



**Report To:** Civic Affairs Committee

12 November 2015

**Lead Officer:** Sustainable Communities and Partnerships Manager

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## **Community Governance Reviews: Progress Report and Draft Terms of Reference for a Community Governance Review of the parish of Haslingfield**

### **Purpose**

1. To update Civic Affairs Committee with regard to progress regarding Community Governance Reviews in the district.
2. To consider terms of reference for undertaking a formal Community Governance Review of the parish of Haslingfield.
3. This is not a key decision.

### **Recommendations**

4. It is recommended that Civic Affairs Committee
  - (a) decides whether to commence with a community governance review of the parish of Haslingfield based on the draft terms of reference (Appendix A), taking into consideration the timing of such a review. No officer recommendation is given.
  - (b) notes the current status of each Community Governance Review as outlined in the report.
5. Should the Committee agree to commence a Community Governance Review of the parish of Haslingfield, they will need to:
  - (a) agree, with or without amendments, the draft terms of reference (Appendix A), and
  - (b) agree an indicative timetable for the review.

### **Background**

6. 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.

(c) Section 93 also states that in reaching conclusions on the boundaries between 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 ward 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.

7. The Committee has previously agreed action plans and/or a direction of travel for the following Community Governance Reviews:
  - (a) Darwin Green 2 and 3 (20 June 2013) - *a Community Governance Review should be undertaken to consider the future governance arrangements for the new community at Trumpington Meadows.*
  - (b) Northstowe (20 March 2014) - *The Civic Affairs Committee AGREED with the establishment of an independent Northstowe Parish Council with the aim of it commencing in April 2017, but that this be reviewed in June 2016.*
  - (c) Trumpington Meadows (25 September 2014) - *agree draft new boundaries for potential new parish and report back to Civic Affairs Committee in March 2015.*
8. The guidance states that when considering parish ward boundaries 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.
9. 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".

## **Considerations**

### **Trumpington Meadows**

10. Following a discussion at Civic Affairs Committee on 9 July 2015 draft terms of reference for a Community Governance Review of the parish of Haslingfield have been prepared and can be found at Appendix A. The terms of reference set out the matters on which a Community Governance Review could focus.
11. The formal publication of terms of reference will begin a review and the review must be completed within twelve months. Should the Committee decide to commence the Community Governance Review a timeline would need to be agreed.
12. The Committee may wish to consider the forecast housing trajectory for the South Cambridgeshire part of the Trumpington Meadows development, as well as the electorate forecast, because a parish council may only be created where the number of electors is 151 or more. The estimated dwelling completions for the South Cambridgeshire part of the Trumpington Meadows development is:
  - 2015/16 – 22 (accumulative total 51 dwellings)
  - 2016/17 – 124 (accumulative total 175 dwellings)
  - 2017/18 – 108 (accumulative total 283 dwellings)
  - 2018/19 – 120 (accumulative total 403 dwellings)

- 2019/20 – 148 (accumulative total 551 dwellings)
- 2020/21 – 109 (accumulative total 660 dwellings)

13. The Committee may also wish to consider the scheduled ordinary elections. Haslingfield Parish Council is next due for election in 2016 and the first all out elections will take place in 2018. If a review finds that it will be appropriate to hold an election for parish councillors, for example to a newly formed 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 so reduced as to enable the electoral cycle to revert to the normal cycle in the at the next ordinary elections. Depending on the timing of a review, Haslingfield Parish Council could have elections in 2016, 2017 and 2018.
14. Informal consultation with Haslingfield Parish Council, Granchester Parish Council and Trumpington Residents' Association has already taken place, with suggestions as to amending boundaries and possible names for a new parish submitted to the Council.

#### **Darwin Green 2 and 3 and North West Cambridge**

15. At Civic Affairs Committee on 9 July 2015 agreed to consider North West Cambridge alongside Darwin Green 2 and 3. Preliminary discussion with a ward Councillor regarding issues relating to governance at North West Cambridge. No further discussions held on Darwin Green 2 and 3 since report on 9 July 2015.

#### **Northstowe**

16. As reported on 9 July 2015, a further report will be submitted to the Committee in due course.

#### **Cambourne West**

17. At Civic Affairs Committee on 9 July 2015 it was reported that a letter had been received from Cambourne Parish Council to request a Community Governance Review. Caxton Parish Council has now been contacted by Cambourne Parish Council and has responded to say that it

“supports Cambourne Parish Council in its request for a governance review of the land area in the north of the Caxton parish referred to as “West Cambourne” subject to this review only taking place if and when the Local Development Plan covering this development area is approved by the Government Inspector and satisfactory development plans are approved by SCDC.

“This support is conditional because Caxton Parish Council wishes to be involved with negotiations regarding the S106 agreement to mitigate against the impact of the loss of land from within the Parish and also to mitigate against the inevitable increase of traffic through Caxton.”

18. Further conversations are planned with Cambourne and Caxton Parish Councils.

#### **Consequential Amendments and District Electoral Review**

19. The full electoral review of the district's warding arrangements is scheduled to commence shortly, with implementation of new district ward boundaries at all out elections in May 2018. Any Community Governance Reviews started alongside the

review will be separate, and will not be completed in time to be included within the review.

20. The Committee will also be aware that the Council only has the power to amend parish boundaries. District ward boundaries will not automatically be affected by changes made by Community Governance Reviews. Should district ward boundaries need to be changed after a Community Governance Review the Council would have to apply to the LGBCE to make consequential amendments.

### **Options**

21. The Committee could agree or disagree to commence a Community Governance Review of the parish of Haslingfield.
22. Should the Committee agree to commence a Community Governance Review of the parish of Haslingfield, they will need to:
  - (a) agree, with or without amendments, the draft terms of reference (Appendix A), and
  - (b) agree an indicative timetable for the review.

### **Implications**

23. 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: -

#### ***Financial***

24. The cost for parish council elections falls to the parish. There would be a cost to elections in a new parish were this to be agreed and therefore it would be prudent to schedule any review so that it completes in time for elections to coincide with other polls.

#### ***Legal***

25. The draft terms of reference for a Community Governance Review of the parish of Haslingfield has considered the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government, published in April 2008, 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 (SI2008/626). (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.)

#### ***Staffing***

26. It will be possible to carry out a Community Governance Review of the parish of Haslingfield within existing resources if it is scheduled to start not before February 2016.

## **Consultation responses**

27. See paragraph 14. The Chairman of Haslingfield Parish Council has also been made aware of this report.

## **Effect on Strategic Aims**

### **ENGAGEMENT and WELLBEING**

28. Appropriate community governance arrangements will help the Council to sustain existing successful, vibrant villages and establish successful and sustainable new communities.

## **Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: - (a) at all reasonable hours at the offices of South Cambridgeshire District Council; (b) on the Council's website; and (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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