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South
Cambridgeshire
District Council

24 August 2018

To: Chairman – Councillor Dr. Douglas de Lacey
Vice-Chairman – Councillor Dr. Claire Daunton
Members of the Civic Affairs Committee – Councillors Henry Batchelor,
Dr. Martin Cahn, Nigel Cathcart, Mark Howell, Bridget Smith, Peter Topping and
Aidan Van de Weyer

Quorum: 3

Dear Councillor

You are invited to attend the next meeting of **CIVIC AFFAIRS COMMITTEE**, which will be held in **SWANSLEY ROOM A AND B - GROUND FLOOR** at South Cambridgeshire Hall on **TUESDAY, 4 SEPTEMBER 2018 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution **in advance of** the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
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	PAGES
PROCEDURAL ITEMS	
1. Apologies for Absence To receive Apologies for Absence from Committee members.	
2. Declarations of Interest	
3. Minutes of Previous Meeting To authorise the Chairman to sign the Minutes of the meeting held on 26 June 2018 as a correct record.	1 - 4
DECISION ITEMS	
4. Milton Community Governance Review - Draft Terms of Reference	5 - 12

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INFORMATION ITEMS

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STANDING ITEMS

8.	Date of Next Meeting
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4 December 2018 at 10am

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

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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Agenda Item 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Civic Affairs Committee held on
Tuesday, 26 June 2018 at 10.00 a.m.

PRESENT: Councillor Dr. Douglas de Lacey – Chairman
Councillor Dr. Claire Daunton – Vice-Chairman

Councillors:	Henry Batchelor Nigel Cathcart Bridget Smith Aidan Van de Weyer	Dr. Martin Cahn Mark Howell Peter Topping
Officers:	Patrick Adams Gemma Barron Rory McKenna Jason Clarke Kathrin John	Senior Democratic Services Officer Head of Sustainable Communities and Wellbeing Deputy Head of Legal Practice Development Officer Democratic Services Team Leader

Councillor Philip Allen was in attendance, by invitation.

1. APOLOGIES FOR ABSENCE

There were no Apologies for Absence.

2. DECLARATIONS OF INTEREST

Councillor Bridget Smith stated that she had carried out consultancy work for Barrington Parish Council. She explained that she had received advice from the Deputy Monitoring Officer and would not participate in the debate or vote on agenda item 7, Community Governance Review for Barrington.

3. MINUTES OF PREVIOUS MEETING

The Committee agreed the minutes of the meeting held on 4 January 2018.

4. PUBLIC REPRESENTATIONS AT COUNCIL MEETINGS

The Deputy Head of Legal Practice presented this report, which invited the Committee to recommend a pilot scheme to Council that would allow members of the public to make written representations to full Council meetings, without giving prior notice. He explained that this would not affect the existing arrangements for asking questions at Council and submitting petitions. The current arrangements did not allow members of the public to make submissions after the agenda had been published.

It was noted that the Chairman would be able to vary or suspend the procedure, if, for instance, a large number of requests were received.

Members of the Committee made the following points:

- The public should be able to speak at Council without notice.
- The public should be able to ask a supplementary question without notice.
- Only councillors should be able to speak at Council without prior notice.

Councillor Mark Howell proposed that the recommendation should be amended to ensure that only South Cambridgeshire residents were permitted to make written representations under the proposed scheme. Councillor Bridget Smith expressed concern that this could prohibit both residents from neighbouring authorities and representatives of partner organisations from making representations on cross border issues. The Deputy Head of Legal Practice explained that time constraints could make it difficult to determine whether the member of the public was a resident of the District and it could be seen as discriminatory to prohibit participation on the grounds of their residency. Councillor Mark Howell's proposal did not have a seconder and so the proposal fell.

It was suggested that it was unlikely that a large number of residents would take advantage of this proposed change and so there was no reason to object to the proposed pilot scheme.

A vote was taken, and with 8 votes in favour and 1 abstention, the Committee

RECOMMENDED THAT COUNCIL Introduces a twelve month pilot scheme to allow the public to make written representations at full Council meetings in accordance with the scheme set out at Appendix A.

5. REVIEW OF THE COUNCIL'S CONSTITUTION

The Deputy Head of Legal Practice presented this report on the appointing of a Task and Finish Group to undertake a comprehensive review of the Council's Constitution, including its codes and protocols.

The Committee made the following comments in support of this proposal:

- The Constitution should be put into plain English.
- The aim should be to make the Constitution shorter.
- The review should be comprehensive, as the Constitution was approximately 20 years old.
- The Task and Finish Group should consider co-opting external representatives onto the Group.

It was noted that the aim was for a report, with recommendations, to be considered by next year's Annual Council meeting.

Councillors Claire Daunton, Mark Howell and Aidan Van de Weyer all volunteered to serve on the Task and Finish Group.

A vote was taken and the Committee unanimously

AGREED To establish a task and finish group to undertake a comprehensive review of the Council's Constitution to include its codes and protocols and to submit recommendations thereon to this Committee for onward recommendation to Council.

6. COMMUNITY GOVERNANCE REVIEW - MILTON PARISH COUNCIL

The Development Officer/Programme Manager presented this report, which requested that the Committee consider a request from Milton Parish Council to decrease the number of parish councillors from 15 to 12.

The Committee unanimously

AGREED

- A) The request from Milton Parish Council for a Community Governance Review to decrease the number of parish councillors from 15 to 12.
- B) For officers to agree a timetable, to be included within the terms of reference, in consultation with Milton Parish Council.

7. COMMUNITY GOVERNANCE REVIEW - BARRINGTON PARISH COUNCIL

The Development Officer/Programme Manager presented this report, which invited the Committee to consider a request from Barrington Parish Council to increase its Council size from nine to 13 parish councillors. The letter from Barrington Parish Council, dated 26 January 2018 requesting an increase, was circulated at the meeting.

As local member for Barrington, Councillor Aidan Van de Weyer explained that development was planned in the parish and that he was confident that there were enough parishioners willing to serve on the Parish Council.

Those members of the Committee who were able to vote, unanimously

AGREED

- A) The request from Barrington Parish Council for a Community Governance Review to increase the number of parish councillors from nine to 13.
- B) The draft terms of reference at Appendix B.
- C) For officers to agree a timetable in consultation with Barrington Parish Council.

8. ADDITIONAL POWERS - SOUTH TRUMPINGTON PARISH MEETING

The Programme Manager/Development Officer presented this report, which invited the Committee to consider the request from South Trumpington Parish Meeting to grant it additional powers.

Councillor Philip Allen stated that he was speaking as Chairman of South Trumpington Parish Meeting and not as a District Councillor. He explained that South Trumpington was a small community, with no land or buildings to maintain. The Parish Meeting had raised funds through its precept, but needed to be granted the power to spend it. It was noted that the Parish Meeting did employ an experienced clerk.

It was noted that an electorate in excess of 150 was required to form a parish council and the current electorate for South Trumpington was 166.

The Committee unanimously

AGREED The request from South Trumpington Parish Meeting to grant all the requested powers, as laid out in the letter from the Parish Meeting dated 30 May 2018.

9. UPDATE ON CODE OF CONDUCT COMPLAINTS

The Committee **NOTED** the report.

10. DATE OF NEXT MEETING

It was noted that the next meeting would be held on 4 September 2018 at 10am.

The Meeting ended at 10.50 a.m.

Agenda Item 4

REPORT TO: Civic Affairs Committee 4 September 2018
LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Community Governance Review – Milton Parish Council

Purpose

1. To consider the draft terms of reference, including timetable for the Community Governance review commenced following a request from Milton Parish Council to decrease the number of parish councillors from 15 to 12.

Recommendations

2. It is recommended that the Committee:
 - (a) Agree, with or without amendments, the draft terms of reference and timetable (Appendix A).

Reasons for Recommendation

3. Milton Parish Council has requested a Community Governance Review to reduce its numbers from 15 to 12. In line with NALCs recommendations a parish the size of Milton would have between 10 and 11 councillors. The parish council has been consulted on the draft timeline. The terms of reference are in line with national guidance.

Background

4. On the 26 June the Committee agreed for a Community Governance Review to be conducted following a request from Milton Parish Council that the number of councillors on the Parish Council be decreased from 15 to 12 to enable meetings to be quorate with 4 councillors.
5. 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.
6. Section 95 of the 2007 Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish, and any change in that number likely to occur in the next five years.

7. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a Community Governance Review.
8. The Community Governance Review process, once commenced, should be concluded within 12 months of the publication of the terms of reference.
9. The current electorate for Milton is 3,367 (May 2018) and the existing number of parish councillors is 15. The electorate is forecast to increase to 3,518 by 2023/2
10. In line with NALCs recommendations a parish the size of Milton would have between 10 and 11 councillors.¹
11. The Council must have regard to the following factors when considering the number of councillors to be elected for a parish:
 - the number of local government electors for the parish;
 - any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.
12. In its request to the Council, Milton Parish Council states that
 - (a) At their meeting on 8 May 2018 they agreed to request that the number of councillors be reduced from 15 to 12.
 - (b) The reason for this is they have struggled for the past few years to attract people to join the council, despite regular advertising, and now find that after the election this year that they only have eight councillors and do not believe they can attract seven more.
 - (c) They are concerned of not being quorate for meetings. Related to this, two of their Councillors are District Councillors and one is also a County Councillor, and may on occasion not be able to attend parish meetings or part of the meetings due to commitments elsewhere.
 - (d) If they are successful in the request to reduce numbers they will still need to find more willing volunteers to join the parish council. They are disappointed with the situation but can see no other option if they are to continue to be able to make decisions.

Considerations

13. The timetable for the review has been drafted in consultation with Milton Parish Council. It ensures that the review is completed at the earliest opportunity and within twelve months of publication of the Terms of Reference, which is a requirement of the process.
14. The Terms of Reference have been drafted in accordance with the Department of Communities and Local Government and Local Government Boundary Commission for England - Guidance on Community Governance Reviews (April 2010).

¹ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

Options

15. The Committee could agree, with or without amendments, the draft terms of reference, including a timetable for the review (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 parish of Milton will consider the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, 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 (SI2008/625). (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. Staff time will be required to carry out the review, however, this is likely to be minimal given the nature of the review. The time will be spent consulting interested parties, taking account of any representations received and reporting back to the Committee. This can be carried out within existing resources.

Equality and Diversity

19. The Council will work with Milton Parish Council to identify and consult with interested parties.

Effect on Strategic Aims

20. 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.

Report Author: Liz Davy – Development Officer
Telephone: (01954) 713111

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COMMUNITY GOVERNANCE REVIEW OF MILTON PARISH

1. INTRODUCTION

- 1.1 South Cambridgeshire District Council has resolved to undertake a Community Governance Review of the parish of Milton.
- 1.2 This review is to consider the electoral arrangements of Milton Parish Council to determine if there should be a decrease in the number of parish councillors from 15 to 12.
- 1.3 In undertaking this review the Council has considered the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, 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 (SI2008/625). (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.)
- 1.4 These Terms of Reference set out clearly the matters on which the Community Governance Review is to focus. We will publish this document on our website and also in hard copy. Hard copies will be made available at South Cambridgeshire Hall, Cambourne, parish noticeboards within Milton and via Milton Parish Clerk.
- 1.5 The Council is undertaking a Community Governance Review as a result of a request from Milton Parish Council that the number of Councillors on the Parish Council be decreased from 15 to 12.
- 1.6 Milton Parish Council agreed at their meeting on 8 May 2018 to request that the numbers of councillors be reduced as they have struggled for the past few years to attract people to join the council. Despite regular advertising, after the election this year they only have 8 councillors and are concerned of not being quorate for meetings. The National Association of Local Councils suggests between 10 and 11 councillors for a parish the size of Milton.¹
- 1.7 Although not at the instigation of a petition, the Council has been approached by Milton Parish Council who has stated a request for a formal review process to take place and a willingness to work with the Council in taking this forward.
- 1.8 The Council must have regard to the need to secure community governance within the area under review such that it
 - reflects the identities and interests of the community in that area, and
 - is effective and convenient, and

¹ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

Appendix A

- takes into account any other arrangements for the purposes of community representation or community engagement in the area.
- 1.9 A Community Governance Review is a review of the whole or part of the district to consider one or more of the following:
- creating, merging, altering or abolishing parishes;
 - the naming of parishes in the style of new parishes;
 - the electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding), and
 - grouping parishes under a common parish council or de-grouping parishes.
- 1.10 The Council's constitution states the function of the Civic Affairs Committee with regard to Electoral Arrangements

Determination as follows:

- review district or parish electoral arrangements including boundaries and report recommendations to Council
- give parish meetings powers of parish council
- increase / reduce number of parish councillors
- change parish electoral arrangements where agreed including parish warding
- appoint temporary parish councillors, s. 91 LGA, 1972

They may also recommend to Council:

- district and district ward boundary changes arising from review
- parish warding and boundary changes where not agreed
- Periodic Electoral Review
- new parish establishment

2. CONSULTATION

- 2.1 The Council has drawn up and now publishes this Terms of Reference document. This document lays out the aims of the review, the legislation that guides it and some of the policies that the Council considers important in the review.
- 2.2 In coming to its Recommendations in a Review, the Council will take account of the views of local people and stakeholders.
- 2.3 The Council will:
- publish these Terms of Reference and take submissions via its website,
 - promote the process via the website and within the parish, and
 - provide key documents on deposit at South Cambridgeshire Hall, Cambourne and at the parish offices in Coles Road, Milton. There will be provision for collection of paper submissions at these locations; Milton's Clerk will also be issued with paper submissions for requesters within the parish. Postal submissions will be accepted at the District Council office (South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA).

Appendix A

The timetable for the review

- 2.4 Publication of the Terms of Reference formally begins the review, and the review must be completed within twelve months. To this end we will adhere to the following timetable for review.

Timetable for Community Governance Review	
Terms of Reference are published	5 September 2018
Submissions invited	5 September 2018
Consultation closes	Midnight on 5 November 2018
Consideration of submissions received and recommendation prepared	From 6 November to 20 November 2018
Recommendations are published, concluding the review (Civic Affairs Committee, 4 December)	December 2018
Council can make a Reorganisation of Community Governance Order	February 2019

3. ELECTORATE FORECASTS

- 3.1 The existing parish electorate is 3,367 (Register of Electors of May 2018). The electorate is forecast to increase to 3,518 by 2023/24.
- 3.2 The population forecasts have been provided to Milton Parish Council.

4. ELECTORAL ARRANGEMENTS

- 4.1 The Council voted to move to all out elections and bring all parish council elections in line. The first all out elections took place in May 2018, and every four years thereafter.
- 4.2 The Council notes that the number of parish councillors for each parish council shall not be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. The National Association of Local Councils has suggested that the minimum number of councillors should be seven and the maximum 25.
- 4.3 The Council must have regard to the following factors when considering the number of councillors to be elected for a parish:
- the number of local government electors for the parish;
 - any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

5. REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

- 5.1 The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order and the document(s) which set

Appendix A

out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council's offices and website.

- 5.2 The provisions of the Order will take effect for financial and administrative purposes on 1 April 2019.
- 5.3 Any changes to the size of a parish council would normally take effect at the next scheduled election of the parish. The next scheduled parish elections in South Cambridgeshire will be held in May 2022. Changes to the size of a parish council may take effect at out of turn elections held in a different year (but still on the first Thursday in May). Any out of turn election would see the whole parish council up for election. Elected councillors would serve a shortened term so that the election cycle of the parish could move back to 2022 (and every four years thereafter).

DATE OF PUBLICATIONS OF THESE TERMS OF REFERENCE

Date of publication of these terms of reference (date to be added)

How to contact us

Enquiries regarding the review process should be directed in the first instance to:

Liz Davy, Development Officer
elizabeth.davy@scambs.gov.uk or 01954 713311

Officers charged with conducting the review are as follows:

Gemma Barron, Head of Sustainable Communities and Wellbeing
gemma.barron@scambs.gov.uk or 01954 713340

Liz Davy, Development Officer
elizabeth.davy@scambs.gov.uk or 01954 713311

Agenda Item 5

REPORT TO: Civic Affairs Committee

4 September 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Longstanton and Oakington and Westwick Community Governance Review

Purpose

1. To update the Committee with regards a proposed timetable for a Community Governance Review of Longstanton and Oakington and Westwick, in relation to the new development of Northstowe.
2. This is not a key decision.

Recommendations

3. It is recommended that the Committee notes and comments upon the proposed timetable for a Community Governance Review of Longstanton and Oakington and Westwick.

Background

4. 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.
5. Section 93 also states that in reaching conclusions on the boundaries between parishes or 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 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.
6. The guidance states that when considering parish and parish ward 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.
7. Civic Affairs Committee has authority to recommend a decision to Council following conclusion of a review.

Considerations

8. Civic Affairs Committee has been discussing the potential for instigating a Community Governance Review (CGR) of Longstanton and Oakington and Westwick since at least 2015. Any review would seek to ensure that arrangements continue to reflect local identities and facilitate effective and convenient local governance given the new development of Northstowe.
9. The current electorate for Longstanton is 2,621 (June 2018). Phases One and Two are within the parish of Longstanton. Phase One comprises permission for 1,500 dwellings and Phase Two comprises permission for 3,500 dwellings.
10. The current electorate for Oakington and Westwick is 1,194 (June 2018). Phase Three of Northstowe will be in the parishes of Oakington and Westwick and Longstanton. Planning permission for Phase Three has not yet been granted, however, the part of Phase Three in Oakington and Westwick is allocated within the existing Local Plan and the part in Longstanton is allocated in the emerging Local Plan. Phase Three will include 5,000 dwellings.
11. There are currently 163 occupations at Northstowe (2 August 2018).
12. An informal briefing was given to members of Longstanton Parish Council on 15 November 2017 at their request. The briefing set out the CGR process. Officers have been invited to attend Oakington and Westwick Parish Council in November 2018.
13. Following the briefing with members of Longstanton Parish Council and consideration of the process at its meeting on 8 January 2018, the parish clerk emailed the Council (see Appendix A) to request that a Community Governance Review not be carried out until summer 2019 “to allow additional natural growth of the population of Northstowe”. The Parish Council stated that

“With more residents in Northstowe, this will provide a wider range of opinion when the Community Governance Review goes to referendum (currently it would be biased to Longstanton residents) and in the meantime, LPC will encourage residents of Northstowe to join LPC to gain experience in time for when the review comes to a conclusion.”

It had been the intention of officers to recommend instigating a CGR during the summer of 2018, subject to prior consultation with the parish councils, seeking their views. Based on the reasons given, officers are in support the request from Longstanton Parish Council.

14. Given discussions to date, the following timetable for a review is suggested:

DRAFT Timetable for Community Governance Review	
Terms of Reference are published	Autumn 2019
Local briefings and meetings	Autumn 2019
Initial submissions invited	Winter 2019/2020
Consideration of submissions received, draft recommendations prepared and	Winter/Spring 2020

considered by Civic Affairs Committee	
Draft recommendations published and consulted upon	Spring 2020
Consideration of submissions, final recommendations prepared and consideration by Civic Affairs Committee	Summer 2020
Final recommendations published (conclusion of the review) and decision by Council	Summer/Autumn 2020
Council can make a Reorganisation of Community Governance Order	

A final timetable would be agreed with the relevant parish councils.

15. 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”.

Options

16. To note and comment upon the proposed timetable for a Community Governance Review of Longstanton and Oakington and Westwick.

Implications

17. 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

18. Should it be agreed to progress a CGR of the parishes of Longstanton and Oakington and Westwick, the terms of reference will consider the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, 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 (SI2008/625). (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

19. Staff time will be needed to carry out a review. This will need to be programmed into work plans and balanced with other priorities. The time will be spent consulting

interested parties, taking account of any representations received and reporting back to the Committee.

Consultation responses

20. Consultation has taken place with Longstanton Parish Council and is planned with Oakington and Westwick Parish Council (see paragraphs 12–13).

Effect on Strategic Aims

21. 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.

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

Dear Gemma

Following the full council meeting of Longstanton Parish Council (LPC) on 8th January 2018, councillors have asked me to contact you.

LPC Councillors understand that it is South Cambridgeshire District Council's intention to commence the Community Governance Review for Northstowe this summer (2018). Having considered this, LPC councillors would like to ask that this be postponed for a minimum of 12 months to allow additional natural growth of the population of Northstowe.

With more residents in Northstowe, this will provide a wider range of opinion when the Community Governance Review goes to referendum (currently it would be biased to Longstanton residents) and in the meantime, LPC will encourage residents of Northstowe to join LPC to gain experience in time for when the review comes to a conclusion.

I trust the above is satisfactory, but please do not hesitate to contact me should you have any questions.

Kind regards

--

Libby White PSLCC

Parish Clerk - Longstanton Parish Council

The Parish Office, The Village Institute, 24 High Street, Longstanton, Cambridge, CB24 3BS

T: 01954 782323 W: parishcouncil.longstantonvillage.org

Office Hours: Monday to Friday – 10.30am til 3.00pm (2.45pm on Thursdays)

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Agenda Item 6

REPORT TO: Civic Affairs Committee

4 September 2018

LEAD OFFICER: Head of Sustainable Communities and Wellbeing

Community Governance Review – Stapleford Parish Council

Purpose

1. To consider a request from Stapleford Parish council to increase the council size from 9 to 11 parish councillors.

Recommendations

2. It is recommended that the Committee:
 - (a) agrees the request from Stapleford Parish Council for a Community Governance Review to increase the number of parish councillors from 9 to 11; and
 - (b) agrees, with or without amendments, the draft terms of reference (Appendix B); and
 - (c) agrees for staff to agree a timetable in consultation with Stapleford Parish Council.

Reasons for Recommendation

3. Stapleford Parish Council has requested a Community Governance Review to increase the number of parish councillors from 9 to 11 with a view to improving effective governance against a background of increasing challenges in planning and infrastructure.

Background

4. A request has been received from Stapleford Parish Council that the number of councillors on the parish council be increased from 9 to 11 (Appendix A).
5. 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.
6. Section 95 of the 2007 Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the Principal Council must have regard to the need to secure that community governance is effective and convenient.

7. Civic Affairs Committee has delegated authority to make decisions on parish numbers following a community governance review.
8. Terms of reference would need to be published as soon as practicable following approval by the committee. The community governance review process should be concluded within 12 months of publication of the terms of reference.

Considerations

9. There is no legislative guidance with regard to the number of parish councillors per given number of electors, other than that the number of parish councils for each council shall not be less than five.
10. It is customary in South Cambridgeshire for parishes to have an odd number of parish councillors. There is currently no exception to this except Impington (eight seats) which is grouped with Histon.
11. In 1988 the National Association of Local Councils (NALC) suggested that the minimum number of councillors for up to 900 electors should be seven and the maximum 25 for electors over 23,000. Within the minimum and maximum limits, the following allocations are recommended by NALC:

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	over 23,000	25
9,000	16		

NALC goes on to say that this table may, however, not be appropriate in rural authorities with sparsity of population¹.

12. The Aston Business School conducted research that was published in 1992 which showed the then levels of representation. According to the Association of Electoral

¹ How to undertake a Community Governance Review (CGR), Association of Electoral Administrators, 2016, p.43, 2.72.

Administrators, it is likely that these levels of representation have not greatly changed in the intervening years.

Electors	Councillors
Less than 500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27
Over 20,000	13-31

13. Stapleford has 1573 electors (June 2018). The electorate is not forecast to significantly increase or decrease over the next five years. There are four parishes in South Cambs with fewer electors which also have 11 parish councillors (Haslingfield 1227, Harston 1362, Whittlesford 1448 and Duxford 1462).
14. Any changes to the size of a parish council would normally take effect at the next scheduled election of the parish. The next scheduled parish elections in South Cambs will be held in May 2022. Changes to the size of a parish council may take effect at out of turn elections held in a different year (but still on the first Thursday in May). Any out of turn election would see the whole parish council up for election. Elected councillors would serve a shortened term so that the election cycle of the parish could move back to 2022 (and every four years thereafter).

Options

15. The Committee could agree or disagree to commence a Community Governance Review of the parish of Stapleford to increase the number of parish councillors from 9 to 11.
16. Should the Committee agree to commence a Community Governance Review of the parish of Stapleford, they could:
 - (a) agree, with or without amendments, the draft terms of reference (Appendix B); and
 - (b) agree for staff to agree a timetable in consultation with Stapleford Parish Council or set a timetable.

Implications

17. 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

18. The draft terms of reference for a Community Governance Review of the parish of Stapleford will consider the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, 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 (SI2008/625). (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

19. Staff time will be required to carry out the review; however, this is likely to be minimal given the nature of the review. The time will be spent consulting interested parties, taking account of any representations received and reporting back to the Committee. This can be carried out within existing resources.

Equality and Diversity

20. The Council will work with Stapleford Parish Council to identify and consult with interested parties.

Effect on Strategic Aims

21. 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 one of the best places to live, work, and study in the country.

Report Author: Siobhan Mellon – Development Officer
Telephone: (01954) 713395

From: Nigel Pett
Sent: 22 August 2018 10:37
To: Barron Gemma
Cc: Mellon Siobhan; Nigel Pett; Charles Nightingale; Sara SAYER; David Pepperell; Anne Rudge; Louise Morgan; Barbara Kettel
Subject: Re: Community Governance Review - Parish Numbers

Good morning Gemma

I meet your deadline!

The Clerk wrote earlier with the request as follows: The Council feels that there are unprecedented challenges on planning and infrastructure to tackle in the future. Although only 5 people stood at the recent local election, after a drive by the Council, 7 applicants came forward with 5 completing the selection process. This does show that there is interest but we need to capitalise and meet the future. Council is of the opinion that this can only be realised by a larger number of members because of several facets:

The parish has grown in size raising overall demands

The work for the volunteers who are councillors has increased over the last decade and it needs additional councillors to offset and share this work

Councillors receive no remuneration and so it is not fair to ask them to put in any more free time but for it to be shared; SPC meets monthly showing how seriously it views its accountability to the electorate

The demands on a PC are such as a myriad of skill sets are required and this means more people - financial acumen, leadership skills, planning awareness, legal knowledge

The council has a vision for the future and needs the people to manage it - S106 developments, additional physical resources for cultural pursuits

There are so many consultation groups that we need councillors to attend them as the debates have impacts on the village infrastructure;

The work on our neighbourhood plan and the impact means that we need more councillors to support the electorate and the community.

Having 12 councillors will facilitate a better approach to governance and decision making through committee work.

Council would be prepared to meet the costs of an election.

I hope that this is a cogent approach and justifies the request. Please do let me know if I need to add anything.

With thanks

NAP

Nigel Pett BA MSc MPhil(Cantab) LLM FRSA

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COMMUNITY GOVERNANCE REVIEW OF STAPLEFORD PARISH

1. INTRODUCTION

- 1.1 South Cambridgeshire District Council has resolved to undertake a Community Governance Review of the parish of Stapleford.
- 1.2 This review is to consider the electoral arrangements of Stapleford Parish Council to determine if there should be an increase in the number of parish councillors from nine to 11.
- 1.3 In undertaking this review the Council has considered the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in 2010, 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 (SI2008/625). (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.)
- 1.4 These Terms of Reference set out clearly the matters on which the Community Governance Review is to focus. We will publish this document on our website and also in hard copy. Hard copies will be made available at South Cambridgeshire Hall, Cambourne, parish noticeboards within Stapleford and via the Stapleford Parish Clerk.
- 1.5 The Council is undertaking a Community Governance Review at this time because the Parish Council feels that additional councillors are required to support the unprecedented challenges on planning and infrastructure they are required to tackle in the future. The parish has grown in size.
- 1.6 Although not at the instigation of a petition, the Council has been approached by Stapleford Parish Council who has stated a request for a formal review process to take place and a willingness to work with the Council in taking this forward.
- 1.7 The Council must have regard to the need to secure community governance within the area under review such that it
 - reflects the identities and interests of the community in that area, and
 - is effective and convenient, and
 - takes into account any other arrangements for the purposes of community representation or community engagement in the area.
- 1.8 A Community Governance Review is a review of the whole or part of the district to consider one or more of the following:
 - creating, merging, altering or abolishing parishes;
 - the naming of parishes in the style of new parishes;
 - the electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding), and
 - grouping parishes under a common parish council or de-grouping parishes.

Appendix B

- 1.9 The Council's constitution states the function of the Civic Affairs Committee with regard to Electoral Arrangements

Determination as follows:

- review district or parish electoral arrangements including boundaries and report recommendations to Council
- give parish meetings powers of parish council
- increase / reduce number of parish councillors
- change parish electoral arrangements where agreed including parish warding
- appoint temporary parish councillors, s. 91 LGA, 1972

They may also recommend to Council:

- district and district ward boundary changes arising from review
- parish warding and boundary changes where not agreed
- Periodic Electoral Review
- new parish establishment

2. CONSULTATION

- 2.1 The Council has drawn up and now publishes this Terms of Reference document. This document lays out the aims of the review, the legislation that guides it and some of the policies that the Council considers important in the review.

- 2.2 In coming to its Recommendations in a Review, the Council will take account of the views of local people and stakeholders.

- 2.3 The Council will:

- publish these Terms of Reference and take submissions via its website,
- promote the process via the website and within the parish,
- provide key documents on deposit at South Cambridgeshire Hall, Cambourne, and provide for collection of paper submissions at this location, and
- accept paper submissions at the District Council office (South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA).

The timetable for the review

- 2.4 Publication of the Terms of Reference formally begins the review, and the review should be completed within twelve months. To this end we will adhere to the following timetable for review.

Timetable for Community Governance Review	
Terms of Reference are published	TBC
Submissions invited	TBC
Consultation closes	TBC
Consideration of submissions received and recommendation prepared	TBC
Recommendations are published, concluding the review	

Appendix B

(Civic Affairs Committee)	TBC
Council can make a Reorganisation of Community Governance Order	TBC

3. ELECTORATE FORECASTS

3.1 The Stapleford has 1,573 electors (June 2018). The electorate is not forecast to significantly increase or decrease over the next five years.

3.2 The population forecasts have been provided to Stapleford Parish Council.

4. ELECTORAL ARRANGEMENTS

4.1 The Council voted to move to all out elections and bring all parish council elections in line. The first all out elections took place in May 2018, and will take place every four years thereafter.

4.2 The Council notes that the number of parish councillors for each parish council shall not be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. The National Association of Local Councils has suggested that the minimum number of councillors should be seven and the maximum 25.

4.3 The Council must have regard to the following factors when considering the number of councillors to be elected for a parish:

- the number of local government electors for the parish;
- any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

5. REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

5.1 The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order and the document(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council's offices and website.

5.2 The provisions of the Order will take effect for financial and administrative purposes on 1 April 2019.

5.3 Any changes to the size of a parish council would normally take effect at the next scheduled election of the parish. The next schedule parish elections in South Cambridgeshire will be held in May 2022. Changes to the size of a parish council may take effect at out of turn elections held in a different year (but still on the first Thursday in May). Any out of turn election would see the whole parish council up for election. Elected councillors would serve a shortened term so that the election cycle of the parish could move back to 2022 (and every four years thereafter).

DATE OF PUBLICATIONS OF THESE TERMS OF REFERENCE

Date of publication of these terms of reference (date to be added)

Appendix B

How to contact us

Enquiries regarding the review process should be directed in the first instance to:

Siobhan Mellon, Development Officer
siobhan.mellon@scambs.gov.uk or 01954 713395

Officers charged with conducting the review are as follows:

Gemma Barron, Head of Sustainable Communities and Wellbeing
gemma.barron@scambs.gov.uk or 01954 713340

Siobhan Mellon, Development Officer
siobhan.mellon@scambs.gov.uk or 01954 713395

Agenda Item 7



South
Cambridgeshire
District Council

Report To: Civic Affairs Committee
Lead Officer: Monitoring Officer

4th September 2018

Update on Code of Conduct complaints

Purpose

1. To update the Civic Affairs Committee on complaints cases regarding alleged breaches of the Code of Conduct.

Recommendations

2. That the Civic Affairs Committee **note** the progress of any outstanding complaints and the conclusion of cases resolved since the last meeting.

Considerations

3. Progress since the last meeting in relation to Code of Conduct complaints is set out in the below table:

Matter Number	District/Parish Council	Allegation/complaint	outcome
014318	Great Shelford Parish Council	<p>Allegations that a Cllr breached the following parts of the code of conduct;</p> <p>You must –</p> <p>3.5 use your position as a Member in the public interest and not for personal advantage</p> <p>&</p> <p>3.7.3 exercise your own independent judgement, taking decisions for good and substantial reasons by – stating the reasons for your decisions where those reasons are not otherwise apparent</p> <p>It is alleged that the Cllr</p>	Matter ongoing

		failed to declare a “nondisclosable pecuniary interest or non- pecuniary interest” in the item	
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Implications

4. 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, there are no significant implications.

Background Papers

CONSTITUTION – CODE OF CONDUCT/Code of Conduct Complaints Procedure

Report Author: Rory McKenna – Deputy Monitoring Officer
 Telephone: (01223) 457194