

## Community Governance Reviews 2019-2020

### Terms of Reference

#### Introduction

On behalf of Wiltshire Council (“The Council”) and under authority delegated by Full Council on 9 July 2019, the Electoral Review Committee (“The Committee”) at its meeting on 31 October 2019 resolved to undertake a series of Community Governance Reviews (“The Reviews”), in respect of the areas and within the scope listed below.

Description	The Reviews to cover
Salisbury and Netherhampton	Internal and external boundaries of the Parish of Salisbury and neighbouring parishes as listed and associated warding and other arrangements in respect of the areas impacted by the LGBCE final recommendations for the unitary divisions Wilton and Salisbury Harnham West.
Trowbridge, Hilperton, North Bradley, West Ashton and Southwick	Internal and external boundaries of the Parish of Trowbridge and neighbouring parishes as listed and associated warding and other arrangements in respect of the areas impacted by the LGBCE final recommendations for the unitary divisions Southwick, Trowbridge Drynham and Trowbridge Park, and other areas within the parishes of Hilperton, West Ashton, Southwick, North Bradley adjoining the parish of Trowbridge and areas of Trowbridge adjoining the parishes of West Ashton and Southwick.
Chippenham, Lacock, Chippenham Without, Kington St Michael and Langley Burrell Without	Internal and external boundaries of the Parish of Chippenham and neighbouring parishes as listed and associated warding and other arrangements in respect of the areas impacted by the LGBCE final recommendations for the unitary divisions Chippenham Lowden and Rowden, Corsham Without, Chippenham Hardenhuish, Kington and Chippenham Monkton, and other areas within the parish of Chippenham Without adjoining the parish of Chippenham and areas within the parish of Kington St Michael adjoining Chippenham Without.
Melksham, Melksham Without and Seend	Internal and external boundaries of the Parish of Melksham and neighbouring parishes as listed and associated warding and other arrangements in respect of the areas impacted by the LGBCE final recommendations for the unitary divisions Melksham South, Bowerhill and Melksham East, and other areas within the parish of Seend adjoining the parish

**REVIEWS OF PARISHES AND RELATED MATTERS – LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

	<p>of Melksham Without, and areas of housing development within Melksham Without adjoining the parish of Melksham.</p> <p>Consideration of a proposal for amalgamation of the parishes of Melksham and Melksham Without, potentially to include establishment of a new parish of Shaw and Whitley.</p>
Derry Hill and Studley, Calne Without	To consider possible establishment of a new parish at Derry Hill and Studley, including name, style, warding, councillor numbers and any other arrangements, and warding, councillor number and other internal arrangements in relation to Calne Without irrespective of potential establishment of a new parish.
Wilcot (and Huish), Pewsey, Woodborough and Manningford	<p>Internal and External boundaries of Wilcot, Huish, Pewsey, Woodborough and Manningford parishes and associated warding and other arrangements.</p> <p>To include consideration of merger or grouping arrangements of Wilcot and Huish parishes.</p>

The Reviews 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 Reviews above in some cases 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 recent Electoral Review of Wiltshire Council and consequential changes made to parish warding arrangements. For the avoidance of doubt, any review areas may 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 Local Government and Public Involvement in Health Act 2007 ('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 MHCLG).

**What is a Community Governance Reviews?**

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

## **REVIEWS OF PARISHES AND RELATED MATTERS – LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

- 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 the publication of Final Recommendations by the LGBCE for the Electoral Review of Wiltshire Council.
- Changes to natural settlements caused by new and forthcoming development.
- The Review in respect of Derry Hill and Studley, Calne Without is the result of a petition signed by the requisite number of local government electors for the area.
- The Review in respect of Wilcot is the result of anomalies relating to the status of the parish which must be resolved in advance of the next election.

### **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 2.10 of the Constitution as follows:

*2.10.7 To oversee any community governance reviews within the Wiltshire Council area, including contacting all parishes for proposals, setting the scope for any review, its methodology, and its timescales. The Committee will prepare final recommendations for any changes for consideration by Full Council.*

*2.10.8 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:*

- *The alteration, merging, creation or abolition of parishes;*
- *The naming of parishes and adoption of alternative styles for new parishes;*

## REVIEWS OF PARISHES AND RELATED MATTERS – LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

- *Parish council size, number of councillors to be elected, and warding arrangements;*
- *Any other electorate arrangements.*

*2.10.9 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 (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. 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 by on its website and with information available at the Council Offices.

The methods of consultation will be those deemed appropriate for the proposals concerned. Additionally, there will be a webpage created for the review containing all relevant information, a briefing note sent to all town and parish councils and area boards and press releases will be sent out at appropriate stages.

### **Timetable**

Following the receipt of the Petition for a new parish on the 26 September 2019, the completion of that review will be completed within 12 months of the date on which the valid petition was received.

## REVIEWS OF PARISHES AND RELATED MATTERS – LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

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.

Stage	Action	Dates
Pre-consultation	Liaising with parish councils on suggested areas for consideration for review and receipt of initial submissions.	12 July 2019 – 30 September 2019
Stage one	Commencement of CGR - Terms of Reference published	1 November 2019
	Schemes uploaded to public portal for any initial comments, to be updated with any relevant additional information. To include any further schemes received which fall within the scope of the Review	1 November 2019 – 30 November 2019
Stage two	Consideration of submissions received in relation to proposed schemes. Local briefings and meetings as appropriate with unitary councillors and/or parish representatives.	1 December 2019 – 21 February 2020
	Scheme consultation Draft recommendations prepared.	1 January 2020- 21 February
Stage three	Draft recommendations published	Mid-Late March 2020
	Draft recommendations consulted upon	Mid-late March 2020 – 30 April 2020
Stage four	Consideration of submissions received. Final recommendations prepared	1 May – 24 June 2020
Decision	Recommendations submitted to Full Council for approval	Circa Late July 2020 – September 2020

### **Electorate Forecasts**

Existing parish ward electorate figures will be calculated from the October 2019 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 using information provided to the LGBCE for the Unitary Boundary Review which projects electorate to March 2024.

### **Consequential Matters**

## **REVIEWS OF PARISHES AND RELATED MATTERS – LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

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: Insert web link
- By Email: [committee@wiltshire.gov.uk](mailto:committee@wiltshire.gov.uk).
- By post: Community Governance Review, County Hall, Trowbridge, BA14 8JN

**Date of Publication of Terms of Reference: 1 November 2019.**