

Appendix A

DRAFT TERMS OF REFERENCE

COMMUNITY GOVERNANCE REVIEW OF LONGSTANTON & OAKINGTON, PROMPTED BY THE DEVELOPMENT AT NORTHSTOWE.

1. INTRODUCTION

- 1.1 South Cambridgeshire District Council has resolved to undertake a Community Governance Review of the parishes of Longstanton and Oakington & Westwick.
- 1.2 This review is to address the population growth in respect of the new housing development at Northstowe to consider whether the creation or alteration (and thus naming) of existing parish boundaries and any consequent changes to the electoral arrangements for the parish(es) should be recommended.
- 1.3 In undertaking this review the Council has considered the Guidance on Community Governance Reviews published by the DCLG 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 and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils)(England) Regulations 2008 (SI2008/626). (The 2007 Act transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)
- 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. Hardcopies will be made available at the District Council offices in Cambourne, The Community Wing, Pathfinder School, Northstowe, Longstanton Village Hall and on request by contacting the Parish Clerk by email or telephone.

Purpose of the Review

- 1.5 The development at Northstowe will see 10,000 homes constructed across parts of the parishes of Longstanton and Oakington and Westwick. The Council is undertaking a Community Governance Review at this time because the housing development at Northstowe will alter the geographical spread of housing across the parishes. The resulting spatial separation between the three population centres will no longer correspond to a parish boundary that reflects a coherent "natural settlement" pattern. 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 The council will 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

- 1.7 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

- 1.8 The Councils Business Plan underlines the key role of third tier councils in sustaining successful, vibrant communities.
- 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 the 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;
 - provide key documents on deposit at the District Council offices in Cambourne, at the Village Hall in Longstanton, by request from the Parish Clerk in Oakington & Westwick and at The Community Wing, next to Pathfinder School, Northstowe. There will be provision for collection of paper submissions 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.

2.5 The consultation will cover;

- Parish boundaries
- Electoral arrangements
- Whether to create a new parish and if so, style and number of Councillors
- Possible interim arrangements

The timetable for the review

2.6 Publication of the Terms of Reference formally begins the review, and the review will be completed within twelve months. To this end we will adhere to the following timetable for review, mindful of the informal briefings conducted to date.

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 17 March to 15 June 2020
Consideration of submissions received and final recommendations prepared for Civic Affairs Committee (date TBC)	July/August 2020
Final recommendations are published, concluding the review	September 2020
Council can make a Reorganisation Order	October 2020

3. ELECTORATE FORECASTS

- 3.1 The existing electorate for Northstowe is 488. The electorate in Northstowe is forecast to increase to 2,190 by 2024. The current electorate for Longstanton is 2,567, which excludes the 488 electors with Northstowe postcodes. The electorate for Oakington is 1,174. The five year housing trajectory forecasts an additional 12 dwellings in Longstanton and 6 dwellings in Oakington which could increase the number of electors by 20 and 11 respectively.
- 3.2 The key issue prompting this Review is the forthcoming change in settlement pattern within the parishes of Longstanton and Oakington and Westwick as a result of new housing development at Northstowe
- 3.2 The population forecasts have been provided to Longstanton and Oakington & Westwick Parish Council's for their consideration.
- 3.3 The present parish structure and ward structure for the area is presented in the map in Annex B, with the development area at Northstowe shown. Parish boundaries are shown in larger scale in Appendices C to G.

4. PARISHES

- 4.1 The Council is required by law to consider other forms of community governance as alternatives or stages towards establishing parish councils, which vary both in the degrees of powers and influence they may exert and their commensurate levels of transparency and accountability.
- 4.2 The Council will consider boundaries as part of the review, endeavoring to ensure that they are and are likely to remain easily identifiable.
- 4.3 The Council will be mindful of the need to ensure that parishes are viable.

5. NAMES AND STYLES

- 5.1 Should a new body require naming as part of the review, the Council will consider names proposed by local interested parties.
- 5.2 Alternative styles are now available for parishes e.g. town council, community council or village council. If a new body is proposed, the Council will consider whether it should have one of the alternative styles.

6. ELECTORAL ARRANGEMENTS

- 6.1 The Council voted to move to all out elections and bring all parish council elections in line. The next scheduled out elections will take place in 2022.
- 6.2 If the review finds that it will be appropriate to hold an election for example to a newly formed body, parish 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 reduced or extended as to enable the electoral cycle to revert to the normal cycle at the next ordinary elections.
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- 6.3 The legislation lays down the different duties that the Council has with regard to the creation of a parish: Where the number of electors is 1,000 or more – a parish council must be created; Where the number of electors is 151-999 – a parish council may be created, with a parish meeting being the alternative form of parish governance; Where the number of electors is 150 or fewer – principal councils are unable to recommend that a parish council should be created and therefore only a parish meeting can be created. 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.
- 6.4 The Council will 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.
- 6.5 The Council will take into account the following when considering whether a parish should be divided into wards for the purposes of elections of the parish council.
 - 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

- 6.6 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". 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.
- 6.7 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 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.

7. REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

- 7.1 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, website, The Community Wing, next to Pathfinder School, Northstowe, Longstanton Village Hall and by request from the Parish Clerk for Oakington, email: Oakingtonpc@btinternet.com or tel: 01223 232398
- 7.2 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.
- 7.3 The provisions of the Order will take effect for financial and administrative purposes on 1 April 2021.
- 7.4 The electoral arrangements for a new or existing body will come into effect at the next elections to the third tier 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 or extended first term to allow the parish electoral cycle to return to that of the district.

8. CONSEQUENTIAL MATTERS

General principles

- 8.1 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.

- 8.2 In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.
- 8.3 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.
- 8.4 Furthermore, the Council notes the Regulations regarding the establishment of a precept for a new parish and their requirements.

District ward boundaries

- 8.5 The Council is mindful that it may be necessary for it to recommend the Local Government Boundary Commission to make alterations to the boundaries of district wards or county electoral divisions to reflect the changes made at parish level. The Council notes that it will be for the Local Government Boundary Commission 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.
- 8.6 The Council notes that the Local Government Boundary Commission 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 endeavor to include any such draft recommendations for alterations at the earliest possible opportunity for consultation that will arise after they become apparent.
- 8.7 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.

Date of publication of these terms of reference 11 November 2019

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

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Officers charged with conducting the review are as follows:

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