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DRAFT TERMS OF REFERENCE: SAWSTON COMMUNITY GOVERNANCE REVIEW: CIVIC AFFAIRS COMMITTEE: 2 DECEMBER 2020

1. INTRODUCTION

- 1.1. South Cambridgeshire District Council (SCDC) has resolved to undertake a Community Governance Review of the boundary between the parishes of Babraham and Sawston.
- 1.2. This review is to consider a boundary change to the Parishes of Babraham and Sawston following two new developments.
- 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 hard copies will be made available on request from the District Council and on request by contacting either the Babraham or Sawston Parish Clerk by email or telephone (contact details to be confirmed).
- 1.5. Although not at the instigation of a petition, Sawston Parish Council has made an application to the Council for a Community Governance Review and has expressed willingness to work with the Council in taking this forward.
- 1.6. The request received from Sawston Parish Council on 12 November 2020 was that a Community Governance Review should review the existing parish boundary as two new developments straddle the boundary of Babraham and Sawston.
- 1.7. The development H/1:b – North of Babraham Road (planning ref S/3729/18/FL) consists of 3.64 ha and is entirely within the parish of Babraham whilst abutting the built environment of Sawston. Planning permission was granted on 28/8/2019 for 158 homes. The development H/1:c – South of Babraham Road consists of 11.64 ha and spans the parish boundary of Sawston and Babraham; this development is at pre-application stage. The Council is anticipating an application of around 260 homes.

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- 1.8. A Community Governance Review to gain views of residents gives SCDC an opportunity to put in place strong boundaries, tied to firm ground detail, and remove anomalous parish boundaries. (LGBCE: Guidance on Community Governance Reviews: 85: 25)
- 1.9. 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.
- 1.10. 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 parishesⁱ;
 - 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.
- 1.11. Local Government Boundary Commission (LGBCE) guidance states as far as boundaries between parishes are concerned, these should reflect the “no-man’s land” between communities represented by areas of low population or barriers such as rivers, roads or railways. They need to be, and be likely to remain, easily identifiable. For instance, factors to consider include parks and recreation grounds which sometimes provide natural breaks between communities, but they can equally act as focal points. A single community would be unlikely to straddle a river where there are no crossing points, or a large area of moor land or marshland. Another example might be where a community appeared to be divided by a motorway (unless connected by walkways at each end). Whatever boundaries are selected they need to be, and be likely to remain, easily identifiable. (LGBCE: Guidance on Community Governance Reviews: 83: 25)
- 1.12. In many cases a boundary change between existing parishes, or parishes and unparished areas, rather than the creation of an entirely new parish, will be sufficient to ensure that parish arrangements reflect local identities and facilitate effective and convenient local government. For example, over time, communities may expand with new housing developments. This can often lead to existing parish boundaries becoming anomalous as new houses are built across them resulting in people being in different parishes from their neighbours. (LGBCE: Guidance on Community Governance Reviews: 84: 25)
- 1.13. In deciding what recommendations to make the principal council must have regard to the need to secure that community governance reflects the identities and interests of the community in that area and is effective and convenient. The 2007 Act provides that it must also take into account any other arrangements (apart from those relating to parishes and their institutions) that have already been made, or that could be made, for the purposes of community representation or community engagement (LGBCE: Guidance on Community Governance Reviews: 94: 27)
- 1.14. The Council’s constitution states the function of the Civic Affairs Committee with regard to Electoral Arrangements

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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 using targeted social media.
- provide key documents on request
- Work with Sawston Parish Council, Babraham Parish Council, Pampisford Parish Council and other stakeholders to determine the terms of reference and conduct the Community Governance Review; making sure that residents are aware of the review; informed about options and can access Terms of Reference documents and submission forms (hard copy and online).
- Whilst there would usually be provision for collection of paper submissions at Parish Council offices and at District Council Office (South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA) and also postal submissions accepted at District Council Office at the aforementioned address this may have to be adapted in light of COVID-19.

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.

2.5. 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.

2.6. Officers will work with Parish Councils to develop a timetable for the review. The timetable may also be impacted by COVID-19 restrictions. The consultation is likely to have a heavy bias online and the timetable may need to be adjusted due to the lifting or restricting of guidelines.

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DRAFT Timetable for Community Governance Review	
Community Governance Application Received	November 2020
Initial Report and Draft Terms of Reference to Civic Affairs Committee	December 2020
Publication of Terms of Reference	December 2020
Initial submissions invited	TBC
Consideration of submissions received	TBC
Draft recommendations prepared	TBC
Second report and recommendations presented to Civic Affairs	TBC
Draft recommendations are published	TBC
Second submissions invited	TBC
Consideration of submissions received	TBC
Final recommendations prepared	TBC
Recommendations presented to Civic Affairs Committee	TBC
Civic Affairs Committee recommendations presented to Council	TBC
Council can make a Reorganisation of Community Governance Order	TBC

3. ELECTORATE FORECASTS (THIS SECTION MAY BE REMOVED PENDING ADVICE)

- 3.1. The existing Sawston parish electorate is 5536. The electorate forecast to increase by 418 in the next five years due to planned developmentsⁱⁱ.
- 3.2. The existing Babraham parish electorate is 234. The electorate is not forecast to increase in the next five years as there are no planned developments. ⁱⁱⁱ
- 3.3. The Greater Cambridge Housing Trajectory and 5 Year Housing Land Supply: April 2020 allocated planned homes against the address on the planning application and does not take into account Parish Boundaries. In this case, planned developments have been allocated to the Parish of Sawston because of the address on the planning application.

4. ELECTORAL ARRANGEMENTS

- 4.1. Changes to parish boundaries usually take place at the next scheduled elections of the parish. Elections are due in each of these parishes in May 2022.
- 4.2. Should Civic Affairs Committee, and then Council, agree to the proposed changes to the parish boundary, the district council ward boundary will not be automatically

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updated. This will mean that the area affected will be in the Sawston parish but will remain with Babraham parish in the ward of Duxford.

- 4.3. Subsequent to the approval of any changes made by a CGR, the Council can write to the LGBCE to seek realignment of the ward boundary. The later this decision is made by the Council, the less likely it is that LGBCE will amend in time for May 2022.
- 4.4. Every effort will be made to resolve this issue quickly, but due to the timing of the review, it may be that the ward and parish boundaries are not aligned for the elections in May 2022.

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 2022.
- 5.3. Any changes to boundaries 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.

DATE OF PUBLICATIONS OF THESE TERMS OF REFERENCE

Date of publication of these terms of reference **TBC**

How to contact us

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

Louise Lord, Development Officer
south.east@scambs.gov.uk or 01954 713 070

Officers charged with conducting the review are as follows:

Gareth Bell, Communications and Sustainable Communities Manager
Gareth.bell@scambs.gov.uk or 01954 713070

Louise Lord, Development Officer
Louise.lord@scambs.gov.uk or 01954 713 070

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ii The Greater Cambridge Housing Trajectory and 5 Year Housing Land Supply: April 2020

iii The Greater Cambridge Housing Trajectory and 5 Year Housing Land Supply: April 2020

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