve a solution not suggested by a specific Scheme up to that point.
13. After analysing any responses, the Committee may amend its recommendations and/or seek additional consultation as appropriate, before submitting final recommendations to Full Council in the summer of 2022.

Safeguarding Implications

14. There are no safeguarding implications.

Public Health Implications

15. There are no public health implications.

Procurement Implications

16. There are no procurement implications.

Equalities Implications

17. There are no equalities implications.

Environmental Implications

18. There are no environmental implications.

Financial Implications

19. Community Governance Reviews will require periods of appropriate public consultation which will incur additional resources, in particular in relation to the cost of physically

mailing those affected in certain areas if appropriate during the draft recommendations stage.

Legal Implications

20. The Local Government and Public Involvement in Health Act 2007 gives the Council the power to undertake CGRs and sets out the criteria for such reviews. There is also statutory guidance on the conduct of such reviews that the Council would have to comply with.

Risks

21. There is no obligation on the Council to carry out CGRs at a particular time, other than in response to a petition. However, failure to do so may lead to the arrangements in some areas being outdated and unable to provide effective local governance.

Options Considered

22. The Committee can request that additional or fewer of the Schemes submitted be included within the proposed Terms of Reference. This would have potential resource implications, delay the beginning of the CGR in order to adjust the Terms of Reference appropriately, and potentially have an impact upon the completion of any review within the intended timetable.

Proposal

23. To approve the Terms of Reference for a Community Governance Review as detailed at **Appendix A**, to formally commence on 22 September 2021 or another date as appropriate if amended.
24. To confirm that any requests in respect of changing the names of the parishes, including that from Biddestone Parish Council, be progressed under S75 of the Local Government Act 1972 at an appropriate time.

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Appendices

Appendix A – Draft Terms of Reference

Background Papers

[Guidance on Community Governance Reviews](#)

[Terms of Reference of the Electoral Review Committee](#)

[Minutes of the Committee meeting on 12 July 2021](#)