

Community Governance Review 2023-2024

Terms of Reference

Introduction

On behalf of Wiltshire Council (“The Council”) and under authority as set out at Paragraphs 2.9.6 – 2.9.8 of Part 3B of the Constitution, the Electoral Review Committee (“The Committee”) at its meeting on 26 June 2023 resolved to undertake a Community Governance Review (“The Review”), in respect of the areas and within the scope listed below.

Description	Review parameters
Winterbourne, Laverstock & Ford, Firsdown, Idmiston, Durnford	Internal and external boundaries of the parishes of Winterbourne, Laverstock & Ford, Firsdown, Idmiston, and Durnford, or any parishes surrounding those listed, including associated warding, councillor numbers and any other arrangements.
Mere, Zeals	Internal and external boundaries of the parishes of Mere and Zeals, or any parishes surrounding those listed, including associated warding, councillor numbers and any other arrangements.
North Bradley and Trowbridge (Drynham)	<p>As part of the 2019/2020 Review involving Trowbridge and North Bradley parishes, the Electoral Review Committee had identified a small number of properties along Woodmarsh which had been included for transfer into Trowbridge following the drawing of the Divisional boundary by the Local Government Boundary Commission for England (LGBCE).</p> <p>At Paragraph 149 of the Final Recommendations of the Review it was stated: <i>“However, whilst it considered that the situation and criteria on balance supported a transfer of the identified area [Woodmarsh] at this time, the Committee did consider that the precise line of the boundary could possibly be reviewed again in future, particularly when the lines of development would be clearer, and to correct any minor anomalies arising from the lines drawn by the LGBCE”.</i></p> <p>Although North Bradley Parish Council have requested an overall re-review of the area, the Committee considers it appropriate given the time since the last review and existing development and electorate situation, to restrict the review of the area to the precise boundary line which was specifically identified as anomalous in the 2019/20 Review, with any wider review taking place after the completion of at least one electoral cycle, in time for the 2029 elections, should this still be considered appropriate by the Committee at that time.</p>

	<p>Accordingly, the Committee has agreed to review the precise boundary area despite less than one electoral cycle taking place, due to council's endorsement of its prior recommendation including consideration of a further review of a particular element.</p> <p>Internal and external boundaries of the parish of North Bradley, and the internal and external boundaries of Trowbridge as it relates to the Drynham Division and Ward, and any other minor anomalies that may be identified relating to other town Wards/Divisions.</p> <p>To include any associated warding, councillor numbers and any other arrangements.</p>
<p>Lacock and Chippenham (Lowden and Rowden)</p>	<p>As part of the 2019/2020 Review involving Chippenham and Lacock parishes, the Electoral Review Committee recommended, and it was agreed, to transfer an area of land containing new housing within the new Chippenham Lowden and Rowden Division from Lacock to Chippenham. The area also included the small area of Rowden Lane, a rural hamlet accessed through the town.</p> <p>At paragraph 47 of the Final Recommendations of that Review, it was stated:</p> <p><i>“However, the Committee did consider that the precise boundary should possibly be looked at again in the future, to see if it were possible to adjust to satisfy current local residents, even though the balance of the criteria for the overall ward justified a transfer at this time given the administrative constraints, governance improvements and community interests of the wider area”.</i></p> <p>Accordingly, the Committee agrees to review the area despite less than one electoral cycle taking place, due to council's endorsement of its prior recommendation including consideration of a further review of a particular element, despite less than one electoral cycle having passed since the last review.</p> <p>Internal and external boundaries of the parish of Lacock, and the internal and external boundaries of Chippenham as it relates to the Lowden and Rowde Division and Ward.</p>
<p>Anomaly corrections</p>	<p>To enable review of any parish within the Wiltshire Council area, where a minor boundary or other anomalous arrangement is identified.</p> <p>To include internal and external boundaries, as well as associated warding, councillor numbers and any other arrangements as appropriate.</p>

Should timescales for review permit, the Director, Legal and Governance, following consultation with the Committee shall have authority to include additional areas for review following the committee meeting on 22 June 2023, by request or for another reason, or remove areas in the event of withdrawn requests before or after publication of the terms of reference.

The Review may also consider any other issues within the areas under review that fall within the scope of sections 87-92 of *The Local Government and Public Involvement in Health Act 2007* ('the Act').

In some cases, the Review may require consent being granted by the Local Government Boundary Commission for England (LGBCE) for any internal or external changes as a result of the 2018-20 Electoral Review of Wiltshire Council and the consequential changes made to parish warding arrangements in some areas. The Review in any area may therefore include consulting on and recommending to the LGBCE consequential changes to Unitary Divisions if appropriate.

This Review is being carried out by the Council under the powers in Part 4 of the Act and will be undertaken in accordance with the legislative requirements of that Act and any relevant regulations made thereunder. It will also have regard to the Guidance on Community Governance Reviews published by the Department of Communities and Local Government (DCLG, now the DHLUC).

What is a Community Governance Review?

A Community Governance Review (CGR) is a review of the whole or part of the Council's area to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and styles of new parishes;
- The electoral arrangements of parishes (including the number of councillors to be elected to the council and parish warding);
- Grouping or de-grouping parishes.

The Council is required to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and,
- Is effective and convenient.

In doing so, the community governance review is required to take into account:

- The impact of community governance arrangements on community cohesion; and,
- The size, population and boundaries of a local community or parish.

Why undertake a Community Governance Review?

The Council is undertaking this Review following:

- Confirmation by Parliament of the Final Recommendations of the Electoral Review of Wiltshire Council by the LGBCE in March 2020;
- Changes to natural settlements caused by new and forthcoming development;
- Requests from town and parish councils and others in the areas listed;
- Identification of any electoral boundary or arrangement anomalies for review.

Who will undertake the Review?

The Council has appointed an Electoral Review Committee to carry out all aspects of the reviews and to make recommendations to the Council in due course. The Committee comprises a politically balanced membership of ten Members. Other Members and the public

may attend the formal committee meetings. The relevant section of the Committee's terms of reference are set out in Part 3B Paragraph 2.9 of the Constitution as follows:

2.9.6 To oversee all details relating to any community governance reviews within the Wiltshire Council area, including contacting parishes or parties for proposals, setting the areas and scope for any review, its methodology including for any consultation arrangements, its timescales, and determining what if any changes to recommend as part of the review, and to conclude a review or part of a review where no changes are recommended. The Committee will prepare final recommendations for any changes for consideration by Full Council.

2.9.7 The Committee will consider whether it is appropriate to make, and is empowered to suggest for consultation and recommendation, changes to parish areas and parish electoral arrangements, to include:

2.9.7.1 The alteration, merging, creation or abolition of parishes;

2.9.7.2 The naming of parishes and adoption of alternative styles for new parishes;

2.9.7.3 Parish council size, number of councillors to be elected, and warding arrangements;

2.9.7.4 Any other electoral arrangements.

2.9.8 Where it would be appropriate to do so the Committee may recommend that as a result of proposed parish changes a unitary division be amended so that it remains coterminous with that parish. Any such change would need to be agreed by the Local Government Boundary Commission for England if approved by Full Council.

As the relevant principal authority Wiltshire Council is responsible for conducting any Community Governance Review within its electoral area. The Electoral Review Committee will oversee the review and produce draft and final recommendations. Full Council will approve the final recommendations before a Community Governance Order ("An Order") is made.

Consultation

The Council is required to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account. The Council will also identify any other person or body who it feels may have an interest in the review and invite them to submit their views at all stages of the consultation.

Before making any recommendations or publishing final proposals, an appropriate consultation process will form part of the review to take full account of the views of local people and other stakeholders on draft recommendations of the Committee. The Council will comply with the statutory consultative requirements by:

- consulting local government electors for the area under review;
- consulting any other person or body (including a local authority) which appears to the Council to have an interest in the review; and,
- taking into account any representations received in connection with the review.

The Council will publicise the review on its website and with information available at appropriate Council Offices on request.

The methods of consultation will be those deemed by the Committee to be appropriate for the proposals concerned. This may include a webpage created for the review containing all

relevant information, briefing notes sent to appropriate town and parish councils and area boards, and press releases at appropriate stages.

Timetable

The Review will aim to be completed within 12 months of the date of commencement.

An indicative timetable for the Review is as listed below. This is subject to variation by the Committee as appropriate, within the overall prescribed time limit. In particular, the Committee may vary the timetable to take account of any additional consultations that it deems appropriate. The Director, Legal and Governance may also vary the timetable in consultation with the Chairman of the Committee at any time, if appropriate, to be reported to the Committee.

Stage	Action	Dates
Pre-review preparation	Liaising with town and parish councils on previously submitted proposals submitted for areas for consideration for review.	May - August 2023
Stage one	Commencement of CGR - Terms of Reference published.	11 September 2023
	Initial Schemes uploaded to for any comments, to be updated with any relevant additional information. Local briefings and meetings as appropriate with unitary councillors and/or parish representatives. To receive further schemes which fall within the scope of the Review.	11 September – 13 October 2023
	Consideration of submissions received in relation to proposed schemes. Local briefings and meetings as appropriate with unitary councillors and/or parish representatives (continued) <hr/> Pre-consultation surveying (if appropriate) <hr/> Draft Recommendations prepared	16 October 2023 - 31 December 2023 27 October – 17 November 2023 (estimate) December 2023 - January 2024
Stage two	Draft Recommendations consultation.	24 January 2024 - 1 March 2024 (estimate)
Stage three	Consideration of submissions received Additional consultations (if appropriate) Final Recommendations prepared	March 2024 April-May 2024 (estimate) April-June

		2024
Decision	Final Recommendations considered by Full Council.	May/July 2024

Electorate Forecasts

Existing parish ward electorate figures will be calculated from the August 2023 electoral register.

When the Council comes to consider electoral arrangements for the parish councils in its area, it is required to 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.

Electorate forecasts have been prepared for the period to 2028 and will be included in information sheets for each scheme which is reviewed.

Consequential Matters

When all the required consultation has been undertaken and the review completed the Council may make an Order to bring into effect any decision that it may make. If the Council decides to take no action, then it will not be necessary to make an Order. If an Order is made it may be necessary to cover certain consequential matters in that Order. These may include:

- a) the transfer and management or custody of any property;
- b) the setting of a precept (council tax levy) for the new parish council;
- c) provision with respect to the transfer of any functions, property, rights and liabilities;
- d) provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

The Council will also take into account the requirements of the Local Government Finance (New Parishes) Regulations 2008 when calculating the budget requirement of any new parish councils when setting the council tax levy to be charged.

Representations

Wiltshire Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included within the Review.

Representations may be made in the following ways:

- Online (during surveys and consultations): <https://www.wiltshire.gov.uk/council-democracy-cgr>
- By Email: CGR@wiltshire.gov.uk.
- By Post: Community Governance Review, Democratic Services, County Hall, Trowbridge, BA14 8JN

Date of Publication of Terms of Reference: 8 September 2023