



Report To: Civic Affairs Committee
Lead Officer: Head of Sustainable Communities and Wellbeing

23 March 2017

Community Governance Reviews: Draft Terms of Reference for a Community Governance Review of Caxton, Elsworth and Cambourne parishes

Purpose

1. To consider terms of reference for undertaking a formal Community Governance Review of the parish boundaries between Caxton, Elsworth and Cambourne in relation to the planned development at Cambourne West.

Recommendations

2. It is recommended that the Civic Affairs Committee considers the draft terms of reference (Appendix 1) pertaining to the Community Governance Review of the parish boundaries between Caxton, Elsworth and Cambourne, and:
 - (a) agrees, with or without amendments, the draft terms of reference (Appendix A), and
 - (b) agrees, with or without amendments, the indicative timetable for the review (paragraph 2.5 of Appendix A).

Background

3. The Local Government and Public Involvement in Health Act 2007 ("the 2007 Act") provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether or not to make any changes to Parish boundaries or size, and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing parishes. Section 93 of the 2007 Act allows principal councils to decide how to undertake such a review, provided that they comply with the duties in the Act which apply to councils undertaking reviews. If, following a review, the Council decides that changes should be made to the electoral arrangements; they may make an Order giving effect to the changes.

(c) Section 93 also states that 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 community governance review and seek sound and demonstrable evidence of such identities and linkage.
4. The guidance states that when considering parish ward boundaries principal council 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. A review offers an opportunity to put in place strong-clearly defined boundaries, tied to firm ground features, and remove anomalous parish boundaries.
5. The Principal Council is required to determine the terms of reference under which a community governance review is to be undertaken. The terms of reference must

clearly specify the area under review and must be published. The guidance states that “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”.

Considerations

6. Draft terms of reference for a Community Governance Review of the parish boundary between Caxton, Elsworth and Cambourne have been prepared and can be found at Appendix A. The terms of reference set out the matters on which a Community Governance Review should focus.
7. The formal publication of terms of reference will begin the review. A timeline for the Community Governance Review will need to be agreed.
8. A letter and report regarding a Community Governance Review for the area was received from Cambourne Parish Council in June 2015 (Appendix B and C respectively). A Community Governance Review for the area was briefly discussed by the Committee on 9 July 2015 and 12 November 2015 where it was reported that Caxton Parish Council supported the request from Cambourne Parish Council subject to this review only taking place if and when the Local Development Plan covering this development area is approved by the Government Inspector and satisfactory development plans are approved by SCDC. Since this time discussion between officers and Caxton Parish Council resulted in agreement for a review either following approval of the Local Development Plan or planning permission being given. Delegated approval for the outline planning application was granted on 11 January 2017.

Consequential Matters and Principal Area Boundaries

9. The terms of reference set out general principles regarding consequential matters that may arise as a result of a review.
10. The Council has recently been through a review of its electoral arrangements, with a revised warding pattern coming into effect at all out elections in May 2018. Under the new district warding arrangements Cambourne will be separated from the other two villages as it becomes a three member ward in its own right. The villages of Caxton and Elsworth will be part of a new two member ward called Caxton & Papworth.
11. The County Council has also been through a similar review of its electoral arrangements. These changes will take effect in May 2017 and will see Cambourne fall within the new Division of Cambourne and Caxton and Elsworth as part of the new Papworth & Swavesey Division.
12. Any changes made to the parish boundaries between Cambourne, Caxton and Elsworth as a result of this review will not change these new principal area boundaries. After any reorganisation order is made the Council will need to apply to the Local Government Boundary Commission for England (LGBCE) to ask that the District and County boundaries are realigned along the revised parish boundary. The Council notes that it will be for the LGBCE to decide if related alterations should be made and when they should be implemented, and that the Commission may find it appropriate to conduct an electoral review of affected areas.
13. The Council notes that the LGBCE will require evidence that the Council has consulted on any such recommendations for alterations to the boundaries of the

district wards of county electoral divisions as part of the review. Of course, such recommendations for alterations may only become apparent during the course of the review. Even so, the Council will endeavour to include any such draft recommendations for alterations at the earliest possible opportunity for consultation that will arise after they become apparent.

14. Where such consequential matters affect Cambridgeshire County Council, the Council will also seek the views of that council with regard to alterations to electoral division boundaries in accordance with the government's guidance. If the Council were to not seek realignment of the parish and principal area boundaries, it must "be satisfied that the identities and interests of local communities are still reflected and that effective and convenient local government will be secured".

Options

15. The Committee could, in order to commence the Community Governance Review of the boundaries between Caxton, Elsworth and Cambourne,
 - (a) agree, with or without amendments, the draft terms of reference (Appendix A), and
 - (b) agree, with or without amendments, the indicative timetable for the review (paragraph 2.5 of Appendix A).

Implications

16. 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

17. The draft terms of reference for a Community Governance Review of the parishes of Cambourne, Caxton and Elsworth has considered the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in April 2008, which reflects Part 4 of the Local Government and Public Involvement in Health Act 2007 and the relevant parts of the Local Government Act 1972, 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.)

Staffing

18. It will be possible to carry out a Community Governance Review of the parish boundary between Caxton, Elsworth and Cambourne within existing resources.

Effect on Strategic Aims

19. 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.

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