

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Civic Affairs Committee 14<sup>th</sup> March 2013  
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### NORTHSTOWE COMMUNITY GOVERNANCE – THE WAY FORWARD

#### **Purpose**

1. To consider the issues and implications for the future governance of Northstowe.
2. To approve a plan of action leading to a formal Community Governance Review (“CGR”) being undertaken in 2014 pursuant to the Local Government and Public Involvement in Health Act 2007 (“the Act”).

#### **Recommendation**

3. That the Committee approves the proposed timetable and way forward for the Northstowe Community Governance Review

#### **Background**

4. On 17<sup>th</sup> December 2012 the Civic Affairs Committee met to consider a Discussion Paper published in October 2012 by DCLG entitled “Making it easier to set up new town and parish councils.” The Committee agreed:
  - (i) To submit a response to the consultation document on the basis that the Committee had concerns over a proposal to reduce the timescale for Community Governance Reviews from twelve months to six months.
  - (ii) To consider the implications and proposed way forward regarding the establishment of a new Parish or Town Council at Northstowe at the Committee’s next meeting.
5. This report addresses (ii) above and follows a similar report presented to Senior Management Team in July 2008 after submission of the Northstowe Outline Planning application when officers received numerous requests from local Parish Councils, District Councillors and residents of Rampton Drift to establish a local level of governance for Northstowe. Officers had carried out an informal consultation exercise in 2008 involving public events which, inter alia, led to an agreement in principle as to the proposed extent of the Northstowe boundary by Longstanton and Oakington & Westwick Parish Councils and local residents. The exercise also enabled Officers to identify and resolve any potential issues that either parish councils or local residents may have had in relation to establishing a new boundary for Northstowe; this provided a high degree of risk management ahead of the proposed formal consultation process. As Members will know, the process was shelved following a change in government policy. This Report picks up the threads of the 2008 work carried out by officers and considers the way forward.

6. SCDC as a Principal Council under the Act recognises the importance and need to establish governance at Northstowe at a local level as soon as possible to enable the existing community within the potential Northstowe parished area (mainly centred in Rampton Drift and number 158 registered electors) to influence decisions that will have a direct impact on them, and also to support and facilitate community integration and cohesion as the new community is established and develops. This is in line with the principles stated in the DCLG' Guidance on community governance reviews (March 2010) among which forming a sustainable community is giving opportunity to local people to be involved in the way their communities are managed.
7. SCDC is mindful of the potential effect that such a significant new development (c9500 homes) will have on the neighbouring villages and communities, as well as across the wider area. This will include a substantial increase in workload for the respective Clerks and Parish Councils as they continue to consider issues such as planning applications, traffic and transport issues, public realm ownership/management in addition to dealing with the well documented difficulties that can arise in new communities.
8. It has long been recognised that Parish and Town Councils, while they vary enormously in their size, activities and circumstances, play an essential and valued role in providing neighbourhood democracy and management, along with facilitating the development of strong, sustainable communities. These Councils can have more effective engagement with local communities than other bodies thus encouraging capacity building to develop the community's skills, knowledge and confidence. They can also lead to the development of a sense of civic values, responsibility and pride, inclusion, and a sense of place and identity with local distinctiveness.
9. Parish and Town Councils continue to have two main roles: community representation and local administration; for this reason it is essential that governance systems are representative and, accountable allowing inclusive, active and effective participation by individuals and organisations.

### **Considerations**

10. Section 93 (4) of the 2007 Act requires the Principal Council ("the Council") to ensure that CGRs are reflective of the identities and interests of the community in that area and are effective and convenient. Section 93 (3) requires the Council to take into account the views of a wide range of persons and bodies, including local government electors for the area under review, Parish Councils, Residents Associations, Community Forums, County Councils etc.
11. Informal "pre-consultation" –Stage 1
12. Given the potential impact of the CGR on the neighbouring parishes of Longstanton and Oakington & Westwick, officers intend to repeat the pre-consultation exercise it carried out in 2008 over the coming months involving both affected Parish Councils and the local Rampton Drift residents' association, to inform a CGR process next year. It is anticipated that this "Stage 1" could be completed by the end of 2013 and the formalities for the creation of the new parish or town council (Stage 2") completed by 1st April 2015.
13. This pre-consultation exercise (Stage 1) will investigate options for boundaries/potential community governance structure and it is envisaged that such an approach will enable the Council to settle on the best options through working in partnership with the affected Parish Councils and the residents association.

14. Officers would begin Stage 1 by visiting Longstanton and Oakington & Westwick Parish Councils to explain the intention to reinvigorate the Northstowe boundary review process. At the same time, Officers would explain the results of the 2008 pre-consultation work including the previously agreed boundary for Northstowe and seek the views of both parish councils as to whether or not this could be an agreed starting point for this new pre-consultation exercise.
15. Following feedback and information from the parish councils, Officers will visit the Rampton Drift residents' association to ask whether or not this would be an acceptable starting point for them too.
16. Once an agreed starting point is established, Officers would organise a series of open public events so that local residents from Longstanton and Oakington & Westwick have opportunities to comment and raise issues on a new boundary for Northstowe.
17. Officers would then begin the process of drawing boundary line options using the feedback and information from the parish councils, residents' association and local residents together with the knowledge and experience of South Cambs Community, Legal and Electoral Officers; this process will also include investigating likely electoral and warding arrangements for Northstowe. The Council has no power to alter district ward boundaries. This comes under the jurisdiction of the Boundary Commission for England & Wales who can either consider a request for boundary alteration or trigger a review unilaterally.
18. Officers would expect to be in a position to report back to the Civic Affairs Committee later in 2013 with the results of the pre-consultation exercise and a proposal to begin the formal process to establish a new boundary for Northstowe.
19. Stage 2 - Formal CGR process
20. The 2007 Act allows the Council to determine the Terms of Reference ("TOR") under which a CGR is to be undertaken. It requires the TOR to specify the area under review and the Council to publish the terms of reference. In the case of Northstowe, by carrying out an initial pre-consultation exercise with the involvement of the persons/bodies most directly affected this will help to ensure that the boundaries proposed in the TOR will be those most widely accepted in the local communities. The process of preparing the TOR can take place parallel with the pre-consultation exercise so that once the 12 month period (see paragraph 24) specified in the 2007 Act begins to run the TOR will be in place.
21. The 2007 Act permits the Council to conduct a CGR within its discretion at any appropriate time. A review may need to be carried out, for example, following a major change in the population of a community or to re-draw boundaries that have become anomalous, for example following new housing developments being built across existing boundaries. In the case of Northstowe, the carrying out of the CGR at this stage will help to obviate the need in the future of doing so when these circumstances will apply.
22. Section 93 of the 2007 Act allows the Council to decide how to undertake a CGR provided that it complies with the duties specified in the 2007 Act namely undertaking consultation; reflecting identities and interests of the community; governance arrangements must be effective and convenient; and the SCDC must take into account existing/potential arrangements and also representations made.

23. Under section 79 of the 2007 Act, the Council is obliged to notify the County Council of its intention to conduct a review and of the TOR for the review.
24. The Council is required to complete the CGR, including consequential recommendations to the Local Government Boundary Commission for England for related alterations to the boundaries of principal area wards and/or divisions, within 12 months of the start of the CGR. The Council will therefore need to build into the CGR process reasonable periods for consultation with local electors and other stakeholders, for the consideration of evidence presented to them in representations, as well as for decision-making.
25. The CGR is completed with the making of an Order pursuant to the 2007 Act creating the new parish council, setting/altering the parish boundary and stating how the new parish council shall be governed. The Order will also address the consequential electoral arrangements.
26. Post CGR – Stage 3
27. The final stage will be the implementation of the Order and arranging the first election.
28. Proposed Timetable:-

#### **Stage 1 - Pre CGR (Informal Consultation)**

2013	Apr:	Briefing Papers to Civic Affairs Committee
	Jun:	Initial meetings with Longstanton and Oakington & Westwick Parish Councils and the Rampton Drift Residents' Association to discuss the process and options for boundaries/potential community governance structure.
	Jul - Sept	Public events to seek the views of local residents in Longstanton and Oakington and Westwick regarding options for boundaries/potential community governance structure.
	Oct	Work with Longstanton and Oakington & Westwick Parish and the Rampton Drift Residents' Association to agree options for boundaries/potential community governance structure while in parallel preparing the TOR.
	Nov	Following completion of draft TOR notify County Council under section 79 of intention to undertake a CGR and of the draft TOR following which take into account any County comments.
	Dec	Place completed version of TOR before Civic Affairs Committee for approval (once approved the 12 month timetable will begin to run) and then commence formal 8 week consultation process on options for boundaries/potential community governance structure, which will encompass local Parish Councils, County Council, community groups, residents, and include community events, parish surgeries, publication in South Cambs magazine, visits to Parish Council meetings, etc.

- Dec: Place preferred option for Boundary/potential community governance structure before Civic Affairs Committee.
- Jan: Further 8 week formal consultation on preferred option for Boundary/potential community governance structure to wider community and stakeholders.

### Stage 2 Formal CGR

- 2014 Mar: Begin the formal CGR process to establish Northstowe Parish or Town Council (or alternative community governance structure) and relevant electoral arrangements
- Dec Complete CGR and report outcomes to Civic Affairs Committee – Draft Order
- 2015 Jan Serve Order

### Final Stage (post CGR)

- 2015 Apr New Council comes into being with interim representation.
- May First Elections to new Council

### Further Considerations – Electoral Arrangements

29. Currently parishes have ordinary day elections in the same year as one of the relevant district seats is contested. Longstanton ward is due to be contested next in 2016.
30. The first elections for the new parish council would be in May 2015. It should be noted that there are cost implications where elections are held out of synchronisation.

### Implications

31.	Financial	There will be associated costs of publicity and consultation which need to be met by the Council. It is not possible to quantify those costs at this stage. A sum has been set aside in the draft planning agreement for Phase 1 of the Northstowe proposals to assist in this process.
	Legal	Compliance with the 2007 Act and associated guidance will help avoid challenge to the process or the outcome.
	Staffing	It is expected that pre-consultation exercise and subsequent CGR can be carried out within existing staff resources in New Communities, Legal, Democratic & Electoral Services.
	Risk Management	None
	Equal Opportunities	None

### Consultations

32. None at this stage of the process.

**Background Papers:** the following background papers were used in the preparation of this report:

Report to SMT -2<sup>nd</sup> July 2008

[DCLG/Local Government Boundary Commission Guidance on community governance reviews \(March 2010\)](#)

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