

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

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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.