

AGENDA

Meeting: Electoral Review Committee

Place: Kennet Room - County Hall, Bythesea Road, Trowbridge, BA14 8JN

Date: Tuesday 15 August 2023

Time: 1.30 pm

Please direct any enquiries on this Agenda to Lisa Alexander of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01722 434560 or email committee@wiltshire.gov.uk

Press enquiries to Communications on direct lines 01225 713114/713115.

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Membership:

Cllr Ashley O'Neill (Chairman)
Cllr Gavin Grant (Vice-Chairman)
Cllr Ian Blair-Pilling
Cllr Allison Bucknell
Cllr Ernie Clark

Cllr Jacqui Lay
Cllr Ian McLennan
Cllr Paul Oatway QPM
Cllr Ian Thorn
Cllr Stuart Wheeler

Substitutes:

Cllr Adrian Foster
Cllr Peter Hutton
Cllr Nic Puntis

Cllr Ricky Rogers
Cllr Derek Walters

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Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

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AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 10*)

To approve and sign the minutes of the meeting held on 26 June 2023.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee or Monitoring Officer.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item.

Please contact the officer named on the front of the agenda for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on 9 August 2023 in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on 11 August 2023. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Community Governance Review 2022/23** (*Pages 11 - 16*)

To receive an update report on the Community Governance Review.

7 **Date of the Next Meeting**

To confirm the date of the next meeting as 26 September 2023.

8 **Urgent Items**

Any other items of business which the Chairman agrees to consider as a matter of urgency.

Part II

Items during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed.

Electoral Review Committee

MINUTES OF THE ELECTORAL REVIEW COMMITTEE MEETING HELD ON 26 JUNE 2023 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Ashley O'Neill (Chairman), Cllr Gavin Grant (Vice-Chairman), Cllr Ian Blair-Pilling, Cllr Jacqui Lay, Cllr Ian McLennan, Cllr Paul Oatway QPM and Cllr Stuart Wheeler

Also Present:

Cllr Gordon King and Cllr Suzanne Wickham

18 **Election of Chairman 2023/24**

The Democratic Services Officer opened the meeting and called for nominations for Chairman for 2023/24.

It was,

Resolved:

To elect Cllr Ashley O'Neill as Chairman for 2023/24.

19 **Election of Vice-Chairman 2023/24**

The Chairman called for nominations for Vice-Chairman for 2023/24.

It was,

Resolved:

To elect Cllr Gavin Grant as Vice-Chairman for 2023/24.

20 **Apologies**

Apologies were received from Councillors Ernie Clark and Allison Bucknell.

Councillor Bucknell attended part of the meeting remotely.

21 **Minutes of the Previous Meeting**

The minutes of the meeting held on 20 April 2023 were presented, and it was,

Resolved:

To approve and sign the minutes as a true and correct record.

22 **Declarations of Interest**

There were no declarations.

23 **Chairman's Announcements**

There were no announcements.

24 **Public Participation**

The Chairman invited the registered speakers to address the Committee under each relevant agenda item.

25 **Community Governance Review 2022/23 - Consultation on Additional Draft Recommendations**

The Chairman provided details of the background of the ongoing Community Governance Review and presented a report on the consultation on the Additional Draft Recommendations, agreed by Committee on 20 April 2023.

For each recommendation the Chairman along with officers presented summaries of the responses to the consultation and issues that had been raised, before the Committee discussed the available options and determined what action to take.

It was noted that 19 responses were received on the online consultation portal during the consultation period of 10 May 2023 – 7 June 2023. There were also 8 further representations provided by email. All responses were included within Appendix A of the report.

Additional Draft Recommendation 1

Proposed changes to the boundaries and internal arrangements of Heywood Parish Council and Westbury Town Council, around the area of the Ham, currently divided between two parishes.

A statement was received from Mr Morland noting his comments on the Westbury Town Council submission and regarding neighbourhood plan details.

A statement was received from Cllr John Masson, Chairman of Heywood Parish Council regarding the reason for Heywood's original scheme proposal, and disputing the submissions made by Westbury Town Council.

A statement was received from Cllr Philip Harcourt of Westbury Town Council clarifying how the Town Council's proposals had come about, and that it was felt that the process had not gone smoothly and therefore the Town Council was now of the opinion that its preferred outcome would be for the boundaries to remain as they were.

A statement was received from Cllr Mike Sutton of Westbury Town Council, further confirming that the Town Council had submitted its proposal to initiate a

debate on possible options for boundary changes. Attention was drawn to the previous inclusion of Vivash Urban Park in a recommendation by the Committee due to insufficient information.

The Unitary Division Member for Westbury East, Cllr Gordon King, noted that in addition to being the division member, he was also a Westbury Town Council Member, clarifying that he had made his own submission, separately to that of the Town Council. He contended that the Ham had always been part of Westbury and the old industrial estate of Westbury was locally known as Westbury Area Trading Estate, not West Wilts Trading Estate. Cllr King confirmed that he supported the position of the Town Council.

The Unitary Division Member for Ethandune which included Heywood, Cllr Suzanne Wickham, commented on the local referencing of the West Wilts Trading Estate, and that there were no voters in that area. Cllr Wickham raised concern regarding the tone and content of the Town Council's latest submission in its comments relating to Heywood.

In response to the public statements, the Chairman noted that the Committee welcomed comments and ideas from all involved, receiving information as part as an evolving process enabled the Committee to make a judgement in line with the set criteria. The matter of Vivash Park came to light through the first consultation process as it had not been provided as part of the initial submissions. The Committee sought further information and legal advice before making additional draft recommendations as the review moved on through the process.

In discussion, the Committee considered that it continued to believe that on balance the area of the Ham represented a distinct community and that leaving it divided would not be in accordance with the statutory criteria for governance reviews.

The Committee confirmed its view that the Ham was an established community with some separation from and more limited connectivity with the rest of the town, and with a very clear boundary in one of the railway lines to exclude Vivash Urban Park, they considered that the character was sufficiently different from the main urban area of the town as to be a community in its own right.

Considering all the responses, the character of the area, the larger part of the existing properties being within Heywood, the Committee upheld its additional draft recommendation.

Additional Draft Recommendation 2

Recommendation 2 had been to reduce the number of councillors for Tidworth and reallocate the existing ward councillor numbers across two wards, with the wards to be named North & West Ward and East & South Ward.

The Committee noted there had been no representations to the consultation. The Committee however agreed to support additional draft recommendation 2 with no amendments, noting it had been the request of the Town Council itself.

Additional Draft Recommendation 4

Recommendation 4 had been to amend the boundaries of Grittleton, Nettleton, and Castle Combe, in response to a request to unify the area known as The Gibb. The amendment was to the proposed boundary line to incorporate one additional property named the Lodge, currently in Castle Combe.

The Committee noted the parish council representations were in support of the additional draft recommendation, however the submission from the owners of the property had highlighted that the proposed new boundary line, although was drawn around their dwelling, did not also include the entirety of their estate, which included out buildings and gardens. The owners also stated a preference to remain wholly in Castle Combe.

The Committee considered the options available which included reverting to the original draft recommendation for the boundary to follow the road line, thus excluding the Lodge from Grittleton, or to extend the boundary line to encompass the entirety of the Lodge estate and grounds, bringing it into Grittleton.

Discussion points included the impact of both options, noting the criteria and that dividing an estate across two parishes would not be in line with the Committees approach to community cohesion and may also raise future issues in terms of planning. It was agreed that depending on the scope of the area of the Lodge estate, it should be included within the area known as the Gibb. The Committee requested that the matter be further investigated and following consultation with the relevant parish councils and resident, the final draft recommendation be delegated to the Director of Legal and Governance, in consultation with the Chairman, for further consultation if appropriate.

Additional Draft Recommendation 5

Recommendation 5 had proposed transfers of land between Yatton Keynell and Biddestone & Slaughterford, mostly involving the area known as Giddea Hall and additionally amended to include one property called Lower Long Dean Mill.

The Committee noted the support by Yatton Keynell parish council. The Committee agreed to support additional draft recommendation 5 with no amendments.

In relation to further recommendations. where the Committee had requested further investigation on a matter, it was agreed to undertake a short consultation with the relevant parties only.

It was therefore,

Resolved:

To delegate to the Director, Legal and Governance, in consultation with the Chairman, the preparation of a detailed Final Recommendations document for consideration of Full Council (Recommendations 1/2/5), and

preparation of an Additional Draft Recommendations for consultation (Recommendations 4).

26 Update on Electoral Division Variance

The Committee received an update on the electoral variance of Wiltshire Council Divisions.

The last Electoral Review was carried out in 2018-2020, with new Divisions for Wiltshire Council effective from May 2021 for the local elections.

The Local Government Boundary Commission for England (LGBCE) conducts reviews for two reasons:

1. At the request of the local authority; or
2. If the local authority meets the Commission's intervention criteria:
 - a. If one ward had an electorate of +/-30% from the average electorate for the authority.
 - b. If 30% of all wards had an electorate of +/-10% from the average electorate for the authority.

It was noted that there were currently 20 divisions which had a variant greater than 10%, of those, there were three divisions with a variance greater than 30% two of which were linked to known large scale planned development, not coming forward as planned.

One division of particular note was Purton, which was at 28% over the average, and if it reached 30% this could trigger a review. The LGBCE had confirmed there was no intention to carry out a review before 2025, however one could take place between 2025-29 if the variances remained at such a level.

It was then,

Resolved:

To note the update on Electoral Division variance and to receive a report annually on the variance.

27 Forthcoming Community Governance Review 2023/24

The Committee received a report detailing the remaining CGR requests received by the Council since 2019, as summarised in appendix A with further anomalous boundary situations presented at the meeting.

Parish councils which had submitted requests had been contacted to confirm their proposals remained active, with the view of including them for consideration as part of the 2023/24 CGR. Once confirmation had been received, a final list would be included within the Terms of Reference.

A statement was received from Cllr Roger Evans, Chairman of North Bradley Parish Council in relation to its request for a boundary change to partially revert

back to its previous position, prior to the Electoral Review carried out in 2020/21 by the LGBCE and the subsequent Community Governance Review.

It was advised that the Electoral Review process had been instigated by the Local Government Boundary Commission for England (LGBCE), and a Community Governance Review had been undertaken by Wiltshire Council following this, which had been impacted by the outcomes of the Electoral Review. It was clarified that consent of the LGBCE was still currently required to make any further changes to the North Bradley or Trowbridge areas, and that as the areas requested had too few electors to form a viable parish ward for May 2025, it was unlikely consent would be granted on that basis. Instead, a change could occur if the LGBCE consented to change the unitary Divisions boundaries at the same time. However, this would leave a Trowbridge Division permanently undersized, which might therefore be unlikely to be consented.

The Committee considered whether a full review of the areas could result in recommendations which could not therefore be likely enacted, due to the consents required. It noted it had agreed in the 2019/20 review to look at the precise boundary between the two parishes, to address some noted anomalies, and that a limited scope review was permissible. It agreed in the circumstances that such a limited review was appropriate, but would seek clarity from the LGBCE around their potential response to a wider review.

It was then,

Resolved:

That the Committee agreed to:

- 1. Include areas as set out in Appendix A and the additional list of anomalies circulated at the meeting, would be include for review for 2023/24 within the terms of reference, subject to confirmation by the requesting parties.**
- 2. Delegate to the Director Legal and Governance, finalisation and approval of the Terms of Reference for a Community Governance Review 2023/24 after consultation with the Chairman of the Committee. The Director, after consultation with the Chairman, will have the authority to amend the terms of reference at any time if appropriate.**

Cllr Wheeler left the meeting prior to the vote.

Urgent Items

There were no urgent items.

(Duration of meeting: 3.00 - 5.20 pm)

The Officer who has produced these minutes is Lisa Alexander of Democratic Services, direct line 01722 434560, e-mail lisa.alexander@wiltshire.gov.uk

Press enquiries to Communications, direct line 01225 713114 or email communications@wiltshire.gov.uk

Wiltshire Council

Electoral Review Committee

26 June 2023

Community Governance Review 2022/23 – Consultation on the Second Additional Draft Recommendations

Purpose

1. To consider responses to the consultation on the Second Additional Draft Recommendations of the Committee as agreed on 26 June 2023.

Background

2. A Community Governance Review is a process whereby 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 2.9.6-2.9.8 of Part 3B of the Wiltshire Council Constitution. This would include setting the scope for any review, its methodology and timescales, as well as preparing recommendations for consideration by Full Council.
4. At its meeting on 31 May 2022, the Committee approved areas for a review to take place beginning in 2022, and delegated approval of terms of reference to the Director, Legal and Governance. These were published in August 2022.
5. The parishes included within the Review were: Netheravon, Figcheldean, Warminster, Westbury, Bratton, Dilton Marsh, Heywood, Tidworth, Ludgershall, Castle Combe, Biddestone and Slaughterford, Nettleton, Grittleton, Yatton Keynell, Fovant, Donhead St Mary, Monkton Farleigh, Grimstead, or any parishes surrounding those listed, and any issues involving those parishes.
6. During the first phase of the review additional proposals for the areas set out in Paragraph 5 were received from parishes. Where these were received before the pre-consultation phase began, they were included within the pre-consultation information gathering. The information gathering also included:
 - Sessions between representatives of the Committee and affected unitary members and parishes;
 - An online survey of received proposals, with over 120 responses received;
 - Details of emailed representations.
7. 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 as detailed in paragraph 6. This included reminder emails sent to parish councils for them to encourage local responses.

8. The Committee considered all information at its meeting which concluded on 4 January 2023, and prepared draft recommendations for consultation.
9. A consultation was therefore held from 7 February 2023 – 28 March 2023. Where the Committee proposed to transfer electors from one parish to another, a letter was sent to those potentially affected. Over 200 letters were therefore sent. Public meetings were held in those areas where transfers were proposed, along with the publication of a briefing note.
10. At its meeting on 20 April 2023 the Committee considered responses to the initial consultation and other representations. It resolved to make some alterations to some of its initial recommendations, and to confirm others for consideration by Full Council.
11. A consultation was therefore held from 10 May 2023 – 7 June 2023. Where the proposal included a property not previously proposed to be transferred, that property was written to directly. In keeping with past practice, as a supplementary consultation on adjustments to the previous proposals, the rest of the consultation was online.
12. 19 responses were received on the online consultation portal during the consultation period. There were also 8 further representations provided by email.

Main Considerations

13. 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.
14. Council tax precept levels would not be a valid criterion to approve or disapprove of a proposal.

Progress of the Review

15. At its meeting on 26 June 2023 the Committee considered responses to the additional consultation and other representations received by email and verbally at the meeting. It resolved to confirm all additional draft recommendations for consideration by Full Council with the exception of Recommendation 4, relating to the area known as 'The Gibb', currently divided between Nettleton, Grittleton, and Castle Combe.
16. The additional draft recommendations had included one additional property at the crossroads of The Gibb within the area proposed to be unified within one parish, with the effect being to transfer the property from Castle Combe to Grittleton. The parish councils in question had raised no objection to the proposal. However, a response had been received from the impacted resident, stating that the proposal drew the boundary line between their property, placing their house in one parish and outbuildings and other land in another. They further stated they preferred to remain within Castle Combe parish instead of Grittleton.

17. The Committee had proposed the addition of the property due to its concerns around community identity and interest as well as effective and convenient governance. This was because if the initial recommendation had been left unaltered there would be only one property in the general area of The Gibb in a different parish to the others. However, taking into consideration the points raised by the resident, the Committee deferred making a Final Recommendation pending further information about the property in question.
18. Under the requirement to consult in an appropriate manner, officers approached the resident directly to enquire about the line of their property, and consulted them regarding their views should that entire area be transferred to Grittleton. This is attached at **Appendix A**.
19. In addition to the direct communication with the resident, the parish councils of Grittleton and Castle Combe have been informed of the updated option. It has also been placed on the Council's Community Governance Review webpage as part of an open survey to run from 31 July – 14 August 2023. The Committee will be updated as to any views received at the meeting on 15 August 2023.
20. The Committee will review the representations and any other information which may be provided in reaching any conclusions. Whilst the views of electors should be considered, any recommendation must be made taking into account the statutory criteria.
21. As the latest version of the proposal has been consulted upon, the Committee will be able to confirm to Full Council, if it wishes, either the inclusion of the whole property, its original proposal not to include the property, or its first amended proposal including the residence in question only.

Safeguarding Implications

22. There are no safeguarding implications.

Public Health Implications

23. There are no public health implications.

Procurement Implications

24. There are no procurement implications.

Equalities Implications

25. There are no equalities implications.

Environmental and Climate Change Implications

26. There are no environmental implications.

Workforce Implications

27. There are no workforce implications.

Financial Implications

28. Any further consultations 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

29. 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 with which the Council has to comply.

Risks

30. A failure to consult appropriately on proposals from the Committee or provide appropriate reasoning for any decision to change governance arrangements would be potentially vulnerable to challenge.

Options

31. The Committee may confirm any of the recommendations it has consulted upon for consideration by Full Council, or it may amend its recommendation further. If amending its recommendations, the Committee would need to undertake additional consultations before Full Council could consider approving those recommendations.

Proposal

32. That the Committee consider the responses to the Second Additional Draft Recommendations consultation.
33. 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

Report Author: Kieran Elliott, Democracy Manager (Democratic Services), 01225 718504, kieran.elliott@wiltshire.gov.uk

7 August 2023

Appendices

Appendix A – Response to consultation

Background Papers

[Additional Draft Recommendations](#)

[Second Additional Draft Recommendations](#)

[Guidance on Community Governance Reviews](#)

Appendix A

Dear Kieran,

I enclose a slightly larger scale map showing the extent of our property, of which the house is only a small part, all historically belonging to Castle Combe Estate and therefore Parish.

What is known as The Gibb today was in fact two separate units, Gibb 'igh and Gib 'ollow, The Gibb at the top short for the Gibbett and The Gib (us) at the bottom short for Gibraltar Gate, the toll gate across the road of which we were at some point the toll house. When we moved here in the 80's the road signage was still in place as two different spellings and only when postcode books were printed did this place become The Gibb, top to bottom. We never have belonged to Gibb 'igh.

We have always belonged to Castle Combe estate, we are the wrong side of the, rather dangerous, road and the crossroads to integrate with the houses up the hill and we have always considered ourselves the last of a slightly disjointed chain of Combe Estate houses running back to White Gates and Upper Combe. That is our identity.

Our lower boundary adjoins Gatcombe, or Catcombe, Mill which you are planning to take from Grittleton Parish to place where it belongs in Castle Combe. So why are you trying to take us out? I cannot see that our one house will make any difference to the effectiveness of Parish management or the integration of all the new building further up the hill into some sort of social community and we rather object to being classed as a convenience!

My one other query is why are you keeping the Step Hill Plantation and single small field on our side in Grittleton Parish when it should be going to Nettleton to manage. Is it to be earmarked for the future residential extension of The Gibb and is that why we are important to that plan?



So in final answer to your consultation - NO, thank you, to a transfer to Grittleton Parish which we have no connection with whatsoever.

(Sorry my map rather unexpectedly got in the way when I attached it)

I will be sending a paper copy of this e-mail as a letter and the map for clarity to you at the Council Offices Trowbridge.

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