

REPORT TO: Civic Affairs Committee

02 June 2020

LEAD OFFICER: Liz Watts, Chief Executive Officer

Community Governance Review of the parishes of Longstanton and Oakington and Westwick, prompted by the development at Northstowe; adjustments to the review timetable as a result of COVID-19 restrictions

Executive Summary

1. The new community at Northstowe, in the north west of the district, has been planned as a distinctive new town of 10,000 homes, with green space used to separate it from the neighbouring villages of Longstanton and Oakington.
2. The new development straddles the parishes of Longstanton and Oakington and Westwick.
3. The Civic Affairs Committee instructed officers to conduct a Community Governance Review in response to the creation of this new community, which commenced 11 November 2019 with the publication of the Terms of Reference for the review.
4. The Committee is now invited to consider what adjustments to the timetable are required to enable effective community engagement in support of the second stage consultation and continuation of the review, in the light of social distancing requirements resulting from national restrictions imposed in response to the COVID-19 pandemic.

Key Decision

5. No.

Recommendations

6. It is recommended that Civic Affairs Committee
 - (a) Extends the second round of consultation until 15 September 2020 and proceeds with an adjusted timetable as outlined in Appendix D to enable conclusion of the review such that the outcome of the review can still be brought into effect April 2021.
 - (b) Approves the format for re-engagement with the public and successful conclusion of the second round of consultation.
 - (c) Delegates final sign-off of the precise dates of the engagement programme outlined in Appendix F to Clare Gibbons, to conform with advice from central government regarding relaxation or retightening of lockdown requirements.

Reasons for Recommendations

7. The District Council is obliged to keep under review the community governance arrangements for its area, to ensure that the arrangements in place continue to allow good community engagement, good local democracy and permit the effective and convenient delivery of local services.
8. The emergent new community at Northstowe is developing its own, distinctive identity, with interests that are separate to and different from those of the established community of Longstanton, where Northstowe residents are currently represented via Longstanton Parish Council.
9. The consultation to date, as set out in the published Terms of Reference (Appendix A), has invited views from the parish councils (both those immediately involved and those neighbouring) and the communities therein on the following:
 - Parish boundaries.
 - Electoral arrangements.
 - Whether to create a new parish and if so, style, name and number of Councillors.
 - Possible interim arrangements.
10. The commencement of the second round of consultation coincided with the imposition of lockdown measures by central government, meaning that the engagement programme has been severely curtailed, potentially placing those unable to access digital media at a disadvantage.
11. The Council's legal team have advised that the review timetable can be varied, even to beyond the period of one year within which a review might normally be conducted due to the unprecedented times.

Details

12. 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.

The Guidance 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 (CGR) and seek sound and demonstrable evidence of such identities and linkage.

13. Civic Affairs Committee agreed (October 2019) to commence a Community Governance Review of the civil parishes of Longstanton and Oakington and Westwick, as given in Table 1, below, which commenced with the publication of the Terms of Reference.

Table 1: Timetable for the Community Governance Review of Longstanton, Oakington and Westwick, prompted by the new development at Northstowe.

Timetable for Community Governance Review	
Terms of Reference are published	11 November 2019
Local briefings and meetings	November/December 2019
Initial submissions are invited	From 11 November 2019 to 15 January 2020
Consideration of submissions received, and draft recommendations prepared for Civic Affairs Committee	Draft recommendations published 3 March 2020
Consultation on the draft recommendations	From 15 March to 15 June 2020
Consideration of submissions received, and final recommendations prepared for Civic Affairs Committee	July/August 2020
Final recommendations are published, concluding the review	September 2020
Council can make a Reorganisation Order	October 2020

14. The guidance states that when considering parish boundaries, the 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.
15. The guidance states that 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.
16. Civic Affairs Committee considered the findings of the first round of consultation at its meeting 03 March 2020; it determined that of the seven options advanced under the first round of consultation, there was sufficient support evidenced for three of these options, each resulting in significant new arrangements, should be consulted on in the second round of consultation; these options are set out in Appendix B and in illustrated in map form, Appendix C.
17. Duly, officers produced consultation material and opened a second round of consultation to gather views on the three options selected by the committee and published a

programme of community engagement events for the public to put their questions and investigate each option in more detail. The programme as published is given below.

Table 2: Community engagement events for the second round of consultation

Oakington & Westwick	Longstanton	Northstowe
Monday 30 March 10:30am -12:30am Drop-In at The Monday Café	Thursday 26 March 10:30am – 12:30pm Drop-In at The Dale Community Room	Wednesday 25 March 3:30pm-5:30pm Drop-In Café area at the Community Wing, next to Pathfinder School
Saturday 4 April 2pm-4pm Oakington Spring Market	Monday 6 April 5pm-7pm Drop-In at Longstanton Village Hall	Wednesday 8 April 6pm-8pm Drop-In at Wing Wednesday, at the Community Wing, next to Pathfinder School
Monday 11 May 5pm-7pm Drop-In at The Pavilion Meeting Room	Saturday 16 May 10am -12 noon Longstanton Village Market	Thursday 14 May 4pm-6pm Drop-In the Café are at the Community Wing, next to Pathfinder School
Wednesday 3 June 11:30am to 1pm Drop-In at The Crossways Communitéa Café	Monday 8 June 10:30am-12:30pm Drop-In at The Dale Community Room	Saturday 6 June 10:30am – 12:30pm Drop-In the Café area at the Community Wing, next to Pathfinder School

18. The UK government announced lockdown measures Monday 23 March; however, the district council had already taken a decision to suspend public engagement events, such that none of the planned engagement events have been held to date, bar a briefing given at the Community Forum 01 April, which took the form of a Facebook live stream and which attracted a limited audience.
19. The SCDC webpage dedicated to the Community Governance Review of the parishes of Longstanton and Oakington and Westwick is currently displaying the following holding message: “The Community Governance Review is a statutory process; the current situation is unprecedented and we have been taking advice as to how we can amend the review timetable and public engagement programme to enable effective consultation to be carried out. We have been advised that we are not able to run the drop-in sessions that have been planned to take place in the next four weeks from Thursday 23 April. The situation will be reviewed and information made available on our website and via the parish councils as and when it is known.”

Considerations

20. The publication of the terms of reference (11 November 2019) began the review, which in ordinary times must be completed within twelve months. The review concludes when the Civic Affairs Committee publishes the recommendations of the review. The Committee, with the support of local parish councils, approved the timeline given in the Table 1, above, see paragraph 13.
21. Although Section 93(8) of the 2007 Act requires the CGR to be concluded within a 12-month period; however, the Guidance, at paragraph 37, indicates that this time period “*should be feasible*”, but by necessary implication contemplates occasions when it may not be.
22. The current set of circumstances, i.e. the cancellation of consultation events in the face of COVID-19 restrictions, may provide a good reason why this might not be possible and a reasonable adjustment to the CGR timetable contemplated.
23. Neither the 2007 Act, nor the Guidance, prescribe any consequence for the CGR taking longer than 12 months.
24. Given that there is no prohibition on extending the timetable for the CGR, the Civic Affairs Committee is invited to agree an approach to the continuation of a review in a manner which allows for reasonable public engagement to be undertaken by officers during the second round of consultation.
25. The original review timetable was publicised on our website, through social media channels and in conjunction with the parish councils affected. At commencement of the review, all households in Longstanton, Oakington and Westwick parishes had flyers delivered detailing the engagement programme and inviting participation. Subsequently, at the request of these parish councils, copies of the Terms of Reference and submission form were delivered by parish volunteers to each household.
26. A variety of views, many very detailed, were expressed by members of the public through the first round of consultation; over 430 submissions were received, with 261 gathered on-line and 169 by paper submission forms.
27. The second round of consultation, which opened 15 March 2020, began with the distribution of a flyer containing details of the engagement programme (see Table 2, paragraph 17) to every household in Longstanton, Oakington and Westwick, along with details of how to obtain a submit a paper copy submission form locally, directions to the dedicated webpage on the district council’s website, hosting the on-line submission form, detailed maps of each option and contact details for the officers leading the review.
28. As with round one, the engagement programme was designed to provide meetings and briefings across numerous venues covering all three settlements, on different days of the

week and at different times, including stalls at community events and a number of drop-in sessions.

29. The on-line and paper forms used in the first round of consultation came under criticism, as a result the form used in the second round was redesigned to improve its user-friendliness. However, for some, often older residents, there is a clear preference for conventional community engagement events and paper submission forms; arguably the on-line format does not provide an adequate substitute for this demographic. At the time of writing, only 20 on-line forms have been received, 40% of these from residents of Northstowe, which tends towards a younger demographic.
30. For this reason, the Civic Affairs Committee should consider what level of public engagement it deems acceptable to undertake in the second round of consultation and how that second consultation could be rescheduled.
31. Furthermore, concerns relating to the Community Governance have been rightly eclipsed by broader events and the parish councils have been concentrating their efforts, working with their communities to provide robust responses to support their residents through the Coronavirus pandemic.
32. However, alteration to the published timetable could have follow-on consequences as to when the outcome of the review could be implemented to its full extent. In order for any changes to take effect April 2021, Council would need to have given its approval to the recommendation of this committee. Full Council is scheduled to meet in November 2020 and any subsequent Reorganisation Order would need to be written and submitted to the Secretary of State by February 2021 in order to meet this implementation deadline.
33. Therefore, whilst the timetable might be readjusted in a way that extends beyond a conclusion in November or at the latest, December, it must be remembered that any reorganisation order submitted at a point later than that outlined in paragraph 32 could not be implemented in full before April 2022; a new parish could be formed prior to this, but only in a shadow form.
34. Longstanton Parish Council was asked to consider whether it would prefer to see an extension of the current round of consultation and the publication of an amended timetable when lockdown enabled a clear view of when public engagement could be resumed, or the closure of the current round of consultation and a resumption of the review in due course, when lockdown relaxation could be better predicted. Longstanton Parish Council expressed a preference for a three months suspension in the process, at which point the timetable could again be reviewed.
35. Oakington and Westwick Parish Council, in response to the same question, stated a preference for an extension to the consultation window and for the second round to remain open until such time as a timetable could be put forward.
36. Clearly, both parish councils feel closure of the second consultation window without the opportunity for further engagement would not be an acceptable way forward, but it could be possible to offer an alternative which combines elements of both these approaches.
37. Civic Affairs Committee may consider that there is sufficient confidence in the roadmap for relaxation of lockdown restrictions to offer and agree a revised timetable at this stage. A proposal is given in Appendix D for the Committee's consideration.

38. A revised draft engagement programme is given in Appendix E; this includes a range of opportunities across various days and times, including venues in all three settlements, as previously. Stringent observance of social distancing guidelines would be insisted upon at any public engagement event.
39. A revised set of consultation material has been prepared to be used in the second round of consultation, based on the recommendation of this report, see Appendix F, but this can be tailored according to the option selected by Civic Affairs Committee on how the CGR will be conducted from this point. It is proposed that the paper copy submission forms will be provided by delivery to every household in Longstanton and Oakington and Westwick civil parishes. Collection points will be available via post boxes at the village hall, Longstanton and via the clerk for Oakington and Westwick Parish Council.
40. The Committee will be mindful of the schedule of ordinary elections in South Cambridgeshire. Elections to Longstanton and Oakington & Westwick Parish Councils are next due in 2022, alongside all out elections for the district council. If a review finds that it will be appropriate to hold an election for parish councillors, for example to form a newly created or warded parish, at an earlier date than the next scheduled ordinary elections, the terms of office of any newly elected parish councillors will be so reduced or extended as to enable the electoral cycle to revert to the normal cycle at the next ordinary elections. Elections for any newly formed council could take place in May 2021, to coincide with the County Council and Combined Authority elections, or in 2022 combined with district council elections and the elections for all parishes in South Cambridgeshire.
41. Although all elections are suspended at present, it can be reasonably assumed that they will resume in May 2021.
42. The Committee may also wish to note that should early elections take place (in 2021) for any newly formed parish, early elections will also be necessary in any parish that undergoes substantive change to its boundary as an outcome of the review. This could involve the parishes of Willingham, Longstanton, Oakington and Westwick, dependent on the option ultimately selected, as well as any newly created parish which may result.

Options

43. The Committee could resolve to
- (a) Adhere to the existing timetable for the review, ruling out the need for any adjustment to the second round of consultation to allow for a resumption in community engagement activities.
 - (b) Extend the current round two consultation window indefinitely, until such time that a revised timetable to complete the review can be confidently set.
 - (c) Close the current round two consultation and resume the community governance review when a timetable to complete the review can be confidently set.
 - (d) Agree the revised timetable as proposed in Appendix D, or, vary the adjustments.

- (e) Approve the issue of revised consultation materials (Appendix F), amended to reflect whichever option is selected by this Committee. The lead officer requests delegated authority to sign off on this revised material.

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: -

Financial

45. The cost for parish council elections falls to the parish. There would be a cost to elections in a new parish were this to be agreed and therefore it would be prudent to schedule any review so that it completes in time for elections to coincide with other polls. As per paragraph 42, there may also be a cost to other parishes in holding out of turn elections. However, there are s106 developer contributions to draw upon, in the event that
- a. Parish council elections outside of the scheduled elections cycle are needed and
 - b. Resources are required to establish a new civil parish.

Legal

46. By section 82 the 2007 Act Councils have a discretionary power to undertake a CGR.

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

Section 100(1) of the 2007 Act 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.

The currently relevant Guidance was published the DCLG in March 2010 (“the Guidance”).

Staffing

47. It will be possible to continue implementing the CGR prompted by the new development at Northstowe within existing resources; however, due to the requirement to engage with the public outside of normal office hours, careful management of officer time will be necessary to ensure adequate resourcing in the face of competing priorities and given the constraints imposed by social distancing measures.

Risks/Opportunities

48. Undertaking a Community Governance Review will allow the residents at Northstowe to engage with local democracy and determine how they wish to be represented in future and will assist in the formation of an emergent community identity. Failure to engage effectively with local communities may render the consultation results open to challenge.

Equality and Diversity

49. The Council will work with relevant Parish Councils to identify and consult with interested parties. Key documents will be available on the SCDC website and on deposit at the District Council offices in Cambourne. The revised approach to consultation will include making available a paper submission form to every household in Longstanton, Oakington and Westwick Civil Parishes, with further copies available from local outlets and on request from the district council. There will be provision for collection of paper submissions and they will also be accepted online and by post. If the Committee opts to adjust the CGR timetable, the revised public engagement programme will be designed to enable input from anyone who wishes to give their view, held at a variety of locations and across different times of day, whilst taking into account social distancing requirements.

A modern and caring Council

50. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages and establish successful and sustainable new communities.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

Appendices

- Appendix A: Terms of Reference for the Review
- Appendix B: Options being consulted upon during the second round of consultation
- Appendix C: Maps of Option A, B and C
- Appendix D: Draft review timetable (revised)
- Appendix E: Draft public engagement programme, second round of consultation (revised)
- Appendix F: Draft consultation material, second round of consultation (revised)

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