

Wiltshire Council

Electoral Review Committee

5 July 2022

Community Governance Review 2021/22 – Consultation on Additional Draft Recommendations

Purpose

1. To consider responses to the consultation on the Additional Draft Recommendations of the Committee.

Background

2. A Community Governance Review 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 Electoral Review Committee (“The Committee”) has delegated authority from Full Council to oversee any review process in accordance with paragraphs 2.10.7-2.10.9 of Part 3B of the Wiltshire Council Constitution. This includes setting the scope for any review, its methodology, timescales, and preparing recommendations for consideration by Full Council.
4. On 21 September 2021 the Electoral Review Committee published terms of reference for a Community Governance Review to begin on 22 September 2022 (“The Review”). The timetable for the Review within the terms of reference was updated by the Director of Legal and Governance under delegated authority granted by the Committee, during the course of the review.
5. The parishes included within the Review were: Malmesbury and St Paul Malmesbury Without; Beechingstoke and surrounding parishes (Woodborough, North Newton, Wilsford, Marden, Patney, Stanton St Bernard); Calne Without and surrounding parishes (Calne Without, Calne, Hilmarton, Cherhill, Compton Bassett, Heddington, Bremhill). Also included in the terms were any parishes surrounding those listed. This was in case any requests emerged from the listed parishes which would have an effect on a neighbouring parish.
6. In preparing any recommendations and making any decision the Committee and Full Council must take account of the statutory criteria for reviews and the need to ensure that community governance within the areas under review:
 - Reflects the identities and interests of the community in that area, and
 - Is effective and convenient.
7. Council tax precept levels would not be a valid criterion to approve or disapprove of a proposal.

Main Considerations

Progress of the Review

8. During Stage One of the Review additional proposals for the areas set out in Paragraph 5 were sought. During Stage Two the Committee undertook pre-consultation information gathering. This included notes of sessions with unitary members and parish councils, from public meetings, emailed representations and over 300 responses to an online survey.
9. The Committee considered all the relevant information, and agreed Draft Recommendations to be consulted upon at its meeting on 8 February 2022.
10. A consultation was therefore held from 18 March 2022 – 5 May 2022. Public meetings were held on 5 April and 21 April in Calne and Malmesbury respectively.
11. At its meeting on 31 May 2022 the Committee considered all the relevant information responding to the Draft Recommendations. This included parish council session notes, public meeting notes, and details of parish and public representations, including over 229 online survey responses.
12. The Committee resolved to approve some of its recommendations, defer others, and make amendments to others. As it is a requirement that any option resolved by Full Council must be consulted upon, the Committee agreed to undertake a consultation on Additional Draft Recommendations relating to several recommendations in the Calne Community Area, where the original proposals had been slightly amended.

Consultation on the Additional Draft Recommendations

13. An online consultation was therefore held from 7 June 2022 – 28 June 2022 on the amended proposals.
14. 24 responses were received on the online consultation portal during the consultation period. These responses are included within Appendix A.
15. It is acknowledged that the level of responses to the latest consultation is quite low, and includes a number of duplications. It should be noted, however, that the pre-consultation was carried out via the same method and received 85 responses. The Committee then wrote to all residents of Calne Without and received 47 responses during the initial consultation.
16. The current consultation was the third engagement exercise conducted for Calne Without within 6 months, and the fifth within the last 2 years. It is therefore the case that significant and extended consultation on various options have been considered at various stages.
17. Additional representations regarding the Malmesbury area proposals considered at the 31 May 2022 meeting are also included at **Appendix B**.

Safeguarding Implications

18. There are no safeguarding implications.

Public Health Implications

19. There are no public health implications.

Procurement Implications

20. There are no procurement implications.

Equalities Implications

21. There are no equalities implications.

Environmental and Climate Change Implications

22. There are no environmental implications.

Workforce Implications

23. There are no workforce implications.

Financial Implications

24. Additional consultation could incur additional resources, in particular in relation to the cost of using an external provider to physically mail out to those affected in certain areas if appropriate.

Legal Implications

25. 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

26. A failure to consult appropriately or provide appropriate reasoning for any decision to change governance arrangements would be potentially vulnerable to challenge.

Options

27. The Committee may confirm its additional draft recommendations for consideration by Full Council, it may remove some recommendations and refer the remainder to Full Council for consideration, or it may amend its recommendations. If amending its recommendations, the Committee would need to undertake additional consultations before Full Council could consider approving those recommendations.

Proposal

28. That the Committee consider the responses to the Additional Draft Recommendations consultation.

29. To delegate to the Director, Legal and Governance, in consultation with the Chairman, the preparation of a detailed Final Recommendations document for consideration by Full Council.

Perry Holmes – Director, Legal and Governance

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Appendices

Appendix A – Survey Responses

Appendix B – Additional representations

Background Papers

[Terms of reference of the Community Governance Review](#)

[Additional Draft Recommendations](#)

[Guidance on Community Governance Reviews](#)

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