

## **DRAFT COMMUNITY GOVERNANCE REVIEW OF CAXTON, ELSWORTH AND CAMBOURNE PARISHES**

### **1. INTRODUCTION**

- 1.1 South Cambridgeshire District Council has resolved to undertake a Community Governance Review of the parishes of Caxton, Elsworth and Cambourne.
- 1.2 This review is to address the population growth in respect of the new housing development at Cambourne West: to consider whether the alteration of existing parish boundaries and any consequent changes to the electoral arrangements for the parishes should be recommended.
- 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 March 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.) Also, The Local Government Finance (New Parishes) (England) Regulations 2008.
- 1.4 These Terms of Reference will 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 the District Council offices and the Cambourne Parish Office at The Hub, Cambourne and publicised on noticeboards in Caxton and Elsworth.

#### **Purpose of the Review**

- 1.5 The Council is undertaking a Community Governance Review at this time because the housing development at Cambourne West will alter the geographical spread of housing across the parishes. The resulting spatial separation between the two population centres in Caxton will no longer correspond to a parish boundary that reflects a coherent "natural settlement" pattern and the new settlement will be more closely aligned to the parish of Cambourne. A small strip of land south of the A428 is also currently with the parish of Elsworth, but detached from the main population centre. The resulting recommendations of the review ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.
- 1.6 Although not at the instigation of a petition, the Council has been approached by Cambourne 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. Caxton and Elsworth Parish Council support this request.
- 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.

### **Community Governance Reviews**

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.

### **Parish governance in our area**

1.9 The Corporate plan underlines the key role of parish councils in sustaining successful, vibrant communities.

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 by means of general press releases and social media;
- write to every household and business in the area under review to promote consultation and outline the response process;
- provide key documents on deposit at the District Council offices in Cambourne, noticeboards in Caxton and Elsworth, and the Cambourne Parish Office at The Hub, Cambourne. There will be provision for collection of paper submissions or details of where to submit, at these locations, with postal submissions accepted

at the District Council office (South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA).

- 2.4 This Council will notify Cambridgeshire County Council that a review is to be undertaken; they are a formal consultee of this process.

**The timetable for the review**

- 2.5 Publication of the Terms of Reference formally begins the review.

Stage	What happens	Timescales	Dates
Commencement	Terms of Reference are published		April 2017
Preliminary Stage	Local briefings and meetings at all three parishes	One month	May 2017
Stage One	Initial submissions are invited	Two months	June 2017
Stage Two	Consideration of submissions received – draft recommendations are prepared	Two months	August 2017
	Civic Affairs Committee meeting		28 September 2017
Stage Three	Draft recommendations are published – consultations on them	Two months	October 2017
Stage Four	Consideration of submissions received – final recommendations are prepared	One month	December 2017
	Full Council meeting		25 Jan 2018
Stage Five	Final recommendations are published – concluding the review		
Stage Six	Council resolves to make a Reorganisation Order	One month later	

**3. ELECTORATE FORECASTS**

- 3.1 The table below shows the current electorate of each parish along with electorate forecasts for five years time:

Parish	Current Electorate	Forecast Electorate
Cambourne	6,929	7,430
Caxton	448	825
Elsworth	526	No scheduled development

- 3.2 The key issue prompting this Review is the forthcoming change in settlement pattern within the parishes of Caxton, Elsworth and Cambourne as a result of new homes and facilities located to the west of Cambourne (north of Caxton and south of Elsworth). Over time, the new development will add 2,350 dwellings to the area. The site boundary for the development can be seen at Annex A.
- 3.3 The population forecasts have been provided to Caxton Parish Council, Elsworth Parish Council and Cambourne Parish Council for their consideration.

3.4 The present parish structure and ward structure in the area under consideration is presented in the map in Annex B.

#### **4. PARISHES**

4.1 The Council notes the government's Guidance that community cohesion should be taken into account in this Review (DCLG AND LGBCE, Guidance on community governance reviews revised edition, March 2010, S.67-76).

4.2 The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity.

4.3 With regard to parish boundaries, the Council considers 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: they might include for example watercourses, marshland, and moorland or man-made features such as parks, canals, railways, major road and motorways – those barriers that 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 Should a reorganisation of parish boundaries occur as a result of the review, the Council will aim to select boundaries that are and are likely to remain easily identifiable.

#### **5. ELECTORAL ARRANGEMENTS**

##### **Electoral cycle**

5.1 Changes to parish electoral arrangements normally come into effect at the next scheduled ordinary parish elections. Parish elections will take place in South Cambridgeshire in May 2018 and then every four years thereafter. Alternatively, any reorganisation order made can include provision to reduce or extend the term of office of parish councillors in order to implement revised arrangements in a different year.

##### **Parish Warding**

5.2 The Council may also consider whether a parish should be divided into wards for the purposes of elections of the parish council, and in doing so will taking into account the following:

- whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient;
- whether it is desirable that any area or areas of the parish should be separately represented on the council.

5.3 The government's guidance is that "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".<sup>1</sup> The Council will be mindful of this guidance, considering the case on its merits and on the basis of the information and evidence provided during the course of the review.

5.4 In reaching conclusions on the boundaries between parish wards, should this be required, the Council will take into account community identity and interest in an area and will consider whether any particular ties or linkages might be broken by the

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<sup>1</sup> LGBCE Guidance para.160

drawing of particular ward boundaries. Equally, the Council, during its consultations in this Review is 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.

## **6. REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT**

- 6.1 The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the order in detail, 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 copies provided to the parish clerks for Caxton, Elsworth and Cambourne Parish Councils.
- 6.2 In accordance with the Guidance issued by the government, the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000. These maps will be deposited with the Secretary of State at the Department of Communities and Local Government and at the Council's office at South Cambridgeshire Hall, Cambourne, Cambridge, CB23 6EA. Prints will also be supplied, in accordance with regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Local Government Boundary Commission for England.
- 6.3 The provisions of the Order will take effect for financial and administrative purposes on 1 April 2018.
- 6.4 The electoral arrangements for a new or existing parish council will come into effect at the next elections to the parish council. Should this not coincide with the next ordinary local elections, the Council might have need to modify or exclude the application of sections 16(3) and 90 of the Local Government Act 1972 to provide for the first election to be held in an earlier year, with councillors serving a shortened first term to allow the parish electoral cycle to return to that of the district.

## **7. CONSEQUENTIAL MATTERS**

### **General principles**

- 7.1 The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:
- the transfer and management or custody of property;
  - the setting of precepts for new parishes;
  - provision with respect to the transfer of any functions, property, rights and liabilities;
  - provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- 7.2 In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.
- 7.3 In particular, the Council notes that the Regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the proper officer of the Council as an appropriate portion.

### **Principal area boundaries**

- 7.4 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.
- 7.5 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.
- 7.6 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.
- 7.7 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.
- 7.8 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.
- 7.9 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".

### **How to contact us**

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

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**DATE OF PUBLICATION OF THESE TERMS OF REFERENCE**  
[DATE]