

Wiltshire Council

Electoral Review Committee

12 July 2021

Community Governance Review 2019/20

Purpose

1. To consider proposed prioritisation of received requests for Community Governance Reviews.

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 is required to undertake reviews where it receives a valid petition, signed by the requisite number of electors. The Council may also 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. Where a Scheme is suggested by Wiltshire Council for review this would not mean a view has already been taken on the suitability of any potential change, only that the Council believes it necessary to undertake a review in order to establish whether a change is appropriate.
5. 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

6. 44 previous scheme requests have not yet been reviewed or withdrawn. Of those 44:
 - 14 involve changing councillor numbers or internal warding arrangements only;
 - 22 involve transferring land from one parish to another, and associated warding changes;
 - 7 involve the creation/merger/grouping or abolition of a parish.
 - 1 involves a name change only
7. Of the 22 requests which involve transfer of land, these range from small parcels of land with no electors, and others involve significant areas of land with large numbers of electors.

- 12 Of the 7 areas including merger/grouping/creation or abolition of a parish, 4 are related requests around Marlborough. Another is the case of a parish where there had been no candidates several elections and no detail of whom to contact about the situation, or for auditing matters. The other involved Calne Without, which was reviewed in 2019/20, with a council decision to defer and undertake a further review, involving all the surrounding parishes to enable consideration of all options.
- 13 Parishes were contacted in late 2020 and early 2021 to request that following the May 2021 elections parish councils confirm if they wished to proceed with the requests that had previously been submitted, or to update those requests. 16 parishes have responded as of 6 July 2021.
- 14 A list of current Schemes is set out at **Appendix A**, including whether the requesters have confirmed if they wish to proceed.

Prioritisation

- 15 When undertaking a CGR the Council is required to publish Terms of Reference specifying the area under review and other related matters.
- 16 A workshop was held for Committee members on 6 July 2019 to discuss submitted Schemes and options for any CGR process to assist with the scoping of the Terms of Reference taking into account priority of Schemes and resourcing capacity.
- 17 The Committee is therefore asked to indicate which areas it feels should be reviewed in the next CGR, to enable to preparation of terms of reference for its later approval and publication.

Next Steps

- 18 Once the areas are agreed draft terms of reference will be prepared for a future meeting, to agree the details and timescales of the next CGR.
- 19 As changing the name of a parish can also be undertaken through a much simpler and quicker process under S75 of the Local Government Act 1972, it is recommended it be agreed that any such requests received are undertaken through that process.

Safeguarding Implications

- 20 There are no safeguarding implications.

Public Health Implications

- 21 There are no public health implications.

Procurement Implications

- 22 There are no procurement implications.

Equalities Implications

- 23 There are no equalities implications.

Environmental Implications

- 24 There are no environmental implications.

Financial Implications

- 25 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.

Legal Implications

- 26 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

- 27 Whilst there is no obligation on the Council to carry out CGRs at a particular time (other than in response to a petition), failure to do so may lead to the governance arrangements in some areas being outdated and inappropriate to provide effective local governance for the area.

Options Considered

- 28 The Committee has discretion on which schemes to take forward at what time.

Proposal

- 29 To confirm areas to be included in the next Community Governance Review;
- 30 That any current or future requests to change the name of a parish be undertaken through S75 of the Local Government Act 1972, with the arrangements delegated to the Director of Legal and Governance after consultation with the Chairman.

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Appendices

Appendix A – List of Schemes

Background Papers

[Guidance on Community Governance Reviews](#)

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