



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

COUNCIL MEETING
THURSDAY, 25 JANUARY 2018

AGENDA AND REPORTS

South Cambridgeshire Hall
Cambourne Business Park
Cambourne, Cambridge
CB23 6EA

OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Working Together
- Integrity
- Dynamism
- Innovation

EXCLUSION OF PRESS AND PUBLIC

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act (as amended)."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

TO: The Chairman and Members of the
South Cambridgeshire District Council

NOTICE IS HEREBY GIVEN that the next meeting of the **COUNCIL** will be held in the **COUNCIL CHAMBER - SOUTH CAMBRIDGESHIRE HALL** at **2.00 P.M.** on

THURSDAY, 25 JANUARY 2018

and I am, therefore to summon you to attend accordingly for the transaction of the business specified below.

DATED this 17th day of January 2018

Beverly Agass
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA

1. APOLOGIES

To receive any apologies for absence from Members.

2. DECLARATIONS OF INTEREST

3. REGISTER OF INTERESTS

Members are requested to inform Democratic Services of any changes in their Register of Members' Financial and Other Interests form.

4. MINUTES

To authorise the Chairman to sign the Minutes of the meeting held on 23 November 2017 as a correct record.

(Pages 1 - 20)

5. ANNOUNCEMENTS

To receive any announcements from the Chairman, Leader, the Executive or the Head of Paid Service.

6. QUESTIONS FROM THE PUBLIC

To note that no questions from the public have been received.

Democratic Services Contact Officer: Democratic Services 03450 450 500 democratic.services@scambs.gov.uk

7. PETITIONS

To note that no petitions for consideration by Council have been received since the last meeting.

8. APPOINTMENTS TO COMMITTEES

Following the resignation of Councillor Simon Crocker to report on the political composition of the Council and to invite the Council to make appointments to fill vacancies on committees.

Report attached

(Pages 21 - 24)

9. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

9 (a) Localised Council Tax Support Scheme (Finance & Staffing Portfolio Holder, 21 November 2017)

The Finance and Staffing Portfolio Holder

RECOMMENDED TO COUNCIL:

That the current Localised Council Tax Support Scheme be continued into 2018/2019 with minor technical changes where necessary.

Report attached.

(Pages 25 - 30)

9 (b) Community Governance Review for Willingham and Over (Civic Affairs Committee, 4 January 2018)

The Civic Affairs Committee

RECOMMENDED TO COUNCIL:

That Council agrees to

- (a) agree the alternative boundary, as shown on the green line in the attached map (Appendix L), less the red cross hatched area, and
- (b) make a request to the LGBCE to re-align the County Council boundary along the new parish boundary.

Report Attached.

(Pages 31 - 164)

9 (c) Pay Policy Statement (Employment Committee, 11 January 2018)

The Employment Committee

RECOMMENDED TO COUNCIL:

That Council approve the Pay Policy Statement.

Report attached.

(Pages 165 - 176)

10. CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY

10 (a) Meetings held in November 2017

Attached are the reports summarising the work of the Cambridgeshire and Peterborough Combined Authority in November 2017.

(Pages 177 - 192)

10 (b) Meetings held in December 2017

Attached are the reports summarising the work of the Cambridgeshire and Peterborough Combined Authority in December 2017.

(Pages 193 - 216)

11. QUESTIONS FROM COUNCILLORS

A period of 30 minutes will be allocated for this item to include those questions where notice has been provided (as set out on the agenda below) and questions which may be asked without notice.

Members wishing to ask a question without notice should indicate this intention to the Democratic Services Team Manager prior to the commencement of the item. Members' names will be drawn at random by the Chairman until there are no further questions or until the expiration of the time period.

11 (a) Question from Councillor Grenville Chamberlain

There are many unused agricultural buildings which could be used for the development of rural businesses but without access to high speed broadband they will remain unused for the foreseeable future. Can the Leader explain what is being done to ensure the delivery of high speed broadband across South Cambridgeshire?

11 (b) Question From Councillor Kevin Cuffley

With the changes and improvements being made to the Council's refuse service and collections, can the Leader explain the impact of the benefits and savings these will have for this Council?

11 (c) Question from Councillor Ruth Betson

Can the Leader give us examples of communities that have benefitted from the community chest and the positive impact it has had?

11 (d) Question from Councillor Bunty Waters

Loneliness has been shown to affect physical and mental health and therefore the quality of life for some elderly, infirm, and isolated residents.

What is the Council doing to help Parish Councils and local groups to address this issue?

11 (e) Question from Councillor David Bard

We welcome the news that Sawston has been selected as one of the first three sites for a rural travel hub. We note, however, that the current Stagecoach CITI7 return bus fare from Sawston to Cambridge is charged at the Dayrider Plus rate (£6.70) whereas that from Stapleford to Cambridge is charged at the Dayrider rate (£4.30). Since the proposed Sawston rural travel hub lies between these two villages, will the Portfolio Holder be negotiating with the bus operator to have the new rural hub included within the Dayrider zone?

11 (f) Question from Councillor Anna Bradnam

In July 2017 China and Hong Kong announced a clampdown on 'foreign garbage', that is, they have imposed very tight contamination standards on 24 categories of imported waste, especially paper and plastic. As the UK has exported more than 2.7 million tonnes of waste plastic to China and Hong Kong since 2012, please let us know:

What effect will the loss of the market for waste paper and plastic have on the finances of the Shared Waste Service and what practical changes might this necessitate in the service in future?

11 (g) Question from Councillor Ben Shelton

What happens to the plastic waste that goes into the blue recycling bins?

11 (h) Question from Councillor John Batchelor

Could we have an update on progress with the 'Bus Survey' that Council allocated £50k to contribute towards?

11 (i) Question from Councillor Deborah Roberts

The recent success by Willingham Parish Council in having land in the Over parish boundary transferred to within its boundary set parish against parish .

One can be sure that this has left bad feeling in its wake , something that we as the decision maker surely cannot be proud of.

I have been told that Councillor Manning threatened to resign over the Willingham boundary review and this is the reason that that there was a turn around in voting, not the merits of Willingham's case. Is the Leader able to confirm or otherwise inform?

11 (j) Question from Councillor John Williams

How many wholly owned, leased or shared equity council properties have been sold or transferred to Ermine Street since the setting up of that company?

11 (k) Question from Councillor Philippa Hart

The Local Plan Inspection has - thus far - lasted almost as long as my first term as a member. Please can the Leader inform members how much the Local Plan Inspection has cost this Council? In replying, please include a breakdown of officer hours and their unit costs and the cost to the Council of external legal advisors.

11 (l) Question from Councillor Tumi Hawkins

The emerging Local Development Plan submitted on 28 March 2014, is slowly making its way through the examination process, and has not, as promised by the Conservative administration, protected the District from the adverse effects arising from the lack of a 5-year housing land supply. Since that plan was submitted, our villages have been over run by speculative applications for development that has led to thousands of unplanned houses being granted permission either by this Council or the Planning Inspector at appeal.

Can the Leader please explain why the approximately 5,000 windfall houses granted planning under the 5-year supply rule are not being taken into account in a revision of housing allocations in the local plan?

11 (m) Question from Councillor Janet Lockwood

Referring to the Minutes of the last Council meeting, questions 11c and 11d, please could the Leader give a follow-up on prospects for Scrutiny of the Greater Cambridge Partnership? On occasions its decisions have appeared to favour the City over the District and I think a balance needs to be observed to be achieved.

12. NOTICES OF MOTION

12 (a) Motion from Councillor Bridget Smith

This Council believes that collaboration between the local government bodies of Cambridgeshire must be built on mutual trust and confidence that we are working

together in the interests of all residents.

This Council expresses its disappointment that, in December, the Mayor of Cambridgeshire and Peterborough chose to prematurely release to the press a preliminary report on mass public transport options in advance of its publication and long before it was shown to members of its co-commissioners, the Combined Authority and the Greater Cambridge Partnership.

The Council therefore requests that the Leader write to the Mayor to express its disquiet and its hope that he will act in future in a manner that helps to restore confidence.

12 (b) Motion from Councillor Aidan Van de Weyer

This Council allocates the sum of £10,000 towards the cost of commissioning, in collaboration with other councils and interested bodies, an analysis of the impact of leaving the European Union on the economy of Cambridgeshire in order to support residents and businesses in planning for Brexit.

12 (c) Motion from Councillor Tumi Hawkins

This Council recognises that a significant part of South Cambridgeshire's economy is dependent on frictionless trade with the EU, both in goods and services.

This Council therefore requests that the Chief Executive write to the Secretary of State for Exiting the EU and to the Prime Minister to request that during the withdrawal negotiations, the government seeks to remain part of the single market and customs union.

13. URGENT EXECUTIVE DECISION

To provide an information report on a decision which was exempted from call-in under Scrutiny and Overview Procedure Rules 12.18 – 12.20.

Report attached.

(Pages 217 - 218)

14. CHAIRMAN'S ENGAGEMENTS

To note the Chairman's engagements since the last Council meeting:

Date	Venue/Event	Attendee
November		
Thursday, 23	Council Presentation: Nicole Stimson – Huntingdonshire Business Awards, Apprentice of the Year category, runner	Chair

up

December

Friday 01	Mayor of Cambridge Reception Vice Chair	Vice-Chair
Tuesday 05	Mayor of Huntingdon's Civic Carole Service	Vice-Chair
Thursday 07	Cambridgeshire and Peterborough Armed Forces Community Covenant Event	Chair
Friday 08	Mayor of St Ives Charity Christmas concert	Chair
Wednesday 13	Mince pies and awards South Cambs	Chair
Wednesday 13	Gifts to Fulbourn Hospital	Chair
Thursday 14	Mince pies to staff at Waterbeach Depot	Chair
Tuesday 19	Invitation to St Ives Civic Service of Carols	Chair

January 2018

Saturday 06	Gold Duke of Edinburgh's Presentation Awards	Chair
Friday 19	Official Opening of the Arthur Rank Hospice, Shelford Bottom	Chair
Monday 22	Chairman of Huntingdon Holocaust Memorial Day	Chair

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Notes to help those people visiting the South Cambridgeshire District Council offices

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail democratic.services@scambs.gov.uk

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

Toilets

Public toilets are available on each floor of the building next to the lifts.

Recording of Business and Use of Mobile Phones

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

Disturbance by Public

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. You are not allowed to bring food or drink into the meeting room.

This page is left blank intentionally.

Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on
Thursday, 23 November 2017 at 2.00 p.m.

PRESENT: Councillor David McCraith – Chairman
Councillor Brian Burling – Vice-Chairman

Councillors: David Bard, Val Barrett, John Batchelor, Cllr Ruth Betson, Anna Bradnam, Francis Burkitt, Tom Bygott, Doug Cattermole, Grenville Chamberlain, Graham Cone, Pippa Corney, Christopher Cross, Kevin Cuffley, Neil Davies, Simon Edwards, Sue Ellington, Andrew Fraser, Roger Hall, Lynda Harford, Philippa Hart, Tumi Hawkins, Mark Howell, Caroline Hunt, Peter Johnson, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Ray Manning, Mick Martin, Raymond Matthews, Charles Nightingale, Des O'Brien, Tony Orgee, Alex Riley, Deborah Roberts, Tim Scott, Ben Shelton, Bridget Smith, Hazel Smith, Peter Topping, Ingrid Tregoing, Richard Turner, Robert Turner, Buntly Waters, Aidan Van de Weyer, John Williams, Tim Wotherspoon and Nick Wright

Officers: Beverly Agass Chief Executive
Rory McKenna Principal Lawyer & Deputy Monitoring Officer
Kathrin John Democratic Services Team Leader

BRIEFING ON SAFEGUARDING

Councillor Sue Ellington, Portfolio Holder for Health and Wellbeing, introduced a briefing on Safeguarding issues relevant to a Councillor's role. Anita Goddard, Head of Housing and Property Services, then provided Members with a briefing on the key legal duties and responsibilities in relation to safeguarding. In so doing she noted that more in depth training would be provided to Members in the new year.

In response to a request, it was agreed that the PowerPoint slides used for the briefing should be circulated to all Members of the Council.

The Chairman, on behalf of the Council, thanked Councillor Ellington and the Head of Housing and Property Services for the briefing.

PRESENTATION TO NICOLE STIMSON

The Chairman announced that Nicole Stimson in the Council's Communications Team had been nominated for Apprentice of the Year by her line manager. The award was part of the Hunts Business Awards, sponsored by the Hunts Post newspaper. Nicole was undertaking her apprenticeship with the Council via Huntingdonshire Regional College and was a great asset to the Council. She had been runner up in the awards and had been highly commended by the judges.

The Chairman was delighted to present Nicole with her runner's up certificate at the meeting and, on behalf of the Council, congratulated her on her achievement.

1. APOLOGIES

Apologies for absence were received from Councillors Henry Batchelor, Nigel Cathcart, Simon Crocker, Jose Hales, Cicily Murfitt, Edd Stonham and David Whiteman-Downes.

2. DECLARATIONS OF INTEREST

Declarations of interest were made as follows:

- Councillor Andrew Fraser declared a non-disclosable pecuniary interest in relation to item 8(a) (Ermine Street Housing Investment Limit) in his capacity as one of the Council's representatives on the Ermine Street Housing Limited Board. Councillor Fraser indicated his intention to withdraw from the meeting during discussion of the item.
- Councillor Richard Turner declared a non-disclosable pecuniary interest in relation to item 8(a) (Ermine Street Housing Investment Limit) in his capacity as one of the Council's representatives on the Ermine Street Housing Limited Board. Councillor Fraser indicated his intention to withdraw from the meeting during discussion of the item.

3. REGISTER OF INTERESTS

The Chairman reminded Members that they needed to update the register of interests whenever their circumstances changed.

4. MINUTES

The minutes of the meeting of the Council held on Thursday 28th September 2017 were confirmed as a correct record and approved for signature by the Chairman, subject to the following:

- Councillor Douglas de Lacey pointed out that the word "Council's" in the third paragraph of Minute 10 (Neighbourhood Planning) (page 4) should be amended to read "Councillors".
- Councillor John Batchelor commented that the Cambridgeshire and Peterborough Combined Authority had made a bid for £193 million from the Government's Housing Infrastructure Fund in respect of regeneration of the brownfield site referred to in the fourth bullet point of Minute 11 (Cambridgeshire and Peterborough Combined Authority) (page 7), rather than £200,000 as indicated in that minute.
- With respect to Minute 13(a) (Motion from Councillor Tim Wotherspoon), Councillor Bridget Smith drew attention to the need to correct the first sentence by the replacement of "£5,000" with "£50,000".
- Councillor Philippa Hart indicated that she had not been present at the meeting and therefore her name should be deleted from the recorded voting list at the conclusion of Minute 13 (a) (Motion from Councillor Tim Wotherspoon) (page 13).
- Councillor Douglas de Lacey highlighted the omission of the name of the seconder in respect of the motion in Minute 13(d) (Motion from Councillor Aiden Van de Weyer).
- Councillor John Williams pointed out that his name had incorrectly been recorded as "Williamson" in Minute 13(b) (Motion from Councillor David Bard) (page 14).
- Councillor David Bard drew attention to the need to replace the word "vole" with "vote" in the third paragraph of Minute 13(b) (Motion from Councillor David Bard).

5. ANNOUNCEMENTS

The Chairman of Council announced that his reception had been held at Wimpole Hall on November 3rd 2017. He thanked those Members who had attended the event but

was disappointed to note that 37 Councillors had not replied to the invitation. It was proposed in future to seek a donation to the Chairman's Charity from those Councillors not responding to the invitation.

Councillor Peter Topping, Leader of the Council, drew the Council's attention to the following matters:

- The Leader noted that it was the Chairman's birthday and, together with the Council, wished the Chairman a happy birthday.
- The Leader was delighted to welcome Councillor Mick Martin to the Council meeting following a period of absence owing to ill health.
- The Leader updated the Council on his discussions with the Chief Constable and Police and Crime Commissioner at a recent meeting.
- The Leader provided an update on a meeting with Lord Adonis, Chair of the National Infrastructure Commission (NIC). In particular, he referred to the Commission's interim report which had been recently published on the Cambridge – Milton Keynes – Oxford Corridor, noting that the NIC had called upon the Government to allocate funding for infrastructure including enhanced transport links and to unlock housing sites.
- The Leader commented that Members and parish councils had recently received an update on the current position with the Local Plan and including correspondence received from the Inspectors. He had felt that Members and parishes should have that information. It was acknowledged that appropriate checks should have been undertaken to ensure that the Inspectors were aware of the intention to publish the working correspondence. Reference was made the fact that the Inspectors had written to both Councils to make it clear that their final conclusions would be in their final report to the Councils. In that context, the Leader emphasised that the views of the Inspectors were fully respected.

6. QUESTIONS FROM THE PUBLIC

No questions from the public had been received.

7. PETITIONS

No petitions for consideration by Council had been received.

8. RECOMMENDATIONS TO COUNCIL

8 (a) Ermine Street Housing Investment Limit

Councillor Simon Edwards, Portfolio Holder for Finance and Staffing, presented a report which invited the Council to consider increasing the maximum investment limit from the Council's cash reserves with Ermine Street Housing from £35 million to £45 million, while retaining the maximum investment at 60% of the total investment portfolio. He outlined the rationale for the proposal and, in particular, emphasised the increased flexibility that would be achieved.

In response to comments that it would have been helpful if the Council's representatives on Ermine Street Housing Limited had been present for the discussion, Councillor Edwards acknowledged that whilst the Councillors concerned had not been obliged to declare an interest and withdraw from the meeting under the Members' Code of Conduct, it had been their wish to do so.

Councillor Edwards proposed the recommendations from his Portfolio holder meeting held on 22 August 2017 that the Council:-

“Increase the maximum investment limit from the Council’s cash reserve with Ermine Street Housing from £35 million to £45 million while retaining the maximum investment with Ermine Street at 60% of the Council’s total investment portfolio.”

Councillor Lynda Harford, Portfolio Holder for Housing, seconded the proposition.

During discussion:-

- Councillor John Williams commented that the report before Council was dated 22 August 2017 and that the figures dated back to 31 March 2017. He noted that the report indicated the expectation that the investment would reach £35 million by this quarter but that there was no confirmation within the report that this had happened. He therefore felt that the Council was being asked to make a decision based on out of date information and suggested that it would have been helpful to have been presented with the up to date figures.
- Councillor Tumi Hawkins queried the valuation of the current assets of Ermine Street’s Property portfolio and other non-current assets which was indicated in the report at £24.7 million and suggested that further clarity and details were required around the valuation of the assets. She was also concerned that the report did not indicate the level of interest received in respect of the investment and expressed the view that the Council needed all relevant information in order to make an informed judgment.
- Councillor Aidan Van de Weyer referred to the indication in paragraph 14 of the report that there was a minimal level of risk but was of the view that the information provided on the valuation of the assets did not enable Members properly to evaluate the risk.
- Councillor Bridget Smith expressed the view that a significant increase in house building in the District might be likely to result in a decline in the value of house prices and consequently in the value of the capital assets of Ermine Street Housing. There was also a concern that if there was a requirement to dispose of the assets of Ermine Street Housing, the Council might not be able to recoup its investments.
- Councillor Tony Orgee did not consider that increased house building would necessarily reduce house prices, citing the local experience with building on the fringes of Cambridge where house prices had increased rather than decreased.
- Councillor Lynda Harford supported the proposal commenting that the Council had a record of prudential investment and treasury management and emphasising that the proposal was intended to maximise flexibility.

Responding to the comments during the debate, Councillor Edwards:-

- Commented that it was important to be mindful of whether investment in Ermine Street Housing should be by way of borrowing or investment from the Council’s own resources.
- Noted that whilst the report before the Council was from 22 August 2017, more up to date information regarding investments with Ermine Street Housing was

available in the reports considered at his Portfolio Holder's meeting on 21 November 2017.

- Reported that details regarding rates of returns on investment were contained in the confidential appendix submitted to his Portfolio Holder's meeting.
- Reminded Members that there was a Service risk register and an Ermine Street Housing risk register.
- Commented that the proposal, if approved, would provide useful income to support services needed by the District's residents.

A vote was taken and votes were cast as follows:-

In favour (33)

Councillors David Bard, Val Barrett, Ruth Betson, Francis Burkitt, Brian Burling, Tom Bygott, Grenville Chamberlain, Graham Cone, Pippa Corney, Christopher Cross, Kevin Cuffley, Neil Davies, Simon Edwards, Sue Ellington, Roger Hall, Lynda Harford, Mark Howell, Caroline Hunt, Peter Johnson, Ray Manning, Mick Martin, Raymond Matthews, David McCraith, Des O'Brien, Tony Orgee, Alex Riley, Tim Scott, Ben Shelton, Peter Topping, Robert Turner, Bunty Waters, Tim Wotherspoon and Nick Wright.

Against (13)

Councillors John Batchelor, Anna Bradnam, Doug Cattermole, Philippa Hart, Tumi Hawkins, Sebastian Kindersley, Janet Lockwood, Deborah Roberts, Bridget Smith, Hazel Smith, Ingrid Tregoin, Aiden Van de Weyer and John Williams.

Abstain (1)

Councillor Douglas de Lacey.

(Note: Councillors Andrew Fraser and Richard Turner, having each declared a non-disclosable pecuniary interest at Minute 2 above, withdrew from the meeting during discussion and voting on the above item)

Therefore the Council:

RESOLVED That the maximum investment limit from the Council's cash reserves with Ermine Street Housing be increased from £35 million to £45 million while retaining the maximum investment with Ermine Street at 60% of the Council's total investment portfolio.

8 (b) Community Governance Review of Caxton, Elsworth and Cambourne Parishes (Civic Affairs Committee, 28 September)

Councillor David McCraith, Chairman of the Civic Affairs Committee, presented a report which invited the Council to consider the recommendation of the Committee at its meeting held on 28 September regarding the Community Governance Review of Caxton, Elsworth and Cambourne Parishes.

Councillor McCraith reminded the Council that the review had been requested by Cambourne Parish Council but also had the support of Caxton Parish Council and Elsworth Parish Council. The review had been undertaken because the housing

development at Cambourne West would alter the geographical spread of housing across the parishes and the resulting spatial separation between the two population centres in Caxton would no longer correspond to a parish boundary that reflected a coherent natural settlement pattern. The new development would be more closely aligned to the parish of Cambourne. A small strip of land to the south of the A428 was also currently in Elsworth parish but detached from the main population centre.

Councillor McCraith accordingly moved the first of the recommendations of the Civic Affairs Committee as follows:-

“To change the boundary as per Cambourne Parish Council’s proposed boundary (Appendix B)”.

Councillor Charles Nightingale seconded the proposition.

During discussion:-

- Councillor Sebastian Kindersley indicated his support for the proposal but asked that the opportunity also be taken to consider the parishing of West Cambourne. He commented that the development would give rise to issues which were particular to that settlement and that if West Cambourne had its own parish, it would be better placed to deal with its own local concerns.
- Councillor Ruth Betson commented that Cambourne Parish Council had been involved in discussions with the developers of West Cambourne and was prepared for the development. She noted that the number of parish councillors would increase from 13 to 19 with effect from May 2018 to reflect the growth of Cambourne. Additionally she referred to the implications for precepts if the parish boundaries were not amended.
- Councillor Douglas de Lacey sought an assurance that the Local Government Boundary Commission for England would not seek to make additional changes above and beyond those requested by the Council.
- Councillor Nick Wright reported that he had not detected an appetite to have Cambourne divided for parish purposes. He believed that Cambourne Parish Council was well placed to take on the additional West Cambourne development.
- Councillor Des O’Brien advised that he had been in touch with Caxton Parish Council which was supportive of the change proposed. He did not consider that a separate parish was required for West Cambourne but felt that residents of West Cambourne should be encouraged to stand for election on Cambourne Parish Council.
- In response to a request for clarification regarding the proposed revisions to the boundaries, the Chairman referred to Appendix B to the report which set out the proposed changes to the parish boundaries.

Upon being put to the vote, votes were cast as follows:-

In favour (48)

Councillors David Bard, Val Barrett, John Batchelor, Ruth Betson, Francis Burkitt, Brian Burling, Tom Bygott, Doug Cattermole, Grenville Chamberlain, Graham Cone, Pippa

Corney, Christopher Cross, Kevin Cuffley, Neil Davies, Simon Edwards, Sue Ellington, Andrew Fraser, Roger Hall, Lynda Harford, Philippa Hart, Tumi Hawkins, Mark Howell, Caroline Hunt, Peter Johnson, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Ray Manning, Mick Martin, Raymond Matthews, David McCraith, Charles Nightingale, Des O'Brien, Tony Orgee, Alex Riley, Deborah Roberts, Tim Scott, Ben Shelton, Bridget Smith, Hazel Smith, Peter Topping, Richard Turner, Robert Turner, Bunty Waters, Aidan Van de Weyer, John Williams, Tim Wotherspoon, Nick Wright.

Against (0)

Abstain (2)

Councillors Anna Bradnam and Ingrid Tregoing.

The Council accordingly:

RESOLVED: To change the boundary as per Cambourne Parish Council's proposed boundary (Appendix B to the report now circulated).

Councillor McCraith then moved the second of the recommendations from the meeting of the Civic Affairs Committee held on 28 September 2017 as follows:-

“To make a request to the Local Government Boundary Commission for England (LGBCE) to re-align the principal area boundaries along the new parish boundaries.”

Councillor Charles Nightingale seconded the proposition.

Councillor Douglas de Lacey repeated his question asked under the earlier recommendation as to the scope for the LGBCE to seek to make additional adjustments above and beyond those proposed by the Council. In response, the Chief Executive noted that the Electoral Services Manager had contacted the LGBCE who had indicated that, whilst they could not guarantee not proposing further changes, they had never previously triggered a further boundary review when considering similar such requests.

Upon being put to the vote the proposal was approved by affirmation.

The Council:

RESOLVED To make a request to the Local Government Boundary Commission for England (LGBCE) to re-align the principal area boundaries along the new parish boundaries.

8 (c) Electoral Arrangements - South Trumpington

Councillor David McCraith, Chairman of the Civic Affairs Committee, presented a report which invited the Council to consider the recommendation of the Committee, at its meeting held on 28 September 2017, regarding a proposal to request the LGBCE to re-align the County Boundaries along the newly defined parish boundary for Grantchester. No electors had been affected by this decision and it was being brought to the Council now so that a decision could be made alongside Cambourne West.

Councillor McCraith accordingly moved the following recommendation from the meeting of the Civic Affairs Committee held on 28 September 2017:-

“To make a request to the Local Government Boundary Commission for England (LGBCE) to re-align the County Council boundary along the new parish boundaries.”

The proposition was seconded by Councillor Charles Nightingale.

There was no discussion and upon being put to the vote, the proposal was approved by affirmation.

RESOLVED: To make a request to the Local Government Boundary Commission for England (LGBCE) to re-align the County Council boundary along the new parish boundaries.

9. CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY

The Council noted reports prepared by the Cambridgeshire and Peterborough Combined Authority summarising the work of the Authority during October. Comments were received from the Council's representatives on the Combined Authority and its committees as summarised below:

- Councillor Andrew Fraser, a member of the Audit and Corporate Governance Committee, reported that the Committee was still finding its feet.
- Councillor Alex Riley, a member of the Overview and Scrutiny Committee, referred to initial scepticism about the establishment of the Combined Authority, but commented upon the positive incentives such as the opportunity for the Combined Authority to bid for Government funding for major infrastructure and housing projects.
- Councillor John Batchelor, Chairman of the Overview and Scrutiny Committee, observed that consideration was being given to producing more accessible and informative newsletters highlighting the work of the committee. He also referred to timing issues with the gap between meetings of the Overview and Scrutiny Committee and the Combined Authority Board. Councillor Batchelor referred to developments relating to the Greater Cambridge/Greater Peterborough Local Enterprise Partnership (LEP) and indicated that he would welcome an update thereon from the Leader of the Council.
- Councillor Peter Topping, the Council's representative on the Combined Authority, provided further background and context on the Combined Authority's bid for Government funding to regenerate the brownfield site around Cambridge North Railway Station which currently housed the Anglian Water Wastewater facility.

During general discussion:

- Councillor Philippa Hart responded to earlier comments regarding scepticism about the Combined Authority. Additionally, she indicated that she would also welcome an update from the Leader on the position with the LEP
- Referring to previous comments about relocation of the Anglian Water treatment site, Councillor Anna Bradnam reported that residents in Milton had worked hard with Anglian Water in liaison meetings to address odour issues associated with the site. She also suggested that assumptions should not be made about

regeneration of the site in advance of the funding bid being agreed.

- Councillor Topping provided an update on the current position with the LEP, noting that Martin Whiteley, the Chief Executive of the Combined Authority, had now been appointed as the Interim Chief Executive of the LEP, alongside his current role.

10. FEEDBACK FROM "LET'S TALK" 2017

Councillor Nick Wright, Portfolio Holder for Business and Customer Services and Deputy Leader of the Council, introduced a report providing an update on feedback from the "Let's Talk" listening and engagement exercise which was intended to help inform the development of a refreshed Corporate Plan for 2018 – 2022.

Consultation had taken place between July and September 2017. A number of engagement events had been held and had included a sample of six villages of varying sizes and varying amounts of growth. The face-to-face events had been supplemented by a web based survey, posts on social media, articles in the residents' magazine and by running a focus group.

Councillor Wright drew attention to the key issues highlighted by residents as important to them, as set out in paragraph 10 of the report.

During discussion:-

- Councillor John Williams queried whether professional advice had been sought in designing the survey, noting that a number of open questions appeared to have been used.
- Councillor Philippa Hart expressed reservations about the survey and sought clarification as to what had been learned from the consultation exercise.
- Councillor Bridget Smith commented that residents had been asked what they liked about living in South Cambridgeshire, but did not appear to have been asked about what they did not like. She also referred to the apparent contradictions in some of the responses highlighted in paragraph 10.
- Councillor Sebastian Kindersley expressed concerns about the validity of the results and whether they should be used to inform the Corporate Plan. In particular, he noted from the report that the exercise had not reached residents from non-white British communities or those with disabilities.

Responding to the comments raised, Councillor Wright:-

- Confirmed that professional advice had been taken and followed in designing the engagement exercise.
- Advised that the "Let's Talk" engagement had followed the usual procedures adopted by the Council when undertaking consultation exercises. It had however been extended to offer more face-to-face opportunities to capture feedback. He thanked the staff for their efforts in attending and facilitating the events held.

During further debate:

- Councillor Tumi Hawkins indicated that she was keen to understand the criteria used in selecting the communities chosen for the face-to-face events.
- Councillor Douglas de Lacey commented that the Council had missed the opportunity to focus on areas with which residents were dissatisfied so that it could seek to address those areas. Noting that cycle paths had been identified in responses to all three questions listed in Appendix A, he reported that he had lobbied for the adoption in Cambridgeshire of “Operation Close Pass” and asked that the Leader of the Council raise the issue of safety of cyclists at any future meeting with the Police and Crime Commissioner.
- Councillor Anna Bradnam supported the view that the engagement exercise should have sought residents’ views on areas with which they were dissatisfied and where improvements were needed. She also commented that the design of survey questions could influence the outcome of the results. However, based on the results presented it appeared that improving road safety and tackling congestion were key issues to be addressed.
- Councillor Deborah Roberts felt that the survey contained “leading questions”. With reference to the question “How can we preserve and enhance what is important to you whilst the district is changing?” she also highlighted the apparent conflict in seeking to preserve and enhance communities having regard to the significant scale of growth facing the District.

In closing the discussion, Councillor Nick Wright commented on the intention that there would be an annual consultation exercise and indicated that the comments from Members had been noted and would be taken on board for the following year’s exercise.

11. QUESTIONS FROM COUNCILLORS

11 (a) Question from Councillor Aidan Van de Weyer to the Portfolio Holder for Housing

What contact has this Council had with the County Council’s Area Community Champion for our district?

Councillor Lynda Harford, Portfolio Holder for Housing, advised that the role had been created by the County Council’s Communities and Partnership Committee. The scope of the Area Champion role had been agreed by the Committee in August 2017 and Councillor Lina Joseph had been appointed as the Area Champion for South Cambridgeshire.

Cllr Joseph had attended the South Cambridgeshire Crime and Disorder Reduction Partnership Board meeting on 16 November as the new County Council Board Member. Informally, Cllr Joseph had also been welcomed at the Chairman’s Reception at Wimpole Hall.

A formal introductory meeting had been arranged on 15 December 2017 between Councillor Sue Ellington and the County Council’s Area Community Champion, together with South Cambridgeshire District and County Officers. Councillor Ellington would lead this meeting for the Council as her Portfolio most closely covered the remit of the County’s Area Community Champions.

By way of a supplementary question, Councillor Van de Weyer asked whether the Portfolio Holder considered the role of Area Community Champion to be good value for money.

In response, Councillor Harford reiterated that this was a County Council appointment but that the District Council would seek to work with the Area Community Champion to secure the best benefit for the Council and its residents.

11(b) Question from Councillor Tumi Hawkins to the Portfolio Holder for Finance and Staffing

What implications do the measures proposed in the Autumn Budget have for the investment strategy of Ermine Street Housing?

Councillor Simon Edwards, Portfolio Holder for Finance and Staffing, reported that, thus far, it did not appear that the Budget had any impact on the investment strategy of Ermine Street Housing.

As a supplementary question, Councillor Hawkins asked about the impact of the removal of Stamp Duty for first time buyers of homes below £300,000. Councillor Edwards acknowledged that this might place Ermine Street Housing into a competitive position and that the implications would need to be considered by the Ermine Street Housing Board. It was anticipated that Ermine Street Housing would wish to consider the scope for developing new build schemes should opportunities arise.

11(c) Question from Councillor Bridget Smith to the Leader of the Council

It is now 12 months since this Council hosted an LGA Peer Review. When may we expect a report on progress against the resultant Action Plan and when is the follow up visit from the Peer Review Panel to take place?

Councillor Topping, Leader of the Council, responded by referring to the experienced group of Councillors and Officers who had carried out the peer review of the District Council. The Council had received a clean bill of health reflecting the hard work of the Council, most notably from the former Leader, Councillor Manning.

A number of actions and responses to these recommendations were well underway. Currently these included the establishment of member led task & finish groups. One had focussed on considering the key economic growth and housing issues for the District and how to assist in the development of a refreshed economic growth strategy. A second was identifying how the democratic element of the Council could operate effectively as the number of Members was reduced from 57 to 45. Members had been very engaged in this process making positive contributions, and these groups would report their recommendations.

With regard to more internally focussed recommendations, work was underway to develop a commercialisation strategy as the Council built its 'next steps' programme, this would include a series of options for investment and income generation to maintain service delivery against a reducing revenue support grant.

Councillor Topping indicated that an update would be presented to the Cabinet.

In a supplementary question, Councillor Smith asked what action was being taken to follow up the recommendations with regard to reviewing overview and scrutiny arrangements to reflect best practice and provision of training for overview and scrutiny members.

In response, Councillor Topping indicated his recollection that the views expressed on overview and scrutiny best practice did not necessarily correspond with the Peer Review

conclusions. He suggested that the recommendations from the Peer Review could perhaps be a matter for consideration by the Scrutiny and Overview Committee itself. In respect of the question as to when the follow up Peer Review visit was expected to take place, Councillor Topping noted that the Peer Review team had to visit the City Council before returning to South Cambridgeshire.

11(d) Question from Councillor Bridget Smith to the Chairman of the Partnerships Review Committee

When might this Council expect the Partnerships Review Committee to scrutinise the rebranded Greater Cambridge Partnership?

The Chairman of the Partnerships Review Committee indicated that the Committee reviewed its forward plan at each meeting and that this presented the opportunity for issues to be scheduled for review. The Committee could be invited to consider whether to scrutinise the Greater Cambridge Partnership (GCP) and to question the Council's representatives on the GCP at a future meeting.

As a supplementary question, Councillor Smith asked how many times the Partnerships Review Committee had scrutinised the GCP and what recommendations had emerged from that scrutiny process.

Councillor Topping, in response, highlighted the excellent and detailed piece of work just completed by the Partnerships Review Committee on the "Mind the Gap" review with regard to children and adolescent mental health services and indicated that the Committee might now be in a position to take on its next piece of work.

11(e) Question from Councillor Janet Lockwood to the Leader

Does the Leader believe that this Council's scrutiny of the Greater Cambridgeshire Partnership (GCP) is sufficient to ensure that it acts to the benefit of the residents of South Cambridgeshire?

Councillor Peter Topping, Leader of the Council, firstly reminded the Council that a number of South Cambridgeshire Councillors were involved in the GCP. He indicated that the structures of the Greater Cambridge Partnership had been refreshed earlier in the year to ensure the Partnership was open, transparent and that all Members involved could influence and scrutinise policy development through the creation of Task & Finish Working Groups. This was in addition to the Assembly (which saw and commented on all papers) and the Board. South Cambridgeshire District Councillors from all parties were actively involved in the Greater Cambridge Partnership on those working groups and in the Assembly and Board as mentioned previously

Councillor Topping indicated that it was a matter for the Partnerships Review Committee to determine its own work programme.

Councillor Lockwood, by way of a supplementary question, and whilst acknowledging that the Assembly provided the mechanism for pre-scrutiny of GCP Board decisions, asked whether the Leader was content that the decisions of the GCP Board were not currently subject to post-decision scrutiny. Councillor Topping indicated that he was content with the work of the GCP.

11(f) Question from Councillor John Williams to the Portfolio Holder for Environmental Services

If you look in the Autumn issue of the South Cambs Magazine (page 24) you will see that a number of our villages have only one green bin collection in November (for example Fulbourn) and no collection in December (for example Bar Hill) and also many villages have only one blue bin collection in December (for example Cambourne); who authorised this major departure from kerb-side waste collection policy?

Councillor Williams prefaced his question by noting that a few additional bin collections had been added in during the lead up to Christmas.

Councillor Howell, Portfolio Holder for Environmental Services, responded that there had been no change to the kerb-side waste collection policy and residents in all villages continued to receive an excellent waste collection service. Over 2 million bins had been due to be collected in the last quarter, with 99.55% collected on the due day, which was above target.

The detailed issue that Councillor Williams had raised was just a quirk of dates, the result of where Christmas week fell in the bin collection cycle this year and how the annual move to monthly green bin collections had been accommodated. Councillor Howell noted that technically, Cllr Williams' residents had received 3 green collections in October this year, simply because the last collection date had been 30 October. As a result, some villages had moved to monthly green bin collections in the last week of November, while some had started in the first week of December. This meant that many villages would return to fortnightly green collections a bit earlier than usual in February 2018. Therefore the issue was simply a quirk of dates.

Councillor Williams cited a number of missed bin collections in Fulbourn and referring to an undertaking given by the previous Portfolio Holder that the shared bin collection service would be the same or better than the previous service, asked, as a supplementary question, when that commitment would be met. Councillor Howell, in response, reported that over the period operated by the shared service 370,488 bins had been collected and 244 bins had been missed. This represented a 99.55% bin collection rate and was above target. The Portfolio Holder was therefore satisfied that this represented a good bin collection service.

11(g) Question from Councillor de Lacey to the Portfolio Holder for Business and Customer Services

Could the relevant Portfolio Holder explain why the scamb.gov.uk mail domain is currently (evening of 09.11.2017) included in the Internet spam blacklists because it is transmitting spam which appears to come from [personal email address redacted] but is being routed through our mail servers?

This means that ISPs which use the URIBL blacklists appear to be blocking all mail from our domain.

Councillor Nick Wright, Portfolio Holder for Business and Customer Services and Deputy Leader, thanked Councillor de Lacey for raising this technical issue which had provided him with the chance to raise a more general but very important issue with all Councillors.

This technical issue had now been resolved. It had been due to a Councillor's personal e-mail account, which was not run or protected by the Council's 3C ICT Service, being corrupted. This had been picked-up by the Council's ICT security software which had led to the access issues identified. This highlighted why Members' personal e-mail use should be discouraged for business purposes. Councillor Wright therefore asked all Councillors to use their official Council e-mail account for all Council business.

Councillor de Lacey noted that he had that afternoon had a message from a gov.uk email address blocked. By way of a supplementary question he asked why the 3C servers blocked emails from an official gov.uk email address but allowed spam through. In particular he wished to know what criteria were used to block emails and commented on the current level of service

Councillor Wright indicated that he would provide a written response to Councillor de Lacey in relation to this technical question. He further reported that he had confidence in the service levels provided by the 3C ICT service and which were improving all the time. Further reports on the 3C service would be reported through his future Portfolio meetings.

11(h) Question from Councillor Philippa Hart to the Portfolio Holder for Planning

Concern has been expressed by parish councils in our district that their right to request a planning application be considered by planning committee is frequently failing to be acceded to by the Chair of Planning Committee's delegation panel.

Please can the Planning Portfolio Holder tell Council what percentage of such requests have passed the delegation panel and been considered by Planning Committee in the past one year period?

Councillor Robert Turner, the Portfolio Holder for Planning, reported that over the last twelve months (until mid Nov 17) 147 applications had been considered by the Chairman for decision by Planning Committee and 8 applications had been referred to committee. (5%)

The Portfolio Holder noted that Parish Councils did not request referrals to Planning Committee lightly, however of 147 requests made for applications to go the Planning Committee:

- 112 had been minor applications (the vast majority for single plots);
- 47 had been for household development (e.g. garages/ extensions);
- 1 had been for an advert;
- 1 had been a discharge of condition; and
- 6 had been for major applications.

Where cases were not taken to Planning Committee, officers did write to Parish Councils to explain why.

The reason for review of the Scheme of Delegation had been because the agendas were becoming increasingly long and regularly included matters of a minor nature. The number of planning applications received by the Council remained high, as did the nature and complexity of planning proposals. The aim of the changes to the Scheme of Delegation was to ensure that the Planning Committee considered either the more significant major applications or the more controversial ones. The changes to the Scheme of Delegation had been introduced in May 2016. It followed on from discussions and workshops and consultation with both Members and Parish Councils. At that stage there had been an undertaking to do a formal review of the process within two years and this remained on programme.

Councillor Hart expressed her concern that only 5% of requests from Parish Councils had been referred to the Planning Committee and, by way of a supplementary question, asked whether it was proposed to revisit the way in which such requests were considered and determined. The Portfolio Holder for Planning reported that it was

proposed to review the Scheme of Delegation in the new year. He re-iterated however that the vast majority of requests from Parish Councils related to matters of a minor nature. He also commented that 90% of applications were determined by Officers under delegated powers.

12. ADJOURNMENT OF MEETING

The Chairman adjourned the meeting for a short break at 4.00pm. The meeting resumed at 4.15pm.

13. NOTICES OF MOTION

13 (a) Motion from Councillor Bridget Smith

Councillor Bridget Smith moved the following motion as set out on the agenda:-

“Members are currently being asked by the Independent Remuneration Panel to complete a questionnaire which includes questions about the appropriateness of portfolio holders’ remuneration. It is extremely difficult to make a judgement about this when 2 cabinet members fail to ever hold portfolio holder meetings and the remainder have held between 1 and 8 meetings in the past year. Since all portfolios, apart from Councillor Burkitt’s, are responsible for substantial budgets this begs serious questions about the transparency of decision making as well as the amount of work involved in each area of responsibility. This Council agrees that all budget holding portfolio holders should hold at least 3 public portfolio meetings per calendar year”.

In moving her motion, Councillor Smith elaborated on the number of meetings held by individual portfolio holders, noting that 2 cabinet members had not held any meetings, and gave an indication of the approximate cost per meeting based on the total cost of special responsibility allowances for portfolio holders. She expressed the view that if there was no business to transact, briefings could be provided in order to promote transparency about the work of the portfolio holder.

The motion was seconded by Councillor Aidan Van de Weyer.

Councillor Tony Orgee proposed an amendment to retain just the final sentence of the motion and to delete the words “at least 3” and to insert “as appropriate” at the end of that sentence.

Upon a challenge on a point of order, the Deputy Monitoring Officer advised that he did not believe the amendment negated the original motion and the Chairman accordingly ruled the amendment to be in order.

The amendment was seconded by Councillor Ray Manning.

Speaking in support of his amendment, Councillor Orgee argued that there was little point in holding meetings for no purpose, hence the amendment provided for such meetings to be held “as appropriate”. He did however advocate that where portfolio holders did not hold meetings, in order to promote transparency, they should report to Council on why it had not been necessary to do so.

A challenge was raised, on a point of order, that Councillor Orgee’s amendment did not include reference to a requirement for portfolio holders to report to Council when no meetings had been held.

Councillor Hazel Smith proposed a further amendment to include the additional words indicated by Councillor Orgee. Councillor Orgee agreed to incorporate the revised wording within his amendment.

At the request of the Chairman, for the purposes of clarity, Councillor Orgee submitted the revised wording in writing, as follows:

“This Council agrees that all budget holding portfolio holders should hold public portfolio meetings per calendar year as appropriate.

In the event of no such meetings being held by a portfolio holder, the portfolio holder makes a report to full Council why no such meeting has been held.”

The revised wording was displayed at the meeting for the benefit of the Council.

During discussion upon the amendment:-

- Councillor Philippa Hart expressed concern at the inclusion of the words “as appropriate” in the amendment.
- Councillor Tumi Hawkins felt that a minimum number of meetings should be prescribed in order that portfolio holders could be held to account.
- Councillor Nick Wright commented that most reports went straight to Cabinet and that all Councillors had the opportunity to make an input at those meetings. Individual portfolio holder meetings were held but, with the exception of those of the Portfolio Holder for Finance and Staffing, tended to not be well attended by other Members.
- Councillor Tim Wotherspoon reported that he had tended to bring items direct to Cabinet meetings which were better attended by Members and the public. However he welcomed the opportunity to report on an annual basis to Council.
- Councillor Sebastian Kindersley noted that Members had many conflicting demands on their time and it was not always possible to attend every meeting, however he believed that the key point of principle was that decisions should be taken in an open and transparent way and that portfolio holders should hold meetings in order to promote such transparency and awareness of the work of their portfolio.
- Councillor Robert Turner, the Portfolio Holder for Planning, wished to thank those Members who had attended his portfolio holder meetings. He had requested that further dates be added for his portfolio meetings and noted that the next meeting would take place on 11 December 2017.
- Councillor Deborah Roberts spoke against the amendment and suggested that if there was insufficient business to merit calling portfolio holder meetings, consideration should perhaps be given to reducing the number of portfolios.

Councillor Orgee requested that the amendment be further altered by deletion of the word “makes” in the second sentence and its replacement by the words “will make”. Additionally, following a suggestion, Councillor Orgee agreed to alter the motion further to delete the word “calendar” in the first sentence and to replace it by “municipal”. The

meeting's consent to the alterations was indicated without discussion.

The Chairman accordingly invited the Council to vote upon the amendment as follows:-

"This Council agrees that all budget holding portfolio holders should hold public portfolio meetings per municipal year as appropriate.

In the event of no such meetings being held by a portfolio holder, the portfolio holder will make a report to full Council why no such meeting has been held."

Upon the amendment being put to the vote, votes were cast as follows:

In favour (29)

Councillors David Bard, Val Barrett, Ruth Betson, Francis Burkitt, Brian Burling, Tom Bygott, Grenville Chamberlain, Graham Cone, Christopher Cross, Kevin Cuffley, Simon Edwards, Sue Ellington, Andrew Fraser, Roger Hall, Lynda Harford, Mark Howell, Ray Manning, Mick Martin, Raymond Matthews, David McCraith, Charles Nightingale, Tony Orgee, Tim Scott, Peter Topping, Richard Turner, Robert Turner, Bunty Waters, Tim Wotherspoon and Nick Wright.

Against (13)

Councillors John Batchelor, Anna Bradnam, Doug Cattermole, Philippa Hart, Tumi Hawkins, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Deborah Roberts, Bridget Smith, Hazel Smith, Aiden Van de Weyer and John Williams.

Abstain (0)

The amendment was accordingly carried.

Upon being put to the vote, votes were cast as follows on the substantive motion:-

In favour (30)

Councillors David Bard, Val Barrett, Ruth Betson, Francis Burkitt, Brian Burling, Tom Bygott, Grenville Chamberlain, Graham Cone, Christopher Cross, Kevin Cuffley, Simon Edwards, Sue Ellington, Andrew Fraser, Roger Hall, Lynda Harford, Mark Howell, Douglas de Lacey, Ray Manning, Mick Martin, Raymond Matthews, David McCraith, Charles Nightingale, Tony Orgee, Tim Scott, Peter Topping, Richard Turner, Robert Turner, Bunty Waters, Tim Wotherspoon and Nick Wright.

Against (11)

Councillors John Batchelor, Anna Bradnam, Philippa Hart, Tumi Hawkins, Sebastian Kindersley, Janet Lockwood, Deborah Roberts, Bridget Smith, Hazel Smith, Aiden Van de Weyer and John Williams.

Abstain (0)

Therefore the Council:

RESOLVED: This Council agrees that all budget holding portfolio holders should hold public portfolio meetings per municipal year as appropriate.

In the event of no such meetings being held by a portfolio holder, the portfolio holder will make a report to full Council why no such meeting has been held.

13(b) SUSPENSION OF STANDING ORDERS

Councillor Aidan Van de Weyer moved the following motion:-

“That Standing Order 12.1 (a) be suspended, in accordance with Standing Order 22.1, to permit a further motion to be debated at the meeting.”

The motion was seconded by Councillor Sebastian Kindersley.

Upon being put to the vote, the Council unanimously:

RESOLVED: That Standing Order 12.1 (a) be suspended, in accordance with Standing Order 22.1, to permit a further motion to be debated at the meeting.

13(c) MOTION FROM COUNCILLOR VAN DE WEYER

Councillor Aidan Van de Weyer moved the following motion:

“Following a reprimand of this Council by the Local Plan Inspectors, this Council apologises on behalf of the Leader, for inter alia, jumping to conclusions and requests that the Chief Executive convey our apology to the Inspectors.”

The motion was seconded by Councillor Sebastian Kindersley.

In moving the motion, Councillor Van de Weyer commented that an email from the Leader had been sent to Members and parishes; that a press release had been issued with regard to the Local Plan status and that email exchanges with the Inspector had been published on the Council’s website. He further referred to a letter which had been received from the Planning Inspector expressing concern about the email and the publication of email exchanges. Councillor Van de Weyer noted that, to date, an apology from the Joint Director of Planning had been sent to the Planning Inspector but expressed the view that the Leader should write to all Parish Councils to apologise and to clarify the position.

During discussion upon the motion:-

- Councillor Bridget Smith observed that the Council had a communications strategy and questioned why the communication had been sent from the Leader. With respect to the Planning Inspector’s letter, she commented on the potential damage to the Council’s relationship with the Planning Inspector. Noting that the response to the Planning Inspector had been sent by officers, she was of the view that that an apology should be sent from the Leader.
- Councillor Deborah Roberts was concerned at the nature of the communication sent out to parishes. With reference to the current position with the Local Plan, she expressed the view that the communication may have raised unrealistic hopes amongst parish councils.
- Councillor Tumi Hawkins felt that the communication had contained

inaccurate information and was of the opinion that the Leader should write to parish councils with an apology.

- Councillor Douglas de Lacey commented on potential implications in terms of speculative applications.
- Councillor Philippa Hart commented on a communication issued regarding rural travel hubs which she felt was inaccurate insofar as the reference to a parish in her ward was concerned.
- Councillor Nick Wright disagreed with earlier comments. He noted that the Council had immediately published the Inspector's letter on the website and that a joint response had been sent from the District and City Councils. Councillor Wright believed that the communication had been issued with the best of intentions to keep parishes informed about the position with the Local Plan.
- The Leader of the Council indicated that he did not wish to add significantly to the statement he had made at the beginning of the meeting. He reminded the Council that the South Cambridgeshire draft Local Plan had been submitted to the Secretary of State for examination on 28 March 2014 and noted that information relating to the Local Plan, including correspondence with the Inspector, had been published on the Council's website and was therefore available for the public to view.
- Councillor Sebastian Kindersley expressed concerns about the communication and noting that the response to the Inspector had been sent by officers, was of the opinion that an apology should be sent from the Leader.

Upon the motion being put to the vote, votes were cast as follows:

In favour (13)

Councillors John Batchelor, Anna Bradnam, Doug Cattermole, Philippa Hart, Tumi Hawkins, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Deborah Roberts, Bridget Smith, Hazel Smith, Aiden Van de Weyer and John Williams.

Against (29)

Councillors David Bard, Val Barrett, Ruth Betson, Francis Burkitt, Brian Burling, Tom Bygott, Grenville Chamberlain, Graham Cone, Christopher Cross, Kevin Cuffley, Simon Edwards, Sue Ellington, Andrew Fraser, Roger Hall, Lynda Harford, Mark Howell, , Ray Manning, Mick Martin, Raymond Matthews, David McCraith, Charles Nightingale, Tony Orgee, Tim Scott, Peter Topping, Richard Turner, Robert Turner, Bunty Waters, Tim Wotherspoon and Nick Wright.

Abstain (0)

The motion was therefore declared lost.

14. CHAIRMAN'S ENGAGEMENTS

The Council noted those engagements attended by the Chairman and Vice Chairman since the last meeting.

The Meeting ended at 5.45pm

Agenda Item 8



South
Cambridgeshire
District Council

Report To: Council

25 January 2018

Lead Officer: Head of People and Organisational Development

Appointments to Committees

Purpose

1. Following the resignation of Councillor Crocker to report on the political composition of the Council; to note that this change is not sufficient to affect the political balance on committees and invite Council to make appointments to fill vacancies.

Recommendations

2. That Council:
 - (a) Notes the resignation of Councillor Crocker and that since the resignation is within six months of the 3 May 2018 elections, there will be no by election to fill this vacancy.
 - (b) Notes the political composition of the Council as set out in paragraph 5 but that no adjustments to the allocation of seats are required.
 - (c) Makes an appointment to fill current vacancy on Audit and Corporate Governance Committee in accordance with the wishes of the Leader of the Conservative Group.
 - (d) Confirms the appointment of Councillor Bard to serve on the Civic Affairs Committee.

Reasons for Recommendations

3. To advise the Council of the resignation of a Councillor; to report on the revised composition of the Council but note that this change is not sufficient to affect the political balance on committees and to fill resultant vacancies.

Background

4. The Council at its Annual Meeting on 25 May 2017 established its committees and allocated seats to political groups in accordance with the relevant provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, as amended.
5. Councillor Simon Crocker tendered his resignation as a Councillor on 23 November 2017. As the vacancy has arisen within 6 months of the date on which the term of office expires there is no requirement to hold a by-election to fill the vacancy and thus the vacancy will remain unfilled until the District elections on 3 May 2018. Ordinarily, a review of political balance would only take place upon the filling of a vacancy following a by-election, not upon the occurrence of the vacancy, but as this vacancy

will not be filled until May, this report has been submitted to advise of the revised political composition of the Council as follows:-

Conservative – 35
 Liberal Democrat – 14
 Independent Group – 6
 Non group member – 1
 Vacancy - 1

6. The political balance of the Council can be calculated by using the formula below:

$$\frac{\text{Number of Councillors in a specific Political Group}}{\text{Number of Councillors in all Political Groups (55)}} \times 100$$

7. The breakdown of each Political Group is therefore as follows:

Conservative – 63.636% (*64.3%)
 Liberal Democrat – 25.455% (*25%)
 Independent Group – 10.909% (*10.7%)

(* The number in brackets denotes the breakdown at the Annual Meeting in May 2017)

8. The Council's current committee structure comprises of 75 seats. The calculation to determine the entitlement of Political Groups to seats on committees is as follows:

$$\frac{\% \text{ for each Political Group (para. 7 above)} \times \text{number of committee seats (75)}}{100}$$

9. The notional entitlement to committee seats for each Political Group is as follows:

Conservative	47.727	= 48 seats
Liberal Democrat	19.091	= 19 seats
Independent Group	<u>8.182</u>	= 8 seats
	75	75 seats

(The allocation at 25 May 2017 for comparison purposes was:

<i>Conservative</i>	<i>48.225</i>	<i>= 48 seats</i>
<i>Liberal Democrat</i>	<i>18.75</i>	<i>= 19 seats</i>
<i>Independent Group</i>	<u><i>8.025</i></u>	<i>= 8 seats</i>
	<i>75</i>	<i>75 seats)</i>

10. As can be seen from paragraphs 9 above, even though there has been a change to the political composition of the Authority, the overall proportional entitlement to seats on Committees remains unchanged.

Vacancies

11. Councillor Crocker served upon the Civic Affairs and Audit and Corporate Governance Committees.
12. In accordance with Council Standing Order No 4.5, the Leader of the Conservative Group appointed Councillor Bard to fill the vacancy on the Civic Affairs Committee until such time as the Council has appointed a replacement.
13. As there is no requirement to adjust seat allocation, these seats continue to be allocated to the Conservative Group. The Council is therefore requested:-
 - (a) To confirm the appointment of Councillor Bard to serve upon the Civic Affairs Committee; and
 - (b) To make an appointment to fill the vacancy upon the Audit and Corporate Governance Committee in accordance with the nomination from the Leader of the Conservative Group.

Options

14. The requirement to allocate seats according to Political Groups' proportionate strengths can be overridden by some other arrangement, either in relation to all committees, sub-committees and other bodies or in relation to any individual committee, sub-committee or other body, provided that notice is given in the agenda for the meeting and no Councillor votes against the alternative arrangement when it is proposed (a "no dissent" alternative).

Implications

15. In the writing of this report, the following implications have been considered:-

Legal

16. In accordance with the legislation, the Council is required to allocate committee seats to political groups in proportion, as far as is reasonably practicable, to the size of those groups on the Council.
17. In achieving political proportionality as far as reasonably practicable, the Local Government and Housing Act 1989 requires the Council to apply the following principles in allocating seats:-
 - (a) That not all seats on the body are allocated to the same political group;
 - (b) That the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership.
 - (c) Subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority.
 - (d) Subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all seats on the body as is borne by the number of members of that group on the membership of the authority.

18. Having determined the allocation of the seats, the Council is obliged to make appointments so as to give effect to the wishes of the political group to which the seat has been allocated.
19. The Council's Procedure for the Annual Establishment of, and Appointments to, Council and Outside Bodies in Part 4 of the Constitution provides that if the political balance changes at any time in the civic year sufficiently to affect the political balance on committees, a meeting of Group Leaders will be held to review political balance.

Other

20. Taking into account financial, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, there are no significant implications.

Effect on Strategic Aims

21. Appointing councillors to fill vacancies on committees, in accordance with the political balance of the Council, will enable the Council to properly discharge its functions.

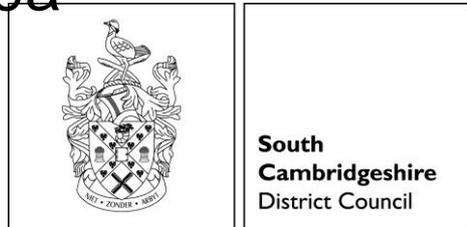
Background Papers

The following background papers were used in the preparation of this report:

- South Cambridgeshire District Council's Constitution
- The Local Government and Housing Act 1989
- The Local Government (Committees and Political Groups) Regulations 1990

Report Author: Kathrin John - Democratic Services Team Leader
Telephone: (01954) 713030

Agenda Item 9a



REPORT TO: Council

25 January 2018

LEAD OFFICER: Head of People and Organisational Development

Localised Council Tax Support Scheme

Purpose

1. To approve the Localised Council Tax Support Scheme for 2018/19

Recommendations

2. That Council approves the Localised Council Tax Support Scheme for 2018/19
 - Option 1 – Continue with the current scheme with the minor technical changes which have been consulted on.

Reasons for Recommendations

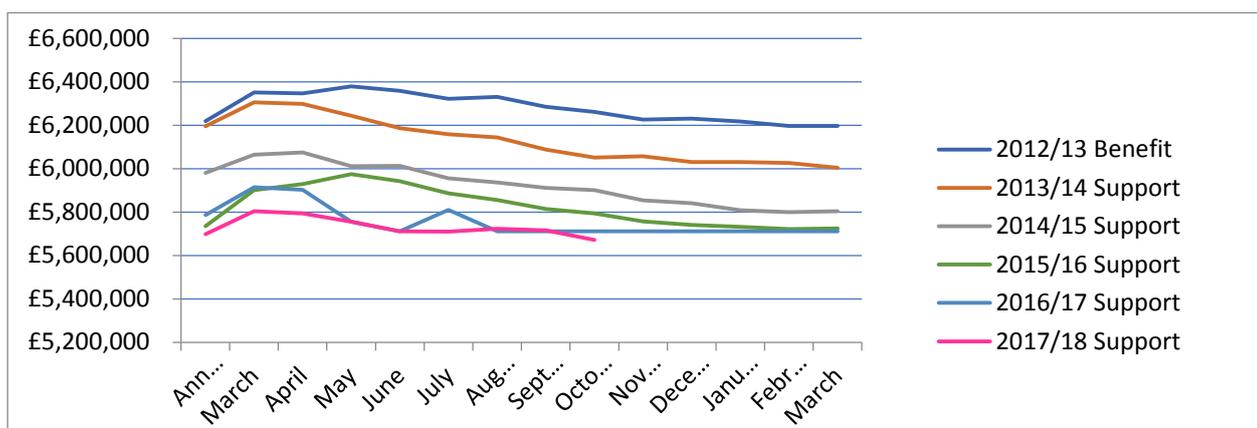
3. The current Localised Council Tax Support Scheme (LCTS) has been in operation since April 2013 and remains almost unchanged since implementation. The general principles of the scheme are of a maximum of 91.5% LCTS for those who are not in protected groups remains currently viable.
4. The continuation of the scheme with some minor technical changes will allow time to evaluate the administration impact of Universal Credit Full Service roll out which for the majority of South Cambridgeshire residents begins in October 2018.
5. A consultation exercise has been undertaken and all respondents agreed with the proposed changes to the scheme as detailed within this report.

Background

6. The LCTS scheme has been in operation since April 2013 and the amount of LCTS has reduced year on year and has been consistently less than the amount estimated. The scheme is working well and appears financially viable for 2018/19.
7. The number of residents receiving LCTS has decreased despite an increase in the number of properties in South Cambridgeshire.
8. The economic climate remains good and it is not anticipated that there will be marked increase in claims or expenditure in 2018/19.
9. The Universal Credit (UC) Full Service rollout for the majority of South Cambridgeshire commences in June 2018; the impact of this has now been

modelled. It is estimated that by the end of 2018/19 that 24% of residents who would have previously received Housing Benefit will be receiving their housing costs as part of a UC Award.

10. It is estimated that of those receiving housing cost as part of a UC award that approximately 90% of these residents will require a separate claim for LCTS.
11. The roll out of UC is likely to be unpredictable and the impact on all teams will need be carefully monitored during 2018/19.
12. LCTS Expenditure 2013 to date:-



Scheme	Pensioner 100%	Working Age Protected 100%	Working Age 91.5%	Recovered Council Tax Benefit	Total
2013/14	£3,275,710.89	£1,554,779.63	£1,266,386.89	£-92,752.17	£6,004,125.36
2014/15	£3,076,545.67	£1,732,739.81	£1,048,470.53	£-83,363.66	£5,804,392.35
2015/16	£2,931,522.71	£1,863,197.35	£1,266,386.99	£-92,752.17	£5,724,761.56
2016/17	£2,807,082.35	£1,882,394.64	£959,388.74	£-9,722.44	£5,639,143.29
2017/18*	£2,740,000.00	£1,930,000	£990,000	£-5,000	£5,655,000.00

*estimate based on current expenditure

13. The financial arrangements for LCTS mean that any savings which could be achieved would have to be realised from working age claimants; and significant changes to the scheme would be needed to obtain a reasonable amount of monetary saving. The amount of any saving would be then split between preceptors' an example is that a saving in region of £300,000 would need the unprotected scheme to amended to a 60% Maximum Scheme.

Considerations

14. The current LCTS scheme which has been in place since April 2013 has been in place with a few minor amendments but remained largely unchanged and is understood by residents.

15. The changes proposed are limited in financial impact and mirror changes to rules for other benefits including Universal Credit and Tax Credits and Housing Benefit. The changes enable our Council Tax Support scheme to have the same rules as other benefits that our residents receive.
16. The proposed technical changes to LCTS:-
Disregard and not include when calculating entitlement to LCTS
 - Bereavement Support Payments
 - We love Manchester Emergency Fund Payments
 - The London Emergencies Trust Payments
 - Some earnings for those receiving Universal Credit (Matching rules for Housing Benefit)
 - Housing cost payments included within Universal Credit
17. The introduction of Full Service UC in June 2018 will result in a significantly increased number of residents being in receipt of UC; the LCTS scheme will be required to be amended in order that UC income is considered as well as the date LCTS is payable from for those in receipt of UC.
18. Housing Benefit (HB) and LCTS are currently administered together as a means tested benefit; most claims are for both HB and LCTS. It is anticipated that grant funding which covers in part the cost of HB administration will reduce as UC claims with housing costs increase.
19. The careful monitoring of impact of UC on LCTS administration will need to be undertaken as the responsibility for housing cost for working age claimant's moves to the Department of Work and Pensions. Should the Council wish to reduce its administration cost a simplified LCTS scheme would need to be introduced.
20. The Council has to date only received 1 appeal against the design of its scheme since its implementation in April 2013 and this appeal was dismissed by the Tribunal.
21. Council Tax Collection rates have remained high since the introduction of LCTS; providing some assurance that the scheme provides the right balance of support for less well off residents and revenue yield.

Options

22.
 - (a) Option 1 – Continue with the current scheme with the minor technical changes which have been consulted,
 - (b) Option 2 – Consult upon and design an alternative amended scheme for operation in 2018/19

Implications

Financial

23. The cost of LCTS for every year since the introduction has been less than estimates; current forecasting suggest that this will be similar for 2017/18. On this basis, the current scheme modelled with minor technical changes needed for UC would be

affordable in the context of the Council's Medium Term Financial Strategy (MTFS). The introduction of UC may reduce the grant the Council receives towards the cost of administer HB. The notification of any reduction is likely to be received at the end of 2017; modelling has been undertaken to estimate the likely reduction to enable this to be included in the MTFS.

Legal

24. The Scheme must be agreed by Council before the end January 2018; residents must be consulted about changes to any scheme proposed.

Staffing

25. The implementation of the change from Council Tax Benefit to LCTS required significant extra resources. It is expected that any significant changes to LCTS would increase the contact from residents. A modelling exercise would need to be undertaken for a significantly amended scheme to assess the increase in customer contact, resource requirement and the funding arrangements.

Risk Management

26. A significant economic downturn could result in an increase in demand for Council Tax Support the cost of which would be borne by all the major preceptors and in excess of budget framework. As already noted in this report the introduction of UC may result in a reduction in grant payment from DWP this has been modelled and an estimate reduction which will enable it to be included within the MTFS.

Consultation responses

27. A large-scale consultation exercise was completed prior to the introduction of LCTS in 2013.
28. A member's workshop was held in July 2016 giving option to change LCTS and it was agreed the current scheme was the best approach.
29. A consultation exercise has been undertaken with residents and major preceptors with regard to the current proposed changes to LCTS scheme. The response to the consultation was poor but those who did respond 100% agreed with the changes proposed.

Effect on Strategic Aims

Homes for the Future

30. The award of LCTS ensures that residents on lower income can afford to pay their Council tax.

South Cambridgeshire District Council Reduction Scheme

31. A copy of the South Cambridgeshire District Council Tax Reduction Scheme has been published separately with this report on the Council's website or is available to Members on request.

Background Papers

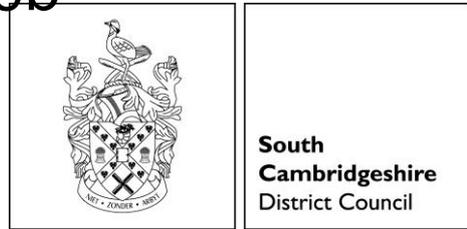
The Council Tax Reduction Scheme (Amendment) (England)
Regulations 2017

South Cambridgeshire District Council Reduction Scheme S13a and Section 1a Local
Government Finance Act 1992

Report Author: Dawn Graham – Benefits Manager
Telephone: (01954) 713085

This page is left blank intentionally.

Agenda Item 9b



REPORT TO: Council

25 January 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Community Governance Review for Willingham and Over

Purpose

1. To consider Civic Affairs Committee's recommendation to Council to change the boundary of Willingham and Over parishes and to make a request to the Local Government Boundary Commission for England (LGBCE) to re-align the County Council boundary along the new parish boundary.

Recommendation

2. That Council agrees to
 - (a) agree the alternative boundary, as shown on the green line in the attached map (Appendix L), less the red cross hatched area, and
 - (b) make a request to the LGBCE to re-align the County Council boundary along the new parish boundary.

Council should give reasons for its decision.

Reasons for Recommendation

3. Civic Affairs Committee provided the following reasons for their recommendation:
 - (a) Provides an easily identifiable boundary that is likely to remain.
 - (b) Reflects the views of affected persons.
 - (c) Reflects community identity on the ground.
 - (d) Only affects land necessary for good governance.

Background

4. South Cambridgeshire District Council received a valid petition to carry out a Community Governance Review of the Willingham and Over boundary dated July 2016. The petition was signed by local residents and businesses.

5. The Civic Affairs Committee agreed the Terms of Reference for the Review on 9 December 2016.
6. The Terms of Reference for the Review were published on 31 January 2017. They were made available in hard copy at South Cambridgeshire Hall, Ploughman's Hall Willingham, and Over Community Centre. They are also published on the SCDC website.
7. A local briefing was given at Willingham Parish Council meeting on 1 February 2017. A further local briefing was given at Over Parish Council meeting on 14 February 2017.
8. Public consultation was opened on 21 February 2017. A letter notifying the public of the open consultation and details of how to respond, was sent to every household and business in both Willingham and Over parishes on 21 February 2017.
9. The consultation was closed at midnight on 16 May 2017.
10. Civic Affairs Committee considered the options in relation to the Community Governance Review on 28 September 2017.

The decision taken (9 votes to 2) was not to change the boundary on the basis that:

- (a) "the suggested boundary change included a large amount of unpopulated land that was unnecessary to resolve the stated anomaly"; and
- (b) "the consultation response of only 244 residents from both village provided insufficient evidence for change."

Following this decision, on 6 October 2017, Farrer & Co wrote seeking confirmation of the decision and reasons for the same. A copy of this correspondence is attached as Appendix A.

On 23 October 2017, Willingham Parish Council wrote asking that the matter be brought back before Committee for further deliberation so that the recommendation be the subject of further "evidence based review and exploration of options". A copy of this correspondence is attached as Appendix B.

External advice was sought in light of this correspondence. In light of that advice, the decision was taken that the matter should be reconsidered by Civic Affairs Committee before a recommendation is made to Council.

11. Since the decision to refer the matter back to Civic Affairs Committee the following correspondence has been received:
 - (a) Letter from Farrer & Co dated 16 November attached as Appendix C.

- (b) Response to matters raised by Farrer & Co – 16 November 2017, written by Geoff Twiss, on behalf of Over Parish Council attached as Appendix D.
 - (c) Statement by Willingham Parish Council, dated November 2017 and received 27 November 2017 by e mail attached as Appendix E.
12. Civic Affairs Committee met on 7 December 2017 to reconsider the options in relation to the Community Governance Review.

The decision taken (unanimously) was “to defer this decision for four weeks to allow the two parish councils to hopefully meet to discuss and resolve this matter. The Committee will meet on 4 January 2018 to make a recommendation to the Council meeting on 25 January 2018”.

The reason for the decision was that “the Committee wanted to provide both parish councils with the opportunity to reach a compromise on a boundary change before Council makes its decision on 25 January 2018. This was done with the agreement of the petitioner”.

13. Civic Affairs Committee reconvened on 4 January 2018. The two parish councils reported that they were unable to reach agreement and the decision taken by Committee (5 votes to 5 with a casting vote to the Chairman) is reflected in the recommendations section of this report. The draft minutes of the meeting can be found at Appendix M.

Considerations

14. The Council received a total of 244 responses to the public consultation. Responses were received both online, and by post. Responses can be found in full (with sensitive information redacted) at Appendix F.
15. Two further responses were received from Willingham and Over parish councils. These can be found at Appendices G and H, respectively.
16. On account of Over being a smaller parish than Willingham, and by request of Over Parish Council, all figures are given both as raw numbers and percentages. The number of registered electors in Over is 2,357 (June 2017) and the number of registered electors in Willingham is 3,206 (June 2017).
- (i) The overall percentage of Over residents that responded to the consultation was 5%
 - (ii) The overall percentage of Willingham residents that responded to the consultation was 4%
17. For the purpose of this report, those with a postcode in Highgate and Over Mereway (‘affected persons’) have been singled-out owing to the impact of the review upon them in particular. However, it should be noted that their numbers are also counted as residents of Over parish.

18. The consultation asked respondents
 - (a) Whether they believed the boundary should be changed, and
 - (b) Which of the proposed alternatives (supplied on an attached map [Appendix I]) they would find preferable.

19. The Terms of Reference for the review included a map that followed the proposals as set out in the petition. Following the close of the consultation officers provided a more detailed map, attached at Appendix J, to respondents in order to provide clarity on the boundaries that officers would be recommending, taking account of guidance provided to local authorities for the purpose of reorganisation orders. Guidance provided to local authorities on the matter of Community Governance Reviews states that “the boundaries between parishes will normally reflect the ‘no-man’s land’ between communities represented by areas of low population or pronounced physical barriers. These barriers will be either natural or man-made”. The map at Appendix J therefore follows the ditches and hedges closest to the line proposed in the petition. The map does not change the petition proposal, nor the map issued by the Council as part of the consultation, nor the options on which residents were asked their views.

20. One option for Committee was to recommend an alternative boundary to those suggested within the petition. An alternative boundary would not necessarily require further consultation but it may if it is fundamentally different to the original proposal. Correspondence from Farrer & Co on behalf of the petitioner states that the petitioner would be “wholly content with a new boundary which omits unoccupied farm land” (point 16, Appendix C).

THE RELEVANT LEGAL FRAMEWORK: Community Governance Reviews

21. By section 82 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), Councils had a discretionary power to undertake a CGR. However, if no such review was yet being undertaken (and/or had not been undertaken in the last 2 years), under section 83(2) a principal Council was obliged to carry out a CGR if it received a valid petition pursuant to section 80 (the requirement that 7.5% of the electors signed the petition, in section 80(3)(c), was met here).

Section 93 the 2007 Act states the following duties of a Council in undertaking a review:

- “(1) The principal council must comply with the duties in this section when undertaking a community governance review.
- (2) But, subject to those duties, it is for the principal council to decide how to undertake the review.
- (3) The principal council must consult the following—
 - (a) the local government electors for the area under review;
 - (b) any other person or body (including a local authority) which appears to the principal council to have an interest in the review.

(4) The principal council must have regard to the need to secure that community governance within the area under review—

(a) reflects the identities and interests of the community in that area, and

(b) is effective and convenient.

(5) In deciding what recommendations to make, the principal council must take into account any other arrangements (apart from those relating to parishes and their institutions)—

(a) that have already been made, or

(b) that could be made,

for the purposes of community representation or community engagement in respect of the area under review.

(6) The principal council must take into account any representations received in connection with the review.

(7) As soon as practicable after making any recommendations, the principal council must—

(a) publish the recommendations; and

(b) take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of those recommendations.

(8) The principal council must conclude the review within the period of 12 months starting with the day on which the council receives the community governance petition or community governance application.”

These duties were reflected within the Terms of Reference agreed by Committee prior to commencement and must be considered in making a decision.

22. Section 100(1) empowered the Secretary of State to issue guidance as to the carrying out of CGRs. By section 100(4) of the Act, the Council is obliged to have regard to any such guidance issued.
23. The currently relevant Guidance was published the DCLG in March 2010 (“the Guidance”). This Guidance must be considered as a whole, but the following excerpts are highlighted given the decision 28 September 2017 and subsequent correspondence:
- (a) “...over time communities may expand with new housing developments. This can often lead to existing parish boundaries becoming anomalous...” (para 15, and repeated at para 84);
- (b) “a [CGR] offers an opportunity to put in place strong, clearly defined boundaries, tied to firm ground features, and remove the many anomalous parish boundaries that exist in England...” (para 16, and repeated at para 85);

- (c) "...the recommendations made in a [CGR] ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services" (para 23);
- (d) (In relation to the petition thresholds) "These thresholds have been chosen to ensure that the minimum number of signatures to be obtained is neither so high that it will be impossible in most cases to collect that number nor so low as to allow a very small minority of electors to trigger a review" (para 42);
- (e) Section 93 of the 2007 Act requires principal councils 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
 - effective and convenient" (para 52);
- (f) "When considering the criteria identified in the 2007 Act, principal councils should take into account a number of influential factors, including:
- the impact of community governance arrangements on community cohesion and
 - the size, population and boundaries of a local community or parish" (para 53);
- (g) "It is clear that how people perceive where they live - their neighbourhoods - is significant in considering the identities and interests of local communities and depends on a range of circumstances, often best defined by local residents. Some of the factors which help define neighbourhoods are: the geography of an area, the make-up of the local community, sense of identity, and whether people live in a rural, suburban, or urban area" (para 58);
- (h) "...the effectiveness and convenience of local government is best understood in the context of a local authority's ability to deliver quality services economically and efficiently, and give users of services a democratic voice in the decisions that affect them" (para 62);
- (i) "The 2007 Act requires principal councils to have regard to the need to secure that community governance reflects the identity and interests of local communities; the impact on community cohesion is linked strongly to it. Cohesion issues are connected to the way people perceive how their local community is composed and what it represents..." (Para 74);
- (j) "As far as boundaries between parishes are concerned, these should reflect the "no-man's land" between communities represented by areas of low population or barriers such as rivers, roads or railways. They need to be, and be likely to remain, easily identifiable. For instance, factors to consider include parks and recreation grounds which sometimes provide natural breaks between communities but they can equally act as focal points. A single community would be unlikely to straddle a river where there are no crossing points, or a large area of moor land or marshland. Another example might be

where a community appeared to be divided by a motorway (unless connected by walkways at each end). Whatever boundaries are selected they need to be, and be likely to remain, easily identifiable” (para 83);

- (k) “In deciding what recommendations to make the principal council must have regard to the need to secure that community governance reflects the identities and interests of the community in that area and is effective and convenient. The 2007 Act provides that it must also take into account any other arrangements (apart from those relating to parishes and their institutions) that have already been made, or that could be made, for the purposes of community representation or community engagement” (para 94);
- (l) “The recommendations must take account of any representations received and should be supported by evidence which demonstrates that the recommended community governance arrangements would meet the criteria set out in the 2007 Act” (para 95);
- (m) In taking this evidence into account and judging the criteria in the 2007 Act against it, a principal council may reasonably conclude that a recommendation set out in a petition should not be made” (Para 96).

24. A full copy of the Guidance on Community Governance Reviews is attached as Appendix K.

Consultation Responses

25. Of the 244 responses received from members of the public,
- (a) 118 (48%) were from residents of Over
 - (b) 124 (51%) were from residents of Willingham
 - (c) 2 (1%) were from residents living elsewhere with a connection to Willingham/Over
 - (d) Of those responses, 18 (7%) were from people who would be directly affected by a change to the parish boundary. Namely, those living/working at Highgate Farm and Over Mereway.
26. Of the 18 responses from affected persons (Highgate and Over Mereway),
- (a) 14 (78%) supported moving the parish boundary
 - (b) 4 (22%) did not support moving the parish boundary
27. Of the 118 responses from Over residents,
- (a) 68 (58%) supported moving the parish boundary
 - (b) 50 (42%) did not support moving the parish boundary
28. Of the 124 responses from Willingham residents,
- (a) 113 (91%) supported moving the parish boundary
 - (b) 11 (9%) did not support moving the parish boundary
29. Overall, the responses were as follows,

- (a) 164 (67%) of respondents supported moving the parish boundary
- (b) 80 (33%) of respondents did not support moving the parish boundary

Preferred Alternatives

30. The consultation asked residents, "If the boundary were to change, which of the preferred alternatives would be most appropriate." The map showing proposed alternatives (as per the petition) can be found at Appendix I. The optional answers to this question were as follows:
- (a) A – First proposed new boundary (green line)
 - (b) B – Second proposed new boundary (blue line)
 - (c) C – Neither proposed/ no change
31. Of the 18 responses from affected persons (Highgate and Over Mereway),
- (a) 11 (61%) preferred option A
 - (b) 4 (22%) preferred option B
 - (c) 2 (11%) preferred neither option/ no change
 - (d) 1 (6%) declined to answer
32. Of the 118 responses from Over residents,
- (a) 32 (27%) preferred option A
 - (b) 23 (19%) preferred option B
 - (c) 53 (45%) preferred neither option/ no change
 - (d) 10 (8%) declined to answer
33. Of the 124 responses from Willingham residents,
- (a) 47 (38%) preferred option A
 - (b) 67 (54%) preferred option B
 - (c) 8 (6%) preferred neither option/no change
 - (d) 2 (2%) declined to answer
34. Overall, the preferred alternatives were as follows:
- (a) 81 (33%) respondents preferred option A
 - (b) 90 (37%) respondents preferred option B
 - (c) 61 (25%) respondents preferred neither option/ no change
 - (d) 12 (5%) respondents declined to answer
35. During the consultation process, it came to officers' attention that the Royal Mail has the delivery addresses of affected properties listed as, for example, 'Over Road, Willingham'. This address is used for Royal Mail's operational purposes, and may not have been assigned by the District Council, who are the official naming and numbering authority. The Council's Local Land and Property Gazetteer (LLPG) lists these properties as, for example, "Willingham Road, Over". Unlike the Royal Mail, the LLPG is a spatial data system which operates according to parish boundaries. This discrepancy is not uncommon. Provided that a correct building number and postcode is provided, there should be no effect to service delivery.

36. The consultation also brought to our attention the fact that some Council services held the incorrect postcode for two addresses at Highgate Farm. This error has now been rectified.

Electoral Arrangements

37. Any changes made to parish boundaries as a result of a council decision will come into effect at the next scheduled parish elections in May 2018.
38. The Council only has the power to amend parish boundaries. Principal area (district/county) boundaries will not automatically be affected by changes made by Community Governance Reviews.
39. The parishes of Willingham and Over will both sit within the new district ward of Over & Willingham. However, the two parishes sit in separate county council divisions (Cottenham & Willingham, and Longstanton, Northstowe & Over). If the Committee (and then Council) choose to move the parish boundary, they will also need to decide whether to make a request to the Local Government Boundary Commission for England (LGBCE) to re-align the County Council boundary along the new parish boundary.
40. Choosing not to request the re-alignment of the county boundary will result in the electors in the area affected being represented by a different county councillor to the rest of their parish which. This may not reflect “convenient and effective local government”. It would also complicate the delivery of effective elections, and would require the creation of a new polling district to cover the area affected.
41. A request to re-align the county boundary should not be too problematic as the number of electors affected is relatively small, and thus unlikely to adversely affect the electoral equality in the area. Like all requests to the LGBCE, however, some risk does apply.

Options

42. Council could:
- (a) change to the boundary as per Civic Affairs Committee’s recommendation (Appendix L), or
 - (b) change the boundary to the “First Proposed New Boundary” as shown in Appendix J, or
 - (c) change the boundary to the “Second Proposed New Boundary” as shown in Appendix J, or
 - (d) change the boundary as per an alternative boundary agreed by Council, or
 - (e) not agree to a boundary change.
43. If Council agrees a change to the boundary, they should also decide whether to request that the Local Government Boundary Commission for England (LGBCE) be asked to review the principal area boundaries so that the county and parish boundaries continue to be coterminous. The Committee could:

- (a) make a request to the LGBCE to re-align the County Council boundary along the new parish boundary, or
- (b) decide not to make a request to the LGBCE to re-align the County Council boundary along the new parish boundary.

Implications

44. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Legal

45. The terms of reference for a Community Governance Review of the boundary between Willingham and Over parishes has considered the Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/626). (The 2007 Act transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England), together with the relevant provisions of the 2007 Act.

Effect on Strategic Aims

46. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages; helping to achieve our vision to deliver superb quality of life for our residents, and remain the best place to live, work, and study in the country

Background Papers

Report to Civic Affairs Committee – 9 December 2016

<http://scambsmoderngov.co.uk/documents/s98977/Community%20Governance%20Review%20Willingham%20Over.pdf>

CGR for Willingham and Over – Terms of Reference

https://www.scambsgov.uk/sites/default/files/community_gov_review_willingham_Overterms_of_ref.pdf

Report Author: Kirstin Donaldson – Development Officer
Telephone: (01954) 712908

Andrew Francis – Electoral Services Manager
Telephone: (01954) 713014

Gemma Barron – Head of Sustainable Communities and Wellbeing
Telephone: (01954) 713340

The Monitoring Officer
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

Our Ref: KKP/87120.1
Tel: 020 3375 7297
Fax: 020 7430 1885
Email: karen.phull@farrer.co.uk

6 October 2017

By Email: monitoring.officer@scambs.gov.uk

Dear Sir/Madam

**Community Governance Review for Willingham and Over
Civic Affairs Committee 28 September
Council Meeting 28 September**

As you know we act for Highgate Country Stores Limited in respect of this matter. Our client attended the meeting of the Civic Affairs Committee on 28 September and informed us that the Committee resolved to maintain the existing parish council boundaries of Over and Willingham.

Could you confirm to us within the next 7 calendar days:-

1. The reasons (in full) that were given by members of the Committee to maintain the existing parish council boundaries.
2. Whether a copy of our letter addressed to members dated 27 September was printed and provided to members at or prior to the start of the Civic Affairs Committee meeting.
3. A copy of Councillor Burling's request for dispensation, as requested in my previous letter of 27 September.
4. A copy of the draft minutes of the Civic Affairs Committee meeting on 28 September with details of all attendees
5. For the record, we consider that the grounds of any claim that may be commenced in the High Court arose at the meeting on 28 September and therefore the 6 week deadline to

Farrer & Co LLP 66 Lincoln's Inn Fields London WC2A 3LH Telephone +44 (0)20 3375 7000 Facsimile +44 (0)20 3375 7001

DX 32 Chancery Lane Website www.farrer.co.uk

Farrer & Co LLP is a limited liability partnership registered in England and Wales, registered number OC323570, and is authorised and regulated by the Solicitors Regulation Authority. A list of the members of the LLP is displayed at the above address, together with a list of those non-members who are designated as partners.

FARRER & Co

6 October 2017

commence any proceedings runs from 28 September. We note that the matter was originally intended to be reported to Council at their meeting in the evening of 28 September and will instead be reported to Council at their meeting on 23 November. Please confirm your understanding of the position.

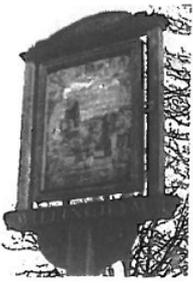
Our client is considering the options available to him and once we are in receipt of this information, we will advise him accordingly. As noted above, we require a response within 7 calendar days, in particular a response to paragraphs 1 and 5 above, this information is critical to be able to advise our client effectively.

If for any reason that you consider it unlikely that this information will be provided within this deadline, please can you contact us as a matter of urgency.

Yours faithfully

Farrer & Co

Cc: Patrick Adams, Senior Democratic Services Officer
Rory McKenna, Principal Lawyer, Governance and Deputy Monitoring Officer



Mrs B Agass
The Chief Executive
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambs
CB23 6EA

23 October 2017

Dear Mrs Agass

RE: Willingham and Over Boundary Review – Civic Committee meeting, 28th September 2017

I am writing on behalf of Willingham Parish Council to raise an official objection to the Committee's conduct at its last meeting on the 28th September in which it decided to recommend no change in the parish boundary between Over and Willingham. The Parish Council has the following specific concerns:

1. The Committee chose to disregard the clear advice of the Principal Lawyer – Governance and Deputy Monitoring Officer and the Council's Independent Person that the request to grant dispensation made by Councillor Burling did not satisfy the Council's publicly stated procedure for granting dispensation.
2. Councillor Burling presented unsound and untested arguments for his dispensation. His justifications were an inadequate knowledge of the Council's dispensation process and a lack of Officer guidance on this particular matter. Validation of this latter claim was not sought from the Officer concerned, who was present at the Committee meeting.
3. In the opinion of Councillor Philip King, Vice Chairman of Willingham Parish Council, this unfortunate decision to allow Councillor Burling dispensation to speak to Agenda Item 4 only served to introduce prejudicial and unsubstantiated opinion into the proceedings. These prevented an equitable, evidence based consideration by the Committee of all the options and possible recommendations available to it beyond that of recommending 'no change'.
4. In particular, it should be noted that the Committee was divided as to the possible outcome of the Review. Advice offered by the Head of Sustainable Communities and Wellbeing which indicated that the Committee could recommend an alternative, compromise border, was overlooked.

5. In reaching its recommendation Committee members selectively accepted and applied criteria outwith those normally applied. There is no stated threshold for an acceptable response rate from residents whilst concerns about the cost of a boundary change were not explored. It should be noted that the numbers of responses from Over and Willingham residents (n=244, with 70% from both parishes supporting change) substantially exceeded the numbers (n=12), accepted without comment, used in support of the Committee's recommendation to adjust the boundaries between Caxton, Elsworth and Cambourne (Agenda Item 5). 'Large' amounts of unoccupied land would not be moved into Willingham parish.

Willingham Parish Council would therefore propose that because of the inadequacies of this Committee's conduct its recommendation of no change to the Over/Willingham Parish Council boundary be referred back for further deliberation. Referring this recommendation back to the Civic Committee would facilitate a further evidence based review and an exploration of options for a compromise change to the boundary between the two parishes.

Yours sincerely



Mandy Powell (Mrs)
Parish Clerk
Willingham Parish Council

cc: Ms Lucy Fraser QC, MP

For the attention of Rory McKenna
Principal Lawyer - Governance and Deputy
Monitoring Officer
South Cambridgeshire District Council

Our Ref: KKP/87120.1
Tel: 020 3375 7297
Fax: 020 7430 1885
Email: karen.phull@farrer.co.uk

16 November 2017

By Email: Rory.Mckenna@3cshareservices.org

Dear Sirs

Community Governance Review for Over and Willingham Parishes
Our Client: Barry Papworth

1. Thank you for your email of 7 November 2017, in which you advised that the Monitoring Officer has decided to send this matter back to the Civic Affairs Committee for reconsideration. Thank you also for confirming that an updated report will be prepared and circulated prior to Civic Affairs Committee.
2. We are pleased that the matter is to be reconsidered in this way. As you will be aware, my client shared the concerns of Willingham Parish Council as to the lawfulness of the original decision by the Civic Affairs Committee, as communicated in their letter to the Chief Executive dated 23 October 2017. The Civic Affairs Committee's recommendation was substantively and procedurally flawed, and it would have been wholly inappropriate for the Council to take a final view on whether to accept, reject or modify the Committee's recommendation until those defects had been remedied.
3. Given the Monitoring Officer's decision, there is indeed an opportunity to remedy those defects. However, it is self-evidently essential that none of those defects are repeated in any fresh consideration of the issue. The purpose of this letter is therefore to emphasise some of the points which the new report to committee will have to address, in order to ensure that members are not under any misapprehension as to the matters which must be considered. We would be grateful for your confirmation that you will draw this letter to the attention of those responsible for the preparation of the report.

Farrer & Co LLP 66 Lincoln's Inn Fields London WC2A 3LH Telephone +44 (0)20 3375 7000 Facsimile +44 (0)20 3375 7001

DX 32 Chancery Lane Website www.farrer.co.uk

Farrer & Co LLP is a limited liability partnership registered in England and Wales, registered number OC323570, and is authorised and regulated by the Solicitors Regulation Authority. A list of the members of the LLP is displayed at the above address, together with a list of those non-members who are designated as partners.

16 November 2017

4. As the Committee is well aware, the duty to undertake the present Community Governance Review (“**CGR**”) arose following the Council’s receipt of the community governance petition initiated by our client, Mr Papworth. Mr Papworth is the owner of Highgate Business Park, a local business hub of considerable standing. It has been in operation for 22 years, and is home to a diverse group of around twenty local businesses. Mr Papworth owns and operates Highgate Country Stores from the site; other businesses on site include a Volkswagen workshop, Willingham Country Butchers, Cambridge Joinery, a wedding supply company, a hair and beauty salon, two gyms, a property management company, a catering company, and a café. Highgate Business Park is an important facility for small businesses operating in a predominantly rural location. In turn, these businesses provide jobs and services for the local community.
5. Highgate Business Park is located immediately to the west of the existing boundary between Over and Willingham parishes. The location of that boundary means that the business park directly abuts the settlement boundary of Willingham village. By contrast, there are approximately 1 ½ miles of open countryside between the business park and the centre of Over village. The result is that whilst geographically close to Willingham village, Highgate Business Park falls just within the boundary of Over parish. This causes considerable inconvenience to the businesses which operate from the business park, who report that their existing and potential customers are regularly confused by the disparity between the park’s geographical location and its official address. This has obvious and serious implications for the profitability of running a business from the Highgate Business Park, with potential knock-on effects for the availability of jobs and services within the local area.
6. On 8 July 2016, our client delivered the petition asking the Council to review the boundary between Over and Willingham parishes, with a view to moving it to one of two potential locations. This petition, which was signed by some 400 local government electors, exceeded the 7.5% threshold provided for by section 80(3)(c) of the Local Government and Public Involvement in Health Act 2007 (“**the Act**”). Under section 79(2) of the Act, the Council was required to conduct the CGR in accordance with Chapter 3 of the Act, and the terms of reference of the review.
7. Those terms of reference were published on the Council’s website on 31 January 2017. They were also available in hard copy from a number of locations. Local briefings on the CGR were given in both Over and Willingham parishes. A public consultation on the CGR ran between

16 November 2017

21 February and 16 May 2017. During that period, a letter was sent to every household and business within Over and Willingham parishes, notifying them of the consultation and providing details on how to respond. A total of 244 responses were received online or by post. The majority of respondents supported moving the boundary to one or other of the locations identified by the CGR.

8. On 28 September 2017, the Civic Affairs Committee resolved to recommend to Council that the boundary between Over and Willingham parishes should not be changed. In reaching that decision:
 - a. the Committee misunderstood their role, and proceeded on the basis that they could not decide on an alternative boundary to that which had been proposed;
 - b. the Committee departed from the requirement on them to comply with their statutory duties and terms of reference, which each required it to have regard to the identity and interests of the communities affected, as well as the effectiveness and convenience of community governance under the existing and proposed boundaries, and to take into account the representations received in connection with the CGR; and
 - c. the Committee acted in a procedurally unfair manner, in that a Councillor with a disclosable pecuniary interest in land affected by the boundary dispute was improperly permitted to participate in the debate which preceded the vote.
9. It is essential that these defects now be remedied. We therefore request that the Civic Affairs Committee's reconsideration be undertaken in a manner that is consistent with the statutory regime governing CGRs and the terms of reference, and which fully takes into account representations received, and which is procedurally fair. We set out our concerns on each of those points below, but it is appropriate to start by drawing your attention to the apparent misdirection in law that the Committee gave themselves concerning their power to consider an alternative boundary change to that which had been proposed in the petition.

16 November 2017

A. The possibility of an alternative boundary change

10. We note from the draft minutes of the Committee's meeting on 28 September 2017 that there was discussion by Members of the Committee as to the proposed new boundary line, and that *"It was suggested by Members of the Committee that the proposed boundary change did not need to include the land to the south of Highgate Business Park."* It is further recorded that you (entirely correctly) advised the Committee that it could suggest an alternative boundary.
11. At least one member of the Committee made the point more explicitly, observing that *"The proposed change would incorporate a large amount of unoccupied land into the parish of Willingham, which was opposed by Over Parish Council."* There was a further suggestion that *"The matter should be returned back to the two parish councils in the hope that a compromise solution could be reached"*. In the light of those observations, it is recorded that *"The Committee were supportive of the suggestion that the two parish councils should work together to attempt to agree a boundary change"* (underlining added). Logically such discussions would take place before any decision is made by the Civic Affairs Committee to see if any agreement can be reached.
12. It is then recorded that it was noted that a valid petition had been submitted to the Council and that a consultation had been carried out. However, it then appears that the Committee concluded that they *"were now required to make a recommendation to full Council"*. They did so, recommending no change to the existing boundary because *"The suggested boundary change included a large amount of unpopulated land that was unnecessary to resolve the stated anomaly."*
13. The Committee's perception that it was bound to confine its recommendation to the boundaries proposed in Mr Papworth's petition (and which had been consulted upon) was incorrect as a matter of law. To the contrary, as you had correctly advised them, it was open to them to suggest an alternative boundary omitting the unoccupied to the full Council, having fully considered the representations made. If (as appears to be the case) they were supportive of the idea that two parish councils should seek to agree such a change, it was open to them to defer consideration in order to allow an opportunity to do so.
14. The mere fact that a revised boundary line had not been consulted upon was not a bar to such a course. A revised boundary line excluding the unoccupied land would be a more modest change than that which had been proposed, but would not include any new land which had not

16 November 2017

been the subject of consultation. Such a proposal would not, therefore, be *fundamentally* different from the proposals consulted upon and would not require a re-consultation (although that course is open to the Council if it chooses to re-consult).

15. For the law on this point, see *R (Smith) v East Kent Hospital NHS Trust* [2002] EWHC 2640 (Admin) at [45], and *R (Elphinstone) v Westminster City Council* [2008] EWCA Civ 1069 at [62]-[63]: there is no duty to consult further on an amended proposal emerging in the consultation process itself unless there is a “*fundamental difference between the proposals consulted on and those which the consulting party subsequently wishes to adopt*”. Moreover, where the difference is not fundamental in nature, it is wholly lawful to revert only to certain parties (such as Willingham Parish Council and Over Parish Council), rather than carry out a full public reconsultation: see *R (Milton Keynes Council) v Secretary of State for Communities and Local Government* [2011] EWCA Civ 1575.
16. We therefore hope that in the next report to Committee, the officer will explain that the Committee is not constrained to recommend only the options consulted upon or no change at all; it is open to them to recommend an alternative boundary to full Council, including one which takes into account the views of both Parish Councils. (To be clear, the ultimate agreement of those parish councils is not in fact required for such an alternative proposal to be recommended, but the Committee may feel that it is desirable to explore whether such agreement can be reached.) For the avoidance of doubt, Mr Papworth would be wholly content with a new boundary which omits unoccupied farm land and has previously stated that the First Proposed New Boundary (illustrated with a green line in Appendix D of the report presented to Civic Affairs Committee) represents the most equitable way forward, particularly as the occupants of those properties that are currently located in the parish of Over, are in support of the First Proposed New Boundary.
17. Mr Papworth is however content to consider alternative boundaries that Willingham or Over Parish Councils may have in mind. To this end we note that Willingham Parish Council has written to Over Parish Council inviting them to meet and further discuss the matter before any referral back to Civic Affairs Committee.

16 November 2017

B. The Committee's statutory duties and terms of reference

(i) The identity and interests of the community

18. Under section 93(4)(a) of the Act, in conducting a CGR the Council is required to have regard to the need to secure that community governance in the area under review reflects the identities and interests of the community in that area. In reaching its recommendation, the Civic Affairs Committee failed to pay sufficient regard to either the identities or the interests of the residents of the affected area. The only references to these factors in the draft minutes of the Civic Affairs Committee's meeting are extremely brief, and they are not mentioned at all in support of the Committee's final decision.

19. Both the identity and interests of those living in the Highgate area plainly militate in favour of altering the boundary. The Secretary of State's guidance on CGRs, to which the Council must have regard under section 100(4) of the Act, states (at §58; underling added):¹

"It is clear that how people perceive where they live - their neighbourhoods - is significant in considering the identities and interests of local communities, and depends on a range of circumstances, often best defined by local residents. Some of the factors which help define neighbourhoods are: the geography of an area, the make-up of the local community, sense of identity and whether people live in a rural, suburban or urban area."

20. Application of this guidance to the present case makes it clear that the identity of the Highgate area is best served by being included within the parish of Willingham. Recent development in Willingham means that the village now stretches over the boundary with Over parish. By contrast, there is open countryside between the edge of development and Over village. The current 400-year old boundary therefore no longer accurately reflects the geography of the two parishes. Development has eroded the 'no-man's land' which previously existed on the

¹ Department for Communities and Local Government, and the Local Government Boundary Commission for England, *Guidance on Community Governance Reviews* (2010) ("the Guidance").

16 November 2017

current boundary line. The Guidance expressly envisages that such development may require the re-drawing of a boundary (at §15).

21. In these circumstances, those who work and live in the Highgate area plainly perceive themselves to be Willingham residents. As expressly noted by the Guidance, they are best placed to make this assessment. Willingham is their first port of call for goods and services, including for shopping, community activities and leisure pursuits (all key indicators that they belong to the Willingham community, see the Guidance at §51). As is natural, they feel that they belong in Willingham. This feeling is mutual, and Willingham Parish Council strongly supports the boundary move. Many Willingham residents considering the Highgate Business Park and surrounding area to be part of their village. The strength of this sense of identity amongst the local community is reflected in the large number of signatories to the CGR petition, and the majority response to the consultation in favour of changing the boundary.
22. The Guidance expressly recognises that development within and across parishes may render existing boundaries anomalous (at §84). For the reasons set out above, the current boundary between Over and Willingham is just such an anomaly. It plainly no longer reflects the identity or interests of those living and working in the Highgate area. The Civic Affairs Committee's previous failure to pay any or any adequate regard to these statutory factors means that its recommendation was made in breach of statutory duty. The forthcoming reconsideration will allow an opportunity to correct this.

(ii) *The effectiveness and convenience of community governance*

23. Under section 93(4)(b) of the Act, in conducting a CGR the Council is required to have regard to the need to secure that community governance in the area under review is effective and convenient. Once again, it appears from the draft minutes of the Civic Affairs Committee's meeting that, in reaching its recommendation, the Committee paid little or no attention to this statutory requirement. Had it done so, it would have been immediately apparent that the proposed boundary changes result in community governance arrangements that are significantly more effective and convenient than those that presently exist.

16 November 2017

24. The Guidance provides that (at §62):

“The Government believes that the effectiveness and convenience of local government is best understood in the context of a local authority’s ability to deliver quality services economically and efficiently, and give users of services a democratic voice in the decisions that affect them.”

25. The current governance arrangements for the Highgate area plainly do not result in the economic and efficient delivery of services. The reality is that businesses operating from the Highgate Business Park report regular difficulties in obtaining basic services such as internet and telephone connections. For example, Willingham Country Butchers, which occupies Unit 1 of the business park, was required to wait four months for a telephone line to be installed, at the cost of a considerable amount of trade and profit. The source of the problem appears to be that whilst the Business Park is currently located in Over parish, the phone lines are connected to the Willingham exchange. A number of businesses have also reported that deliveries and customers are regularly misdirected by satellite navigation systems, which give directions towards the parish of Over.
26. As noted in our letter dated 27 September 2017 (at §8-10), it does not appear as though the full extent of these concerns was adequately drawn to the attention of the Civic Affairs Committee. Alteration of the boundary would result in material practical improvements for those trying to operate their business from the business park. This would have evident positive consequences for the residents of Highgate and Willingham, both in terms of jobs and the range of shops and services which can be viably provided in the area.
27. Nor does the current boundary give those living and working in the Highgate area a democratic voice in the decisions that affect them. For the reasons set out above (at §21), the Highgate area effectively serves, and is served by, Willingham parish. However, residents and businesses within that area have no representation on Willingham Parish Council, and therefore no say in decisions which directly affect them. This is directly contrary to the Guidance set out above. It is also contrary to the stated importance of boundaries which give local people a say in the way their neighbourhoods are managed, and the opportunity to influence decisions affecting their lives (Guidance, at §47 and §73). Equally, it is in the interests of current Willingham residents to have a say in decisions relating to the Highgate area and business park. In practice, such decisions will affect the residents of Willingham parish significantly more than they will the residents of Over parish.

16 November 2017

28. At its last meeting, the Civic Affairs Committee failed to have any or any adequate regard to the fact that the proposed boundary offers significantly more effective and convenient community governance than the current boundary. Again, this is now capable of correction, if the Committee properly directs its mind to its statutory duties.

(iii) *Representations received in connection with the CGR*

29. Under section 93(6) of the Act, in conducting a CGR the Council is required to take into account any representations received in connection with the review (see also the Guidance, at §96). It appears from the report made to the Civic Affairs Committee on 28 September 2017 that the consultation responses were drawn to the Committee's attention. However, the Committee plainly failed adequately to take those responses into account when deciding on its recommendation. Had it done so, it would have come to the inescapable conclusion that the majority of representations received in relation to the review militated strongly in favour of adjusting the boundary.

30. 244 members of the public responded to the CGR consultation. As the numbers of respondents from each parish were broadly equal – 48% were residents of Over, and 51% were residents of Willingham – there can be no suggestion that the views of Over residents were underrepresented in the consultation data. Of the Over residents who responded, 58% supported moving the parish boundary. 91% of Willingham respondents supported moving the boundary, as did 78% of those from the Highgate area. There was therefore support for boundary alteration across all segments of the affected community. This is reflected in the fact that, overall, 67% of respondents supported moving the parish boundary to one of the two locations proposed by our client.

31. The minutes of the Civic Affairs Committee's meeting reveal that consideration of the consultation responses centred on the number, rather than the nature, of responses received. This is directly reflected in one of the two minuted reasons given in support of the Committee's decision to recommend that the boundary should not be changed: *"the consultation response of only 244 residents from both villages provided insufficient evidence for the change."* Yet the statutory scheme set out in the Act specifies no minimum threshold of responses below which a CGR would not be permissible. Indeed, it appears that in the same meeting, the Committee recommended an alteration to the boundaries of Caxton, Elsworth and Cambourne parishes on the basis of just 12 consultation responses. By contrast, the Committee plainly failed to

16 November 2017

take account of the fact that the consultation responses constituted strong evidence in favour of the Willingham-Over boundary alteration. The fact that there was not a larger response simply reflects how minor the proposed changes were, and that the proposed changes had little or no impact upon the wider area. That is no basis upon which the Committee could rationally conclude that there was “*insufficient evidence for change*”.

(iv) *The review terms of reference*

32. The CGR’s own terms of reference provided that:

- a. The Council would take into account community cohesion when conducting the review (§4.1 TOR);
- b. The “*feeling of local community and the wishes of local inhabitants*” would be “*primary considerations*” in the review (§4.2 TOR, reflecting the Guidance at §59);
- c. The Council would take into consideration changes that have happened over time, “*for example though population shifts or additional development, and that have led to a different community identity...*” (§4.3 TOR);
- d. Parish boundaries would normally reflect the ‘no-man’s land’ between communities, represented by areas of low population or pronounced physical barriers which “*oblige the residents of an affected area to have little in common with the remainder of the parish to which they may have been allotted*” (§4.4 TOR, reflecting the Guidance at §83).

33. However, as set out above, these matters were then neglected in the Committee’s decision.

C. Procedural irregularity

34. We appreciate that you will be fully aware that section 31(4) of the Localism Act 2011 prohibits members from participating or voting in any Council meeting if they have a disclosable pecuniary interest in any matter to be considered at that meeting. We apprehend that this was one of the reasons that the Monitoring Officer decided to refer the matter back to Committee. We will not labour the point, therefore, but for the avoidance of any doubt make clear that the Committee’s decision of 28 September was reached in breach of this requirement, given that:

16 November 2017

- a. Councillor Brian Burling was permitted to contribute to the debate on, but not vote on, the boundary recommendation.
- b. Councillor Burling is a landowner of agricultural fields within the area which would be affected by the boundary change. This is a disclosable pecuniary interest within s31(4) of the Localism Act 2011. As such, Councillor Burling was prima facie not entitled to either debate or vote on the boundary recommendation.
- c. Although section 33(1) of the Localism Act 2011 permits the Council to grant a dispensation to a member who has a disclosable pecuniary interest, paragraph 3 of the Council's own dispensations policy requires that a request for any such dispensation be made 15 days in advance of the relevant meeting. Councillor Burling failed to comply with that requirement, as his request for dispensation was not made until the day of the meeting.
- d. The Council's dispensations policy further provides that where a Councillor has not observed the 15-day deadline, a dispensation may be granted if that Councillor was only made aware of the existence of an interest once the Committee's agenda was published. However, the proposed boundary alteration was raised at a previous Civic Affairs Committee meeting which took place on 22 June 2017. At this meeting, it was decided that consideration of the Committee's CGR recommendation should be deferred until 28 September 2017. Although Councillor Burling did not attend this meeting, the report to Committee on the CGR was publicly available and will have been distributed to all Councillors. Further, we understand that Councillor Ray Manning was advised by the Monitoring Officer that it would not be appropriate for him to participate in the Civic Affairs Committee's meeting. Councillor Manning has an interest in land affected by the proposed boundary change which is similar to that of Councillor Burling. There does not appear to have been any reason why Councillor Manning should have been so advised whilst Councillor Burling was not. Finally, Councillor Burling is a councillor of long standing and is unlikely, as he stated in the meeting on 28 September 2017, to have been unfamiliar with the operation of the dispensation policy.
- e. In any event, none of the grounds on which a dispensation may be granted, as set out in s33(2) of the Localism Act 2011, apply in this case. This was not a case in

16 November 2017

which Councillor Burling's input was in the interests of persons living in the affected area (section 33(2)(b)); those interests were adequately and more accurately reflected in the consultation responses. Nor was it a case in which it was otherwise appropriate to grant Councillor Burling a dispensation (section 33(2)(e)). We understand that Councillor Burling's vocal opposition to the proposed boundary change has been well known for some time. Indeed, it appears from the draft minutes that Councillor Burling commanded a large portion of the debate on 28 September 2017. This cannot but have impacted on the Committee's final recommendation. The fact that the only other member of the Committee with a pecuniary interest in the affected land, Councillor Manning, had already excluded himself on the advice of the Monitoring Officer made it doubly inappropriate for Councillor Burling to be allowed to participate.

35. The appropriate course of action would have been for the Committee to require Councillor Burling to exclude himself from their deliberations on the boundary change, not just the vote. The Committee's failure to do so rendered its recommendation procedurally unfair and therefore unlawful. We anticipate that this error will not be repeated on the Committee's forthcoming reconsideration of the CGR.

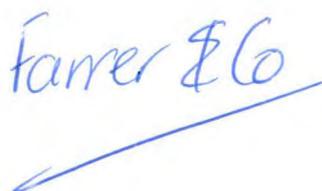
Conclusion

36. We would be grateful for your confirmation that the matters set out above will be drawn to the attention of those preparing the new report for Committee and subsequently to Council. It is essential that the Committee's reconsideration of this issue proceeds on a lawful basis, that the members of the Committee fully understand the matters which they have a statutory duty to consider, and that they are aware that it is open to them to adopt a lesser boundary change than was originally proposed (if they see fit to do so). Any repetition of the substantive and procedural flaws in the Committee's decision would leave the Council exposed to an application for judicial review, which our client is anxious to avoid unless it is demonstrated to be necessary.
37. In due course please confirm the date of the Civic Affairs Committee meeting that the matter will be considered at and any deadline for written representations to be submitted.

FARRER & Co

16 November 2017

Yours faithfully



cc South Cambridgeshire District Council - Patrick Adams
South Cambridgeshire District Council - Head of Legal Services
South Cambridgeshire District Council, Kirstin Donaldson, Development Officer
South Cambridgeshire District Council, Andrew Francis, Electoral Services Manager
South Cambridgeshire District Council, Gemma Barron, Head of Sustainable
Communities and Wellbeing
Clerk to Willingham Parish Council (email@willinghampc.org.uk)
Clerk to Over Parish Council (overparishclerk@hotmail.co.uk)

This page is left blank intentionally.

Response to matters raised by Farrer & Co – 16 November 2017

Written by Geoff Twiss, on behalf of Over Parish Council

Farrer & Co have sent a second 13-page letter on behalf of their client, Mr Barry Papworth, making serious complaints about SCDC's handling of the recent Community Governance Review for Willingham and Over, particularly at the recent Civic Affairs Committee meeting.

In the course of that letter they have presented various assumptions as statements of fact, and have made other statements that are not supported by the evidence presented.

I will start with some general observations:

Farrers' main objective seems to be to exclude Brian Burling from any further discussion of the boundary issue, a move that would leave Over, and particularly Over Parish Council, without any informed voice on the Committee. There are two other Ward Councillors who could perhaps take his place, however:

Ray Manning has always vigorously supported Willingham and Willingham PC and has in any case withdrawn from this debate.

Pippa Corney has not attended a single meeting of Over Parish Council in the past seven years and she spoke, as a Local Member, in support of Willingham PC and in favour of moving the boundary at the last Civic Affairs Committee meeting. She is in no position to speak for Over Parish Council, and would not be able to explain our views on the boundary issue.

Farrers have made an elementary but highly significant mistake in basing their comments on, and drawing conclusions from, the **Draft Minutes**, a document that has no legal standing until it has been confirmed as a true record at the next Civic Affairs Committee meeting. They have also drawn unjustified conclusions from 'reading between the lines', as I shall explain below.

For clarity I have put comments made by Farrers in italics, indicating the relevant paragraphs in their letter of 16th November.

Para 34b

"Councillor Burling is a landowner of agricultural fields within the area which would be affected by the boundary change. This is a disclosable pecuniary interest within s31(4) of the Localism Act 2011. As such, Councillor Burling was prima facie not entitled to either debate or vote on the boundary recommendation."

Cllr Burling **did** declare his interest as a landowner in the area likely to be affected by a boundary change, but he argued that its value wouldn't be affected by the proposed boundary changes, so his interest wasn't pecuniary. He sought the Committee's permission to speak and vote on the issue – and the committee discussed all the implications, and considered legal advice it was given, for almost half an hour. In the end the Committee decided that his detailed knowledge of the area and of local feelings in Over were sufficiently important to a fair debate, and his argument about the lack of pecuniary advantage was sufficiently robust, that he should be allowed to speak during the discussion but that he should leave the room before a vote on the issue – which he did.

Para 34e

"Indeed, it appears from the draft minutes that Brian Burling commanded a large portion of the debate on 28 September 2017. This cannot but have impacted on the Committee's final recommendation."

The draft minutes do not attribute **any** comments to an individual Councillor, neither do they record the length of time for which any councillor spoke, nor do they try to assess the significance of any comments they may have made. They merely list, clearly and succinctly, a series of relevant points that were raised during the debate.

The minutes of the discussion about Brian Burling's interests inevitably focussed on him but, even then, there is no evidence in the minutes to support the claim that he 'commanded a large portion of the debate'. This charge is pure invention by Farrers, and unworthy of a reputable legal firm.

Para 11

"At least one member of the Committee made the point more explicitly"

This is pretty obvious, since the point would not have been noted if no-one had made it, but Farrers are trying to give the impression from a single noted point that it had widespread support and was echoed by others – which is a conclusion that cannot fairly be drawn from the minute.

Para 13

"If (as appears to be the case) they were supportive of the idea that two parish councils should seek to arrange such a change, it was open to them to defer consideration in order to allow an opportunity to do so."

Para 17

"To this end we note that Willingham Parish Council has written to Over Parish Council inviting them to meet and further discuss the matter before any referral back to the Civic Affairs Committee."

Farrers are apparently unaware of previous discussions about a boundary change. It is highly significant that the last request was made by Willingham Parish Council to SCDC in **October 2011**, and that neither that Parish Council nor client has made any representation to Over Parish Council on the issue in the five years preceding the petition that led to the Community Governance Review.

The records show that SCDC declined to conduct a boundary review on that occasion, a decision that was reported to our Parish Council in December 2011. If the boundary was really causing such a great concern and disruption to businesses on the Highgate Estate, surely their client would have raised the issue with his (i.e. Over) Parish Council. We have a 'Public Participation' slot at the start of every Parish Council meeting when parishioners can raise any matter that concerns them.

In the light of this, and of the inevitable hardening of opinion that this Boundary Review and Farrers' legal interventions have created, their suggestion that the Committee should have deferred a decision while the two Parish Councils discussed things amicably together, is absurd.

I can confirm that Over Parish Council has received a request from Willingham Parish Council for a meeting, and that we have responded to that request. I shall include the content of both letters at the end of this document.

Para 24

Farrers quote (Government) Guidance (§62)

"The Government believes that the effectiveness and convenience of local government is best understood in the context of a local authority's ability to deliver quality services economically and efficiently"

Para 25

Farrers then develop this theme, saying:

"The current governance arrangements for the Highgate area plainly do not result in the economic and efficient delivery of services. The reality is that businesses operating from the Highgate Business Park report regular difficulties in obtaining basic services such as internet and telephone connections."

This is seriously misleading, since neither internet nor telephone connections are provided by the local authorities, which is the subject of the Government Guidance they have quoted. It is difficult to identify **any** service provided by either the District or County Council (the local authorities) that would be affected in any significant way by a change in the boundary line.

I do not seek to dispute any inconvenience that the Highgate businesses may have experienced in dealing with telecoms companies – many others have experienced these problems too – but Farrers have based their challenge on an irrelevant source.

They continue:

“A number of businesses have also reported that deliveries and customers are regularly misdirected by satellite navigation systems, which give directions towards the parish of Over.”

At best this argument is confused, since entering the Highgate post code (CB24 5EU) into any satnav will take them to within 100-150m of the Estate, midway between the crossroads and the Highgate businesses. Since they clearly don't operate from a row of residential properties, it doesn't take much intelligence to travel to the end of the row of houses, where the Estate is clearly signed. In any case, many suppliers' and customers' journeys will be repeat visits to the Estate, so it would only involve an **initial** confusion.

Para 27

“For the reasons set out above (at §21), the Highgate area effectively serves, and is served by, Willingham Parish. However, residents and businesses within that area have no representation on Willingham Parish Council, and therefore no say in decisions that affect them.”

Interestingly, §21 explains how strongly Willingham Parish Council already supports Highgate, as it has also shown in its various representations to the Civic Affairs Committee – even though Highgate is apparently disadvantaged by not being allowed (precisely, those people involved at Highgate who are **resident in Over** not being allowed) to vote in Willingham Parish Council elections. Just what additional representation they might derive from casting perhaps a dozen votes in Willingham rather than in Over during Parish Council elections is far from clear – it has already been confirmed that they have Willingham Parish Council's full support anyway.

Para 30

Farrers make much of the high proportion of responses favouring moving the boundary, but 91%, 78%, 67%, etc are just the **proportions of the 3%** who actually bothered to respond. Over Parish Council has already pointed out the many inadequacies in the design and implementation of the Review, and the disadvantage suffered by those without internet skills or connections – mainly the older residents who are most likely to vote for retaining the boundaries they have known all their lives. We accept that a majority is a majority, however it is obtained, but the key issue is whether it is a fair evaluation of public opinion.

It should also be remembered that Highgate respondents were counted on their own and **also** in with the Over Parish responses. It was also unclear just who counted as a Highgate “resident” – the number voting from there appears to have exceeded the number on the electoral roll – and it seems that no cross-check was carried out with the Electoral Roll either on the eligibility of those signing the initiating petition or on those who responded to the consultation.

Geoff Twiss
V/C Over PC
19.11.2017

Correspondence between Willingham & Over Parish Councils

Willingham PC to Over PC – 24.10.2017

From: Mandy Powell (Clerk, Willingham PC)

To: Linda Poulter (Clerk, Over PC)

At the September 2017 meeting of SCDC's Civic Affairs Committee to discuss the Over/Willingham Boundary Review it was suggested that our two Parish Councils meet together to explore options for a mutually acceptable compromise boundary.

Willingham Parish Council representatives are willing to meet with Over Parish Council representatives to discuss the options for a compromise boundary which would meet the needs of all involved parties.

Please advise me whether Over Parish Council would be willing or not to enter into this discussion. If appropriate I will then contact you to discuss the meeting arrangements.

Over PC to Willingham PC – 15.11.2017

From: Linda Poulter (Clerk, Over PC)

To: Mandy Powell (Clerk, Willingham PC)

Following discussions during our recent Parish Council meeting it was agreed, in principle, that Councillors would be willing to meet with Willingham Parish Council at some stage to discuss the boundary issue.

It was felt, however, that this suggestion is premature in the context of Willingham PC's challenge to the Civic Affairs Committee's recommendation and its referral back to that Committee in December to clarify the grounds on which they reached their decision. Any meeting between our Parish Councils to discuss the boundary issue cannot usefully be held until that has been done and the full SCDC Council has then considered the Civic Affairs Committee's recommendation, presumably at its next scheduled meeting on 25th January.

Our Parish Council will need to consider the matter further when the outcome of the Boundary Review is known for certain, so it would appear that a meeting in the early part of next year might be possible.

I will be in touch with you again in due course, when we can discuss issues like time, venue, format, etc. – if indeed my Council still feels that such a meeting might be helpful and/or productive.



WILLINGHAM PARISH COUNCIL

Parish Council Office
Ploughman Hall
West Fen Road
Willingham
Cambridge CB24 5LP
Tel: 01954 261027
Email: email@willinghampc.org.uk

**Community Governance Review for Willingham and Over
Statement of Willingham Parish Council**

Summary:

- A. The current petition for an adjustment to the Willingham and Over boundary originated from a community based initiative.
- B. Willingham Parish Council agreed to support this petition for a boundary adjustment on the grounds of geography and the petitioners' sense of identity.
- C. The 244 responses to the Community Consultation conducted by SCDC show that a majority (67%) support the case for a boundary adjustment. Support for either option for adjusting the boundary was evenly divided, with Over respondents more likely to support the First Proposed New Boundary – the 'Green Line'. Willingham Parish Council has also supported adopting the Green Line for a boundary adjustment, as it offers a clear 'no man's land' between the two parishes.
- D. Over Parish Council has not constructively engaged with an approach from Willingham Parish Council to meet to agree a compromise boundary adjustment prior to this meeting of the Civic Affairs Committee. OPC does not wish to meet 'at the current time', suggesting a date sometime after the next full SCDC Council has met on 25th January 2018. This suggestion would prevent the successful completion of the Review process within its published timeframe and jeopardise the adoption of a compromise boundary adjustment between the two Parishes.

November 2017

Community Governance Review for Willingham and Over

Statement of Willingham Parish Council

Willingham Parish Council welcomes this opportunity to further explore and assess the evidence for an adjustment to the current boundary with the parish of Over .

1. **Background to the boundary review petition:** this is the third recent attempt to address this issue. Previous attempts took place in November 2011 and October 2015. Over Parish Council (OPC) has consistently and robustly opposed any boundary adjustment.
2. **Origins of the current petition:** the current petition was initiated by businesses operating from Highgate Business Park. Over 460 local government electors signed this petition which was delivered to South Cambridgeshire District Council (SCDC) in July 2016. These electors were principally from Willingham (72%) and Over (23%). A small additional group (5%) lived elsewhere. Willingham Parish Council (WPC) was not formally aware of the petition and did not engage in the collection of signatures. Notification of the Review was given to WPC at its meeting in January 2017. A presentation on the Review process was made to WPC by Kirstin Donaldson at its February 2017 meeting. Willingham Parish Council unanimously supported the desirability of a review and publicised this in an article placed in the 'Willingham News' in February 2017.
3. **The position of Willingham Parish Council:** Willingham Parish Council's arguments supporting a boundary adjustment are summarised in its letter of 11th May 2017, previously circulated to SCDC for the September 2017 meeting of the Civic Affairs Committee (Appendix A). The Parish Council supports a boundary adjustment because this would better reflect the self-defined identities and interests of the communities in the area. A boundary adjustment would be appropriate because local residents define Highgate Business Park as being located within Willingham, the businesses on Highgate Business Park collectively identify themselves as being located in Willingham, the businesses on Highgate Business Park face logistical and infrastructure challenges in conducting their activities thus compromising their current and future prosperity, this sense of identity is further compromised by a lack of involvement in decisions and activity in Willingham which may impact on them, there is more than one mile of rural countryside between Highgate Business Park and the current centre of Over Parish, and the current boundary bears no relationship to the development of Willingham in recent years. This development in the village has contributed to increased traffic flows on Over Road and deteriorating standards of highway safety for both pedestrians and traffic.
4. **Options for a boundary adjustment:** Willingham Parish Council supports a compromise boundary adjustment represented by the adoption of the First Proposed New Boundary, the 'Green Line' (see Appendix D of the Officers Report on Community Governance Review for Willingham and Over, supplied to the September 2017 meeting of the Civic Affairs Committee). This would offer a clear 'no man's land' between the two parishes without encroaching unduly upon land historically part of Over Parish. It follows a clearly identifiable ditch and existing field boundaries.
5. **The results of the Community Consultation:** the evidence collected by the Community Consultation, presented to the Civic Affairs Committee at its September 2017 meeting, supports the case for a boundary adjustment. This reports that overall 244 residents from

Over and Willingham responded and that 67% (58% Over, 91% Willingham) of respondents from both Parishes supported a boundary adjustment. Of the two options for boundary adjustment available to respondents 33% supported a change to the 'Green Line' and 37% supported a change to the 'Blue Line' (see Appendix D, Officers Report on Community Governance Review for Willingham and Over, supplied to the September 2017 meeting of the Civic Affairs Committee).

6. **Further results from the Community Consultation:** further analysis, excluding respondents indicating no preference for either suggested adjustment, reinforces the above data.
 - i. Clear opinions as to which boundary adjustment option (Green or Blue) is preferable are reported with 47% (n= 81) supporting the Green Line and 53% (n=90) the Blue Line.
 - ii. Over respondents (excluding the 18 responses of affected residents and Highgate Business Park businesses) more likely support the Green Line (52%, n=21) whilst 48% (n=19) supported the Blue Line.
 - iii. The 18 responses from affected residents and Highgate Business Park show that 73% preferred the Green Line.
 - iv. Within Willingham 41% (n=47) of respondents supported the Green Line and 59% (n=67) supported the Blue Line.

7. **Seeking a compromise adjustment:** Willingham Parish Council has noted that the draft Minutes of the Civic Affairs Committee (September 2017) suggest that the two Parish Councils should work together to attempt to agree a compromise boundary adjustment. Willingham Parish Council has written to OPC on 24th October 2017 requesting a meeting to discuss this issue (Appendix B). It has separately approached Ms Lucy Frazer MP QC to act as a mediator. Over Parish Council has responded on the 15th November that it would be willing to meet 'at some stage', possibly in the early part of 2018, depending upon the outcomes of the current process (Appendix C). It does not wish to meet 'at the current time', suggesting a date sometime after the next full SCDC Council has met on 25th January 2018. This suggestion would prevent the successful completion of the Review process within its published timeframe and jeopardise the adoption of a compromise boundary adjustment between the two Parishes (Community Governance Review of Willingham and Over Parish Boundary – Terms of Reference -Published 6th February 2017).

8. Appendices:

- A. Letter from WPC (11th May 2017) previously circulated to SCDC for the September 2017 meeting of the Civic Affairs Committee.
- B. Letter from WPC to OPC (24th October 2017) requesting a meeting to explore options for a compromise boundary adjustment.
- C. Response of OPC (15th November 2017) to WPC's request for a meeting to explore options for a compromise boundary adjustment.

November 2017

APPENDIX A

WILLINGHAM PARISH COUNCIL

Parish Council Office
Ploughman Hall
West Fen Road
Willingham
Cambridge CB24 5LP

Tel: 01954 261027

Email: email@willinghampc.org.uk



Ms K Donaldson
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambs, CB23 6EA

11th May 2017

Dear Kirstin

RE: Community Governance Review of Willingham and Over Parish Boundary

I am writing on behalf of Willingham Parish Council regarding the ongoing boundary review.

The Council is entirely in favour of changing the border with Over to the first proposed new Boundary (coloured green in Appendix B of the Terms of Reference), for the following reasons:

- (1) There is strong support and preference from the residents and businesses in the area to be formally recognised as part of Willingham. They consider themselves to belong to Willingham, using it as their address and their first port of call for goods and services.
- (2) The homes and businesses west of the current boundary are clearly part of Willingham. The area joins Willingham yet is separated from Over by over a mile of open countryside.
- (3) Businesses and homes serve and are served by Willingham, yet have no involvement in local decisions which may affect them. This is not conducive to good governance.
- (4) The historic boundary bears no relation to the current development.
- (5) The proposed new boundary is easily identifiable as it follows a ditch from Dockerel Brook to Willingham Road, Willingham Road itself, and then established hedged field boundaries.

If you have any queries regarding the above or would like any further information then please don't hesitate to contact me.

Yours sincerely

Mandy Powell (Mrs)
Clerk to Willingham Parish Council



APPENDIX B

WILLINGHAM PARISH COUNCIL

Parish Council Office
Ploughman Hall
West Fen Road
Willingham
Cambridge CB24 5LP

Tel: 01954 261027
Email: email@willinghampc.org.uk

Mrs L Poulter
The Parish Clerk
Over Parish Council
32 West Street
Over
Cambs
CB24 5PL

24th October 2017

Dear Mrs Poulter

RE: SCDC Civic Affairs Committee – Over/Willingham Boundary Review

At the September 2017 meeting of SCDC's Civic Affairs Committee to discuss the Over/Willingham Boundary Review it was suggested that our two Parish Councils meet together to explore options for a mutually acceptable compromise boundary.

Willingham Parish Council representatives are willing to meet with Over Parish Council representatives to discuss the options for a compromise boundary which would meet the interests of all involved parties.

Please advise me whether Over Parish Council would be willing or not to enter into this discussion. If appropriate I will then contact you to discuss the meeting arrangements.

Yours sincerely

Mandy Powell (Mrs)
Parish Clerk
Willingham Parish Council

Clerk@willinghamparishcouncil.gov.uk

From: Linda Poulter <overparishclerk@hotmail.co.uk>
Sent: 15 November 2017 20:37
To: Clerk@willinghamparishcouncil.gov.uk
Subject: Re: Over/Willingham Boundary

Dear Mandy

Following discussions during our recent Parish Council meeting it was agreed, in principle, that Councillors would be willing to meet with Willingham Parish Council at some stage to discuss the boundary issue.

It was felt, however, that this suggestion is premature in the context of Willingham PC's challenge to the Civic Affairs Committee's recommendation and its referral back to that Committee in December to clarify the grounds on which they reached their decision. Any meeting between our Parish Councils to discuss the boundary issue cannot usefully be held until that has been done and the full SCDC Council has then considered the Civic Affairs Committee's recommendation, presumably at its next scheduled meeting on 25th January.

Our Parish Council will need to consider the matter further when the outcome of the Boundary Review is known for certain, so it would appear that a meeting in the early part of next year might be possible.

I will be in touch with you again in due course, when we can discuss issues like time, venue, format, etc. - if indeed my Council still feels that such a meeting might be helpful and/or productive.

Kind regards

Linda

From: Clerk@willinghamparishcouncil.gov.uk <Clerk@willinghamparishcouncil.gov.uk>
Sent: 15 November 2017 09:08
To: 'Linda Poulter'
Subject: RE: Over/Willingham Boundary

Hi Linda

Could you let me know the outcome of your meeting and whether your Council agreed to enter discussions regarding the boundary.

Kind regards

Mandy

From: Linda Poulter [mailto:overparishclerk@hotmail.co.uk]
Sent: 24 October 2017 12:04
To: Clerk <email@willinghampc.org.uk>
Subject: Re: Over/Willingham Boundary

Dear Mandy

Community Governance Review for Willingham and Over – Appendix F

Reference	Parish	Postcode	Response	Preferred Alternative	Comments
AEMBDPVX	Over	CB24 5PP	NO	C	
AGAXWNKY	Willingham	CB24 5JT	YES	B	
AGKNGDTG	Willingham	CB24 5HF	YES	A	The change would bring properties which are much closer to Willingham village than Over village into the Willingham community. This would simplify postal and other deliveries as some of the addresses are currently Over and carriers can't find them. Planning applications within the area concerned, are under Over and this gives Over Parish council more say in decisions than Willingham Council although Willingham is more effected. As most of the land within the area of the proposed change is owned by residents of Willingham these people should be given a greater say in the change.
AJFDFSAP	Over	CB24 5PG	YES	B	
AJNLVVTH	Over	CB24 5NS	NO	C	
AKRJIXVM	Willingham	CB24 5HY	YES	B	
ALJFWXJJ	Willingham	CB24 5JQ	YES	B	It is clear to me that the boundary should be moved. Can both councils also agree on adding a footpath or cycle path between the villages
ANYZMLCK	Over	CB24 5TZ	NO	C	
AOAELTIL	Over	CB24 5NE	NO	C	This is a historic boundary of long standing and should not be changed, simply for the convenience of one disgruntled trader.
ARVHEXQL	Over	CB24 5NQ	YES	B	
AWAEFLG	Willingham	CB24 5JB	YES	B	
AXNFURLB	Over	CB24 5QB	YES	A	

Community Governance Review for Willingham and Over – Appendix F

AZDJCYP	Over	CB24 5PD	YES	A	
BADFIXQL	Willingham	CB24 5JQ	YES	B	The present boundary separates neighbours one being in Willingham and the other being in Over. I am sure most people presume that Highgate farm and the small units around are in Willingham when in fact they are in Over although there is no natural demarkation line. If the boundary were moved to the proposed blue line this would create a much more natural end to one village and start of another.
BAMWRARR	Over	CB24 5AA	YES	B	
BFCCYKBA	Willingham	CB24 5HT	YES	A	Either A or B would improve the governance hugely but A might be more acceptable to Over
BFVYJMIT	Over	CB24 5PL	NO	C	It's a waste of money, the whole exercise. Almost anything in the budgets these days is a much higher priority.
BIGJKJUG	Willingham	CB24 5JG	NO	C	
BJGMZCRW	Over	CB24 5QA	YES	A	
BKIEQOXP	Over	CB24 5PX	NO	C	
BMZJKLAL	Willingham	CB23 5GX	YES	B	This isn't a discussion I've taken part in thus far, but looking at the map the blue line seems to be roughly equal between the two. Willingham also looks to be a larger village than Over is, but oddly Over protrudes into Willingham itself. The map showing Over's boundary to be practically in Willingham's main street is a surprise to me.
BOFILZIG	Over	CB24 5EU	YES	A	Having the boundary moved would give Willingham residents a better say about what happens at the Willingham end of Over Road for which they are much more effected by than the residents in Over.

Community Governance Review for Willingham and Over – Appendix F

BSHFLRMG	Over	CB24 5PZ	NO	C	I cannot see how changing the existing boundary will improve community engagement, give better local democracy or a more effective and convenient delivery of local services.
CDXCDKDQ	Over	CB24 5PL	NO	C	However it would have been good to see the full proposed justification for this change on the website - rather than just a map.
CIODNMXA	Willingham	CB24 5GD	YES	B	
CSQAZRUT	Willingham	CB24 5GX	YES	B	
CUJSVXCS	Willingham	CB24 5JF	YES	A	Willingham village has gradually expanded on its South West edge so that properties, homes and businesses are now in Over Parish. This leads to decisions made by Over Parish Council effecting Willingham. There are also problems of the delivery of goods and services going to the incorrect village and having to be redirected. If the boundary was changed these problems would be resolved. Most of the public probably do not realise when visiting home and businesses beyond the current boundary that they are not in Willingham. A change to the boundary would make for a much more defined demarcation between the two parishes.
CWVXNEXF	Over	CB24 5PZ	NO	C	
CVZYXLJV	Over	CB24 5TY	NO	-	
CWTUYILS	Over	CB24 5NE	NO	C	strongly object to the boundary established in 1618 being moved. The present boundary is clear and exact -those proposed are not
CYOCPOMF	Over	CB24 5ND	NO	C	There is no reason to change the boundary. It is a cynical attempt to to overcome planning and building guidelines. There are no obvious benefits to overcome these guidelines.
DDSSOBLH	Willingham	CB24 5HG	YES	B	

Community Governance Review for Willingham and Over – Appendix F

DELDUCSK	Over	CB24 5PY	YES	B	
DJLEMYHX	Over	CB24 5PZ	NO	C	I cannot understand what the benefits would be to the parish of Over, in particular those residents directly affected, if there was a redefined boundary. The existing boundary is ancient and has sufficed well for several hundred years and continues to do so. Why make our parish smaller? I think this is a waste of council time, energy and money even thinking about it.
DLUTQAFY	Willingham	CB24 5LH	YES	B	This is the best option but should continue straight to the busway.
DMWKHNKR	Over	CB24 5NE	NO	C	I see no reason why the long standing boundary should be changed. I think the boundary should remain where it is.
DNMLGZLB	Willingham	CB24 5JD	YES	A	
DONSJICT	Over	CB24 5AA	YES	B	
DQFDQWRE	Over	CB24 5PU	NO	A	Born in the village of Over and having lived here for in excess of 64 years I am very proud of my village and it's history. The residents and traders of the affected areas knew the situation when they moved in and commenced trading. I feel that the boundaries stand. If it does have to change I would propose that it skirt Highgate using the green route until the Over-Willingham road and then along said road to join up with the existing boundary.
DTWXOORZ	Over	CB24 5PF	NO	-	
DUIHZQVI	Willingham	CB24 5LH	YES	B	
DWQDZKKL	Willingham	CB24 5UT	YES	A	
EFOSWVFI	Over	CB24 5PZ	NO	C	The boundary is historic and should not be changed to grab land from Over.
EJOBGZWC	Over	CB24 5NE	YES	A	
EQMOUKBD	Over	CB24 5PL	YES	B	

Community Governance Review for Willingham and Over – Appendix F

FBFLRYIY	Over	CB24 5EU	YES	B	Our business is on the site of Highgate Farm and we consider ourselves as part of Willingham although because of the current boundary line officially we are in Over. The location gives the assumption we are in Willingham but because of the boundary we have problems with deliveries and postwhich is detrimental to our local business. The community of the village of Willingham considers us to be a small business in their village and moving the boundary would ensure this is the case.
FBYCBGDQ	Over	CB24 5UB	YES	A	
FGBMFDGN	Willingham	CB24 5HB	YES	A	<ol style="list-style-type: none"> 1. Deliveries sometimes go to Normal Way 2. As we are much closer to Willingham than Over we should be in Willingham Parish 3. We have far more response from Willingham Parish Council
FHLIKZLQ	Willingham	CB24 5HY	YES	B	The pathway to the farm shop, café and gym is non existent. This area is much closer to Willingham and should be maintained by Willingham council and so boundary should change.
FJIYBFPM	Over	CB24 5PY	YES	A	<p>I feel strongly this should be reviewed for a number of reasons. Most residents of over and Willingham think this area is in Willingham already as it sits right next door to Willingham but a few miles from over. Willingham does not have an industrial area and if the boundary were moved this would put a number of businesss in Willingham in a good location over is already well served by over industrial site. The businesss next door to Willingham have had a number of issues which telecommunications and delivery as people get confused and don't realise it's actually over not Willingham.</p> <p>Moving this boundary will not affect any residents other than those within this proposed change but will make life and running their business easier and we should be supporting small business and help them and by</p>

Community Governance Review for Willingham and Over – Appendix F

					moving this boundary I believe it will assist these small businesses.
FLQWKUHI	Over	CB24 5QD	NO	-	
FNTKFLCL	Willingham	CB24 5EZ	YES	B	
FPIJWDRW	Willingham	CB24 5HB	YES	A	
FREHXQDG	Over	CB24 5AA	YES	B	
FRFKQQR	Over	CB24 5UB	NO	C	I do not think a historic boundary should be moved for no good reason
FUAZLJLE	Over	CB24 5NB	NO	C	Historically the boundary has been this way for many years - I honestly don't understand why this is a priority requiring attention of any paid resource of personnel.
FVJTPJPG	Over	CB24 5NQ	NO	A	
GAUNWHQR	Willingham	CB24 5HG	YES	A	
GTXWGOMQ	Over	CB24 5EU	NO	A	I don't know enough about what the implications for the boundary changes would be. For example the possibility for [REDACTED] to get through planning applications for more housing on the edge of the village and potential changes of Council tax etc. People need to have more information to make an informed decision and you haven't given any as far as I can see.
GXGPOXTC	Willingham	CB24 5JJ	YES	B	Represents better the current status of property and land.
GZUPIDEI	Over	CB24 5ND	NO	C	If we move the boundary line, will we get some of Willingham land? Also, when will this end. What if Longstanton, Swavesey etc want to start moving the boundary. There won't be much left of Over. As for business at Willingham, it is known as Willingham. Any planning is gone through Over and Willingham Parish councils. I say leave things alone that don't need moving.

Community Governance Review for Willingham and Over – Appendix F

HFDPXWEJ	Over	CB24 5PZ	NO	C	I feel that as the boundary has been set for so many years without a problem why change something that does not need changing for any real legitimate reason. I do not feel it should be done to suit the convenience of an individual.
HGBSATCS	Over	CB24 5PJ	NO	C	Can't see point in wasting valuable District Council time in making such an amendment which affects so few people and has minimal financial benefit to anyone.
HPXOJNPZ	Willingham	CB24 5JU	YES	B	
HQXQZDIR	Willingham	CB24 5JD	YES	B	
HRDVDMMA	Over	CB24 5PY	NO	A	
HRWPOCEY	Willingham	CB24 5JG	YES	A	The boundary should reflect the end of Willingham, and inside the green line is undoubtedly a part of Willingham
HRZHVBPB	Willingham	CB24 5LA	YES	B	The boundary should be changed sothat Willingham has a say in what happens to land that is adjacent to properties within the boundary rather than Over which has open fields separating it. Those properties are thought of as being in Willingham notOver.
HUKLGAUY	Over	CB24 5PZ	NO	C	
HWVUTLFJ	Over	CB24 5HA	NO	C	We have lived on the boundary for many years without any problems and we don't understand the rationale for this proposal, in fact there is not one that I can see published in this review. On the face of it it seems that this is being proposed to benefit two of the most wealthy business men in the two villages.
HZDPKWKG	Over	CB24 5PF	NO	C	The Council has a duty of care to the whole community and changing the boundary will make no difference to the general population only to those who are affected & will take away funding from other areas. To date I have not seen a justified reason for changing the boundary that would bring a benefit to the community. Surely as we see more cut backs in spending the Council must ask “what value” does this give to the community.? Thank you.

Community Governance Review for Willingham and Over – Appendix F

IDVKUNHG	Willingham	CB24 5HZ	YES	B	
IHWCQTES	Over	CB24 5QB	YES	A	The change makes a lot of sense. If you try and describe the farm shop as being in over people are confused by it. Villages tend to grow with time boundaries need to grow with them.
INMJQDCM	Willingham	CB24 5ES	YES	B	The Blue line proposal is the boundary line for postal deliveries between the two villages.
INMZUJLH	Willingham	CB24 5JF	YES	A	
IPOBHPHG	Over	CB24 5PY	NO	C	The proposed change is unnecessary and has no benefits for the community as a whole.
IUSEELIQ	Over	CB24 5AA	YES	A	
JBQCTBRC	Willingham	CB24 5GD	YES	A	
JDARIVBH	Over	CB24 5EU	YES	A	My husband and I own [REDACTED] and also run other businesses from home . We have lived here for over twenty years and our postal address has always been Over Road Willingham not Willingham Road Over. We have always considered that we live in Willingham, even our telephone number is under Willingham.It would make life much easier if the boundary was reorganised as it is confusing for delivery drivers when they are trying to find us, most days we have to direct them to us.
JFCKRKGL	Over	CB24 5PH	NO	C	
JHSXXPIN	Willingham	CB24 5HG	YES	A	The householders concerned should be the ones making the decision; their lives would be made easier if they were included within Willingham parish and as they have stated this is what they want the boundary should be moved to accommodate their wishes.

Community Governance Review for Willingham and Over – Appendix F

JIQMNXNW	Over	CB24 5PG	NO	C	
JMPSONCA	Willingham	CB24 5JG	YES	A	
JMVWHJTV	Willingham	CB24 5JB	YES	B	
JRSMDVFM	Willingham	CB24 5GX	YES	A	
JSHHAMOX	Over	CB24 5EU	YES	A	
KBLXFBWX	Willingham	CB24 5HF	YES	B	
KDFQAJNLR	Willingham	CB24 5JT	YES	A	This seems like a logical adjustment to the boundary, given that the buildings are effectively part of Willingham already and Over is a couple of miles away with only fields in between.
KDLLRICR	Willingham	CB24 5UX	YES	B	
KEYMFJFG	Over	CB24 5ND	NO	C	
KGVHEXIC	Willingham	CB24 5ES	YES	A	
KJDGHJZP	Over	CB24 5QA	NO	C	I was born in Willingham and worked on farms and I lived in Haydon way for nearly 18 years and there was never any talk of moving boundaries these boundaries have been around for years I cannot see any sense in moving them .Looking at the maps there only a few small farms outside the exiting boundaries. It seems there is another reason for getting these boundaries moved. It looks as if there may be reason of planning permission form Highgate farm if it was under Willingham council rather than Over there is no sense in moving just for these reasons.
KRZZWGOK	Willingham	CB24 5HF	YES	A	It makes sense for those properties/ businesses be within the boundary of Willingham, as they have always been regarded as 'being in Willingham'. Things have changed since the 1600's and it makes no sense that these are regarded as being in Over.
KUNVPEEL	Over	CB24 5PH	NO	C	

Community Governance Review for Willingham and Over – Appendix F

KXAJPLNU	Over	CB24 5TX	NO	C	Unnecessary waste of council taxpayers' money that if allowed through would set a precedent for trivial changes and encourage further waste of the same nature.
KXRWMXQG	Willingham	CB24 5JT	YES	A	
KYEHBNZ	Willingham	CB24 5UX	YES	A	
KZCKYLEB	Over	CB24 5AE	YES	A	
LAMIECUY	Over	CB24 5NQ	YES	A	
LCQGGZHJ	Over	CB24 5PL	YES	B	
LCXCTVWV	Over	CB24 5EU	NO	C	There is no need to change the current boundary unless land owners near the boundary would rather fall under Willingham Parish Council which is more lenient regarding sale of land to housing developers.
LJQAXNTI	Willingham	CB24 5HG	YES	B	
LKCLBXWQ	Willingham	CB24 5HG	YES	A	We are strongly in FAVOUR of moving the boundary so that the land West of Haden Way and it's continuation should be brought INTO the Parish of Willingham. The ILLOGIC of the current boundary was highlighted back in February /May 2014, when there was an Application to create a Gypsy site in a field on the West, the 'Over side' of that Haden Way extension. That Application drew attention to the fact that the site was /is in the Parish of Over, BUT that it would be residents and others in the Parish of Willingham that would be affected. All of the objections / objectors were made by or on behalf of Willingham residents or owners. If you read between the lines of the Planning Inspector's reasons for rejecting this application, you will quickly see the Illogic of the applicant site being in Over, and the LOGIC of moving the boundary to bring it INTO that of Willingham.
LLXJEIBD	Over	CB24 5PD	NO	C	This boundary has remained in place for 100's of years and should not be changed

Community Governance Review for Willingham and Over – Appendix F

LNIMKXEW	Willingham	CB24 5HB	YES	B	The business close to Willingham would be better served if they are in the Willingham Parish Boundary. If the boundary is change the Willingham Parish Council could be then able to move the 30mph speed limit close to the new boundary.
LOPSZGMZ	Willingham	CB24 5HT	YES	B	The current boundary was drawn 400 years ago. Then ordinary people had no vote and no voice. In 2017 we do. To maintain the current boundary puts the opinions of a historical group ahead of the people directly affected and continues to deny them their democratic rights. Those at the edge of the village should be allowed to take part in the full local democratic process in Willingham. Having the village unified under WPC will make representing them more effective when discussing whole village issues. The blue line separates the two villages and places a green boundary between them.
LRHDRFLQ	Willingham	CB24 5HG	YES	A	The present boundary is out of date and should be changed. Either suggestion is valid but the green line means a smaller area of land changes parish. The main focus should be on the effect of the existing on the lives of the people living there and the improvement that the change would bring.
LTZDYCYE	Willingham	CB24 5JU	YES	B	Alternative A would also make much more sense than the existing boundary, which no longer reflects the true extent of Willingham
LYOYOTBA	Willingham	CB24 5AH	YES	B	
LYWWJUSX	Willingham	CB24 5JT	YES	A	
MGFKGFZQ	Over	CB24 5PD	NO	C	The current boundary is historic and clear. The change is very small, complicates electoral arrangements and wouldn't improve local services. It would create an unwelcome precedent for minor boundary adjustments almost anywhere.
MIZIMPCC	Over	CB24 5PY	NO	C	
MMCLUASD	Over	CB24 5PT	YES	A	

Community Governance Review for Willingham and Over – Appendix F

MNFNERBJ	Willingham	CB24 5JE	YES	B	I think the second proposal is best but either seem better than the current boundary.
MPWTBVRVY	Over	CB24 5PX	NO	C	There is no reason whatsoever to change the boundary which has existed, quite satisfactory, for over 400 years.
MROFIMKD	Willingham	CB24 5HB	YES	A	
MUNNLCFM	Willingham	CB24 5HS	YES	B	
MYALVHQI	Willingham	CB24 5HS	YES	B	
MYDBXAKX	Over	CB24 5NQ	YES	B	I live in Over but see that in the 21 st century this looks like the sensible boundary. I have been increasingly annoyed by the stance of Over Parish Council who think that because it was set in 1618 it should stay the same. That is not a good enough argument any more.
NBOHNFGJ	Willingham	CB24 5JT	YES	A	It makes sense to have all of Haden Way and the Highgate Farmshop classed as Willingham to avoid confusion for locals and delivery drivers.
NDWQAHZF	Over	CB24 5PD	NO	A	
NFWSQSTW	Over	CB24 5PZ	YES	B	Whatever boundary is chosen, homes in the area should be consulted and listened to.
NJPNMUND	Over	CB24 5NG	NO	C	
NMLDKNXG	Willingham	CB24 5HT	YES	A	
NRFRHSEU	Willingham	CB24 5HT	YES	B	
NSJPUTGZ	Over	CB24 5NF	YES	B	
NVEGDPYT	Over	CB24 5PE	NO	C	I can see no positive reason for the proposed change. There has already been a waste of public money getting this far. I suggest that there be no further waste and the proposers of this change devote their energies to more useful pastimes.

Community Governance Review for Willingham and Over – Appendix F

OASTXXHO	Preston	PR2 8BQ	YES	A	As trustees of the Highgate Country Stores Limited Executive Pension Scheme we hold a significant investment in Industrial, Retail, Office buildings and land within the above Parish. It has been, for some time, a concern to us that our tenants have been having difficulty with the practical issues of running their businesses at this site. Deliveries have been sent to the wrong place, telephone and internet provision has been difficult to arrange because of confusion with the location. Being situated in Willingham and yet having an address within Over. This situation could quite easily be resolved for all these businesses with this boundary change.
OCFCEXPL	Willingham	CB24 5JP	YES	A	
OFGEZPOY	Willingham	CB24 5HY	YES	B	
OFNKOZWB	Over	CB24 5NR	NO	C	The boundary has remained unaltered for 400 years and there is no good reason to alter it now. There is no evidence adduced that vehicles are unable to find the Highgate Farm premises. I believe that the Willingham boundary goes as far north as Earith Bridge. If the Willingham Parish Council are so serious about tidying the boundaries, why have they not suggested the transfer of the properties at Earith Bridge to Earith Parish Council? It is my belief that the plan attached to this survey is incorrect, so perhaps this whole survey is flawed. Anyone who wishes me to expand on this point, please contact me.
OIJGNCBR	Over	CB24 5NQ	NO	C	
OJMWVWCS	Willingham	CB23 5JT	YES	B	
OPMCXNRZ	Over	CB24 5EU	YES	A	The address above is the one we use on a daily basis. The letter you sent us uses a different address. This is confusing to start with. So this causes problems with delivery of mail & parcels.
OZAPXDAC	Over	CB24 5AA	YES	B	
PKAQVBLX	Willingham	CB24 5LD	YES	B	

Community Governance Review for Willingham and Over – Appendix F

POS013	Over	CB24 5EU	YES	A	I would like to add that having a business on Highgate Farm, that some of my customers have commented that the address makes it difficult to find us as its not clear on the boundaries.
POST001	Over	CB24 5PF	NO	C	With small business users at this address we would not be happy with any change that might increase the business rates or add to the overheads with a change of address, business cards, and updating customers/suppliers, etc.
POST002	Willingham	CB24 5JE	NO	C	I feel moving the boundary which has been there for generations would I fear open the way for developing farming land into future building land. The existing boundary is the demarcation line for the extent of enlarging the village of Willingham and should therefore remain.
POST003	Willingham	CB24 5JE	NO	C	I believe if the boundary was moved this would lead to an excuse to increase the village by extra building land.
POST004	Over	CB24 5PZ	YES	A	The location of the businesses and dwellings that would be affected are clearly part of Willingham and use Willingham services. Historic boundaries should be updated to reflect the current interactions and village growth.
POST005	Willingham	CB24 5HF	YES	B	
POST006	Willingham	CB24 5HF	YES	B	
POST007	Over	CB24 5EU	YES	A	Deliveries confused with Over Industrial Estate. Post code wrong, post not delivered, (see attached summons).
POST008	Willingham	CB24 5LE	YES	A	
POST009	Willingham	CB24 5SX	YES	A	Over 450 electors from Over & Willingham parishes signed petition requeston boundary review. 25+ businesses employ 100 people at Highgate Farm. Often they experience difficulty receiving deliveries/postal probelms. Telecoms installs often take ten weeks as the business is in Over but the telephone service is in Willingham. Internet searches for some businesses shows them located in the middle of Over Fen and visitors drive into Over only to find they have to head back again. Some businesses assumed they were already in Willingham as the VOA state their addresses are such. Willingham Barns adds to the confusion as it is in Over.

Community Governance Review for Willingham and Over – Appendix F

POST010	Over	CB24 5PF	NO	C	At a time of heavy cutbacks in all Government depts we see no reason to incur an unnecessary expense on a village boundary change for the sake of change - with no real benefit to either village.
POST011	Over	CB24 5EU	YES	A	As we are in Willingham it would be nice to be in its borders.
POST012	Willingham	CB24 5JX	YES	A	Apologise for the enclosed letters for exceeding 100 words, but I believe they show a true and correct reason why we are seeking a boundary change.
POST014	Over	CB24 5HA	YES	B	We would like to be part of a village properly as at the moment we count as Over but everything we do, friends, shops etc is all Willingham, We feel forgotten here by Over, just a small thing, Willingham drops a newsletter off, Over doesn't even bother.
POST015	Willingham	CB24 5LW	YES	A	I consider that boundaries should reflect present status of villages and not refer back to historic usage. The enterprises and community provision at Highgate Farm are clearly part of the village of Willingham.
POST016	Willingham	CB24 5HB	NO	C	The boundary has been where it is for 100yrs. It does not need to be moved. There is no reason for it to be moved.
POST017	Willingham	CB24 5HB	YES	B	
POST018	Willingham	CB24 5HD	YES	A	
POST019	Over	CB24 5PG	YES	A	
POST020	Over	CB24 5EU	YES	A	As a resident and manager of a business on Over Road it seems better for residents of Willingham to have their opinions heard about things happening at this end of Over Road which is essentially in Willingham. Just because a historical boundary is there it doesn't necessarily make it right or sensible.

Community Governance Review for Willingham and Over – Appendix F

POST021	Over	CB24 5EU	YES	B	This would potentially mean that a more permanent boundary in the form of a bypass for Willingham would be well sited once decided upon. In addition, moving the boundary will allow for speed limits to be considered at this entry point to Willingham as traffic volume and speeding are a concern.
PRNEHGS	Over	CB24 5TY	YES	B	This appears logical as the properties affected appear to be part of Willingham.
PUBKPWUS	Willingham	CB24 5JU	YES	A	
QOCCHRVG	Over	CB24 5TY	NO	A	I feel that there is no need to waste public money on changing an existing boundary which will impact on very few people.
QQFVUMFG	Willingham	CB24 5LD	YES	B	
QQZCJZBK	Over	CB24 5NQ	NO	-	
QZLBSUIX	Willingham	CB24 5LW	YES	B	The blue boundary would seem to be the most logical though obviously dependent on the thoughts of the people who would now come under the Willingham Parish rather than Over Parish.
RAKJXFQW	Over	CB24 5NJ	YES	B	With the growth of Willingham in recent years, the current boundary seems out of place with the specification (4.4) that the parish boundary should represent "no-man's land between communities represented by areas of low population". The current boundary cuts through an area of high population visibly connected to the centre of Willingham.
RAYALGNI	Over	CB24 5PA	NO	C	The boundary has been established for hundreds of years.
RESQVEKJ	Willingham	CB24 5HB	YES	B	It does not make sense that Over PC can rule on planning on land which is to all intent a part of Willingham
RJGBVDBZ	Willingham	CB24 5LH	YES	B	I am hoping that any properties within either of the two proposed area have be consulted with on a more personal level. I do think that the properties within the proposed area changes do lie nearer to Willingham and a change does seem to be logical.
RLZSJOIA	Willingham	CB24 5JT	YES	B	Second proposal is the natural & logical parish boundary line.

Community Governance Review for Willingham and Over – Appendix F

RQBCTCNV	Willingham	CB24 5LS	YES	B	
RWYAAJNX	Willingham	CB24 5JB	YES	B	I always thought the area in question was part of Willingham and was surprised to see that it's classed as Over. I would recommend the boundary change to an area that keeps the two villages separate and easier for all to understand
RYLLRVGY	Over	CB24 5QD	NO	C	
RZSRGFOB	Over	CB24 5NQ	NO	C	
SAHFEJPB	Over	CB24 5EU	YES	A	As a Company working on the Highgate Farm site, until recently we were not aware that we weren't in Willingham. The VOA has us as located in Willingham; Royal Mail have us located in Willingham and our telephone number comes from the Willingham exchange. We suffer repeated difficulties with deliveries and visitors who often end up in Norman Way Ind Estate. A boundary move would make a considerable difference both logistically and economically preventing wasted journeys, time and money. With minimal disruption the move will affect very few Residents but will give great gains commercially.
SBSBUJOX	Willingham	CB24 5HS	YES	B	
SBZHKTVZ	Willingham	CB24 5JX	YES	B	
SCBZAGBT	Willingham	CB24 5GX	NO	-	It is not clear why the boundary should be moved at this time. I am concerned about what this means for planning of new developments on the land which would become part of Willingham particularly following the removal in November of trees and hedgerows in the fields between Rook Grove and Bourneys Manor Close.
SFQJXDDV	Willingham	CB24 5JT	YES	A	This is obviously the edge of the village. It is ridiculous to pretend that those buildings are in Over
SHXHGGCP	Willingham	CB24 5JU	YES	A	
SOMVRUBQ	Willingham	CB24 5GX	NO	C	Simply cannot believe the reasons stated for this proposed change. I believe there is another motive, namely paving the way for future housing development, which I do not support.

Community Governance Review for Willingham and Over – Appendix F

SQJJPTB	Willingham	CB24 5HZ	YES	A	
SRICMZNW	Willingham	CB24 5JU	YES	B	
SXLWVOWZ	Willingham	CB24 5HG	YES	A	
TELSULGL	Cambridge	CB1 3TR	YES	A	I was born and brought up near to this boundary and it would seem time to revisit the old 400 yr old boundary to take into account the growth of the village in this direction, it has always seemed odd that this part of the village is in Over when it is about 2 miles away!
TEYVAUEP	Willingham	CB24 5JH	NO	C	
TFRHNFY	Willingham	CB24 5HG	NO	-	I do not see that current Willingham boundary is any less logical than the Longstanton boundary which borders the south of Willingham and yet it over 1 mile from Longstanton. There are very few properties in the proposed change area and I am concerned that changing parish so close to Willingham could introduce change of policy to areas already adjacent to the village.
TNJNIQMCV	Willingham	CB24 5LQ	YES	B	I think the second proposed boundary is correct but certainly the first is a bare minimum. When you look at it on the map, you can really see how wrong the original boundary was and is disproportionately favourable to Over.
TODCEYLB	Over	CB24 5PZ	YES	B	The views of Cold Harbour Farm residents should be given decisive weight over the blue/green choice. In general terms a change is obvious and long overdue.
TTDNWSPR	Willingham	CB24 5JT	YES	B	Adjustment of the boundary is long overdue
TWDWKIJH	Willingham	CB24 5LQ	YES	B	
TZOKBYSJ	Over	CB24 5PG	NO	A	
UHPRJNWU	Willingham	CB24 5HB	NO	A	My objections are: Extending the boundary will enlarge Willingham and thereby encourage further building development. At present the area in question is not likely to become residential as it is the outer boundary for Over.

Community Governance Review for Willingham and Over – Appendix F

UIATIUXY	Willingham	CB24 5LB	YES	A	The developments that are happening on the over/Willingham boundary affect Willingham far more than Over. Therefore it is right that Willingham should have a say in what is proposed
UIEALHRO	Willingham	CB24 5HB	YES	B	
UJZKOLGR	Over	CB24 5QA	YES	B	
ULNIICGH	Over	CB24 5NH	NO	C	
UMAKOLFL	Over	CB24 5NE	YES	A	Benefit of change to environment and Over residents: decrease in traffic passing through Over due to Highgate Farm traffic misrouting through Over village.
UUQQOFGX	Willingham	CB24 5JX	YES	A	We used to live off over road and delivery drivers found it very difficult to find us and got confused with road signs. This was very frustrating having to chase delivery companies constantly.
UVQSBWAF	Willingham	CB24 5LE	YES	B	It makes sense to me to change the boundary to include businesses and residents who are much nearer Willingham than Over and who mostly use Willingham facilities.
UVWYOPIW	Willingham	CB24 5UX	YES	B	
UZPVZZQL	Over	CB24 5EU	NO	-	
VBCRSXFM	Over	CB24 5NE	NO	C	
VCAVLQDV	Willingham	CB24 5HT	YES	A	Either boundary would be a vast improvement.
VDVBLVQO	Over	CB24 5NP	NO	C	I feel this is a waste of public money. All sorts of documentation/records would have to be changed for a few yards of ground. We need to be spending public money on people NOT lines on a map. Local people have a high standard of living compared with other parts of the U.K. I can see no reason to change the boundary that would improve the quality of life of local residents. We must be wise about spending local money on real areas of need. So this is why I do not support any changes to the boundary at this time. It is a luxury not a necessity. We should be concentrating local money on areas badly in need of resources eg: elderly care.

Community Governance Review for Willingham and Over – Appendix F

VEIGWLNK	Willingham	CB24 5LD	YES	B	
VESMZVID	Willingham	CB24 5JE	YES	A	Hopefully the 30 mph speed limit on entry to Willingham will move in line with the new 'Green line' boundary
VGKJSYAH	Over	CB24 5NJ	YES	B	Either boundary line would be appropriate.
VILOPEYT	Over	CB24 5NB	NO	C	I think this is a cynical attempt to circumvent Over's current planning status as a group village and to access Willingham's status as a minor rural centre in order to increase development of Highgate 'Farm'! Over Parish Council has in the past, suggested that Willingham Parish Council be jointly consulted on development applications which may affect properties near the current boundary. We often receive mail here in Over for Willingham addresses and as mail for both villages is dealt with from Willingham sorting office, misdirected mail will not be a problem sorted by a boundary change.
VJCLZHDR	Over	CB24 5PN	YES	A	Moving the boundary would clarify responsibilities, make business deliveries & clients to our office at Highgate less likely to get lost; many head into Over first. The VOA even has our address as Over Road Willingham! If Willingham starts at Haden Way, why then does the sign for Over sit at the hill and not opposite the Willingham one? The boundary sign between Swavesey and Over is on the boundary line. Our work phone is a Willingham number, our post is delivered from Willingham, makes sense to therefore be IN Willingham! The loss of some residential voters will be more than compensated for by the current and proposed new builds in Over.
VKNEIHGJ	Over	CB24 5NX	NO	C	
VLENECCF	Willingham	CB24 5JA	YES	A	
VMWZGWIY	Willingham	CB24 5LF	YES	A	
VOZGXSNI	Willingham	CB24 5HB	YES	A	

Community Governance Review for Willingham and Over – Appendix F

VTVDREDL	Willingham	CB24 5HB	YES	B	
VWCVWLIG	Willingham	CB24 5GX	NO	C	The reasons given for the proposed change are ludicrous. Can't believe this waste of time and money. The Parish Council is being duped.
VXDYQENV	Willingham	CB24 5ES	YES	B	
WCVOFJHD	Over	CB24 5PL	NO	C	No significant community benefit and costly to implement.
WFZASWWX	Over	CB24 5ND	NO	-	
WJAPEXRD	Over	CB24 5NH	NO	C	If it ain't broke, don't fix it. It's all about money grabbing
WJTRVHZP	Willingham	CB24 5HY	YES	B	It never occurred to me that Highgate Farm and Willingham Barns were not already part of Willingham
WLNQFKTT	Willingham	CB24 5HZ	YES	B	
WMQOFPSF	Over	CB24 5PD	NO	-	
WOGMMCVO	Over	CB24 5PQ	NO	-	
WRFOMHMR	Over	CB24 5NE	YES	A	
WTTSTFKK	Willingham	CB24 5HB	YES	B	It makes sense for the business close to Willingham to be in the Willingham Parish. The Willingham Parish Council could also be able to extend the 30MPH speed limit to the new boundary.
WXKEGOVY	Willingham	CB24 5EU	YES	B	Either of the new proposed boundaries lines appears ok. I would like this to go through as i understand this causes issues for companies on the 'Willingham' business park. Furthermore I hope this will look to also amend the current speed limit of Over Road in the village of Willingham, as the 60mph to 30mph change is too close to the edge of the village boundary, resulting in many speeding vehicles close to residential houses, which is a real concern.
XDJRUMLL	Willingham	CB24 5JB	YES	B	
XEDFSLVV	Willingham	CB24 5JT	YES	B	

Community Governance Review for Willingham and Over – Appendix F

XIIAALMW	Willingham	CB24 5GX	NO	C	This boundary change has nothing to do with letters being delivered and every thing to do with selling the land for housing, currently the only access to this land is rook grove a private road, unless you change the boundary. Lets not lie that it's about Letters being delivered.
XLQRQGQT	Over	CB24 5ND	NO	C	
XYDCTAWP	Willingham	CB24 5LD	YES	B	
XYGJOWZU	Willingham	CB24 5HB	YES	B	I believe the second proposal to be most appropriate, makes common sense to have the boundary in the middle of the villages as each village will better maintain, care and make more appropriate decisions for what happens to best serve their village. Thank you for the opportunity to be involved.
XYNMWMEG	Willingham	CB24 5HD	YES	A	A logical change to the boundary bringing properties and businesses perceived as part of Willingham into Willingham.
XZRSPRRZ	Willingham	CB24 5GX	YES	A	
XZSFICAX	Over	CB24 5TY	NO	B	In these times of financial austerity this is an unnecessary exercise. If it goes through it will change and ancient boundary that has been in place for hundreds of years and all for what?
YBBCOZOT	Over	CB24 5QA	NO	C	The proposed move (either of them) seems entirely unnecessary.
YFOSCTNM	Over	CB24 5PS	YES	B	It is a natural break between dwellings and follows along the top of a low ridge between the villages.
YNONQUUP	Willingham	CB24 5UR	YES	B	I am not quite sure how the boundary lines affect the Cold harbour Farm but in view of Hayden Way residents it makes sense for the boundary to include all their houses. The P O agree I think.
YPYVEZBQ	Willingham	CB24 5JT	YES	B	Makes total sense - includes both the businesses at Highgate Farm and those at Coldharbour Farm in the village, and makes things a great deal easier for them.
ZAVWSUCG	Willingham	CB24 5LH	YES	A	
ZBUIGGYL	Over	CB24 5PS	YES	-	I have no preference for either of the options for the boundary change.

Community Governance Review for Willingham and Over – Appendix F

ZFLYJZFV	Willingham	CB24 5HG	YES	B	
ZMKNCQPD	Over	CB24 5EU	YES	B	
ZNXPRCKD	Over	CB24 5UB	YES	C	
ZVYROYHZ	Over	CB24 5PY	NO	-	

Key: shading = those with a postcode in Highgate and Over Mereway ('affected persons')

This page is left blank intentionally.

Community Governance Review for Willingham and Over – Appendix G



WILLINGHAM PARISH COUNCIL

Parish Council Office
Ploughman Hall
West Fen Road
Willingham
Cambridge CB24 5LP

Tel: 01954 261027

Email: email@willinghampc.org.uk

Ms K Donaldson
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cams, CB23 6EA

11th May 2017

Dear Kirstin

RE: Community Governance Review of Willingham and Over Parish Boundary

I am writing on behalf of Willingham Parish Council regarding the ongoing boundary review.

The Council is entirely in favour of changing the border with Over to the first proposed new Boundary (coloured green in Appendix B of the Terms of Reference), for the following reasons:

- (1) There is strong support and preference from the residents and businesses in the area to be formally recognised as part of Willingham. They consider themselves to belong to Willingham, using it as their address and their first port of call for goods and services.
- (2) The homes and businesses west of the current boundary are clearly part of Willingham. The area joins Willingham yet is separated from Over by over a mile of open countryside.
- (3) Businesses and homes serve and are served by Willingham, yet have no involvement in local decisions which may affect them. This is not conducive to good governance.
- (4) The historic boundary bears no relation to the current development.
- (5) The proposed new boundary is easily identifiable as it follows a ditch from Dockerel Brook to Willingham Road, Willingham Road itself, and then established hedged field boundaries.

If you have any queries regarding the above or would like any further information then please don't hesitate to contact me.

Yours sincerely

Mandy Powell (Mrs)
Clerk to Willingham Parish Council

This page is left blank intentionally.

Community Governance Review for Willingham and Over – Appendix H

Over Parish Council

Parish Clerk: Linda Poulter

Community Governance Review of Willingham and Over Parish Boundary Formal response from Over Parish Council

Over Parish Council rejects the proposal to alter the boundary between Willingham and Over. It believes that the current boundary, which has served its purpose for 400 years and is clearly defined, should remain unchanged. Our specific objections to the Community Governance Review are outlined below:

1. The consultation launch was inadequate

A letter, dated 21 February 2017, was sent from SCDC to every household inviting **residents** to “participate in the consultation for this review” and directing them to an **online** questionnaire where they could have their say. This letter **could have** included a simple summary of the proposal, a map of the options and a response form – and might even have given a **closing date** for the responses – **but it didn’t**. It just gave a link to the full Terms of Reference, a document that is not easily digested and may well put off a casual reader. Furthermore, some of the links from SCDC’s website were unclear or just incorrect, although the errors were later corrected.

2. The consultation was unfairly structured

SCDC’s introductory letter was addressed to the **dwelling** and began “Dear Resident”, and presumably empowered **anyone living there** (of whatever age) to respond. It is unclear whether the consultation was intended for **electors** (or any other residents) **individually**, or whether just a single response per household was being solicited. More worryingly, the response required access to, and familiarity with, a computer in order to view the key documents and complete the questionnaire. This requirement would have predominantly disenfranchised the older residents, the very people who might be expected to put a greater value on historic boundaries.

3. The local sets of hardcopies were incomplete and inadequate

Even if an elderly person had walked to Over Community Centre and picked up a copy of the full Terms of Reference, they would still have been required to wade through pages of complex text with headings like “*Reorganisation of Community Governance Orders and Commencement*” and “*Consequential Matters*”. There is no guidance in the Terms of Reference as to the precise nature of the response that is required. In Para 1.2 it says that the review will consider an alteration to the boundary, in Para 1.3 it incorrectly describes the area involved (omitting Over Mereway) and in Para 1.8 it says that there are two alternative boundaries – **but it doesn’t set out the actual question being asked** (i.e. Should it remain as it is or follow Option A or Option B?).

4. This Community Governance Review is unusual

This CGR is unusual in the sense that it affects such a very small number of electors. Community Governance Reviews are complex and expensive exercises and should surely be expected **either** to involve significant numbers of electors **or** to correct glaring electoral or social injustices. This one does neither - a mere handful of electors are dissatisfied with their electoral assignment and would prefer to be part of a different electoral community. To correct that perceived injustice, they have managed to collect sufficient signatures from friends, customers and business partners to trigger this review – but it sets a most unwelcome precedent, raising the prospect of similar petty boundary adjustments throughout the district.

Community Governance Review for Willingham and Over – Appendix H

5. A boundary adjustment would bring very few benefits

Apart from the cosy glow of feeling a part of Willingham, rather than Over, there can be very few local services that would be delivered more effectively by moving the boundary a couple of hundred metres. The sun will shine just as brightly, the rain will fall just as often, the post will continue to arrive, and customers will just as readily cross the threshold of the shops involved.

6. A boundary change would create electoral anomalies

The electoral arrangements would become complex, with the electors involved in the boundary change ending up in different groupings for Parish, Ward and Division elections. No doubt this anomaly might be resolved in due course, but the Boundaries Commission has only recently completed a review of electoral boundaries within the county and may not be keen to see its work amended so quickly and for such a trivial reason.

7. The proposed alternative boundaries are not as clearly defined

The 'green' option, as defined on the official CGR map, tracks across open fields alongside the Highgate development. This becomes obvious when the route is superimposed on an aerial view of the area: the accompanying map is a GIS map with the most recent 2013 aerial overlay enabled. A boundary defined by Over Mereway and Haden Way is far clearer than a route crossing fields, or even following existing hedge-lines, since hedges are far less permanent physical features.

8. The current boundary is historic and should be respected

This boundary was established in its current position in 1618, 400 years ago, to put an end to the frequent boundary disputes on the fens between Over and Willingham. Over, which was larger than Willingham at that time, occupied the drier part of the 'intercommoned' land, but in adverse weather conditions there were many squabbles over the better pasture. Parish boundaries had great significance at that time, and a detailed record exists of the Great Perambulation of 1602, when both parishes used a particularly dry period to walk around their boundaries, meeting up close to this point for "*solemn drinkage with prayers and thanksgiving and singing of psalms*".

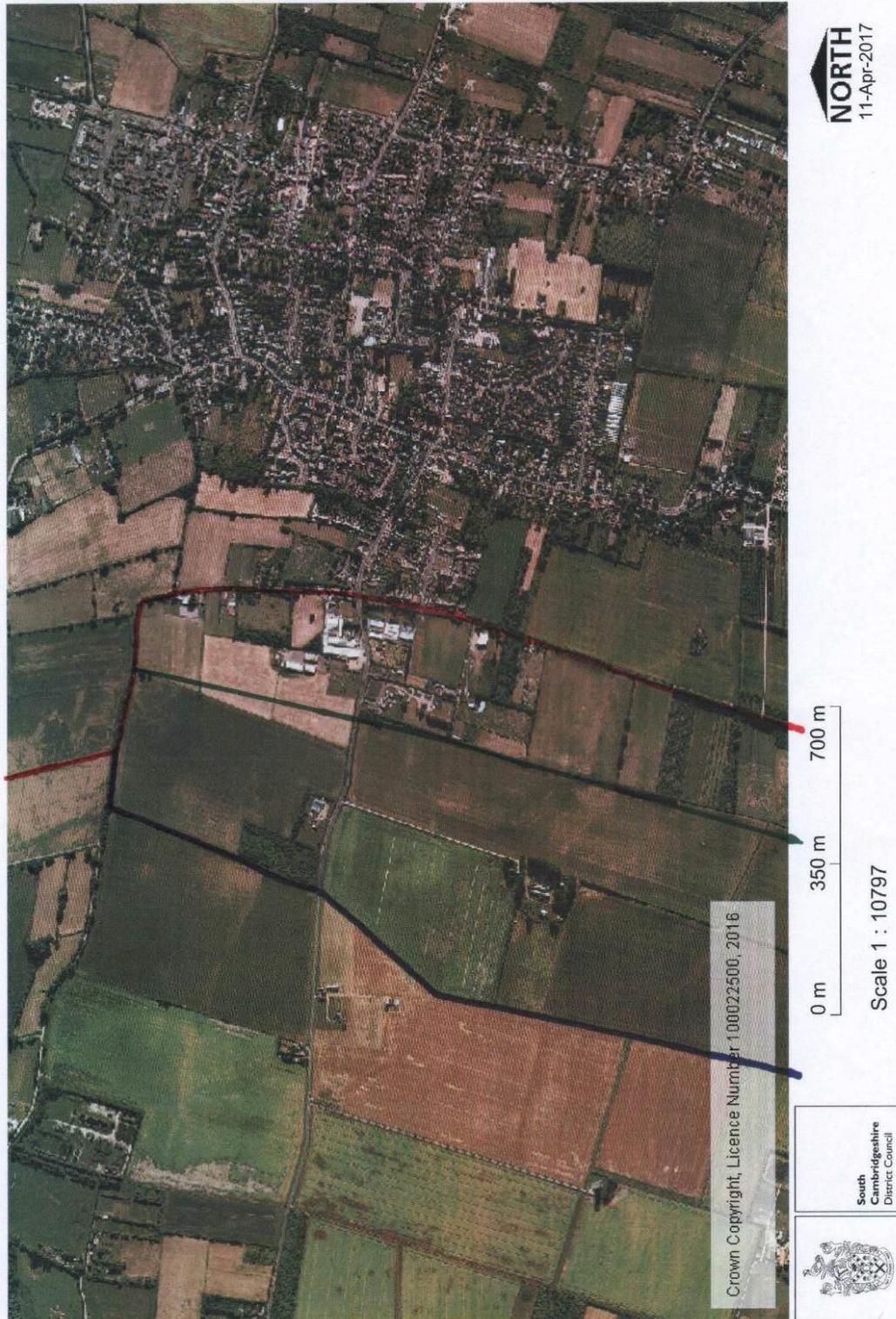
Summary

In conclusion, Over Parish Council wants to retain the **current** Parish boundary, which has served its purpose for hundreds of years. Willingham has chosen to develop right up to its western boundary and seeks to expand further – but why shouldn't it develop within its existing borders elsewhere? There is plenty of open land to the east and to the north that they could develop, so we don't see any reason to concede a part of **our** Parish to our acquisitive neighbours in Willingham.

This is not the first time that Willingham has asked to move this boundary, and it is unlikely to be the last, but we can see no compelling reason to concede to their demand on this issue.

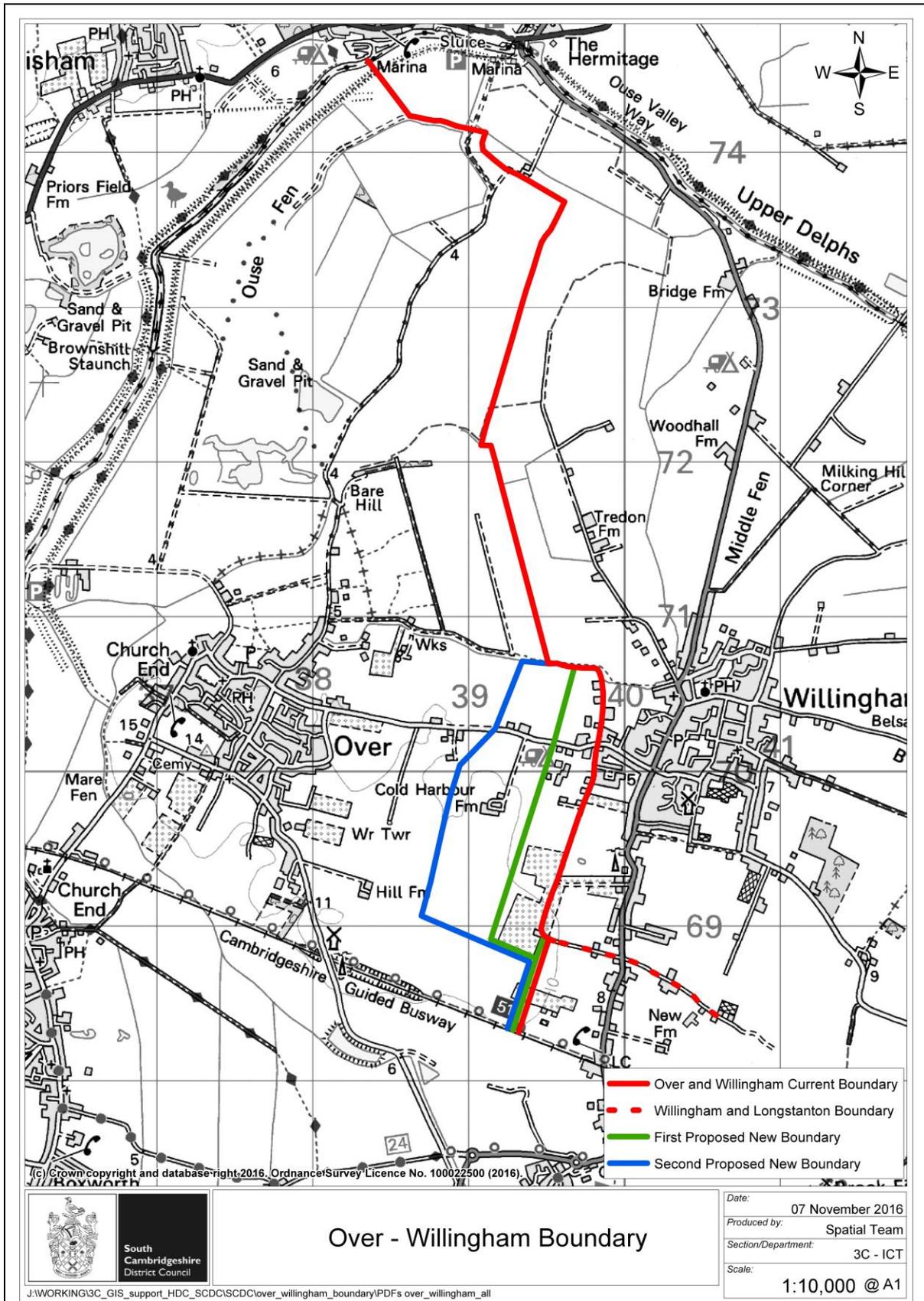
Community Governance Review for Willingham and Over – Appendix H

Parish Boundary Proposals

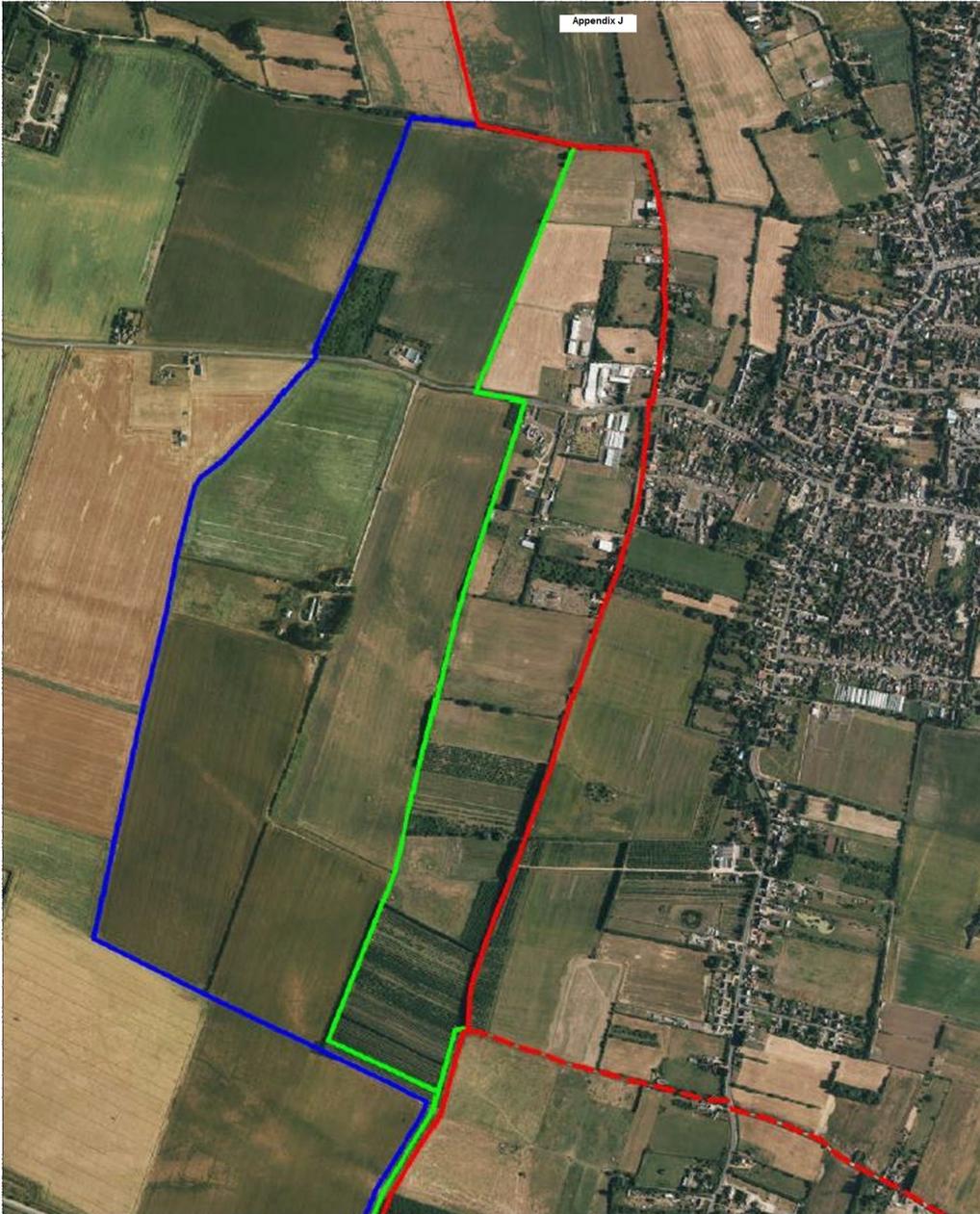


This page is left blank intentionally.

Community Governance Review for Willingham and Over – Appendix I



This page is left blank intentionally.



Over and Willingham Boundary Proposals

-  Scale: 1:10,000
-  Over and Willingham current boundary
 -  Willingham and Longstanton boundary
 -  First Proposed New Boundary
 -  Second Proposed New Boundary

This page is left blank intentionally.



The
Local Government
Boundary Commission
for England

Guidance on community governance reviews

www.communities.gov.uk



The
Local Government
Boundary Commission
for England

Guidance on community governance reviews

March 2010

Department for Communities and Local Government
Local Government Boundary Commission for England

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 0303 444 0000
Website: www.communities.gov.uk

© Crown Copyright, 2010

Copyright in the typographical arrangement rests with the Crown.

This publication, excluding logos, may be reproduced free of charge in any format or medium for research, private study or for internal circulation within an organisation. This is subject to it being reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the publication specified.

Any other use of the contents of this publication would require a copyright licence. Please apply for a Click-Use Licence for core material at www.opsi.gov.uk/click-use/system/online/pLogin.asp, or by writing to the Office of Public Sector Information, Information Policy Team, Kew, Richmond, Surrey TW9 4DU

e-mail: licensing@opsi.gov.uk

If you require this publication in an alternative format please email alternativeformats@communities.gsi.gov.uk

Communities and Local Government Publications
Online via the Communities and Local Government website: www.communities.gov.uk

March 2010

ISBN: 978 1 4098 2421 3

Contents

Foreword	6
Section 1	
Introduction	7
The Local Government and Public Involvement in Health Act 2007 and community governance reviews	7
Aim of this guidance	7
Issues covered in this guidance	8
Statutory provisions	8
Structure of guidance	9
Further information	9
Section 2	
Undertaking community governance reviews	10
Why undertake a community governance review?	10
Terms of reference for community governance reviews	11
Timing of community governance reviews	12
Undertaking community governance reviews	14
Public petitions to trigger community governance reviews	16
Section 3	
Making and implementing recommendations made in community governance reviews	18
Context of parishes in the wider community	18
Defining a parish	18
Criteria for undertaking a community governance review:	19
The identities and interests of local communities	19
Effective and convenient local government	21
Factors for consideration	22
The impact on community cohesion of community governance arrangements	22
Size, population and boundaries of a local community or parish	24

Parish meetings and parish councils	26
Recommendations and decisions on the outcome of community governance reviews	27
Implementation of community governance reviews by order	29
Maps of parish changes and mapping conventions	30
Section 4	
Other aspects of community governance reviews	32
Parish names and alternative styles for parishes	32
Grouping or degrouping parishes	33
Abolishing parishes and dissolving parish councils	34
Rural areas	36
London	36
Other urban areas	37
Charter trustee areas	38
Other (non-parish) forms of community governance	38
Area committees	39
Neighbourhood management	39
Tenant management organisations	40
Area/community forums	40
Residents'/tenants' associations	41
Community associations	41
Section 5	
Electoral arrangements	42
Introduction	42
What are electoral arrangements?	42
Ordinary year of election	42
Council size	43
Parish warding	44
The number and boundaries of parish wards	45
The number of councillors to be elected for parish wards	46
Names of parish wards	47
Electorate forecasts	47

Consent/protected electoral arrangements	47
--	----

Section 6

Consequential recommendations for related alterations to the boundaries of principal councils' wards and/or divisions	49
---	----

Foreword

This document comprises guidance issued by the Secretary of State and the Local Government Boundary Commission for England under section 100 of the Local Government and Public Involvement and Health Act 2007 (the 2007 Act) on undertaking, and giving effect to recommendations made in, community governance reviews and on making recommendations about electoral arrangements respectively.

The Implementation Plan for the Local Government white paper, *Strong and Prosperous Communities*¹ (the 2006 white paper), sets out Communities and Local Government's future approach to guidance. It proposes that guidance must be short, clear and practical, and that an open and inclusive approach to its preparation should be followed, involving the range of stakeholders who will be affected by or have an interest in it.

This guidance follows that approach. It is an updated version of guidance originally published in 2008 prepared by a partnership of Communities and Local Government and the Electoral Commission with stakeholders including DEFRA, the Local Government Association, County Councils Network, London Councils, the National Association of Local Councils, and the Society of Local Council Clerks. It aims to be clear and practical but also to encourage innovative and flexible local action. The main change to the guidance has been to reflect the establishment of the Local Government Boundary Commission for England, which is responsible for the boundary-related functions previously exercised by the Electoral Commission and the Boundary Committee for England.

A model community governance reorganisation order is available on the Department's website.²

¹ *Strong and Prosperous Communities*, the Local Government white paper, The Stationery Office, October 2006(Cm 6969).

² <http://www.communities.gov.uk/publications/localgovernment/modelreorganisationorder>

Section 1: Introduction

The Local Government and Public Involvement in Health Act 2007 and community governance reviews

1. Chapter 3 of Part 4 of the 2007 Act devolves the power to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England.
2. The Secretary of State therefore has no involvement in the taking of decisions about recommendations made in community governance reviews and the Local Government Boundary Commission for England's (LGBCE) involvement is limited to giving effect to consequential recommendations for related alterations to the electoral areas of principal councils.
3. From 13 February 2008, district councils, unitary county councils and London borough councils ('principal councils') have had responsibility for undertaking community governance reviews and have been able to decide whether to give effect to recommendations made in those reviews. In making that decision, they will need to take account of the views of local people.
4. Principal councils are required, by section 100(4) of the 2007 Act, to have regard to this guidance which is issued by the Secretary of State, under section 100(1) and (3), and the LGBCE under section 100(2).
5. This guidance is not an authoritative interpretation of the law (as that is ultimately a matter for the courts) and it remains the responsibility of principal councils to ensure that any actions taken by them comply with the relevant legislation. They should seek their own legal advice where appropriate.

Aim of this guidance

6. This guidance is intended to provide assistance to principal councils on:
 - a) undertaking community governance reviews
 - b) the making of recommendations for electoral arrangements for parish councils and the making of consequential recommendations to the LGBCE for related alterations to the boundaries of electoral areas of principal councils; and

- c) giving effect to recommendations made in community governance reviews

Issues covered in this guidance

- 7. The guidance supports and helps to implement key aspects of the 2006 white paper. The 2007 Act requires that local people are consulted during a community governance review, that representations received in connection with the review are taken into account and that steps are taken to notify them of the outcomes of such reviews including any decisions.
- 8. The matters covered by the guidance include:
 - a) duties and procedures in undertaking community governance reviews (Chapter 2), including on community governance petitions; the document gives guidance on a valid petition, and for the requirement for petitions to meet specific numerical or percentage thresholds signed by local electors
 - b) making and implementing decisions on community governance (Chapter 3): the 2007 Act places a duty on principal authorities to have regard to the need to secure that any community governance for the area under review reflects the identities and interests of the local community in that area, and that it is effective and convenient; relevant considerations which influence judgements against these two principal criteria include the impact on community cohesion, and the size, population and boundaries of the proposed area
 - c) other forms of community governance not involving parishes (Chapter 4) for example, residents' associations, community forums, tenant management organisations, area committees
 - d) considerations on whether parish meetings and parish councils would be most appropriate, and electoral arrangements (Chapter 5)
 - e) consequential recommendations for related alterations to ward and division boundaries (Chapter 6)

Statutory provisions

- 9. In addition to the 2007 Act, legislation relating to parishes can also be found in the Local Government Act 1972 (in particular, provision about parish meetings and councils, the constitution of a parish meeting, the constitution and powers of parish councils and about parish councillors) and the Local Democracy, Economic Development and Construction Act 2009 (reviews of, and recommendations about,

electoral areas by the LGBCE), as well as in other enactments.

Structure of guidance

10. This document is published jointly and is divided into two parts. Chapters 2 to 4 deal with those matters which the Secretary of State may issue guidance on and the issues raised in Chapters 5 and 6 are those on which the LGBCE may issue guidance. Having conducted a community governance review, unless in certain circumstances there are no implications for electoral arrangements, principal councils will need to consider both parts of this guidance together.

Further information

11. Further information about electoral arrangements for parishes and any related alterations to district or London borough wards, or county divisions should be sought from the LGBCE's website www.lgbce.org.uk

Section 2: Undertaking community governance reviews

Why undertake a community governance review?

12. Community governance reviews provide the opportunity for principal councils to review and make changes to community governance within their areas. It can be helpful to undertake community governance reviews in circumstances such as where there have been changes in population, or in reaction to specific or local new issues. The Government has made clear in the 2006 white paper and in the 2007 Act its commitment to parish councils. It recognises the role such councils can play in terms of community empowerment at the local level. The 2007 Act provisions are intended to improve the development and coordination of support for citizens and community groups so that they can make the best use of empowerment opportunities.
13. The 2007 Act is intended to streamline the process of taking decisions about giving effect to recommendations made in a community governance review, such as recommendations for the creation of new parishes and the establishment of parish councils, and about other matters such as making changes to parish boundaries and electoral arrangements. By devolving the powers to take these decisions from central government to local government, the 2007 Act is intended to simplify the decision-making process and make it more local.
14. Parish and town councils are the most local tier of government in England. There are currently about 10,000 parishes in England – around 8,900 of which have councils served by approximately 70,000 councillors. There is a large variation in size of parishes in England from those with a handful of electors to those with over 40,000 electors.
15. In many cases making changes to the boundaries of existing parishes, rather than creating an entirely new parish, will be sufficient to ensure that community governance arrangements to continue to reflect local identities and facilitate effective and convenient local government. For example, over time communities may expand with new housing developments. This can often lead to existing parish boundaries becoming anomalous as new houses are built across the boundaries resulting in people being in different parishes from their neighbours. In such circumstances, the council should consider undertaking a community governance review, the terms of reference

of which should include consideration of the boundaries of existing parishes.

16. A community governance review offers an opportunity to put in place strong, clearly defined boundaries, tied to firm ground features, and remove the many anomalous parish boundaries that exist in England. Reviews also offer the chance to principal councils to consider the future of what may have become redundant or moribund parishes, often the result of an insufficient number of local electors within the area who are willing to serve on a parish council. Some of these issues are considered elsewhere in this guidance (see Chapter 3 about parish councils and parish meetings and Chapter 4 regarding grouping parishes and dissolving parish councils and abolishing parishes).
17. Since new boundaries may be used to provide the building blocks for district and London borough ward and/or county division boundaries in future electoral reviews of district, London borough, unitary and county councils, it is important that principal councils seek to address parish boundary anomalies when they arise. Principal councils should therefore consider carefully changes to parish boundaries as these can have consequential effects on the boundaries for other tiers of local government.
18. Community governance reviews may also be triggered by local people presenting public petitions to the principal council. This is explained in more detail in paragraphs 39 to 43 on public petitions to trigger community governance reviews.

Terms of reference for community governance reviews

19. The 2007 Act allows principal councils to determine the terms of reference under which a community governance review is to be undertaken. It requires the terms of reference to specify the area under review and the principal council to publish the terms of reference. If any modifications are made to the terms of reference, these must also be published.
20. Terms of reference will need to be drawn up or modified where a valid community governance petition has been received by the principal council. Local people will be able to influence the terms of reference when petitioning (see paragraphs 24 and 39 to 43 for more information).
21. As the 2007 Act devolves power from central to local government and to local communities, it is inappropriate to prescribe a “one size fits

all” approach to terms of reference for community governance reviews applied by principal councils. However, the Government expects terms of reference to set out clearly the matters on which a community governance review is to focus. The local knowledge and experience of communities in their area which principal councils possess will help to frame suitable terms of reference. The terms should be appropriate to local people and their circumstances and reflect the specific needs of their communities.

22. In areas for which there is both a district council and a county council, district councils are required under section 79 of the 2007 Act to notify the county council of their intention to undertake a review and of their terms of reference. County councils play a strategic role in the provision of local services, and they can offer an additional dimension to any proposal to conduct a review, particularly as the terms of reference are being formulated. The bodies which the principal council must consult under section 93 of the 2007 Act include other local authorities which have an interest in the review. Such local authorities would include any county council for the area concerned. In such circumstances the district council should seek the views of the county council at an early stage.
23. Local people may have already expressed views about what form of community governance they would like for their area, and principal councils should tailor their terms of reference to reflect those views on a range of local issues. Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.

Timing of community governance reviews

24. A principal council is under a duty to carry out a community governance review if it receives a valid community governance petition for the whole or part of the council’s area. However, the duty to conduct a review does not apply if:
 - a) the principal council has concluded a community governance review within the last two years which in its opinion covered the whole or a significant part of the area of the petition or
 - b) the council is currently conducting a review of the whole, or a significant part of the area to which the petition relates
25. Where a review has been conducted within the last two years the principal council still has the power to undertake another review if it so wishes. Where a review is ongoing, the council can choose to

modify the terms of reference of the ongoing review to include the matters within the petition, or to conduct a second review.

26. Otherwise, the 2007 Act provides for a principal council to conduct a community governance review at any time. Principal councils will want to keep their community governance arrangements under review, and they should ensure that they consider on a regular basis whether a review is needed. A review may need to be carried out, for example, following a major change in the population of a community or as noted earlier in this chapter (see paragraph 15) to re-draw boundaries which have become anomalous, for example following new housing developments being built across existing boundaries. Principal councils should exercise their discretion, but it would be good practice for a principal council to consider conducting a review every 10-15 years – except in the case of areas with very low populations when less frequent reviews may be adequate.
27. In the interests of effective governance, the principal council should consider the benefits of undertaking a review of the whole of its area in one go, rather than carrying out small scale reviews in a piecemeal fashion of two or three areas. However, it is recognised that a full-scale review will not always be warranted, particularly where a review of the whole area or a significant part of the principal council's area has been carried out within the last few years. Occasionally, it may be appropriate to carry out a smaller review, for example, to adjust minor parish boundary anomalies.
28. Principal councils should use their knowledge and awareness of local issues when deciding whether to undertake a review. However, principal councils should avoid starting a community governance review if a review of district, London borough or county council electoral arrangements is being, or is about to be, undertaken. Ideally, community governance reviews should be undertaken well in advance of such electoral reviews, so that the LGBCE in its review of local authority electoral arrangements can take into account any parish boundary changes that are made. The LGBCE can provide advice on its programme of electoral reviews.
29. Where the LGBCE bases its new district or London borough ward boundaries on parish boundaries the Parliamentary Boundary Commission will then use these boundaries to determine parliamentary constituency boundaries (parliamentary constituencies use district and London borough wards as their building blocks). This illustrates the importance of keeping parish boundaries under review and ensuring they accurately reflect local communities.
30. Reorganisation of community governance orders (explained further in

this chapter under implementation) creating new parishes, abolishing parishes or altering their area can be made at any time following a review. However for administrative and financial purposes (such as setting up the parish council and arranging its first precept), the order should take effect on the 1 April following the date on which it is made. Electoral arrangements for a new or existing parish council will come into force at the first elections to the parish council following the reorganisation order. However, orders should be made sufficiently far in advance to allow preparations for the conduct of those elections to be made. In relation to a new parish council, the principal council may wish to consider whether, during the period between 1 April and the first elections to the parish council, it should make interim arrangements for the parish to be represented by councillors who sit on the principal council.

31. Parish council elections should normally take place every four years at the same time as the elections for the district or London borough ward or, in areas outside of London which have no district council, the county division in which a parish, or part of a parish, is situated. However, where a new parish is to be created, it may be necessary to alter the date of the next parish election, particularly if the next elections to the ward or division are not scheduled to take place for some time. To achieve this, section 98 of the 2007 Act allows principal councils to modify or exclude the application of sections 16(3) and 90 of the Local Government Act 1972, so that the first election to the new parish council is held in an earlier year. This results in councillors serving either a shortened or lengthened first term to allow the parish council's electoral cycle to return to that of the unitary, district or London borough ward at the next election.

Undertaking community governance reviews

32. Section 93 of the 2007 Act allows principal councils to decide how to undertake a community governance review, provided that they comply with the duties in that Act which apply to councils undertaking reviews.
33. Principal councils will need to consult local people and take account of any representations received in connection with the review. When undertaking the review they must have regard to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient. Further information on making recommendations is in Chapter 3.
34. Under the 2007 Act principal councils are required to consult both

those local government electors in the area under review, and others (including a local authority such as a county council) which appears to the principal council to have an interest in the review. In the case of a community governance review where a parish council already exists, as a local authority, it too should be consulted. Other bodies might include local businesses, local public and voluntary organisations - such as schools or health bodies. The principal council must take into account any representations it receives as part of a community governance review.

35. Principal councils must consider the wider picture of community governance in carrying out their reviews. In some areas there may be well established forms of community governance such as local residents' associations, or community forums which local people have set up and which help make a distinct contribution to the community. Some principal councils may also have set up area committees which perform a specific role in the local community.
36. In undertaking a review, section 93(5) requires principal councils to take these bodies into account. Potentially, as representatives of their community, these bodies may be considered as foundations for or stages towards the creation of democratically elected parishes (further information about other non-parish forms of community governance can be found in Chapter 4).
37. Principal councils are required to complete the review, including consequential recommendations to the LGBCE for related alterations to the boundaries of principal area wards and/or divisions, within 12 months of the start of the community governance review. The review begins when the council publishes terms of reference of the review and concludes when the council publishes the recommendations made in the review³. The Government stated in the 2006 white paper that they wanted the process for undertaking community governance (formerly parish reviews) to be simplified and speeded up. Given that there is no longer the need to make recommendations to Central Government prior to implementing any review recommendations, the 2007 Act makes it easier for principal councils to reach decisions on community governance reviews. Whilst a community governance review will depend on a number of factors, such as the number of boundary changes, the Government believes it should be feasible to accomplish reviews within 12 months from the start.
38. Principal councils will need to build into their planning process for

³ See section 102(3) of the 2007 Act for the interpretation of 'begin' and 'conclude' in relation to a review.

reviews reasonable periods for consultation with local electors and other stakeholders, for the consideration of evidence presented to them in representations, as well as for decision-making (see Chapter 3 on making and implementing recommendations made in community governance reviews). Implementation of reviews by Order and the requirement for the principal council to publicise the outcome of a community governance review are covered in paragraphs 98 to 103.

Public petitions to trigger community governance reviews

39. In recent years, the Government has been keen to encourage more community engagement. The 2006 white paper confirmed this development further stressing the intention to build on the existing parish structure improving capacity to deliver better services, and to represent the community's interests.
40. Under the 2007 Act, local electors throughout England can petition their principal council for a community governance review to be undertaken. The petition must set out at least one recommendation that the petitioners want the review to consider making. These recommendations can be about a variety of matters including:
- the creation of a parish
 - the name of a parish
 - the establishment of a separate parish council for an existing parish
 - the alteration of boundaries of existing parishes
 - the abolition of a parish
 - the dissolution of a parish council
 - changes to the electoral arrangements of a parish council
 - whether a parish should be grouped under a common parish council or de-grouped
 - a strong, inclusive community and voluntary sector
 - a sense of civic values, responsibility and pride; and
 - a sense of place – a place with a 'positive' feeling for people and local distinctiveness
 - reflective of the identities and interests of the community in that area and
 - effective and convenient
 - the impact of community governance arrangements on community cohesion; and

- the size, population and boundaries of a local community or parish
 - people from different backgrounds having similar life opportunities
 - people knowing their rights and responsibilities
41. For a petition to be valid it must meet certain conditions. The first of these conditions is that a petition must be signed by the requisite number of local electors. It is recommended that petitioners aim to collect the requisite number of signatures based on the most recently published electoral register. It should be against this register that the petition thresholds (set out below) will be assessed. The three thresholds are:
- a) for an area with less than 500 local electors, the petition must be signed by at least 50% of them
 - b) for an area with between 500 and 2,500 local electors, the petition must be signed by at least 250 of them
 - c) for an area with more than 2,500 local electors, the petition must be signed by at least 10% of them
42. These thresholds have been chosen to ensure that the minimum number of signatures to be obtained is neither so high that it will be impossible in most cases to collect that number nor so low as to allow a very small minority of electors to trigger a review. So, in areas with higher populations the threshold is not so high as to prevent a genuine desire for a review not being realised. Equally, in areas with smaller numbers of electors, this means that a handful of electors cannot initiate a review against the wishes of the majority of their fellow electors. The thresholds therefore help to ensure that the local democratic process is properly maintained.
43. The petition should define the area to which the review relates, whether on a map or otherwise, and refer to identifiable fixed boundaries. Where a proposed boundary is near an individual property, the petition must make clear on which side of the boundary the property lies. The petition must specify one or more proposed recommendations for review.
44. Where a petition recommends the establishment of a town or parish council or parish meeting (see paragraph 88) in an area which does not currently exist as a parish, the petition is to be treated as including a recommendation for a parish to be created even if it does not expressly make such a recommendation⁴

⁴ See Section 80 (8) of the 2007 Act

Section 3: Making and implementing recommendations made in community governance reviews

45. As stated in the 2006 white paper parish councils are an established and valued form of neighbourhood democracy and management. They are not only important in rural areas but increasingly have a role to play in urban areas. We propose to build on the existing parish structure, so as to improve its capacity to deliver better services and represent the community's interests.

Context of parishes in the wider community

46. Communities and Local Government is working to help people and local agencies create cohesive, attractive and economically vibrant local communities, building on the Government's Sustainable Communities' strategy.
47. An important aspect to approaching sustainable communities is allowing local people a say in the way their neighbourhoods are managed. One of the characteristics of a sustainable community is the desire for a community to be well run with effective and inclusive participation, representation and leadership. This means:
 - a) representative, accountable governance systems which both facilitate strategic, visionary leadership and enable inclusive, active and effective participation by individuals and organisations; and
 - b) effective engagement with the community at neighbourhood level including capacity building to develop the community's skills, knowledge and confidence
48. Central to the concept of sustainable communities is community cohesion. The impact of community governance on cohesion is an issue to be taken into account when taking decisions about community governance arrangements, and this is discussed further below.

Defining a parish

49. Parish and town councils vary enormously in size, activities and circumstances, representing populations ranging from less than 100 (small rural hamlets) to up to 70,000 (large shire towns – Weston-Super-Mare Town Council being the largest). The majority of them are small; around 80% represent populations of less than 2,500. Small parishes with no parish council can be grouped with

neighbouring parishes under a common parish council (see paragraphs 112 to 115).

50. Parish councils continue to have two main roles: community representation and local administration. For both purposes it is desirable that a parish should reflect a distinctive and recognisable community of place, with its own sense of identity. The views of local communities and inhabitants are of central importance.
51. The identification of a community is not a precise or rigid matter. The pattern of daily life in each of the existing communities, the local centres for education and child care, shopping, community activities, worship, leisure pursuits, transport facilities and means of communication generally will have an influence. However, the focus of people's day-to-day activities may not be reflected in their feeling of community identity. For instance, historic loyalty may be to a town but the local community of interest and social focus may lie within a part of the town with its own separate identity.

Criteria for undertaking a community governance review

52. Section 93 of the 2007 Act requires principal councils 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
 - effective and convenient
53. When considering the criteria identified in the 2007 Act, principal councils should take into account a number of influential factors, including:
 - the impact of community governance arrangements on community cohesion and
 - the size, population and boundaries of a local community or parish
54. In considering this guidance, the impact on community cohesion is linked specifically to the identities and interests of local communities. Size, population and boundaries are linked to both but perhaps more specifically to community governance being effective and convenient.

The identities and interests of local communities

55. Parish councils have an important role to play in the development of their local communities. Local communities range in size, as well as in a variety of other ways. Communities and Local Government is

working to help people and local agencies create cohesive, attractive and economically vibrant local communities. The aim for communities across the country is for them to be capable of fulfilling their own potential and overcoming their own difficulties, including community conflict, extremism, deprivation and disadvantage. Communities need to be empowered to respond to challenging economic, social, and cultural trends, and to demographic change.

56. Parish councils can contribute to the creation of successful communities by influencing the quality of planning and design of public spaces and the built environment, as well as improving the management and maintenance of such amenities. Neighbourhood renewal is an important factor to improve the quality of life for those living in the most disadvantaged areas. Parish councils can be well placed to judge what is needed to build cohesion. Other factors such as social exclusion and deprivation may be specific issues in certain areas, and respect is fundamental to the functioning of all places and communities. The Government remains committed to civil renewal, and empowering citizens to work with public bodies, including parish councils, to influence public decisions.
57. 'Place' matters in considering community governance and is a factor in deciding whether or not to set up a parish. Communities and Local Government's vision is of prosperous and cohesive communities which offer a safe, healthy and sustainable environment. One aspect of that is strong and accountable local government and leadership. Parish councils can perform a central role in community leadership. Depending on the issue, sometimes they will want to take the lead locally, while at other times they may act as an important stakeholder or in partnership with others. In either case, parish councils will want to work effectively with partners to undertake the role of 'place-shaping', and be responsive to the challenges and opportunities of their area in a co-ordinated way.
58. It is clear that how people perceive where they live - their neighbourhoods - is significant in considering the identities and interests of local communities and depends on a range of circumstances, often best defined by local residents. Some of the factors which help define neighbourhoods are: the geography of an area, the make-up of the local community, sense of identity, and whether people live in a rural, suburban, or urban area.
59. Parishes in many cases may be able to meet the concept of neighbourhoods in an area. Parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity. Like neighbourhoods, the feeling of local community and the wishes

of local inhabitants are the primary considerations.

60. Today, there may well be a variety of different communities of interest within a parish; for example, representing age, gender, ethnicity, faith or life-style groups. There are other communities with say specific interests in schools, hospitals or in leisure pursuits. Any number of communities of interest may flourish in a parish but they do not necessarily centre on a specific area or help to define it.
61. Building a sense of local identity may make an important contribution to cohesion where a local area is facing challenges arising from rapid demographic change. In considering the criteria, community governance reviews need to home in on communities as offering a sense of place and of local identity for all residents.

Effective and convenient local government

62. The Government believes that the effectiveness and convenience of local government is best understood in the context of a local authority's ability to deliver quality services economically and efficiently, and give users of services a democratic voice in the decisions that affect them.
63. Local communities should have access to good quality local services, ideally in one place. A parish council may be well placed to do this. With local parish and town councils in mind, effective and convenient local government essentially means that such councils should be viable in terms of providing at least some local services, and if they are to be convenient they need to be easy to reach and accessible to local people.
64. In responding to the requirement for effective and convenient local government, some parish councils are keen, and have the capacity to take on more in the provision of services. However, it is recognised that not all are in position to do so. The 2007 Act provides a power of well-being to those parish councils who want to take on more, giving them additional powers to enable them to promote the social, economic and environmental well being of their areas. Nevertheless, certain conditions must be met by individual parish councils before this power is extended to them.
65. Wider initiatives such as the Quality Parish Scheme and charters agreed between parish councils and principal councils also help to give a greater understanding of securing effective and convenient local government. In such cases, parish and town councils which are well managed and good at representing local views will be in a better

position to work closely with partner authorities to take more responsibility for shaping their area's development and running its services.

Factors for consideration

66. When reviewing community governance arrangements, principal councils may wish to take into account a number of factors, to help inform their judgement against the statutory criteria.

The impact on community cohesion of community governance arrangements

67. Setting up parishes and parish councils clearly offers the opportunity to strengthen community engagement and participation, and generate a positive impact on community cohesion. In conducting community governance reviews (whether initiated by itself or triggered by a valid petition), the principal council should consider the impact on community cohesion when deciding whether or not to set up a parish council.
68. Britain is a more diverse society – ethnically, religiously and culturally – than ever before. Today's challenge is how best to draw on the benefits that migration and diversity bring while addressing the potential problems and risks to cohesion. Community cohesion is about recognising the impact of change and responding to it. This is a fundamental part of the place-shaping agenda and puts local authorities at the heart of community building.
69. In its response to the recommendations of the Commission on Integration and Cohesion the Government has defined community cohesion as what must happen in all communities to enable different groups of people to get on well together. A key contributor to community cohesion is integration which is what must happen to enable new residents and existing residents to adjust to one another.
70. The Government's vision of an integrated and cohesive community is based on three foundations:
- people trusting one another and trusting local institutions to act fairly
71. And three key ways of living together:
- a shared future vision and sense of belonging
 - a focus on what new and existing communities have in common, alongside a recognition of the value of diversity
 - strong and positive relationships between people from different backgrounds

72. The Commission on Integration and Cohesion's report, *Our Shared Future*, is clear that communities have expert knowledge about their own circumstances and that actions at the local level contribute to achieving integration and cohesion, with local authorities well placed to identify any pressures. The Commission reports that policy makers and practitioners see civic participation as a key way of building integration and cohesion – from ensuring people have a stake in the community, to facilitating mixing and engendering a common sense of purpose through shared activities. The 2006 white paper's proposals for stronger local leadership, greater resident participation in decisions and an enhanced role for community groups contribute to promoting cohesion.
73. Community cohesion is about local communities where people should feel they have a stake in the society, and in the local area where they live by having the opportunity to influence decisions affecting their lives. This may include what type of community governance arrangements they want in their local area.
74. The 2007 Act requires principal councils to have regard to the need to secure that community governance reflects the identity and interests of local communities; the impact on community cohesion is linked strongly to it. Cohesion issues are connected to the way people perceive how their local community is composed and what it represents, and the creation of parishes and parish councils may contribute to improving community cohesion. Community governance arrangements should reflect, and be sufficiently representative of, people living across the whole community and not just a discrete cross-section or small part of it. It would be difficult to think of a situation in which a principal council could make a decision to create a parish and a parish council which reflects community identities and interests in the area and at the same time threatens community cohesion. Principal councils should be able to decline to set up such community governance arrangements where they judged that to do so would not be in the interests of either the local community or surrounding communities, and where the effect would be likely to damage community cohesion.
75. As part of a community governance review a principal council should consider whether a recommendation made by petitioners will undermine community cohesion in any part of its area.
76. Challenges to community cohesion are often very local in nature and because of their knowledge of local communities, local authorities are in a good position to assess these challenges. As for the other considerations set out in this guidance, principal councils will wish to

reach a balanced judgement in taking community cohesion into account in community governance arrangements.

Size, population and boundaries of a local community or parish

77. Size, population and boundaries of a local community or parish are linked to aspects of both principal criteria as identified in the 2007 Act, but perhaps more specifically to community governance being effective and convenient. Often it is factors such as the size, population and boundaries which influence whether or not it is going to be viable to create a parish council. Parishes must fall within the boundaries of a single principal council's area.
78. The Local Government Commission for England in its 1993 Report *Renewing Local Government in the English Shires* makes the point that there is a long history of attempts to identify ideal minimum and maximum sizes for local authorities. Instead its preference was for authorities to be based on natural communities and reflecting people's expressed choices. This is even truer today, particularly at the most local level of government. Nevertheless, the size of communities and parishes remains difficult to define.
79. Parish councils in England currently vary greatly in size from those with a handful of electors with some representing hamlets of around 50 people to those in towns with well over 40,000 electors. Geography and natural boundaries; population size; and to an extent 'council size' (the term used by the LGBCE to describe the number of councillors who are elected to a local authority) may influence how small or large a parish council can be.
80. The general rule should be that the parish is based on an area which reflects community identity and interest and which is of a size which is viable as an administrative unit of local government. This is generally because of the representative nature of parish councils and the need for them to reflect closely the identity of their communities. It is desirable that any recommendations should be for parishes or groups of parishes with a population of a sufficient size to adequately represent their communities and to justify the establishment of a parish council in each. Nevertheless as previously noted, it is recognised that there are enormous variations in the size of parishes, although most parishes are below 12,000 in population.
81. A parish council should be in a position to provide some basic services and many larger parishes will be able to offer much more to their local communities. However, it would not be practical or desirable to set a rigid limit for the size of a parish whether it is in a

rural or urban area, although higher population figures are generally more likely to occur in urban areas. Equally, a parish could be based on a small but discrete housing estate rather than on the town within which the estate lies.

82. There may be cases where larger parishes would best suit the needs of the area. These might include places where the division of a cohesive area, such as a Charter Trustee town (see paragraphs 133 to 134), would not reflect the sense of community that needs to lie behind all parishes; or places where there were no recognisable smaller communities.
83. As far as boundaries between parishes are concerned, these should reflect the “no-man’s land” between communities represented by areas of low population or barriers such as rivers, roads or railways. They need to be, and be likely to remain, easily identifiable. For instance, factors to consider include parks and recreation grounds which sometimes provide natural breaks between communities but they can equally act as focal points. A single community would be unlikely to straddle a river where there are no crossing points, or a large area of moor land or marshland. Another example might be where a community appeared to be divided by a motorway (unless connected by walkways at each end). Whatever boundaries are selected they need to be, and be likely to remain, easily identifiable.
84. In many cases a boundary change between existing parishes, or parishes and unparished areas, rather than the creation of an entirely new parish, will be sufficient to ensure that parish arrangements reflect local identities and facilitate effective and convenient local government. For example, over time, communities may expand with new housing developments. This can often lead to existing parish boundaries becoming anomalous as new houses are built across them resulting in people being in different parishes from their neighbours.
85. A review of parish boundaries is an opportunity to put in place strong boundaries, tied to firm ground detail, and remove anomalous parish boundaries. Since the new boundaries are likely to be used to provide the building blocks for district ward, London borough ward, county division and parliamentary constituency boundaries in future reviews for such councils, it is important that principal councils seek to address parish boundary issues at regular intervals.

Parish meetings and parish councils

- 86.** Under the Local Government Act 1972 all parishes, whether or not they have a parish council, must have a parish meeting. In many parishes the requirement to have a parish meeting takes the form of at least one annual meeting, or more often several meetings during each year, organised (where one exists) by the parish council or if not by the parish meeting itself. The parish meeting of a parish consists of the local government electors for the parish, and as such local electors are invited to attend these meetings. Parish meetings have a number of functions, powers and rights of notification and consultation. The trustees of a parish meeting hold property and act on its behalf. Depending on the number of local government electors in the parish, there are different rules about whether or not a parish council must be created for the parish, or whether it is discretionary.
- 87.** Where principal councils are creating new parishes, the 2007 Act requires them to make recommendations about whether or not a new parish should be constituted in their area. New parishes can be constituted in a number of different ways, including by creating a parish in an area that is not currently parished, amalgamating two or more parishes and separating part of a parish, with or without aggregating it with parts of other parishes.
- 88.** Section 94 of the 2007 Act applies in relation to these recommendations. It places principal councils under a duty to recommend that a parish should have a council in parishes which have 1000 electors or more. In parishes with 151 to 999 electors the principal council may recommend the creation of either a parish council or a parish meeting. In parishes with 150 or fewer electors principal councils are unable to recommend that a parish council should be created and therefore only a parish meeting can be created. The aim of these thresholds is to extend the more direct participatory form of governance provided by parish meetings to a larger numbers of electors. Equally, the thresholds help to ensure that both the population of a new parish for which a council is to be established is of sufficient size to justify its establishment and also that local people are adequately represented.
- 89.** One of the reasons for these differing thresholds is that the Government recognises the difficulty which sometimes exists in small parishes, in particular, in managing to get sufficient numbers to stand for election to the parish council. However, the thresholds identified above do not apply to existing parish councils. If the community governance review concludes that the existence of the parish council reflects community identities and provides effective and convenient

local government, despite the small number of electors, then it can recommend that the parish council should continue in existence. So, where an existing parish of 150 or less electors already has a parish council with the minimum number of five parish councillors it can continue to have a parish council.

90. If a principal council chooses to establish a parish council, or if an existing parish whose boundaries are being changed has a parish council, the principal authority must consult on, and put in place the necessary electoral arrangements for that parish. (See Chapter 5 Electoral Arrangements.)

Recommendations and decisions on the outcome of community governance reviews

91. Community governance reviews will make recommendations on those matters they have considered, as defined by the terms of reference set at the start of the review.
92. A principal council must make recommendations as to:
 - a) whether a new parish or any new parishes should be constituted
 - b) whether existing parishes should or should not be abolished or whether the area of existing parishes should be altered or
 - c) what the electoral arrangements for new or existing parishes, which are to have parish councils, should be
93. It may also make recommendations about:
 - a) the grouping or degrouping of parishes
 - b) adding parishes to an existing group of parishes or
 - c) making related alterations to the boundaries of a principal councils' electoral areas
94. In deciding what recommendations to make the principal council must have regard to the need to secure that community governance reflects the identities and interests of the community in that area and is effective and convenient. The 2007 Act provides that it must also take into account any other arrangements (apart from those relating to parishes and their institutions) that have already been made, or that could be made, for the purposes of community representation or community engagement.
95. The recommendations must take account of any representations received and should be supported by evidence which demonstrates

that the recommended community governance arrangements would meet the criteria set out in the 2007 Act. Where a principal council has conducted a review following the receipt of a petition, it will remain open to the council to make a recommendation which is different to the recommendation the petitioners wished the review to make. This will particularly be the case where the recommendation is not in the interests of the wider local community, such as where giving effect to it would be likely to damage community relations by dividing communities along ethnic, religious or cultural lines.

96. In making its recommendations, the review should consider the information it has received in the form of expressions of local opinion on the matters considered by the review, representations made by local people and other interested persons, and also use its own knowledge of the local area. It may be that much of this information can be gained through the consultation which the council will have held with local people and also the council's wider engagement with local people on other matters. In taking this evidence into account and judging the criteria in the 2007 Act against it, a principal council may reasonably conclude that a recommendation set out in a petition should not be made. For example, a recommendation to abolish or establish a parish council, may negatively impact on community cohesion, either within the proposed parish area, or in the wider community within which it would be located, and therefore should not be made.
97. The aim of the 2007 Act is to open up a wider choice of governance to communities at the most local level. However, the Government considers that there is sufficient flexibility for principal councils not to feel 'forced' to recommend that the matters included in every petition must be implemented.
98. Under the 2007 Act the principal council must both publish its recommendations and ensure that those who may have an interest are informed of them. In taking a decision as to whether or not to give effect to a recommendation, the principal council must have regard to the statutory criteria (see paragraph 51). After taking a decision on the extent to which the council will give effect to the recommendations made in a community governance review, the council must publish its decision and its reasons for taking that decision. It must also take sufficient steps to ensure that persons who may be interested in the review are informed of the decision and the reasons for it. Who should be informed will depend on local circumstances. Publicising the outcome of reviews is dealt with in the next section on implementation.

Implementation of community governance reviews by order

99. There are a number of steps that a principal council must take to publicise the outcome of any review it has conducted, and to provide information about that outcome to the bodies it must notify following any reorganisation order it makes to implement the review. Community governance reviews should be conducted transparently so that local people and other local stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind these decisions.
100. If the council implements the recommendations made in its review, there are other steps it is required to undertake. These include depositing copies of the reorganisation order⁵ which the principal council will need to draw up to give effect to its decisions. Besides depositing at its main office a copy of the reorganisation order, it should also deposit a map showing the effects of the order in detail which should be available for inspection by the public at all reasonable times (i.e. during normal working hours). The 2007 Act also requires the council to make available a document setting out the reasons for the decisions it has taken (including where it has decided to make no change following a community governance review) and to publicise these reasons.
101. The principal council must publicise how the council has given effect to the review, and that the order and map are available for public inspection as set above. Other means of publicity it may wish to consider are through publication on the council's website, in local newspapers, on notice boards in public places, and in local libraries, town halls or other local offices. In addition, after a principal council has made a reorganisation order, as soon as practicable, it must inform the following organisations that the order has been made:
- a) the Secretary of State for Communities and Local Government
 - b) the LGBCE
 - c) the Office of National Statistics
 - d) the Director General of the Ordnance Survey
 - e) any other principal council (e.g. a county council) whose area the order relates to

⁵ A copy of a model reorganisation order with different examples of recommendations can be viewed on the Communities and Local Government website. It may help principal councils to draw up reorganisation orders which could be adapted to their own needs and circumstances. Principal councils are not obliged to follow this example. It is offered on an advisory basis and principal councils will want to seek their own legal advice that any orders they produce meet the necessary legal requirements.

- 102.** The Audit Commission has statutory responsibility for appointing external auditors to all local councils in England. For the purposes of its audit appointment functions the Commission needs to be aware of changes emerging from community governance reviews. Therefore, principal councils should inform the Audit Commission of any reorganisation orders made to implement the recommendations of community governance reviews.
- 103.** Section 97 of the 2007 Act provides for regulations to make incidental, consequential, transitional or supplementary provision for the purposes of, or in consequence of, reorganisation orders. Two sets of regulations have been made under the 2007 Act, which apply to reorganisation orders - both came into force on 8 April 2008. The first of these, the Local Government (Parishes and Parish Councils) (England) Regulations 2008 No.625 make provisions in relation to matters such as the distribution of property and the rights and liabilities of parish councils affected by a reorganisation order. The second set, the Local Government Finance (New Parishes) Regulations 2008 No.626 deal with the setting of precepts for new parishes.
- 104.** Section 99 of the 2007 Act provides for public bodies affected by reorganisation following a community governance review to make agreements about incidental matters and what those agreements may provide for. So as to ensure that a reorganisation order has effect subject to the terms of any such agreement, principal councils should make provision for this in the reorganisation order. An example provision has been included in the model reorganisation order which can be found on the Communities and Local Government website (see footnote 2).

Maps of parish changes and mapping conventions

- 105.** To assist those who will have an interest in any recommendations made by the principal council when conducting a community governance review and to accompany the reorganisation order, clear high quality maps should be produced to a standard equivalent to using Ordnance Survey large scale data as a base. Maps can be graphically presented at a reduced scale for convenience but preferably no smaller than 1:10,000 scale. Each recommendation and order should be depicted on a map or maps. The mapping should clearly show the existing parish ward, parish, district or London borough boundaries and all proposed parish ward and parish boundaries in the area(s) affected, or given effect to in a reorganisation order.

106. It can be useful to include some positional information to identify the location of the area(s) in relation to the complete area of the principal council. A colour key can be included to clearly identify each boundary type. Where there are only proposed changes to an existing parish boundary alignment it can be helpful to show in translucent colour any areas to be transferred from one parish to another. This indicates clearly the extent of the proposed change. It can also be beneficial to add unique references to all areas of transfer to create a cross reference to the re-organisation order document. Applying a reference to each order map should also be considered so that a link is created with the re-organisation order.

Section 4: Other aspects of community governance reviews

Parish names and alternative styles for parishes

- 107.** Prior to the 2007 Act, a parish could be given the status of a town under section 245 of the Local Government Act 1972. “Town” status continues to be available to a parish. In addition, the 2007 Act inserted sections 12A and 12B into the 1972 Act to offer a further choice of alternative styles for a parish: community, neighbourhood and village. However, for as long as the parish has an alternative style, it will not also be able to have the status of a town and vice versa.
- 108.** The ‘name’ of a parish refers to the geographical name of the area concerned and can be changed independent of a review by a principal council at the request of a parish council or parish meeting (where there is no parish council)⁶. A change in the status or ‘style’ of a parish allows for that area to be known as a town, community, neighbourhood or village, rather than as a parish. The status or style of the parish will be reflected in the name of any council of the parish, the parish meeting, any parish trustees, and the chairman or vice-chairman of the parish meeting or of any parish council. So, for example, the council of a parish which uses the style ‘village’ will be known as the ‘village council’ and its councillors as the ‘village councillors’, etc.
- 109.** References in legislation to a ‘parish’ should be taken to include a parish which has an alternative style, as is the case in relation to a parish which has the status of a town. The same applies in relation to references in legislation to a ‘parish meeting’, ‘parish council’, ‘parish councillor’, ‘parish trustees’, etc in connection with a parish which has an alternative style.
- 110.** The Government recognises that in long established parishes, particularly in rural areas, local people may wish to retain the name of their parish and the existing style of their parish councils, - although others may prefer “village” or another style. Following a community governance review, in areas previously unparished where a new parish is being created, people living there may wish for the style of their parish council to reflect the local community in a different way and may prefer one of the alternative styles. This may well be the case for those living in urban areas. Local authorities will wish to take

⁶ Section 75 Local Government Act 1972

account of these preferences in deciding the name of the parish and the chosen style.

111. Where the review relates to a new parish, it is for the principal council, in the first instance, to make recommendations as to the geographical name of the new parish, and as to whether or not it should have one of the alternative styles. So far as existing parishes under review by principal councils are concerned, the review must make recommendations as to whether the geographical name of the parish should be changed, but it may not make any recommendations for the parish about alternative style. It will be for the parish council or parish meeting to resolve whether the parish should have one of the alternative styles.
112. In relation to a group of parishes, provision about alternative styles for the group may be made by the principal council in a reorganisation order that forms that group, adds a parish to an existing group or de-groups a parish or group. A grouping containing a mixture of styles is not permitted under section 11A(4) of the Local Government Act 1972. Where an individual parish is removed from a group through a de-grouping order the parish must retain the style it had when it was part of the group until such time as the parish council or meeting resolves to adopt an alternative style. Provision about alternative styles in relation to groups will normally be made independently of a community governance review.

Grouping or degrouping parishes

113. Section 91 of the 2007 Act provides for a community governance review to recommend the grouping or degrouping of parishes by principal councils. As mentioned in chapter 3, (paragraph 87) unless they already exist as functioning parish councils smaller new parishes of less than 150 electors will be unable to establish their own parish council under the 2007 Act.
114. In some cases, it may be preferable to group together parishes so as to allow a common parish council to be formed. Degrouping may offer the reverse possibilities perhaps where local communities have expanded. Such proposals are worth considering and may avoid the need for substantive changes to parish boundaries, the creation of new parishes or the abolition of very small parishes where, despite their size, they still reflect community identity. Grouping or degrouping needs to be compatible with the retention of community interests. It would be inappropriate for it to be used to build artificially large units under single parish councils.
115. Section 91 also requires a review to consider the electoral arrangements

of a grouped parish council or of a parish council established after a parish is de-grouped. Each parish in a group must return at least one councillor.

- 116.** When making a recommendation to group or de-group parishes, the principal council may make a request to the LGBCE to make a related alteration to the boundaries of district or London borough wards or county divisions. For example, if a principal council decided to add an additional parish to a group, because of their shared community identities, it may wish to recommend that all of the parishes in the group be included in the same district ward (see Chapter 6 for more details).

Abolishing parishes, and dissolving parish councils

- 117.** While the Government expects to see a trend in the creation, rather than the abolition, of parishes, there are circumstances where the principal council may conclude that the provision of effective and convenient local government and/or the reflection of community identity and interests may be best met, for example, by the abolition of a number of small parishes and the creation of a larger parish covering the same area. If, following a review, a principal council believes that this would provide the most appropriate community governance arrangements, then it will wish to make this recommendation; the same procedures apply to any recommendation to abolish a parish and/or parish council as to other recommendations (see paragraphs 90 -97). Regulations⁷ provide for the transfer of property, rights and liabilities of a parish council to the new successor parish council, or where none is proposed to the principal council itself.
- 118.** Section 88 of the 2007 Act provides for a community governance review to recommend the alteration of the area of, or the abolition of, an existing parish as a result of a review. The area of abolished parishes does not have to be redistributed to other parishes, an area can become unparished. However, it is the Government's view that it would be undesirable to see existing parishes abolished with the area becoming unparished with no community governance arrangements in place.
- 119.** The abolition of parishes should not be undertaken unless clearly justified. Any decision a principal council may make on whether to abolish a parish should not be taken lightly. Under the previous parish review legislation, the Local Government and Rating Act 1997 , the

⁷ The Local Government (Parishes and Parish Councils) (England) Regulations 2008 No.625.

Secretary of State considered very carefully recommendations made by principal councils for the abolition of any parish (without replacement) given that to abolish parish areas removes a tier of local government. Between 1997 and 2008, the Government rarely received proposals to abolish parish councils, it received only four cases seeking abolition and of these only one was approved for abolition by the Secretary of State.

120. Exceptionally, there may be circumstances where abolition may be the most appropriate way forward. Under the 2007 Act provisions, the principal council would need to consider local opinion, including that of parish councillors and local electors. It would need to find evidence that the abolition of a parish council was justified, and that there was clear and sustained local support for such action. A factor taken into account by the Government in deciding abolition cases, was that local support for abolition needed to have been demonstrated over at least a period equivalent to two terms of office of the parish councillors (i.e. eight years), and that such support was sufficiently informed. This means a properly constituted parish council should have had an opportunity to exercise its functions so that local people can judge its ability to contribute to local quality of life.
121. Where a community governance review is considering abolishing a parish council we would expect the review to consider what arrangements will be in place to engage with the communities in those areas once the parish is abolished. These arrangements might be an alternative forum run by or for the local community, or perhaps a residents' association. It is doubtful however, that abolition of a parish and its council could ever be justified as the most appropriate action in response to a particular contentious issue in the area or decision of the parish council.
122. In future, principal councils will wish to consider the sort of principles identified above in arriving at their decisions on whether or not to abolish a parish council. In doing so, they will be aware that decisions about community governance arrangements, including decisions for the abolition of a parish council, may attract a challenge by way of judicial review.
123. The 2006 white paper underlined the Government's commitment to parish councils as an established and valued form of neighbourhood democracy with an important role to play in both rural, and increasingly urban, areas.
124. Section 10 of the Local Government Act 1972 makes provision for the dissolution of parish councils in parishes with very low populations,

but not for the de-parishing of the area. Recommendations for the dissolution of a parish council which is not in this position are undesirable, unless associated either with boundary changes which amalgamate parishes or divide a parish or with plans for a parish to be grouped with others under a common parish council (see paragraphs 112 to 115). Recommendations for changing a parish area (or part of a parish area) into an unparished area are also undesirable unless that area is amalgamated with an existing unparished urban area.

Rural areas

- 125.** About 90% of the geographical area of England is covered by a parish, and this is mostly in rural or semi-rural areas. So, most populated rural areas already have a structure of local government that includes parishes and many of these have been in existence for hundreds of years. It is desirable that any changes do not upset historic traditions but do reflect changes that have happened over time, such as population shift or additional development, which may have led to a different community identity.
- 126.** The focus of community feeling will differ from place to place and between different types of settlement. A scatter of hamlets may have a feeling of community within each hamlet, meriting a separate parish for each one, or amongst a number of hamlets, for which one parish covering all may be appropriate. Where a number of hamlets surround a village a parish could be based on the village and its environs, provided that the sense of individual identity is not lost.
- 127.** In rural areas, the Government wants to encourage the involvement of local people in developing their community and having a part to play in shaping the decisions that affect them. A parish can be a useful and democratic means of achieving this.

London

- 128.** The London Government Act 1963 abolished parishes existing at the time within London. When the boundaries for Greater London were established, they were adjusted to allow the surrounding shire counties to keep parishes that were in the fringe areas. Since then, London has been the only part of England not to have parishes or parish councils.
- 129.** The Government's view is that Londoners should have the same rights as the rest of the country. The 2007 Act corrects this anomaly to allow London boroughs the possibility to exercise the same community governance powers as other principal councils including

being able to set up parishes and parish councils. Similarly, local electors in London boroughs are, as elsewhere in England, able to petition for a community governance review.

130. In London, there is the same possibility to choose a style for a parish perhaps to reflect better the local urban area like “community” or “neighbourhood”. Whilst some parts of London are populated by people who may be more transient or mobile than elsewhere, there are equally areas of the capital where there are stable populations who may wish to see the creation of a parish council for their local area.

Other urban areas

131. There are parts of rural or semi-rural England which are unparished, but the opportunities for establishing new parishes are increasingly to be found in urban and suburban areas. It is possible that identifying the community upon which a parish might be based may be more difficult to discern in some urban areas. A “community” perhaps already represented by a voluntary organisation or a community endeavour, such as a Neighbourhood Watch area or a residents’ association, may indicate a suitable area on which to base proposals for a new or altered parish, (see paragraphs 135 -145).
132. Much of the information described in Chapter 3 on the identities and interests of local communities is applicable to urban areas. There are parishes in parts of some large cities or unitary authorities, as well as a number of parishes in the metropolitan boroughs of the larger conurbations. Some of these parishes have been created under the Local Government and Rating Act 1997 Act, but in most metropolitan boroughs these are on the more sparsely populated peripheries (the originals having been transferred, as part of former rural districts, to the metropolitan counties in 1974).
133. The lower population limits and grouping mentioned above are more relevant to rural areas than to urban areas, although both are applicable in law. The general rule is that the parish is based on an area which reflects community identity and interest and which is viable as an administrative unit. In urban areas this may mean, for example, that a parish should be based on a housing estate rather than on the town within which the estate lies. The larger the town, the greater will be the scope for identification of distinct communities within it.

Charter trustee areas

- 134.** Charter trustees were established following the local government reorganisations in the early 1970s and 1990s to preserve the historic identity of former boroughs or cities, most with relatively large populations. To this end, charter trustees have the power to carry out ceremonial functions. They were not intended to act as administrative units. Proposals to create a parish or parish council covering all or part of a charter trustee area need to be judged in particular against the following considerations:
- a) the effect on the historic cohesiveness of the area
 - b) what are the other community interests in the area? Is there a demonstrable sense of community identity encompassing the charter trustee area? Are there smaller areas within it which have a demonstrable community identity and which would be viable as administrative units?
- 135.** These issues need to be taken into account in those areas with certain cities or boroughs which will be affected by any consequent reorganisation from the structural and boundary changes in the 2007 Act.

Other (non-parish) forms of community governance

- 136.** In conducting a community governance review, principal councils must consider other forms of community governance as alternatives or stages towards establishing parish councils. Section 93(5) of the 2007 Act states that *“In deciding what recommendations to make [in the community governance review] the principal council must take into account any other arrangements... that have already been made or that could be made for the purposes of community representation or community engagement in respect of the area under review”*. The following paragraphs consider other types of viable community representation which may be more appropriate to some areas than parish councils, or may provide stages building towards the creation of a parish council. There is sometimes evidence locally of an existing community governance infrastructure and of good practice which are successfully creating opportunities for engagement, empowerment and co-ordination in local communities.
- 137.** However, what sets parish councils apart from other kinds of governance is the fact they are a democratically elected tier of local government, independent of other council tiers and budgets, and possess specific powers. This is an important distinction to make. Parish councils are the foundation stones for other levels of local government in England. Their directly elected parish councillors

represent local communities in a way that other bodies, however worthy, cannot since such organisations do not have representatives directly elected to those bodies.

- 138.** The 2006 white paper recommended that local communities should be able to take more responsibilities for local issues affecting their area. Key to this approach is community empowerment, and the ability of various existing organisations themselves to see through specific projects to tackle local issues. Structures such as local residents' associations, community or neighbourhood forums and area committees have an important role to play in local community governance.
- 139.** At the neighbourhood level, there are various initiatives in existence, which through being representative and accountable can effectively empower local people. They have varying degrees of power and influence, and commensurate levels of transparency and accountability.

Area committees

- 140.** Area committees are part of the structure of some principal councils (e.g. district, unitary and London borough), where they choose to have them. Area committees are a key initiative for enabling local government to fulfil community governance roles and also to deliver government policy on issues affecting social inclusion in local communities. Principal councils also provide resources for area committees, and their councillors are commonly integral to their constitution. Area committees can cover large areas and exist to advise or make decisions on specific responsibilities that can include parks, off-street parking, public toilets, street cleaning, abandoned vehicles and planning applications amongst others. Also, more widely, they contribute to shaping council services and improving local service provision.

Neighbourhood management

- 141.** Neighbourhood management programmes are similarly set up by principal councils and may be led by one of a number of bodies. The expansion of neighbourhood management was promoted in the 2006 White Paper as a tool to enable local authorities to deliver more responsive services through their empowerment of citizens and communities. Their purpose is to create the opportunity for residents to work with local agencies, usually facilitated by a neighbourhood manager, to improve services at the neighbourhood level.

- 142.** Neighbourhood management arrangements aim to improve ‘quality of life’ through implementation of (rather than advising or making decisions on) better management of local environment, increasing community safety, improving housing stock, working with young people, and encouraging employment opportunities, supported strategically by relevant stakeholders and Local Strategic Partnerships. They tend to cover smaller populations than area committees. The 2006 white paper recommends that take up of neighbourhood management should be encouraged and that Government should work with local authorities pioneering the approach, to raise the profile of achievements and promote adoption elsewhere.

Tenant management organisations

- 143.** The 2006 white paper makes a series of proposals that facilitate the empowerment of residents through tenant management organisations (TMOs). Tenant management organisations are established by the local housing authority; they usually function on urban housing estates and can take responsibility for housing services (such as collecting rents and service charges and organising repairs and maintenance) from the local housing authority under the Housing (Right to Manage) (England) Regulations 2008. The 2006 white paper promoted the role of TMOs and recommended simplifying and extending their scope; enabling them to take on additional services and undertake further representation of residents within neighbourhoods. A TMO is an independent legal body and usually elects a tenant-led management committee to the organisation; they can also enter into a legal management agreement with landlords.

Area/community forums

- 144.** Area or community forums (including civic forums) can be set up by the principal council, or created by local residents to act as a mechanism to give communities a say on principal council matters or local issues. Sometimes forums are set up to comment on a specific project or initiative that will impact upon the local area, and so may be time-limited. They increase participation and consultation, aiming to influence decision making, rather than having powers to implement services. They vary in size, purpose and impact, but membership usually consists of people working or living in a specific area. Some forums also include ward councillors, and representatives from the council and relevant stakeholders can attend meetings.

Residents' and tenants' associations

- 145.** Residents' and tenants' associations enable local people to participate in local issues affecting their neighbourhood or housing estate, including the upkeep of the local environment, crime, sometimes dealing with anti-social behaviour matters, or on some estates, housing management. They can be set up by any group of people living in the same area and can choose who members will be; how they will be represented and what they want to achieve. In the case of tenants' and residents' associations on estates, they may be established with direct support from the principal council, as a mechanism for communicating with the tenants and residents on its estates. To engage effectively with other organisations, residents' and tenants' associations must be able to show that they are accountable and represent the views of the whole community, rather than narrow self interests of just a few local people.

Community associations

- 146.** Community associations offer a particular and widespread democratic model for local residents and local community-based organisations in a defined neighbourhood to work together for the benefit of that neighbourhood. They can use a model constitution registered with the Charity Commission. The principal council may also be represented on the association's committee. They usually manage a community centre as a base for their activities. Membership is open to everyone resident in the area.

Section 5: Electoral arrangements

Introduction

147. The purpose of a review undertaken by a principal council, or a petition from the electorate, is likely primarily to concern the administrative boundaries of a new or existing parish. As discussed earlier (Chapter 2), this might be in the light of growth from within an existing parish or a locally identified need for a new form of community governance. However, in addition to these primary concerns, principal authorities will also need to consider the governance of new or altered parishes. The principal council must have regard to the need for community governance within the area under review to reflect the identities and interests of the community in that area, and to ensure that the governance is effective and convenient. Further information on electoral arrangements is available from the LGBCE's website www.LGBCE.org.uk

What are electoral arrangements?

- 148.** Electoral arrangements in relation to an existing or proposed parish council are defined in the 2007 Act and are explained in detail below:
- a) ordinary year of election – the year in which ordinary elections of parish councillors are to be held
 - b) council size – the number of councillors to be elected to the council, or (in the case of a common council) the number of councillors to be elected to the council by local electors in each parish
 - c) parish warding – whether the parish should be divided into wards for the purpose of electing councillors. This includes considering the number and boundaries of any such wards, the number of councillors to be elected for any such ward and the name of any such ward

Ordinary year of election

149. Ordinary parish elections are held once every four years with all councillors being elected at the same time. The standard parish electoral cycle is for elections in 2011, 2015 and every four years after 2015, but parish elections may be held in other years so that they can coincide with elections in associated district or London borough wards or county divisions and share costs. For example, all London borough ward elections take place in 2010, 2014 and so on. We would therefore expect parish elections in London to take place in these years.

- 150.** New or revised parish electoral arrangements come into force at ordinary parish elections, rather than parish by-elections, so they usually have to wait until the next scheduled parish elections. They can come into force sooner only if the terms of office of sitting parish councillors are cut so that earlier parish elections may be held for terms of office which depend on whether the parish is to return to its normal year of election.
- 151.** For example, a parish that had elections in 2007 could wait until its next scheduled elections in 2011 for new parish wards to come into force. Alternatively, the new parish wards could have come into force at elections in 2009 if the terms of office of the councillors elected in 2007 were cut to two years. If the elections in 2009 were for two-year terms of office then the parish council could return to its normal electoral cycle in 2011.
- 152.** Alternatively, if new or revised parish electoral arrangements are to be implemented in the third year of sitting councillors' term of office, provision can be made to cut short the term of office of existing councillors to three years. Elections could then take place with all councillors serving a five-year term of office, enabling the parish to return to its normal year of election.

Council size

- 153.** Council size is the term used to describe the number of councillors to be elected to the whole council. The 1972 Act, as amended, specifies that each parish council must have at least five councillors; there is no maximum number. There are no rules relating to the allocation of those councillors between parish wards but each parish ward, and each parish grouped under a common parish council, must have at least one parish councillor.
- 154.** In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Research by the Aston Business School Parish and Town Councils in England (HMSO, 1992), found that the typical parish council representing less than 500 people had between five and eight councillors; those between 501 and 2,500 had six to 12 councillors; and those between 2,501 and 10,000 had nine to 16 councillors. Most parish councils with a population of between 10,001 and 20,000 had between 13 and 27 councillors, while almost all councils representing a population of over 20,000 had between 13 and 31 councillors.
- 155.** The LGBCE has no reason to believe that this pattern of council size to population has altered significantly since the research was

conducted. Although not an exact match, it broadly reflects the council size range set out in the National Association of Local Councils Circular 1126; the Circular suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

- 156.** In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, it should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government.
- 157.** Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. In addition, historically many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size.

Parish warding

- 158.** Parish warding should be considered as part of a community governance review. Parish warding is the division of a parish into wards for the purpose of electing councillors. This includes the number and boundaries of any wards, the number of councillors to be elected for any ward and the names of wards.
- 159.** In considering whether or not a parish should be divided into wards, the 2007 Act requires that consideration be given to whether:
- a) the number, or distribution of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and
 - b) it is desirable that any area or areas of the parish should be separately represented
- 160.** Accordingly, principal councils should consider not only the size of the electorate in the area but also the distribution of communities within it. The warding of parishes in largely rural areas that are based predominantly on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish

encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish. However, each case should be considered on its merits, and on the basis of the information and evidence provided during the course of the review.

- 161.** There is likely to be a stronger case for the warding of urban parishes, unless they have particularly low electorates or are based on a particular locality. In urban areas community identity tends to focus on a locality, whether this be a housing estate, a shopping centre or community facilities. Each locality is likely to have its own sense of identity. Again, principal councils should consider each case on its merits having regard to information and evidence generated during the review. (See also under Chapter 3, paragraphs 54 to 60).

The number and boundaries of parish wards

- 162.** In reaching conclusions on the boundaries between parish wards the principal council should take account of community identity and interests in the area, and consider whether any particular ties or linkages might be broken by the drawing of particular ward boundaries. Principal councils should seek views on such matters during the course of a review. They will, however, be mindful that proposals which are intended to reflect community identity and local linkages should be justified in terms of sound and demonstrable evidence of those identities and linkages.
- 163.** The principal council should also consider the desirability of parish warding in circumstances where the parish is divided by district or London borough ward and/or county division boundaries. It should be mindful of the provisions of Schedule 2 (electoral change in England: considerations on review) to the Local Democracy, Economic Development and Construction Act 2009 in relation to reviews of district or London borough and county council electoral arrangements. These provide that when the LGBCE is making changes to principal council electoral arrangements, no unwarded parish should be divided by a district or London borough ward or county division boundary, and that no parish ward should be split by such a boundary. While these provisions do not apply to reviews of parish electoral arrangements, the LGBCE believes that, in the interests of effective and convenient local government, they are relevant considerations for principal councils to take into account when undertaking community governance reviews. For example, if a principal council chooses to establish a new parish in an area which is covered by two or more district or London borough wards or county division boundaries it may also wish to consider the merit of putting

parish warding in place to reflect that ward and/or division.

- 164.** When considering parish ward boundaries principal councils should ensure they consider the desirability of fixing boundaries which are, and will remain, easily identifiable, as well as taking into account any local ties which will be broken by the fixing of any particular boundaries.

The number of councillors to be elected for parish wards

- 165.** If a principal council decides that a parish should be warded, it should give consideration to the levels of representation between each ward. That is to say, the number of councillors to be elected from each ward and the number of electors they represent.
- 166.** It is an important democratic principle that each person's vote should be of equal weight so far as possible, having regard to other legitimate competing factors, when it comes to the election of councillors. There is no provision in legislation that each parish councillor should represent, as nearly as may be, the same number of electors. However, the LGBCE believes it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation between different parish wards. Such variations could make it difficult, in workload terms, for councillors to adequately represent the interests of residents. There is also a risk that where one or more wards of a parish are over-represented by councillors, the residents of those wards (and their councillors) could be perceived as having more influence than others on the council.
- 167.** The LGBCE offers no specific guidelines for what might constitute significant differences in levels of representation; each case will need to be considered on its merits. Principal councils should be mindful that, for the most part, parish wards are likely to be significantly smaller than district or London borough wards. As a consequence, imbalances expressed in percentage terms may be misleading, disguising the fact that high variations between the number of electors per councillor could be caused by only a few dozen electors.
- 168.** Where a community governance review recommends that two or more parishes should be grouped under a common parish council, then the principal council must take into account the same considerations when considering the number of councillors to be elected by each parish within the group.

Names of parish wards

- 169.** In considering the names of parish wards, the principal council should give some thought to existing local or historic places so that, where appropriate, these are reflected and there should be a presumption in favour of ward names proposed by local interested parties.

Electorate forecasts

- 170.** When considering the electoral arrangements for a parish, whether it is warded or not, the principal council must also consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts. The most recent electoral register should be used to gain an accurate figure for the existing electorate. 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.
- 171.** Electorate forecasts should be made available to all interested parties as early as possible in the review process, ideally before the formal commencement of the review so that they are available to all who may wish to make representations.

Consent/protected electoral arrangements

- 172.** If, as part of a community governance review, a principal council wishes to alter the electoral arrangements for a parish whose existing electoral arrangements were put in place within the previous five years by an order made either by the Secretary of State, the Electoral Commission, or the LGBCE, the consent of the LGBCE is required. This includes proposals to change the names of parish wards.
- 173.** The principal council must write to the LGBCE detailing its proposal and requesting consent. The LGBCE will consider the request and will seek to ensure that the proposals do not conflict with the original recommendations of the electoral review, and that they are fair and reasonable.
- 174.** Where a request for consent is made to the LGBCE, it will expect to receive evidence that the principal council has consulted with electors in the relevant parish(es) as part of the community governance review and will wish to receive details of the outcome of that review.
- 175.** For changes to the number or boundaries of parish wards, the

principal council will also need to provide the LGBCE with an existing and five-year forecast of electors in the parish(es) affected. Five-year forecasts should be accurate from the day that the review began. Both existing and forecast figures should be provided for the existing parish (and parish wards where relevant) and the proposed parish (and parish wards where relevant).

176. If the LGBCE consents to the changes it will inform the principal council which can then implement the proposed changes by local order. No LGBCE order is required. Conversely, if the LGBCE declines to give consent, no local order may be made by the local authority until the five-year period has expired.

Section 6: Consequential recommendations for related alterations to the boundaries of principal council's wards and/or divisions

177. As part of a community governance review, principal councils may wish to consider whether to request the LGBCE to make changes to the boundaries of district or London borough wards or county divisions to reflect the changes made at parish level.
178. There are three instances when a principal council may wish to consider related alterations to the boundaries of wards or divisions following:
- the creation, alteration or abolition of a parish
 - the establishment of new or altered parish ward boundaries
 - a grouping or de-grouping of parishes
179. In the interests of maintaining coterminosity between the boundaries of principal authority electoral areas and the boundaries of parishes and parish wards, principal councils may wish to consider as part of a community governance review whether to make consequential recommendations to the LGBCE for related alterations to the boundaries of any affected district or London borough wards and/or county divisions. The Commission may agree to make related alterations to ensure coterminosity between the new parish boundary and the related ward and/or division boundary. If so, the Commission will make an order to implement the related alterations. The Commission will not normally look to move ward or division boundaries onto new parish ward boundaries. However, it will consider each proposal on its merits.
180. In addition, when making a recommendation to group or de-group parishes, (see paragraph 108 to 111 for more details) the principal council may make a request to the LGBCE to make a related alteration of district or London borough ward or county division boundaries. For example, if a principal council decided to add an additional parish to a group it may wish to recommend that all of the parishes be included in the same district or London borough ward and/or county division. Recommendations for related alterations should be directly consequential upon changes made as part of a community governance review.
181. It will be for the LGBCE to decide, following the receipt of proposals, if

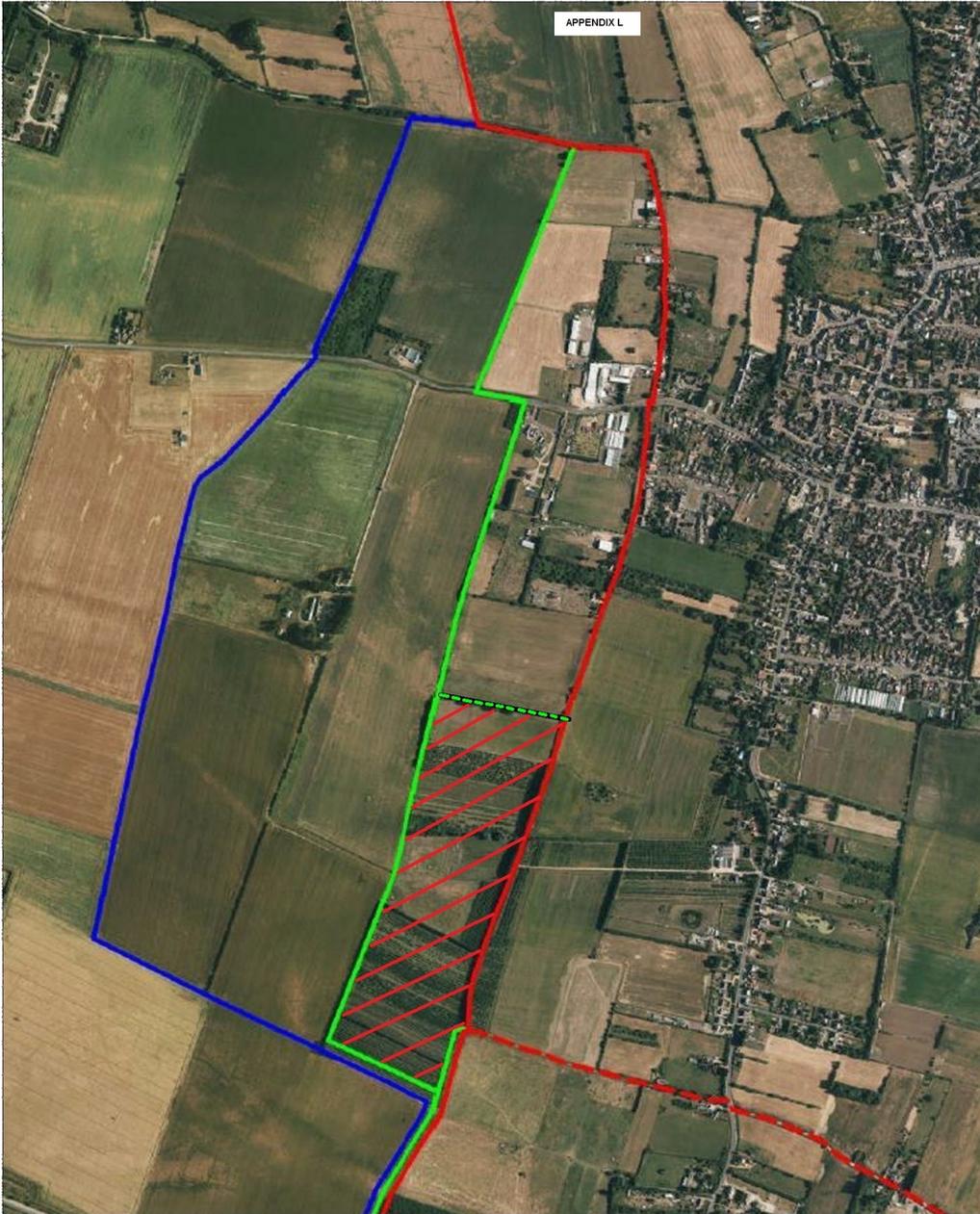
a related alteration should be made and when it should be implemented. Only the LGBCE can make an order implementing any alterations to the district or London borough ward or county division boundary. No order will be made to implement related alterations until the order changing the boundary of the relevant parish(es) or parish ward(s), or the order grouping or de-grouping parishes, has been made. Rather than make related alterations that would create detached wards or divisions or that would have a disproportionate impact on ward or division electoral equality, the LGBCE may decide to programme an electoral review of the principal council area.

182. If, in liaison with the district or London borough council and/or the county council, the LGBCE decides to make related alterations to ward and/or division boundaries at a different time, it will consider whether there would be any adverse effects for local people in the holding of elections while the boundaries are not coterminous. However, changes to wards and divisions come into force at district or London borough and county ordinary elections in the electoral areas on either side of the electoral boundary change, so a period of non-coterminosity until the scheduled parish, district or London borough and county elections have taken place may be preferable to unscheduled elections. Unscheduled elections will be necessary to bring into force changes between adjacent parishes or wards whose scheduled elections never normally coincide.
183. In two-tier areas, district councils are advised to seek the views of the county council in relation to related alterations to division boundaries.
184. A principal council may decide that it does not wish to propose related alterations to ward or division boundaries. Where this results in boundaries no longer being coterminous, principal councils will need to be satisfied that the identities and interests of local communities are still reflected and that effective and convenient local government will be secured. Principal councils will also wish to consider the practical consequences, for example for polling district reviews, of having electors voting in parish council elections with one community but with a different community for district or London borough and/or county elections.
185. Where proposals for related alterations are submitted to the LGBCE, it will expect to receive evidence that the principal council has consulted on them as part of a community governance review and the details of the outcome of that review. Principal councils may wish to undertake this consultation at the same time as they consult on proposals to alter the boundaries of parishes or establish new parishes. They must complete the community governance review,

including making any consequential recommendations to the LGBCE for related alterations, within a period of one year. Sufficient time should be given to the LGBCE to consider the proposals in advance of the election year in which the principal council proposes they be implemented.

186. The principal council will need to take into account the number of registered electors in any district or London borough ward or county division affected when the review starts, and a forecast of the number of electors expected to be in the areas within five years, and provide this information to the LGBCE. This information should be used to establish a total electorate figure for each district or London borough ward and/or county division affected by the recommendations, both for the current electorate and for expected electorate five years after the start of the review. These totals should also be provided to the LGBCE.
187. When submitting proposals to the LGBCE the principal council should illustrate the proposed changes on maps of a suitable scale, using different coloured lines and suitable keys to illustrate the required changes.
188. If the LGBCE decides not to implement the proposed related alterations, then the existing ward and/or division boundaries will remain in force. The LGBCE has no power to modify any recommendations submitted to it; it may only implement or reject the recommendations.
189. In most cases, related alterations to district or London borough ward and/or county division boundaries tend to be fairly minor in nature and simply tie the ward and/or division boundary to the affected parish boundary. However, if an authority has altered several parish and/or parish ward boundaries and proposes several related alterations to district or London borough ward and/or county division boundaries, the cumulative effect of these could affect electoral equality at district or London borough and/or county level. This could be particularly acute if a number of parishes were transferred between district or London borough wards or county divisions to reflect grouped parishes. In such circumstances, the LGBCE will wish to consider conducting an electoral review of the principal council area or an electoral review of a specified area within it. The timing of such reviews would be dependent on the LGBCE's review programme commitments.

This page is left blank intentionally.



Over and Willingham Boundary Proposals

- Scale: 1:10,000 @A4
-  Over and Willingham current boundary
 -  Willingham and Longstanton boundary
 -  First Proposed New Boundary
 -  Second Proposed New Boundary

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Civic Affairs Committee held on
Thursday, 4 January 2018 at 10.00 a.m.

PRESENT: Councillor David McCraith – Chairman
Councillor Charles Nightingale – Vice-Chairman

Councillors: Brian Burling
Sebastian Kindersley
Ray Manning
Peter Topping
Bunty Waters

Nigel Cathcart
Janet Lockwood
Deborah Roberts
Aidan Van de Weyer

Officers: Patrick Adams
Beverly Agass
Gemma Barron
Kirstin Donaldson
Andrew Francis
Rory McKenna

Senior Democratic Services Officer
Chief Executive
Head of Sustainable Communities and Wellbeing
Development Officer
Electoral Services Manager
Principal Lawyer & Deputy Monitoring Officer

Councillor Pippa Corney was in attendance, by invitation.

Apologies for absence were received from Councillor Jose Hales and Bridget Smith.

1. APOLOGIES FOR ABSENCE

Councillors Jose Hales and Bridget Smith gave their apologies for Absence. Councillors Sebastian Kindersley and Aidan Van de Weyer were acting as substitute. Councillor David Bard had been appointed as substitute for former Councillor Simon Crocker, who was no longer a member of the Committee.

2. DECLARATIONS OF INTEREST

Councillor Brian Burling declared an interest in agenda item 4, Willingham and Over Parish Boundary Review, as a landowner of fields within the proposed extent of the revised boundary. Councillor Burling had received dispensation to participate in the debate, but not vote.

Councillor Ray Manning declared an interest in agenda item 4, Willingham and Over Parish Boundary Review, as a landowner of fields within the proposed extent of the revised boundary. Councillor Manning had received dispensation to participate in the debate, but not vote.

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 7 December 2017 were agreed as a correct record, subject to the following amendments:

- The inclusion of the Chief Executive in the list of those present.
- The amendment of the final bullet point in the list of responses from Mr Papworth

on page 4 to read: “Mr Papworth indicated that the land he owned in the area in question was more than just the Business Park.”

4. WILLINGHAM AND OVER PARISH BOUNDARY REVIEW

The Principal Lawyer for Governance reminded the Committee that a valid petition had been received and according to Section 88 of the Local Government and Public Involvement in Health Act 2007 the Community Governance Review must make one of the following recommendations in relation to the existing parishes:

- that the parish should not be abolished and that its area should not be altered;
- that the area of the parish should be altered;
- that the parish should be abolished.

The Principal Lawyer for Governance advised that under the above Act the Council must have regard to the need to secure that community governance in the area under review:

- reflects the identities and interests of the community in that area;
- is effective and convenient.

The Principal Lawyer for Governance explained that the “area under review” was the whole area of Willingham and Over.

The Chairman invited representatives from Over Parish Council and Willingham Parish Council to speak.

Parish Councillor Geoff Twiss, Vice-Chairman of Over Parish Council

Parish Councillor Geoff Twiss made the following points:

- Two meetings had been arranged between Over and Willingham Parish Councils.
- A site visit had also been arranged, but this had focussed on the areas of green space.
- The first meeting heard that Over Parish Council were unanimously opposed to moving the boundary and so the second meeting was not held.
- The boundary had remained unchanged for 400 years and part of the areas heritage.

The Committee asked Parish Councillor Twiss for clarification on a number of points and received the following replies:

- There was primary source evidence, repeated in the History of Over, that the current boundary was agreed in 1602.
- There was no formal resolution at the meeting of Over Parish Council to decide that the boundary should be unchanged, but the feeling was unanimous.

Parish Councillor Dr Ray Croucher, Chairman of Willingham Parish Council

Parish Councillor Dr Ray Croucher made the following points:

- The meeting between representatives of Over and Willingham Parish Councils had not resulted in a compromise solution.
- Over Parish Councillor Graham Fenn had suggested an amendment to the boundary, which had not been sanctioned by Over Parish Council and was not acceptable to Willingham Parish Council.
- The circulated map showed a proposed compromise solution, that had been agreed by Willingham Parish Council Planning Committee.
- This proposal had been made independently of the petitioner Barry Papworth.
- This proposal reduced the amount of land to be transferred by approximately 40%.
- In keeping with the guidance, the proposal kept to natural boundaries and had clear open space between occupied areas.

The Committee asked Parish Councillor Croucher for clarification on a number of points and received the following replies:

- The Planning Committee of Willingham Parish Council had agreed the compromise solution on the distributed map.
- The Planning Committee's proposals had not been mentioned at the joint meeting with Over Parish Council as it had been clear that no compromise was possible.
- The proposed area included an empty field as the boundary was marked with a hedge with mature trees and the guidance recommended the boundary line should be in 'no man's land'.

A lack of consensus locally

Members of the Committee made the following points about the opinions of local representatives:

- It was disappointing that the two parish councils had been unable to reach a compromise solution.
- It was disappointing that Willingham Parish Council's solution was not shared at the joint meeting with Over Parish Council.
- Perhaps an independent Chairman should have presided over the joint meeting involving both parish councils.
- It was disappointing that the local district council members were not in agreement.

Historical boundary

Members of the Committee made the following points about the historic boundary:

- To alter a 400 year old boundary was heritage vandalism.
- Historic boundaries needed to adapt to change.
- Other anomalies existed in the District, but the Committee had to make a recommendation on this one.

The Principal Lawyer for Governance reminded members that the starting point for any decision should be does the current position (what's on the ground) reflect the identities and interests of the community in that area and is it effective and convenient?

The identity and interests of the community in the area

Members of the Committee made the following comments on whether the proposed changes reflected the identities and interests of the community in the area:

- Those living in the disputed area identified with Willingham, not Over.
- Any cross boundary issues required the input from two County Councillors, so moving the boundary made administrative sense for an area that many residents considered to be in Willingham.
- The Green Line was preferable, as this had been supported by those consulted, although Willingham Parish Council's compromise solution was also acceptable.
- Seven out of the nine households affected by the change had spoken to Councillor Burling and five of these had wished to remain in Over.
- The Council's official consultation exercise carried greater weight as it was impartial, received 244 responses and was undertaken by professional officers.

Councillor David Bard formally proposed and Councillor Bunty Waters seconded the boundary as recommended by Willingham Parish Council. Councillor Sebastian Kindersley recommended an amendment to his proposal, to move the boundary north so that the unoccupied square field remained in Over. This proposed amendment was seconded by Councillor Deborah Roberts. The Committee held a brief recess whilst local knowledge on the veracity of the different boundaries was considered.

It was noted that the boundary proposed by Councillor Bard was made up of mature trees and a hawthorn hedge, which could not be removed without planning permission. The boundary proposed by Councillor Kindersley was made up of bushes and a wire fence.

Councillor Bard stated that he considered that the boundary in his proposal had more permanence and so he did not accept Councillor Kindersley's amendment. Members of the Committee made the following points:

- Nobody was living in the disputed field and so excluding this simply meant less land being transferred from Over to Willingham.
- Transferring as little land as possible was a sensible compromise.
- The proposed boundary in the amendment was clearly defined.
- The amendment should be supported as a compromise.
- The boundary in the amendment was not a clearly defined natural boundary, with a third of it without a hedge and so should be rejected.
- A road or a watercourse made a better boundary than a hedge.
- The hawthorn hedge marking the unamended proposed boundary could not be removed without planning permission.
- The Petitioner, Barry Papworth, had raised no objection to unoccupied farmland remaining in Over.
- There was no reason to include agricultural land in the transfer.

The Principal Lawyer for Governance advised that the Committee needed to decide whether the proposed boundary was easily identifiable.

A vote was taken and with 5 votes in favour of the motion and 5 votes against the Chairman made a casting vote against the motion, which was **DEFEATED**.

The substantive proposal was now discussed by the Committee and the following points were made:

- This proposal was a compromise that had the agreement of Willingham Parish Council.
- No consensus had been reached between the two parish councils and so this proposal should be rejected.
- Regrettably a consensus between the two parish councils was impossible and the Committee needed to make a recommendation.
- This issue had taken up too much of the Council's time and resources and needed to be resolved by recommending this proposal to Council.
- This proposal represented the interests of those living in the area, who identified themselves as Willingham residents.

A query was raised by Cllr Sebastian Kindersley. It was noted that following the resignation of Councillor Simon Crocker there had been a vacancy on this Committee and under the terms of the Constitution Group Leaders could appoint a substitution to fill a vacancy until a replacement has been appointed at a meeting of Council.

The Committee took a vote and with 5 votes in favour of the motion and 5 votes against the Chairman made a casting vote in favour of the motion, which was **AGREED**. It was proposed that the Council make a request to the Local Government Boundary Commission for England (LGBCE) to make the County Council boundary conterminous with the parish boundary. A vote was taken and with 7 votes in favour and 3 against, this proposal was **AGREED**. The Committee

RECOMMENDED THAT COUNCIL

- A) Agree the alternative boundary, as shown on the green line in the attached map, less the red cross hatched area.*
- B) Make a request to the Local Government Boundary Commission for England (LGBCE) to re-align the County Council boundary along the new parish boundary.

Reasons for Recommendation

- a) Provides an easily identifiable boundary that is likely to remain.
- b) Reflects the views of affected persons.
- c) Reflects community identity on the ground.
- d) Only affects land necessary for good governance.

(*Note: Map attached at Appendix L)

5. DATE OF NEXT MEETING

The next meeting of the Committee was to be confirmed.

The Meeting ended at 11.55 a.m.

This page is left blank intentionally.

Agenda Item 9c



Report To: Council

25 January 2018

Lead Officer: Head of People and Organisational Development

PAY POLICY STATEMENT

Purpose

1. To approve the Pay Policy Statement for 2018.

Recommendations

- a) That Council approve the Pay Policy Statement

Reasons for Recommendations

2. In January 2017, the Council approved the Pay Policy Statement for the authority. This policy has been reviewed and updated with 2017/2018 pay and organisational structures and job titles.
3. This report sets out the requirements of the Localism Act 2011 sections 38 to 40, in relation to the development of a Pay Policy Statement for South Cambridgeshire District Council. It appraises Members of the definitions and principles, such as transparency and affordability.
4. The report also fulfils the requirement under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 which private and public sector employers to report annually, the difference between the average hourly rate of pay for male and female employees.

Background

5. The 2011 Hutton Review of Fair Pay recommended a requirement to openly compare the policies on remuneration for chief officers, and details of how decisions are made about the salaries of the highest paid officers and how that relates to the lowest paid.
6. The Localism Act 2011 requires English local authorities to produce a statutory Pay Policy Statement for each financial year. The Pay Policy Statement must be approved by a resolution of Full Council and must include pay and other remuneration for chief officers and other employees, including the lowest paid.
7. The DCLG statutory guidance on the Localism Act refers to "Openness and accountability in local pay" and covers such matters as pay fairness in the public sector by increasing transparency over pay and tackling disparities between the lowest and the highest paid in public sector organisations.

8. Remuneration is defined widely, to include pay, charges, fees (such as returning officer fees), allowances, and benefits in kind, pension, termination payments, performance bonus and severance payments. The statement should also refer to the authority's approach to the re-employment of officers and, in particular senior officers who have returned to a local authority into a similar senior officer role.
9. The Council's strategy must be one of balancing between securing and retaining high-quality employees whilst maintaining pay equality and avoiding excessive pay rates. In developing the policy the authority must be satisfied that its policy is workable, affordable and reasonable and, that it will instil public confidence.
10. In November 2015 the Government indicated its intention to go ahead with proposals to introduce a cap on exit payments for employees in the public sector. This has been included within the Enterprise Bill 2015. Regulations have been drafted and subjected to consultation during 2016. There has been further consultation on this during 2017 and current plans are for final approval in early 2018.
11. The Enterprise Bill (now Enterprise Act) and Public Sector Exit Payment Regulations 2016 state Government's intention that there will be:
 - Place a limit on the value of exit payments
 - Cover most types of payment relating to exits, including voluntary and compulsory redundancy and severance payments
 - Apply broadly across the public sector
 - Enable restrictions to be relaxed in exceptional circumstances subject to approval by the relevant Minister
 - There will be a limited number of exempt payments (e.g. death or injury)
12. Relevant council employment and pension policies will be revised once the full details and implications are known in relation to the regulations concerning termination arrangements and exit payments.
13. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 require larger private and public sector employers (250+ employees) to report annually the difference between the mean and median average hourly rate of pay for male and female employees, gender bonus gap and the number of men and women across salary quartiles. Both sets of regulations came into force on 31 March 2017, with the first reports falling due by 30 March 2018 in the public sector and by 4 April 2018 in the private sector. The report has been updated to reflect this requirement.

Considerations

14. The Council has made provision in the medium term financial strategy (MTFS) for a 1% pay increase for 2018/2019 financial year. This is in addition to 1% to cover incremental rises. South Cambridgeshire District Council agrees annual pay awards through local negotiation with the recognised trade unions (GMB and Unison).
15. The Unison local branch has submitted a pay claim for 2018. The claim sets out a number of arguments for an increase in pay for employees including the rising cost of living in the South East, the impact of recent pay freezes and pay caps in the public sector and recruitment and retention pressures. The trade union has also made reference to the National Living Wage and Living Wage Foundation rate. The trade union has requested a pay increase of 5%, across all spinal points which would add

to the Council's pay bill by £800K in the first year and place an immediate and ongoing requirement on the Council to find further savings.

16. The local trade union pay claim is not in line with the national Local Government pay offer which aims to address the lowest scp values (NJC Pay scales) and, increase all other pay points by 2%. It is part of a two-year pay deal offered by Local Government employers.
17. The Finance and Staffing Portfolio Holder will give consideration to the pay claim once Council has approved the budget for 2018/2019.

Implications

Financial

18. Salaries referred to in the Pay Policy Statement are within current budgets.
19. Implications for an increase of 5% on current pay points is set out in 15 above. A proposal to increase the Council's pay bill by more than the amount in the MTFS would need Full Council approval.

Legal

20. The Localism Act 2011 requires the Council to have a Pay Policy Statement.

Staffing

21. Pay and benefits for Council employees remains a key element in terms of attracting and retaining talent and therefore delivering first class services. The Council's pay and reward strategy has been developed to ensure that employee pay is based on a fair and transparent evaluation process.

Equality and Diversity

22. The Council's pay grade structure and job evaluation method meets the requirements of the Equalities Act.

Consultations (including from the Youth Council)

23. Trade Unions were fully involved in the Job Evaluation project and, as such, were consulted throughout the process of achieving the Single Status Agreement and pay and grading structures. Employees were consulted and balloted on the Single Status Agreement, which details the Council's approach to pay and benefits.
24. The trade unions have submitted a pay claim for 2018 on behalf of their members.

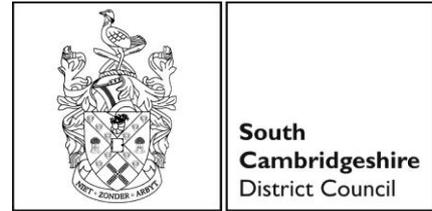
Background Papers

19. The following background papers were used in the preparation of this report:
 - Local Government Association and ALACE guidance dated November 2011

DCLG Code of recommended practice for Local Authorities on transparency
September 2011

- Department for Business & Skills - Guidance on Enterprise Bill
- The Equalities Act 2010 (Specific Duties and Public Authorities) Regulations 2017
- www.gov.uk/government/consultations

Report Author: Susan Gardner-Craig – Head of People and Organisational
Development
Telephone: (01954) 713285



PAY POLICY STATEMENT 2018

The Localism Act 2011 ('the Act') (sections 38 to 40) requires English local authorities to produce a Pay Policy Statement for each year. The Act states that the policy must include the Council's approach to pay and other remuneration for Chief Executive, chief officers and other employees, including the lowest paid.

The Act defines remuneration widely, to include pay, charges, fees, allowances, benefits in kind, pension and termination payments.

The Pay policy Statement:

- must be approved formally by Full Council by the end of March each year
- can be amended during the year

1.0 Scope

1.1 The Pay Policy Statement applies to the following posts at South Cambridgeshire District Council:

- Chief Executive (Head of the Paid Service)
- Executive Director (Section 151 Officer)
- Joint Director Planning and Economic Development
- Directors
- Heads of Service

2.0 Salary

2.1 The current salary scales for Chief Executive, Executive Directors, Directors, and Heads of Service are presented in the table below.

Chief Executive	110,357	113,510	116,662	119,815	122,969	126,121
Executive Directors	89,337	92,490	95,642	98,794	101,948	105,101
Director (Grade11)	71,438	74,208	76,979	79,752	82,522	85,296
Head of Service (Grade 10)	60,660	62,817	64,971	67,127	69,283	71,438
Head of Service (Grade 9)	52,961	54,502	56,042	57,581	59,121	60,660

- 2.2 Progression through the pay grade is determined by assessment of the employee's performance in line with the Council's Performance and Development Review process.

3.0 Pay Awards

- 3.1 The Council has local arrangements for the negotiation of annual pay awards with trade unions recognised by the council, namely GMB and Unison. Reference is made to the nationally negotiated pay award for Chief Executives, Chief Officers and other local government employees. The national negotiating bodies are:

- Joint Negotiating Committee for Chief Executives
- Joint Negotiating Committee for Chief Officers
- National Joint Committee for Pay and Conditions of Service for Local Government

The Council will also have regard to the Living Wage Foundation rate when it agrees annual pay awards for its staff each year. The Council, however, does not intend to seek formal accreditation from the Living Wage Foundation.

4.0 Terms and Conditions of Employment

- 4.1 The terms and conditions of employment for the Chief Executive are determined in accordance with collective agreements, negotiated by the Joint Negotiating Committee for Chief Executives.
- 4.2 The terms and conditions of employment for the Executive Directors are determined in accordance with collective agreements, negotiated by the Joint Negotiating Committee for Chief Officers.
- 4.3 The terms and conditions of employment for the Directors and Heads of Service are determined in accordance with collective agreements, negotiated by the National Joint Committee for Pay and Conditions of Service for Local Government.
- 4.4 These are supplemented by local collective agreements reached with trade unions recognised by the Council and by the rules of the Council.

5.0 Remuneration on Recruitment

- 5.1 The Council will approve the appointment of the Head of the Paid Service, Executive Directors, Chief Finance Officer and Monitoring Officer and following the recommendation of such appointments by the Employment Committee or Sub-committee of the Council, which must include at least one member of the Executive. The full Council may only make or approve the appointment of these posts where no well-founded objection has been made by any member of the Executive. The salary on recruitment will be within the current salary range of these posts at that time.

- 5.2 The Employment Committee or Sub-Committee of the Council, which must include at least one member of the Executive, will appoint Directors. An offer of employment as a Director can only be made where no well-founded objection from any member of the Executive has been received. The salary on recruitment will be within the current salary range of these posts at that time.
- 5.3 Appointment of Heads of Service is the responsibility of the Chief Executive or his/her nominee and may not be made by Councillors. The salary on recruitment will be within the current salary range of these posts at that time.

Rules governing the recruitment of the Chief Executive, Executive Directors, Directors and Heads of Service are set out in the Council's constitution in section: Part 4 Rules of Procedure - Officer Employment Procedure Rules.

6.0 Bonus Payments

- 6.1 There are no bonus arrangements payable to the Chief Executive, Executive Directors, Directors or Heads of Service.

7.0 Progression through Pay Grades

- 7.1 The salary of employees within the scope of this policy rises by increments to the top point of their salary grade, subject to good performance. Progression through the pay grade is determined by assessment of the employee's performance in line with the Council's Performance and Development Review process.

8.0 Salaries over £100,000

- 8.1 The posts of Chief Executive and Executive Directors are the only posts that carry salaries of over £100,000.

9.0 Publication of salary data

- 9.1 Salary data for the Chief Executive, Executive Directors, Directors and Heads of Service is published on the Council's website

For the Chief Executive and Executive Directors this includes name, job title, actual salary, expenses and any election fees paid. For Directors and Heads of Service this includes salary by post title.

This Pay Policy Statement once approved by Full Council will be published on the Council's website.

10.0 Expenses

- 10.1 The expenses which may be payable to the Chief Executive, Executive Directors, Director or Head of Service are as follows:
- Car/Motorcycle/Bicycle allowance – these are stated in the Council's Mileage policy which is set out in the Single Status Agreement approved by trade unions in May 2012.

- Re-imbusement of travel and subsistence – this is in accordance with the Council’s stated policy as at June 2011
- Payments under the eye test scheme as stated within the Council’s Health & Safety policy

11.0 Market Supplement Policy

11.1 There are occasions when the salary determined by the grading for a post results in an inability to successfully recruit to or retain staff in particular posts or specific occupational areas, this may be due to fluctuations in the job market supply. These recruitment and retention problems can affect ability to deliver services to our residents. In such cases it may be appropriate to pay a market supplement in addition to the salary where there is evidence to justify that market factors are the “material reason” for the post attracting a higher rate of pay than other posts graded similarly. Any additional market supplement will be made in accordance with the Council’s Market Supplement Policy.

12.0 Other Benefits

12.1 All Council employees including those within the scope of this policy are entitled to participate in the Council’s Childcare Voucher scheme in conjunction with Sodexo Say Care Childcare Voucher Provider. Employees can sacrifice part of their salary for childcare vouchers. These vouchers are exempt from income tax or National Insurance contributions and therefore represent a saving for employees who then use them to purchase childcare. Employees within the scope of this policy can purchase an annual maximum of £2916 worth of childcare vouchers through the scheme. Employee savings can amount up to £933 per annum.

12.2 The employees within the scope of this policy are entitled to participate in the Council’s Cycle Scheme whereby employees can sacrifice part of their salary to lease cycles for travel to work. The amount sacrificed is exempt for income tax and national insurance contributions and therefore represents a saving for participating employees.

13.0 Severance Payments

13.1 Severance payments are made in accordance with the Council’s Organisational Change and Redundancy policy and are the same for all staff.

13.2 Employees with more than two years service will be entitled to redundancy pay in line with local government guidelines and statutory calculations. Where the employee is entitled to a redundancy payment, the calculation is based on the employee’s actual weekly pay.

13.4 The Council provides career counselling and out placement support for employees facing redundancy, this includes job search and interview skills.

13.5 Settlement agreements will only be used in exceptional circumstances where they represent best value for the Council.

14.0 Pension and Pension Enhancements

- 14.1 All employees within the scope of this policy are entitled to and receive pension contributions from the Local Government Pension Scheme (LGPS). This is a contributory scheme and they contribute between 8.5 and 11.4% of their salary to the scheme. Changes to the LGPS regulations were implemented in April 2014, and this changed contribution rates and changed the scheme from a final salary scheme to a career average (CARE) scheme.

15.0 Election Fees

- 15.1 The Returning Officer is the person who has the overall responsibility for the conduct of elections. The Returning Officer is an officer of the Council who is appointed under the Representation of the People Act 1983. Although appointed by the Council the role of the Returning Officer is one of a personal nature and distinct and separate from their duties as an employee of the Council. Elections fees are paid for these additional duties and they are paid separately to salary.

The Chief Executive is the Council's Returning Officer.

The fees for Parliamentary, Police Commissioner, Combined Authority Mayoral and Euro Elections are set by the Government.

Fees for local elections are set locally and are currently £373.72 per contested ward and £55.20 per uncontested ward.

Other officers, including senior officers within the scope of this policy, may receive additional payment for specific election duties.

16.0 Relationship to lowest paid employees

- 16.1 The lowest pay grade of the Council's pay structure is Grade 1. For this reason we have chosen staff employed on Grade 1 as our definition of the 'lowest paid' for the purposes of this policy. Ratios are based on base salary and do not include other payments.

Grade 1 currently ranges from £13,796 to £15,449 per annum. The lowest paid employee on the council's pay scale is currently £13,796 per annum.

The Chief Executive's current salary scale ranges from £110,357 to £126,121.

The current ratio between the highest and the lowest pay points is - 1:9.1

The current ratio between the Chief Executive's current salary and the lowest pay point is 1:8.9

The Council does not have a policy on maintaining or reaching a specific pay ratio between the lowest and highest paid staff.

- 16.2 The gender balance of the highest grades of SDCDC earners is 56% females to 44% males.

17.0 Gender Pay Gap Reporting

- 17.1 In 2017 new equality regulations were introduced on Gender Pay reporting. South Cambridgeshire District Council is required to publish information under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017. The definitions and types of information to be reported are defined in the regulations and to aid understanding the definitions are shown below, together with the data.

17.2 The mean gender pay gap

The difference between the mean hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees. This is shown as a percentage.

The mean gender pay gap is - **4.99%** in favour of females

A **mean** average involves adding up all of the numbers and dividing the result by how many numbers were in the list.

17.3 The median gender pay gap

The difference between the median hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees (see regulation 9). This is shown as a percentage.

The median gender pay gap is -**17.12%** in favour of females

A **median** average involves listing all of the numbers in numerical order. If there is an odd number of results, the median average is the middle number. If there is an even number of results, the median will be the mean of the two central numbers.

17.4 The median bonus gender pay gap

The median bonus gender pay gap is not applicable as we do not pay bonuses.

17.5 The proportion of males and females in each quartile pay band

This calculation requires an employer to show the proportions of male and female full-pay relevant employees in four quartile pay bands, which is done by dividing the workforce into four equal parts.

There are four sections (called quartiles) with an equal number of employees in each section (or as close as possible to this). The quartiles (from the lowest to highest) are called the lower quartile, the lower middle quartile, the upper middle quartile, and the upper quartile.

Quartile	Female	Male	Grand Total	Female %	Male %
1. Lower Quartile	34	89	123	28%	72%
2. Lower Middle Quartile	59	64	123	48%	52%
3. Upper Middle Quartile	75	48	123	61%	39%
4. Upper Quartile	68	55	123	55%	45%

17.6 The mean and median figures in points 17.2 and 17.3 above reflect the fact that the Council's workforce in the bottom quartile is mainly male as the Council directly employs refuse operatives and drivers in a shared service for two Councils (SCDC and Cambridge City Council).

18.0 Tax Avoidance

18.1 The Council takes tax avoidance seriously and will seek to appoint individuals to vacant positions using the recruitment procedures on the basis of contracts of employment and apply direct tax and National Insurance deductions from pay through the operation of PAYE.

18.2 Where consultants are recruited the Council will seek to avoid contractual arrangements which could be perceived as being primarily designed to reduce significantly the rate of tax paid by that person, such as paying the individual through a company effectively, controlled by him or her.

18.3 These principles will be embedded in contract clauses and guidance for managers when employing consultants.

19.0 Re-engagement of former South Cambridgeshire District Council staff within the scope of this policy

19.1 All permanent or fixed term posts are advertised in accordance with the council's recruitment policies and appointment is made on merit, in accordance with the rules governing the recruitment of the Chief Executive, Executive Directors, Directors and Heads of Service set out in the Council's constitution in section: Part 4 Rules of Procedure - Officer Employment Procedure Rules.

19.2 Interim management appointments are made in accordance with the council's procurement policies and the provisions for contract for services.

19.3 Chief Executive, Executive Director, Directors
The Council will not normally re-engage under a contract of services or re-employ any individual who has previously been employed by the Council and, on ceasing to be employed, is in receipt of a severance or redundancy payment.

19.4 All other grades of employee
The Council will not normally re-engage under a contract of services or re-employ any individual who has previously been employed by the Council and, on ceasing to be employed, is in receipt of a severance or redundancy payment within three years from cessation of employment, this includes casual bank assignments.

Only in exceptional circumstances will re-engagement be considered in line with the council's re-engagement policy.

19.5 Employment of those in receipt of an LGPS pension

Where the Council employs as a Chief Executive or Chief Officer a person who is in receipt of a pension under the LGPS, the rules on abatement of pensions adopted by the Council's Administering Authority for the LGPS, pursuant to Regulations 70 and 71 of the Local Government Pension Scheme (Administration) Regulations 2008 will be applied.

20.0 Apprentices

20.1 The Council has engaged a number of apprentices. The apprentice roles are created by services as development opportunities to support the apprenticeship programme. These roles are usually existing posts within service area structures. Apprentices are paid at Grade 1 during the term of their apprenticeship.

20.2 The Council currently has 4 Apprentices – 1 x Communications, 3 x Housing. There are immediate plans for HR Apprentice and Contact Centre Apprentice posts. In addition, the Planning Service will maximise the apprenticeship opportunities as part of its career development programme.

Publication of the Pay Policy Statement

This pay policy statement once approved by Full Council will be published on the Council's website.

Agenda Item 10a



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Cambridgeshire & Peterborough Combined Authority Reports from Constituent Council Representatives on the Combined Authority

Member representatives

Meeting	Dates of Meeting	Representative
Overview and Scrutiny Committee	27 November 2017	Councillor John Batchelor Councillor Alex Riley
Combined Authority Board	29 November 2017	Councillor Peter Topping

The above meetings have taken place in November.

Overview and Scrutiny Committee – Monday 27 November 2017

The Overview and Scrutiny Committee met on Monday 27 November 2017. A summary of the committee's minutes is attached at **Appendix 1**.

Board meetings – Wednesday 29 November 2017

The Board met on Wednesday 29 November 2017 and the decision summaries are attached at **Appendix 2**.

The agendas and minutes of the meetings are on the Combined Authority website:

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/overview-and-scrutiny-committee-27-november-2017/>

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/combined-authority-board-29-november-2017/>

This page is left blank intentionally.



Overview and Scrutiny Committee- Decision Summary

Meeting: 27th November 2017

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/overview-and-scrutiny-committee-27-november-2017/?date=2017-11-27>

Page 179

Chair: Cllr John Batchelor

Summary of decisions taken at this meeting

Item	Topic	Decision [<i>None of the decisions below are key decisions</i>]
1.	Apologies	Apologies received from Cllr Carter, substituted by Cllr Bucknell.
2.	Declaration of Interests	There were no declarations of interest.
3.	Minutes of the 23rd October 2017	The minutes of the meeting held on Monday 23rd October were agreed as a correct record subject to the following amendments:- That the names of the Portfolio Holders should be included in the minutes. At point 4.2 a more precise description on what imbalance meant should be included as

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
Page 180		<p>follows.</p> <p>The committee wished it to be recorded that their interpretation of the word “imbalance” used by the Portfolio Holder meant “That within the combined authority area there was a financial imbalance between different parts of the combined authority area and some areas were more disadvantaged than others .</p> <p>Under item 5 the committee asked for it to be recorded that the Portfolio Holder for Skills had advised that there would be no ‘mickey mouse’ degrees available at Peterborough University.</p> <p>At point 6.2 Cllr Hayward asked for it to be recorded that he did not say that level crossings were on the A1 and that he had requested that his point should be raised at the October Board meeting.</p> <p>The Committee requested that when presentation slides were sent out to members that they be presented one slide per page.</p> <p>In relation to matters arising, Cllr Murphy advised that at the last meeting that the S151 officer had agreed to provide information on the £3.8m available for transport in relation to the Rhubarb Bridge crossing. Cllr Murphy was still awaiting this information.</p>
4.	Interview – Portfolio Holder for Fiscal Planning	<p>The Committee invited the Portfolio Holder for Fiscal Planning (Cllr Steve Count) to the meeting to give a presentation and answer questions from the committee on his portfolio.</p> <p>Below is a summary of some of the points raised during the discussion:-</p> <ul style="list-style-type: none"> • The £600m would not deliver all the schemes within the Combined Authority’s remit but the funding could be used to unlock further funding streams. • The LEP and Combined Authority are separate legal entities so there was no financial impact on the combined authority unless it chose to. The Combined Authority had chosen to fund some LEP schemes previously under the LEP’s portfolio under approval of the CEO and later ratified by the Board. There were no plans for the Combined Authority to bail out any other organisations

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		<ul style="list-style-type: none"> • The Portfolio Holder confirmed that Combined Authority is the guarantor for its own lending; not constituent councils and going forward it would be up to the lender to guarantee any loans. This may change in the future. • The Treasury Management paper will outline any borrowing requirements and if there are any borrowing caps imposed this would be set out in the finance strategy. • Project borrowing would most likely be project specific but the Portfolio holder could not rule out other funding streams being used. • Land Value Capture was being looked into as a funding solution but discussions were ongoing with central government. It was important to get the infrastructure needed to build the communities. • The lack of VAT registration for the Combined Authority was not an immediate concern as government was aware of the necessity and legislation to implement this was being sped up. All back monies would be recoverable. • The transport funding that was given to the Combined Authority was handed down to Peterborough City Council and Cambridgeshire County Council in its entirety but ultimately the Combined Authority was the transport authority for the area so it required the facility to levy in future. • The £2m funding promised in the budget last week would be paid over two years and would fund the staffing for the Combined Authority. • There would be no impact on constituent councils for funding and no constituent council had been asked for funding from the Combined Authority at this point. • The £20m per year for the next 30 years promised by government for the Combined Authority would be devalued over the years due to rising inflation and this was one of the reasons it was important to be looking at possible borrowing avenues now.

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		<ul style="list-style-type: none"> • A further £76 m was provided to Combined Authority in last week's budget and as central government gained further trust in the Combined Authority further funding would be granted. • Rather than funding agreements being labeled 'Devolution Deals' more money would come from a continuous series of successful bids and grants. • Options were being developed to allocate the £100m funding for housing development. The options would be based on assessed need using a robust criteria and business case. Consultants would be selected using similar criteria used by the County Council and an assurance framework. • The assurance framework stated that the £70m for housing development in Cambridge must be spent within the framework and it must be evidenced, however, Cambridge City Council would have direct control over the allocation. • £100m to deliver affordable housing can be used on viable sites across the combined authority area including stalled sites which could help with the housing shortage. Funding would be subject to viable individual business cases. It is written in to the assurance framework that should the Board feel that there was a need for them to intervene in an individual business case then they could. Procurements rules must be followed. • Project appraisal would be done using the budget method with each project being evaluated individually by the Combined Authority. The appraisal on priorities for the area covered by the Combined Authority would be done by the Economic Commission that had been set up. Some items would need independent guidance. • There were two mechanisms by which the Combined Authority could levy money; the first was through the Mayor's precept which could be used solely to fund the Mayor's own office. Secondly the Combined Authority could have a levy on business rates. • There was no Mayoral precept predicted for the 2018/19 budget.

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		<ul style="list-style-type: none"> To date there had been no extra cost to the tax payer from the Combined Authority. <p>A full summary of the interview is in the minutes: http://cambridgeshirepeterborough-ca.gov.uk/meetings/overview-and-scrutiny-committee-27-november-2017/?date=2017-11-27</p>
5.	Interview – Portfolio Holder for Tourism & Leisure	<p>The Committee invited the Portfolio Holder for Tourism and Leisure (Cllr John Holdich) to the meeting to give a presentation and answer questions from the committee on his portfolio.</p> <p>Below is a summary of some of the points raised during the discussion:-</p> <ul style="list-style-type: none"> Authority to undertake a Bus Review was going to the Board on 29 November. The review would consider areas such as service on demand, transport to smaller towns and isolation in rural areas especially as it could feed into other schemes. With transportation being seen as a solution to isolation. The Bus Review would look at areas beyond the borders of Cambridgeshire and Peterborough. The Combined Authority could encourage better management of the Public Rights of Way and this would be an area for the portfolio to look at.
6.	Review of Combined Authority Agenda	<p>The Committee reviewed the upcoming agenda for the Combined Authority Board, the responses below were provided to the committees questions:-</p> <p>In response to a question about the St Neots item coming to the Board the CEO advised that St Neots was an underperforming area that had great potential and although different in many ways to other market towns in the area there would definitely be some similarities that could be transferred across areas.</p> <p>In response to a question about recruitment at the Combined Authority the CEO responded that the Combined Authority would be confirming the appointment of the Legal</p>

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
Page 184		<p>and Monitoring Officer on 29 November and would be starting recruitment for the Chief Finance Officer. Currently all posts at the Combined Authority were occupied in some capacity. The CEO planned to wait for a resolution with the LEP before making further permanent appointments.</p> <p>The CEO provided the Committee with a general update on the situation with the LEP, the following points were made:-</p> <ul style="list-style-type: none"> • The first priority for the CEO was to gauge the financial position of the LEP; with agreement from the LEP Board there were some actions that could be taken which would help to relieve some of the financial pressures. • The CEO had commissioned an independent financial review to be done by Grant Thornton and through the Chair of the LEP an independent review of how the LEP Board operates by Pinsent Masons. • The CEO stated that he felt that although the Combined Authority and the LEP were two separate entities, his role as CEO was one role - to achieve growth in the local economy and he was clear on what he was doing in each role. • Officer structures within each organisation needed to be joined up. • There was an opportunity for the LEP to become stronger and take on a more strategic role for the area; currently it was felt that the LEP was isolated, for example there were work projects being done by the LEP on skills that were also being looked at by other organisations. There was an opportunity to remove duplication. • The geographical areas covered by the LEP and the Combined Authority were different and this was a matter for the Board to consider, options would be brought back to Board. • The National Audit Office had completed a review into the LEP which would be published soon. This piece of work examined the governance of the LEP and was

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		different to the two pieces of work that had been commissioned to be carried out by Grant Thornton and Pinsent Mason.
7.	Combined Authority Forward Plan	The Committee noted the forward plan of the Combined Authority Board. The current forward plan is at http://cambridgeshirepeterborough-ca.gov.uk/assets/Combined-Authority/Forward-Plan-updated-20th-November-2017.pdf
8.	Overview & Scrutiny Work Programme	The Committee agreed to discuss the work programme in more detail at their training session.
9.	Date & Location of Next Meeting	The next meeting would be held at Fenland District Council at 2pm on the 18 th December 2017.

This page is left blank intentionally.



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY

Decision Summary

Meeting: 29th November 2017

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/combined-authority-board-29-november-2017/>

Page 187

Item	Topic	Decision
	Part 1 – Governance Items	
1.1	Apologies and Declarations of Interest	Apologies received from Councillor Holdich, substituted by Councillor Fitzgerald, and Councillor Topping, substituted by Councillor Nick Wright.
Item	Topic	Decision
1.2	Minutes – 25th October 2017	It was resolved to approve the minutes of the meeting of 25th October 2017 as a correct record.
1.3	Petitions	None received.
1.4	Public Questions	None received.

1.5	Forward Plan	It was resolved to approve the Forward Plan of Executive Decisions dated 20 November 2017.
1.6	Membership of the Combined Authority – Amendments	<p>It was resolved to note the following appointments made by Huntingdonshire District Council for the remainder of the municipal year 2017/2018:</p> <p>(a) Councillor Graham Bull to replace Councillor Robin Howe as its Member to the Combined Authority;</p> <p>(b) Councillor Ryan Fuller as Councillor Graham Bull’s substitute to the Combined Authority.</p> <p>The Board also noted that the Mayor had appointed Councillor Charles Roberts as his statutory Deputy Mayor.</p>
	Part 2 – Key Decisions	
1	Cambridgeshire and Peterborough Strategic Bus Review	<p>The purpose of this report was to ask the Board to agree to a strategic review of bus services within the Combined Authority area.</p> <p>Buses have the potential to provide economic and social benefits by connecting people with jobs, shops and facilities; they can minimise social isolation; and can reduce congestion on some of our busiest roads. Many bus services are run successfully on a commercial basis but there are also a significant minority of services, particularly in rural areas and those provided for people with disabilities, which are only viable currently through public subsidy.</p> <p>Considerable work has already been undertaken to improve the operational efficiency of the existing bus service. However, significant further operational improvements are unlikely to be achieved using existing delivery models without considerable public sector subsidy. Such investment is likely to offer a diminishing return and is unlikely to deal with the underlying issues.</p> <p>This paper proposed that a strategic study is undertaken. It will:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Review the existing network and service – including its strengths and weaknesses;

- Develop strategic options for bus services of the future – taking account of other strategic transport initiatives, so that any proposals can be seen as part of a whole transport solution. New technology and innovative solutions from across the UK and the world will also be considered;
 - Assess franchising and other operational models – and their relevance and value to this area'
 - Consider transition arrangements for new, future operational models
- An important feature of the review will be engagement with all stakeholder groups across the area including bus providers and Local Authorities.

For the purpose of this report buses are defined as services that provide on road passenger transport provision either via a traditional bus or a smaller tailored accessible vehicle

It was resolved to:

- a) Agree to undertake a Bus Review within the scope and terms of reference set out in this report.
- b) Agree a total budget allocation of £150,000 to undertake the Bus Review.
- c) Note the intention to use this Bus Review to inform a future Combined Authority Bus Strategy which would be developed as part of the future Local Transport Plan.
- d) Note that the Bus Review would seek to recognise the issues faced in certain areas of Cambridgeshire following the recent withdrawal of some commercial services.

	Part 3 – Other Decisions	
3.1	Transport Update	<p>The Cambridgeshire and Peterborough Combined Authority Order 2017 conferred the local transport planning powers on the Combined Authority creating the Cambridgeshire and Peterborough Combined Authority as the local transport authority.</p> <p>This report set out how transport functions are currently delivered; considered future delivery models; and requested the approval of a statutory instrument which enabled the Combined Authority to levy the upper tier authorities for the cost of delivering the transport functions. It was resolved to:</p> <ul style="list-style-type: none"> a) Note that the Cambridgeshire and Peterborough Combined Authority, as the local transport planning authority, delegated its transport powers and transport funding to Cambridgeshire County Council and Peterborough City Council for 2017/18; b) Agree to report back to the Board in December on the implications of the Combined Authority assuming the decision making powers for strategic transport planning matters and the impact of that for the upper-tier authorities and other bodies c) Approve the draft Statutory Instrument (Appendix 1) enabling the Combined Authority to levy the upper tier authorities for delivery of the transport functions
3.2	Adult Education Budget Devolution: Transitional Arrangements and Resourcing	<p>The devolution of the Adult Education Budget (AEB) represented a central component of the skills agenda for the Cambridgeshire and Peterborough Combined Authority (CPCA). The AEB brings together what were previously three separate funding streams into a single budget, comprising of:</p> <ul style="list-style-type: none"> <input type="checkbox"/> the non-apprenticeship part of the Adult Skills Budget <input type="checkbox"/> community learning <input type="checkbox"/> discretionary learner support <p>It has been suggested that successful localisation of this budget could allow the CPCA greater flexibility and responsiveness in addressing the region’s skills needs.</p> <p>Although full devolution was originally scheduled for the 2018/19 academic year, it had become apparent that this was no longer feasible without substantial risks to learners and providers. Consequently, the Department for Education (DfE) had proposed two transitional options for the 2018/19 academic year before full devolution in 2019/20. The</p>

		<p>DfE has subsequently written to all Mayoral Combined Authorities requesting formal confirmation of their chosen transitional option. This paper detailed and contextualised the options available and recommended the basis for how CPCA work with the DfE during the 2018/19 academic year.</p> <p>To ensure that the CPCA was prepared for full devolution in 2019/20, a significant amount of preparatory work was required to satisfy the DfE's 'readiness criteria' for the transfer of AEB powers.</p> <p>The report also outlined the level of additional resource required to ensure that CPCA has the specialist knowledge and capacity to prepare for AEB devolution.</p> <p>It was resolved to:</p> <ul style="list-style-type: none"> (a) Note the steps taken to prepare the Combined Authority for full devolution of the Adult Education Budget in time for the 2019/20 academic year; (b) Agree the Combined Authority's approach to working with the Department for Education during the proposed 'transitional' 2018/19 academic year; and (c) Agree £40,000 of extra resource to ensure that the Combined Authority was equipped to prepare for AEB devolution.
3.3	Appointment of Legal Counsel & Monitoring Officer, and Loan of Chief Executive	<p>The purpose of this report was to ask the Board to appoint Kim Sawyer as Legal Counsel and Monitoring Officer following the recommendation of the Employment Committee.</p> <p>It was resolved to:</p> <ul style="list-style-type: none"> (a) appoint Kim Sawyer as Legal Counsel and Monitoring Officer, (b) note that the Mayor had exercised his general power of competence on behalf of the Combined Authority to agree to loan the Chief Executive to the Greater Cambridgeshire Greater Peterborough Enterprise Partnership on a part time and interim basis.
3.4	Budget Update Report – 2017-18	<p>Constituent members when agreeing to the establishment of the Cambridgeshire and Peterborough Combined Authority (CPCA) considered the resource allocations from</p>

		<p>central government and the initial expenditure plans which have since been further developed. This report provides an update of the 2017/18 budget.</p> <p>It was resolved to:</p> <ol style="list-style-type: none"> 1. Note the budget updates as requested for approval in other Board reports on this meeting's agenda. 2. Note the budget update made under delegated authority as set out in paragraph 3.5. 3. Note the updated budget and indicative resources for 2017/18 and 2018/19 to 2020/21 as set out in Appendices A and B
	Part 4 – Date of Next Meeting	
Page 1	Date of Next Meeting	It was resolved to note the date of the next meeting – Wednesday 20 December 2017 at 10.30 am in Committee Rooms 1 & 2, Cambridge City Council, Guildhall, Cambridge

Agenda Item 10b



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Cambridgeshire & Peterborough Combined Authority

Reports from Constituent Council Representatives on the Combined Authority

Member representatives

Meeting	Dates of Meeting	Representative
Audit and Governance Committee	18 December 2017	Councillor Andrew Fraser
Overview and Scrutiny Committee	18 December 2017	Councillor John Batchelor Councillor Alex Riley
Combined Authority Board	20 December 2017	Councillor Peter Topping

The above meetings have taken place in October.

Audit and Governance Committee –Monday 18 December 2017

The Audit and Committee met on Monday 18 December 2017. A summary of the committee's minutes are attached at **Appendix 1**

Overview and Scrutiny Committee –Monday 18 December 2017

The Overview and Scrutiny Committee met on Monday 18 December 2017. A summary of the committee's minutes are attached at **Appendix 2**.

Board meeting – Wednesday 20 December 2017

The Board met on Wednesday 20 December 2017 and the decision summary is attached at **Appendix 3**.

The agendas and minutes of the meetings are on the Combined Authority website:

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/audit-and-governance-committee-18-december-2017/?date=2017-12-18>

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/overview-and-scrutiny-committee-18-december-2017/?date=2017-12-18>

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/combined-authority-board-20-december-2017/?date=2017-12-20>

This page is left blank intentionally.



Overview and Scrutiny Committee- Decision Summary

Meeting: 18th December

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/overview-and-scrutiny-committee-18-december-2017/?date=2017-12-18>

Chair: Cllr John Batchelor

Summary of decisions taken at this meeting

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
1.	Apologies	Apologies received from Cllr Hayward and Cllr Riley. Apologies received from Cllr Baigent, substituted by Cllr Sargeant.
2.	Declaration of Interests	There were no declarations of interest.
3.	Minutes of the 27th November 2017	The minutes of the meeting held on Monday 27 th November 2017 were agreed as a correct record.
4.	Review of Combined Authority Board Agenda	The Committee reviewed the agenda due to come to the Board on Wednesday 20 th December 2017. The following points were raised during the discussion:- Agenda item 2.4, Establishing a new stronger public and private sector partnership in

Item	Topic	Decision [<i>None of the decisions below are key decisions</i>]
		<p>Cambridgeshire and Peterborough was confidential as it related to matters about the Greater Cambridgeshire Greater Peterborough Enterprise Partnership (GCGP LEP) which was a private company. Therefore, the Chief Executive could not comment more than what was published in the public report.</p> <p>Subject to decisions taken at the GCGP LEP Board on Tuesday 19th December 2017 the Combined Authority Board may decide to discuss the exempt report in the public part of the meeting.</p> <p>In response to questions about agenda item 2.1, Transport: Developing our Decision Making and delivery arrangements, the following points were made:</p> <ul style="list-style-type: none"> • There were a number of options to consider as part of the strategic bus review to seek improvements in bus services. Some Combined Authorities had adopted the full franchising model while other had not pursued this model at all, for example the West Midlands CA. Other Combined Authorities have adopted a partnership model. • Where franchising models have been adopted it was done with significant public subsidy. • It would not be sensible to progress without further investigation into service needs and costs implications. • Earlier in the year it was agreed to commission a new transport plan which would start in January with the first strategic themes reported in May/June next year. • The report regarding the bus review was due to come to the Board in September/ October next year and it would be requested that a timetable for the project be included in that report. • The report was constructed in conjunction with Peterborough City Council and Cambridgeshire County Council and co-developed by officers at both authorities. • The Overview and Scrutiny Committee would be consultees for the Local Transport Plan. • All transport functions had gone back to Cambridgeshire County Council and Peterborough

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
Page 197		<p>City Council; and those councils are going through their usual budget plans.</p> <ul style="list-style-type: none"> In regard to funding for next year, some funding would come from government, and some from the councils to pass up to the Combined Authority. The Combined Authority will need to decide how to meet any shortfall. <p>The Committee agreed that the Chairman should raise the following questions at the Board meeting on Wednesday 20th December on behalf of the Committee:</p> <ol style="list-style-type: none"> 1) Could the Board clarify who had control of the transport budget, if the budget had been devolved to the County Council and Peterborough City Council were the Board aware of options under consideration for the removal of certain subsidies? 2) Clarity was sought on what the funding figures quoted referred to, did they include home to school transport? 3) The Committee requested assurance that they would have the opportunity to pre scrutinise integrated planning in advance of the May/June meeting. <p>In response to questions about agenda item 2.2, Establishing the Cambridgeshire and Peterborough Land Commission, the following points were made:</p> <p>Concerns were expressed about the relationship between Combined Authority and Local Plans, Cllr Yeulett advised the Committee that he had had a meeting with Cllr Herbert who had assured him that the local plans were sovereign.</p> <p>Cllr French suggested that Neighbourhood Plans should also be taken into account.</p>
	5.	Key Priority Themes

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		<p>(b) notify the Combined Authority Board of the change in approach</p> <p>(c) the allocations set out in appendix B of the report but that this allocation would be flexible.</p>
6.	Overview & Scrutiny Work Programme	<p>The Committee received the report which provided the Committee with the draft work programme for the Overview & Scrutiny Committee for the remainder of the 2017/18 municipal year and asked them for comments and suggestions.</p> <p>Committee members raised the following points during the discussion:-</p> <ul style="list-style-type: none"> • The Monitoring Officer advised that the Committee did not need to follow the advice that had been provided. The Committee could invite anybody who provided a service to the Combined Authority but the committee cannot force them to attend. • Some members felt the remit was wider than just organisations that work with the Combined Authority. • Other Combined Authorities invited external organisations. • The Committee should be able to meet with people who have influenced the reports coming to the Board. • It was unacceptable that they could only consider items that were coming to the Board for consideration. <p>The Monitoring Officer responded to the committee to advise that the terms of reference for the committee differed to those of a local authority scrutiny committee and further clarification was being sought from the Centre for Public Scrutiny about this.</p> <p>It was important to understand what the purpose of any review was and why external organisations were being invited to attend.</p> <p>Cllr Bradley put forward a motion that the Mayor be invited to attend the Overview and Scrutiny Committee meeting quarterly, this motion was seconded by Cllr Nethsingha.</p> <p>The motion carried unanimously.</p>
7.	Combined Authority Forward Plan	<p>The Committee noted the forward plan of the Combined Authority Board.</p> <p>The current forward plan is at http://cambridgeshirepeterborough-</p>

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		ca.gov.uk/assets/Combined-Authority/Forward-Plan-updated-20-December-2017.pdf
8.	Date & Location of Next Meeting	The next meeting would be held at Cambridgeshire County Council on 29 th January 2018.

This page is left blank intentionally.



AUDIT & GOVERNANCE COMMITTEE - Decision Summary

Meeting: 18th December 2017

<http://cambridgeshirepeterborough-ca.gov.uk/assets/Audit-and-Governance-Committee/Audit-Governance-Agenda-181217.pdf>

Chair: John Pye (Chair and Independent Person)

Summary of decisions taken at this meeting

Page 201

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
1.	Apologies And Declarations Of Interests	<p>The Chairman welcomed the Mayor of the Combined Authority.</p> <p>Apologies were received from Cllr Fraser and Cllr Chapman.</p> <p>The Chairman advised the committee that the CA is in the process of recruiting a permanent s.151 officer. Adverts have been approved and the necessary processes put in place. The recruitment would begin in the new year. Several interviews had been conducted for an interim s.151 officer but to date, no suitable candidate had been identified. The Chief Executive and Monitoring Officer meet regularly with two experienced finance officers to monitor the financial position and the Audit and Governance Committee will provide the oversight for that position.</p>
2.	Minutes of the meeting held on 21st September 2017	The minutes of the meeting held on the 21 st September were agreed as a correct record.

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
3.	Combined Authority Board Update	<p>The Chairman welcomed the Mayor and invited him to provide the committee with an overview of the Combined Authority activities for the last six months.</p> <p>The Mayor highlighted the following points:-</p> <ul style="list-style-type: none"> •The Combined Authority was an opportunity to do things differently; it was important to recognize that the Combined Authority was a delivery body not another local authority. •The Combined Authority would be a lean organisation which would have a staff of less than 20 people. •There had been some unexpected issues that the Combined Authority had had to deal with such as the situation with the Greater Cambridgeshire Greater Peterborough Enterprise Partnerships; this had been dealt with transparently and would hopefully result in a better system and provide an opportunity for integration that would solve staffing problems and remove the duplication of services that existed within the area. •The Combined Authority was a fast moving organisation; reports that were brought forward under the 100 day plan were already coming to fruition, reports such as the Mass Rapid Transport and the A10 study. •The Mayor outlined how he had been involved in talks with investors and central government who were keen to be involved with the authority. •The Combined Authority was unique and did not fall naturally into the defined tag of a metro mayor system. The Cambridgeshire and Peterborough area had a strong economy which needed to be harnessed. •There was a real opportunity to bring in significant investments from the private sector. •The Mayor felt that having a core staff and high levels of consultants was the way forward for the Combined Authority. •The post of the Section 151 officer needed someone with a deep understanding of the

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		<p>Combined Authority.</p> <ul style="list-style-type: none"> •The Mayor gave his commitment that the Combined Authority would ensure it was transparent in all its activities. <p>The Chairman thanked the Mayor for attending to provide an update and asked him to return at a future date to keep the committee updated.</p>
4	Internal Audit Update	<p>The Committee received the report from the Chief Internal Auditor which outlined the ongoing review of the governance arrangements within the Combined Authority.</p> <p>Cllr Harrison asked whether the Code of Conduct could be reviewed as it seemed too lightweight in comparison to the Code of Conduct of other local authorities and was advised that the Monitoring Officer favoured a less complex code but that the Code of Conduct could be included within the review and would discuss this with the Chief Internal Auditor.</p> <p>The Chief Internal Auditor would bring a report back to the Audit and Governance Committee with a further update on the review in March.</p> <p>The Chairman raised the issue of the Overview and Scrutiny Committee requesting a review of the consultants used by the Combined Authority. Members of the committee requested this be extended to include a broad range of procurement activities.</p> <p>The Chairman advised that it was important that the remits of the Overview and Scrutiny Committee and the Audit and Governance Committee were clear to avoid duplication of work and that he would be meeting with the Overview and Scrutiny Committee Chairman in the New Year.</p>
5	External Audit 2016-17 Annual Audit Letter	<p>The Committee received the report which asked the committee to note the Annual Audit Letter, as prepared by Ernst and Young following the completion of their 2016/17 audit.</p> <p>The Committee noted the report.</p>

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
6	Audit Plan 2017/18	<p>The Committee received the report which asked for the approval of the 2017/18 Audit Plan as prepared by Ernst & Young LLP and to approve a proposed change to the Audit and Governance Committee meeting dates and work programme to accommodate the changed statutory deadline for approval of the Statement of Accounts.</p> <p>The external auditors outlined the three main risks in the report; the first two risks were common risks for all organisations and the third risk was the change of deadlines which the committee needed to be aware of.</p> <p>There would be a workshop in May which would provide the committee an opportunity to review the draft statement of accounts.</p> <p>A question was asked around the Planning Materiality and the committee were advised that this was a common approach taken by external auditors to make judgements. As the materiality had been set at the top range this meant the auditors felt there was currently low risk.</p> <p>As a result of the external deadlines being moved there would be more estimated figures used which did create more risk, however this should be mitigated by the committee having early sight of the accounts. If there was anything significant that could have an effect on the estimates this would be discussed with the committee.</p> <p>Risks around the Mayor operating without appropriate arrangements in place or the absence of the Section 151 Officer would be reflected in the risk audit carried out by the external auditor.</p> <p>Currently the external auditors had good engagement with the finance officers and were satisfied with the interim arrangements.</p> <p>The Chairman requested that he be consulted if the external auditors did develop any concerns.</p> <p>The Committee received and considered the External Audit Plan for 2017/18.</p> <p>The Committee noted the planned audit fees for the year and noted the changes in statutory deadlines for the preparation of draft accounts and publishing of audited accounts.</p> <p>The Committee approved the proposal to hold an informal workshop in mid-May to discuss and</p>

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		comment on the draft accounts 2017/18.
7	Members Code of Conduct: Procedure for Hearings by the Audit Committee	<p>The Committee received the report which outlined a process for dealing with complaints about the Mayor, members of the combined authority, or members of combined authority committees.</p> <p>The Legal Counsel and Monitoring officer advised that most complaints dealt with were resolved with at the early stage following informal discussions with the member and the complainant.</p> <p>An annual report would be brought to the committee outlining the number of complaints received.</p> <p>The Chairman asked if all members of the Combined Authority had signed the Code of Conduct and was advised that all members should have signed this as part of the register of interest and officers would check to ensure this was completed.</p> <p>The Chairman asked if the process for how members were appointed to the hearings panel could be made clearer.</p> <p>Once the Independent person had been appointed the Committee requested that they attend the Audit and Governance Committee meetings.</p> <p>The Committee reviewed the process for dealing with complaints about the Mayor, Members of the Combined Authority or its Committees for breach of the Code of Conduct and recommend the Combined Authority Board amend the constitution to include the member complaints procedure;</p> <p>The Committee noted the process for recruiting an Independent Person for Complaints with a proposed allowance of £250 per annum.</p>

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
8.	Complaints Procedure	<p>The Committee received the report which asked the committee to comment on the proposed corporate complaints procedure for the combined authority</p> <p>The Committee noted the proposed complaints procedure for the combined authority as set out in Appendix 1 and that the Monitoring Officer has delegated authority to make any changes recommended by the Local Ombudsmen or resulting out of the Audit and Governance Committee function to monitor the complaints process.</p> <p>The Committee recommends:</p> <p>(a) that the combined authority board approve and adopt the complaints procedure</p> <p>(b) that the combined authority notify the local ombudsman of its decision to approve and adopt the complaints procedure.</p>
Page 206	Freedom of Information (FOI) and Data Protection Policy	<p>The Committee received the report which asked the committee to note the action taken to comply with freedom of information legislation.</p> <p>There was an intention to have a publication scheme with the aim to publish as much information as possible.</p> <p>Members requested that it was made clear in the policy whether there was the intention to publish FOI responses online.</p> <p>FOI and data Protection requests were being handled by the Democratic Service staff.</p> <p>The Chairman requested that the number of FOI requests received be included in the annual report brought to the committee.</p> <p>The Committee is agreed to:</p> <p>(a) note the Data Protection Policy at Appendix 1.</p> <p>(b) note the Freedom of Information Policy at Appendix 2.</p>

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
		<p>(c) Note publication scheme listing the types of information that is available or will be made available on the Combined Authority website at Appendix 3</p> <p>(d) Recommend that the combined authority Board approves Appendices 1, 2 and 3</p>
10.	Treasury Management Strategy	<p>The Committee received the report which outlined the Combined Authority's draft Treasury Management Strategy for 2018/19.</p> <p>The following points were raised during the discussion: -</p> <ul style="list-style-type: none"> • Current version is limited in scope as it was drafted before Combined Authority had any capital programmes. The 2018/19 version had been expanded to include the borrowing powers of the Combined Authority. • Currently Peterborough City Council invest on behalf of the Combined Authority • Each capital project goes through a budget allocation and approval process with the Combined Authority Board. It is difficult to determine borrowing requirements for investments where there is uncertainty on the amounts and timing of the required funds. The Combined Authority is trying to establish current and future borrowing and investment profiles. • Substantial funding had been received for the housing programmes and the CEO expected that in January 2018 the Combined Authority would have a strong profile of delivery against those programme and therefore a much stronger understanding around capital deployment. Papers would be coming to the Combined Authority Board regarding this. • The other two areas of major capital were the transport projects and the Peterborough University. • The CEO advised that all feasibility studies for transport schemes had been commissioned and in 9-12 months the Combined Authority would have a view on the

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
Page 208		<p>feasibility of those projects and the likely delivery of those into capital programmes.</p> <ul style="list-style-type: none"> •The final business case for the Peterborough University would come to the Board in December 2018 and it was expected that it would include a view on funding strategy for university, which may involve tens of millions of pounds and would also provide an understanding of the timeframes. •The Combined Authority was accountable to the DCLG to ensure we have delivering value for money schemes. The role of the committee was to ensure systems were in place to allow for this. <p>The Committee members debated the need for the Treasury Management Strategy to be bolder, with some members feeling it should remain as proposed in the report while others felt it needed to take more risks.</p> <ul style="list-style-type: none"> •The Committee requested that the report return in March with two alternative options for the committee to consider and make recommendations on to the Board on the Treasury Management Strategy. <p>The Committee requested that advisor attend the march meeting to provide a development session on this topic to help inform the committees decision.</p> <p>The Committee reviewed the Combined Authority’s draft Treasury Management Strategy for 2018/19 and note that an updated version will be brought back to the next Committee meeting to take account of any changes prompted by the DCLG November 2017 consultation.</p>
	11.	Assurance Framework

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
Page 209		<ul style="list-style-type: none"> •There was major new investment coming into the Combined Authority; organisational changes which will have a significant effect on the structure of the organisation. •The Combined Authority wanted to avoid duplication of roles and envisage that we will have the quality within the organisation to oversee and manage others. •There was a perception from the government that the Combined Authority was another level of bureaucracy which needs to be corrected; the public sector reform programme would run alongside the Combined Authority. •It was important that the managing of the process was defined and in such a way that the public could understand the role of the Combined Authority. <p>The Committee requested that a report that acted as a blueprint for the processes being rolled out be brought to next meeting.</p> <p>The Committee noted the progress on the review of the implementation of structures and systems for the procurement and project management of capital projects in accordance with the requirements of the Assurance and the Monitoring and Evaluation Frameworks; and noted the matters arising and the work underway to ensure the requirements of the Frameworks are fulfilled as options are considered, selected and implemented.</p>
12.	Work Programme	<p>The Committee received the report which provided the draft work programme for Audit and Governance Committee for the remainder of the 2017/18 municipal year.</p> <p>The Committee agreed to add the following to the work programme:</p> <ul style="list-style-type: none"> - Update on the Assurance Framework Process - An annual report on the number of complaints and FOI request received. - Development session be held before the March meeting on the Treasury Management Strategy and a report to come with options for the committee to consider.

Item	Topic	Decision <i>[None of the decisions below are key decisions]</i>
13.	Date of Next Meeting	Monday 26 th March 2018 at Peterborough City Council



CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY

Decision Statement

Meeting: 20th December 2017

<http://cambridgeshirepeterborough-ca.gov.uk/meetings/combined-authority-board-20-december-2017/?date=2017-12-20>

Page 211

Item	Topic	Decision
	Part 1 – Governance Items	
1.1	Apologies and Declarations of Interest	Apologies received from Councillors J Holdich and P Topping, and Jess Bawden substituted by Gary Howsam. Councillor Count declared a non-statutory disclosable interest under the Code of Conduct in relation to Item 2.4, as a member of the Local Enterprise Partnership Board.
1.2	Minutes – 29 November 2017	It was resolved to approve the minutes of the meeting of 29th November 2017 as a correct record.
1.3	Petitions	None received.
1.4	Public Questions	None received.
1.5	Forward Plan	It was resolved to approve the Forward Plan of Executive Decisions dated to be published on 22 December 2017.

Item	Topic	Decision
Part 2 – Non-Key Decisions		
2.1	Transport: Developing our Decision Making and Delivery arrangements	<p>The Cambridgeshire and Peterborough Combined Authority Order 2017 transferred the local transport planning powers to the Combined Authority and created the C&P CA as the local transport authority for the area.</p> <p>This has created a complex environment with a variety of bodies with different powers and responsibilities promoting, developing and delivering a range of transport schemes. This encompasses the local road network, the strategic road network and the strategic rail network.</p> <p>It has been recognised that greater clarity and consensus is required on the role of the Combined Authority and how this relates to other bodies currently working within the transport environment. The report sought to:</p> <ul style="list-style-type: none"> (a) Set out the transport role of the Combined Authority (b) Make recommendations on the principles that should be adopted to create a simple understandable regime for decision making and delivery (c) Agree that further work should be undertaken to establish how the design of this will work in practice (d) Make proposals for the delegation of transport functions for the year 2018/19. <p>The report followed on from the Transport Update paper presented to the Board on the 29th November 2017.</p> <p>It was resolved to:</p> <ul style="list-style-type: none"> (a) Agree the strategic transport role of the Combined Authority - as set out in paragraphs 2.4 – 2.7 of the report; (b) Agree the principles that should be adopted to create a simple understandable regime for decision making and delivery – as set out in paragraphs 2.8 – 2.11; (c) Note that further work would be undertaken to determine how the design of these principles would work in practice and proposals would be brought back to the Combined Authority Board in February 2018 for consideration; (d) Agree the delegation of transport powers to Cambridgeshire County Council and Peterborough City Council for the 2018/19 financial year - as set out in paragraph 2.16 of the report

Item	Topic	Decision
2.2	Establishing the Cambridgeshire and Peterborough Land Commission	<p>The Combined Authority and its constituent partners have a collective ambition for significant levels of inclusive growth across Cambridgeshire and Peterborough. However our track record of delivery has not always met this ambition and the Combined Authority has committed to form a Land Commission to ensure land supply is now brought forward for development in line with our growth needs.</p> <p>The scope of the Land Commission will include bringing forward both public and private land for development. Within this scope there is particular opportunity for the Land Commission to establish a fresh and strategic approach to managing public sector assets across Cambridgeshire and Peterborough, reflecting our need to implement a cross-border and cross-sector approach to make better use of our collective estate. There are approximately 14,000 hectares of public estate across Cambridgeshire and Peterborough.</p> <p>This report asked the Board to agree the scope of the Cambridgeshire and Peterborough Land Commission that will:</p> <ul style="list-style-type: none"> (a) Identify specific barriers that are holding back the supply of land for key strategic development sites in Local Plans, primarily focussing on public land and work with partners to bring forward recommendations to overcome these (b) Develop a register of all publicly owned land across the area to ensure the long-term supply of land for future development needs (c) Identify any common factors that are holding back the supply of land for development across the geography and work with partners to bring forward recommendations to overcome these. <p>It was resolved to:</p> <ul style="list-style-type: none"> (a) Agree the Terms of Reference for the Land Commission (b) Agree the membership and appoint the portfolio holder for Spatial Planning as the Chair of the Land Commission (c) Agree the timetable for implementation of the Land Commission and ask the Chair of the Land Commission to bring regular progress reports to the Board (d) Approve a budget allocation of up to £80,000 to support the work of the Land Commission
2.3	Update on Peterborough University Business Cases and Project Progress	This report updates Board members on the extensive progress being made on the University of Peterborough project.

Item	Topic	Decision
		It was resolved to note the current progress being made by partners on the University project
2.4	Establishing a new Stronger Public and Private Sector Partnership in Cambridgeshire and Peterborough	<p>It was resolved to not exclude the press and public when considering Appendix 1 as the Board would be considering exempt information under categories 3 and 4 of schedule 12A of the Local Government Act 1972.</p> <p>The Greater Cambridgeshire and Greater Peterborough area has huge economic potential. If this potential is to be realised, a really powerful partnership needed to exist between the public and private sectors. The purpose of this paper was to consider how a series of new arrangements could strengthen the strategic leadership of the area, create a new model of local enterprise partnership and provide best value for the public purse.</p> <p>These new arrangements would set the standard for best practice models of the future for public and private sector partnerships. At the same time, they would restore trust and confidence, including that of the wider business community, local democratic leaders and central government.</p> <p>The current Local Enterprise Partnership Board agreed at its Board meeting on 19th December that Greater Cambridge and Greater Peterborough Enterprise Partnership Limited (the "Company"), that was established in 2010 to lead and manage the Greater Cambridge Greater Peterborough Local Enterprise Partnership (the "GCGP LEP") should be voluntarily wound up on a solvent basis with effect from 31st March 2018.</p> <p>This would allow for an effective transition from the current model to new arrangements. This report set out how the Combined Authority could work in partnership with a new LEP to deliver a new model of strategic leadership.</p> <p>It was resolved to:</p> <ul style="list-style-type: none"> (a) Note the decisions proposed to the Greater Cambridgeshire and Greater Peterborough Local Enterprise Partnership Board (GCGP LEP) regarding the future of its Company; (b) Note that the GCGP LEP had accepted the proposals made to it, and:

Item	Topic	Decision
		<ul style="list-style-type: none"> i. To note that it was proposed that a new Local Enterprise Partnership would be established in the form of a Business Board; ii. To note the future working relationship of the Combined Authority and the new Business Board, and the membership of the new Business Board; iii. Agree that the Combined Authority shall become the Accountable Body for the Business Board from 1st April 2018. <p>(c) note that periodic reports would be made to the Combined Authority Board from the New Year regarding the arrangements for the future working relationship between the two Boards.</p>
	Part 3 – Budget Decisions	
3.1	Budget 2018-19	<p>The Local Government Finance Act 1992 (LGFA 1992) placed a duty on Councils to set a balanced budget with regard to the advice of its Chief Finance Officer (section 151).</p> <p>This paper provided a draft ‘indicative’ budget for the Combined Authority produced in accordance with the ‘emerging strategic themes’ for 2018/19 as set out in the October Board meeting, to be consulted on by the consultees as approved by the Board.</p> <p>It was resolved to consider and approve the draft 2018/19 Combined Authority budget for consultation purposes.</p>
3.2	Budget 2018-19 (Mayor’s Budget)	<p>This paper sets out the Mayor’s draft budget for 2018/19 for review by the Combined Authority Board</p> <p>It was resolved to:</p> <ul style="list-style-type: none"> 1. Review the Mayor’s draft budget for 2018/19 2. Approve the draft budget in its current form.
	Part 4 – Date of Next Meeting	
4.1	Date of Next Meeting	It was resolved to note the date of the next meeting – Wednesday, 31 January 2018 at 10.30 am in the Kreis Viersen Room, Shire Hall, Cambridge

This page is left blank intentionally.

Agenda Item 13



Report To: Council
Lead Officer: Monitoring Officer

25 January 2018

Urgent Executive Decision

Purpose

1. To provide an information report on a decision which was exempted from call-in under Scrutiny and Overview Procedure Rules 12.18 – 12.20.

Recommendations

2. That the report be noted.

Reason for Recommendation

3. The report is for information and is brought to Council in accordance with Rule 12.19 of the Scrutiny and Overview Procedure Rules.

Background

4. Rule 12.18 of the Scrutiny and Overview Procedure Rules in the Council's Constitution provides that the call-in procedure shall not apply where the decision being taken by the executive decision taker is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The Chairman of the Council and the Chairman of the Scrutiny and Overview Committee must both agree that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.
5. Rule 12.19 provides that decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for the urgency.
6. Council is advised of the following urgent decision taken by the Planning Portfolio Holder:-

Title	Decision taken	Date	Decision taker	Reason for urgency
South Cambridgeshire Local Plan:	To approve the South Cambridgeshire	24 November 2017	Planning Portfolio Holder	To allow the earliest possible date for when

Proposed Modifications Consultation	housing data and site commentary text from the 2017 Annual Monitoring Report as set out in the attached* appendices (*Note: Link to decisions and attachments below).			public consultation on proposed modifications for the Local Plan can begin and to minimise the length of the period before receipt of the Inspector's Report and when Council can consider adoption of the Local Plan
-------------------------------------	--	--	--	---

7. In accordance with the usual procedure the decision above was published on the Council's website and forwarded to Members and may be viewed via the following link:-

[Urgent Decision - South Cambridgeshire Local Plan - Proposed Modifications Consultation](#)

Implications

8. Taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, there are no significant implications in connection with this information report.

Effect on Strategic Aims

9. This report is for information and has no effect on Strategic Aims.

Background Papers

10. No background papers were used in preparation of this report.

Report Author: Kathrin John - Democratic Services Team Leader
Telephone: (01954) 713030