

## **Wiltshire Council**

### **Electoral Review Committee**

**8 February 2022**

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#### **Community Governance Review 2021/22 – Draft Recommendations**

##### **Purpose**

1. To agree provisional draft recommendations for the areas included in the Community Governance Review.

##### **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 2.10.7-2.10.9 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 21 September 2021, the Committee agreed terms of reference for a Community Governance Review to begin on 22 September 2021 (“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, in November 2021 and January 2022, to adjust the timetable for future stages. The terms of reference are included as part of the information pack included with this report.
5. The parishes included within the Review were: Bremhill, Calne, Calne Without, Cherhill, Compton Bassett, Heddington, Hilmarton, Malmesbury, St Paul Malmesbury Without, Stanton St Bernard, Patney, Marsden, Wilsford, Beechingstoke, North Newnton, Woodborough, or any parishes surrounding those listed.
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;
  - Online public meetings;
  - An online survey of received proposals, with over 300 responses validly received;
  - Details of emailed representations.
7. A workshop was held for Committee members on 25 January 2022 to receive details of the gathered information and public representations received. An updated version of

that information pack compiling the relevant materials, including session notes, proposal details, parish council responses and public representations by email, post or online survey, has been included as a background paper to this report at **Appendix A**. Except where providing the formal response of a body or group, responses have been anonymised.

### Survey Summaries

8. Summaries of the initially submitted proposals are included within Appendix A on pages X, X, X, and X. The Committee is not restricted to recommending only those proposals surveyed as part of the online surveys.

### **Main Considerations**

9. The Committee is asked to prepare draft recommendations for each area of the Review for appropriate public consultation where needed, such as where changes are recommended. This consultation is planned to take place between 1 March 2022 to 22 April 2022 if possible.
10. In line with the Committee's previous discussions, it is recommended that, where this is appropriate and possible during the Covid-19 pandemic, public meetings be held in areas where changes are recommended, and those areas subject to proposals of being transferred from one parish to another be contacted in writing
11. Following any consultation, the Committee will consider any responses and determine whether it wishes to amend its recommendations and/or undertake further consultation. It will then prepare final recommendations for consideration by Full Council. Full Council is scheduled to meet on 19 July 2022.

### Statutory Criteria

12. In preparing draft recommendations the Committee 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.

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

### Electorate Forecasting

14. The guidance on Community Governance Reviews has been included as a background paper. That guidance makes clear that the principal council '*must also consider any change in the number or distribution of electors which is likely to occur in the period of five years beginning with the day when the review starts*'. Therefore, the Committee is required to consider the likely position of these factors as they would exist by 2026, but not beyond that period.
15. The guidance further states that '*planning assumptions and likely growth within the area, based on planning permissions granted, local plans or, where they are in place,*

*local development frameworks, should be used to project an accurate five-year electorate forecast. This ensures that the review does not simply reflect a single moment, but takes account of expected population movements in the short to medium term'.*

#### Local Government Boundary Commission for England (LGBCE)

16. Where the Local Government Boundary Commission for England made consequential changes to parish arrangements when implementing the changes to Wiltshire Council divisions for the May 2021 elections, they would need to consent to any further proposed change to that parish's arrangements within the next five years. Therefore, consideration would need to be given to the likelihood of consent being granted.
17. In particular, if a parish is proposed to be split between electoral divisions, a ward would need to be established. In line with previous LGBCE advice, a minimum of 75 electors would need to be projected to be in any such ward by the May 2025 local elections.
18. Where a ward could not be created, consideration would need to be given to whether the LGBCE would consent to amend the division boundary itself, and this would also need to be consulted upon.

#### Next Steps

19. Considering the guidance and all the information provided, the Committee will need to make provisional draft recommendations and reasoning for the areas included within the Review.
20. The Committee should include details of any necessary or recommended consequential matters, such as warding and councillor numbers, to accompany that recommendation.

#### **Safeguarding Implications**

21. There are no safeguarding implications.

#### **Public Health Implications**

22. There are no public health implications.

#### **Procurement Implications**

23. There are no procurement implications.

#### **Equalities Implications**

24. There are no equalities implications.

#### **Environmental Implications**

25. There are no environmental implications.

#### **Financial Implications**

26. Consulting on the draft recommendations will incur resources, in particular in relation to the cost of physically mailing those affected in certain areas if appropriate.

## **Legal Implications**

27. 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 would have to comply.

## **Risks**

28. A failure to consult appropriately or provide appropriate reasoning for any decision to change governance arrangements would be potentially vulnerable to challenge. The Committee successfully undertook appropriate consultation in May-July 2020 during the Covid-19 pandemic.

## **Options**

29. The Committee may recommend changes to any aspect of the governance arrangements of a parish or area subject to review.

30. This includes recommending changes which have not been suggested by any parish, group or individual at this stage, if the Committee considers it appropriate based on the evidence it has gathered.

31. The Committee may also recommend that no changes are made.

32. Where recommending the transfer of an area from one parish to another, or merger of parishes, any recommendation consulted upon would need to include details of consequential matters such as the warding arrangements of the parish(es) in question.

33. If recommending a change which would split a parish between unitary divisions, the Committee may also recommend requesting that the LGBCE amend those divisions to be coterminous with the parishes, if appropriate. It would need to consult upon such a request as well as the parish level change.

## **Proposal**

34. That the Committee make provisional draft recommendations for each area of the Review, and delegate to the Director of Legal and Governance in consultation with the Chairman the preparation of a detailed draft recommendations document, including reasons for any change, to be consulted upon.

## **Perry Holmes - Director of Legal and Governance**

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## **Appendices**

Appendix A – CGR Information Pack (including electorate forecasts, initial proposals and pre-consultation responses)

## **Background Papers**

[Guidance on Community Governance Reviews](#)

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

[Information Gathered for the 2019/20 Review including Calne Without CGR Final Recommendations 2019/20 including Calne Without](#)