



South
Cambridgeshire
District Council

Community Governance Review of Willingham and Over Parish Boundary



Terms of Reference

www.scambs.gov.uk

1. Introduction

- 1.1 South Cambridgeshire District Council has been petitioned to undertake a Community Governance Review of the boundary between Willingham and Over parishes.
- 1.2 This review is to address the specific boundary issues outlined in the valid petition. Namely, to consider whether an alteration to the existing parish boundary would better reflect a sense of local/geographical identity held by local residents and businesses.
- 1.3 This review will look solely at the relevant portion of the western boundary between Willingham and Over, which runs North-South on Haden Way (Appendix A).
- 1.4 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.
- 1.5 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, the parish council offices at Ploughman Hall, Willingham, and Over Community Centre.

Purpose of the Review

- 1.6 The Council is undertaking a Community Governance Review at this time following the receipt of a valid petition from the local community. The petition states that the current boundary does not reflect residents' or business' sense of local identity or a coherent "natural settlement" pattern.
- 1.7 Government legislation states that where the Council is petitioned to undertake a Community Governance Review, the petition should define the area to which the review relates, whether on a map or otherwise, and refer to identifiable fixed boundaries. Where a proposed boundary is near an individual property, the petition must make clear on which side of the boundary the property lies. The petition must specify one or more proposed recommendations for review.
- 1.8 The petition received from the local community proposes two alternative boundaries (Appendix B). These, along with the existing boundary, will be the basis of the review. 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.
- 1.9 For the purpose of the review, the Council will give regard to 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

- 1.10 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 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

- 1.11 The Corporate Plan underlines the key role of parish councils in sustaining successful, vibrant communities.
- 1.12 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 councils
- 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 following 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;
 - write to every household and business in Willingham and Over parishes to promote consultation and outline response process;
 - provide key documents on deposit at the District Council offices in Cambourne, at the parish offices at Ploughman Hall, Willingham, and at Over Community Centre. 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.

The timetable for the review

- 2.5 Publication of the Terms of Reference formally begins the review, and the review must be completed within twelve months. To this end we will adhere to the following timetable for review.

Timetable for Community Governance Review	
Terms of Reference are published	31 January 2017
Local briefings and meetings	January/February 2017
Submissions are invited	21 February 2017
Consultation closes	16 May 2017 (Midnight)
Consideration of submissions received and recommendation prepared	June - September 2017 ¹
Recommendations are published, concluding the review	August - October 2017
Council can make a Reorganisation of Community Governance Order	September - December 2017

¹ Exact dates following the close of consultation will be dependent upon the dates set for Civic Affairs Committee meetings 2017, and to make allowances for any unforeseen circumstances.

3. Electorate Forecasts

- 3.1 When the Council comes to consider the electoral arrangements of the parishes in its area, it is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts.
- 3.2 The existing electorate for Willingham parish is 3,206 (Register of Electors, September 2016). The electorate is forecast to increase to 3,303 by 2021.
- 3.3 The existing electorate for Over parish is 2,363 (Register of Electors, September 2016). There is no projected change to this figure.
- 3.4 The population forecasts have been provided to Willingham and Over parish councils.

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; the feeling of local community and the wishes of local inhabitants are primary considerations in this Review.
- 4.3 The Council will take consideration of changes that have happened over time, for example through population shifts or additional development, and that have led to a different community identity with historic traditions in its area.
- 4.4 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.
- 4.5 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

- 5.1 The Council recently voted to move to all out elections and bring all parish council elections in line. The first all out elections will take place in 2018, and every four years thereafter.
- 5.2 The Council has recently been through a review of its electoral arrangements. The proposed new District ward will continue to contain both of the parishes. The County council has also been through a recent review which will see the two parishes placed in different County Council divisions from the elections in 2017. Any parish boundary change made as a result of this review will not update the County division boundary. The Council will need to seek realignment of the County boundary as a consequential matter. Refer to paragraph 7.5 for further information.

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, on the Council's website, and in the parish offices at Ploughman Hall, Willingham, and at Over Community Centre.
- 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

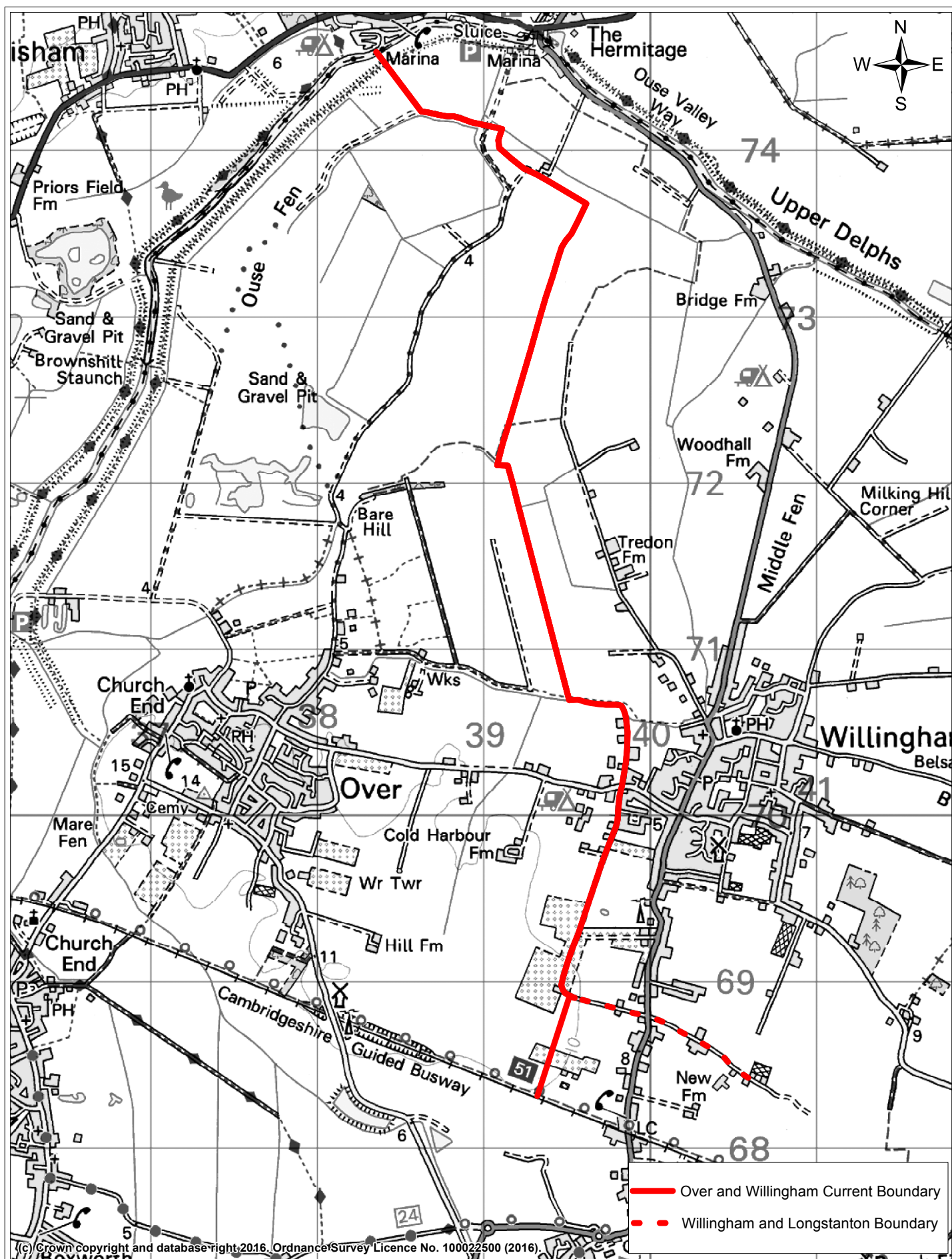
General Principles

- 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 populations of the area as estimated by the proper officer of the Council as an appropriate portion.
- 7.4 Furthermore, the Council notes the Regulations regarding the establishment of a precept for a new parish and their requirements.

Principal Area Boundaries

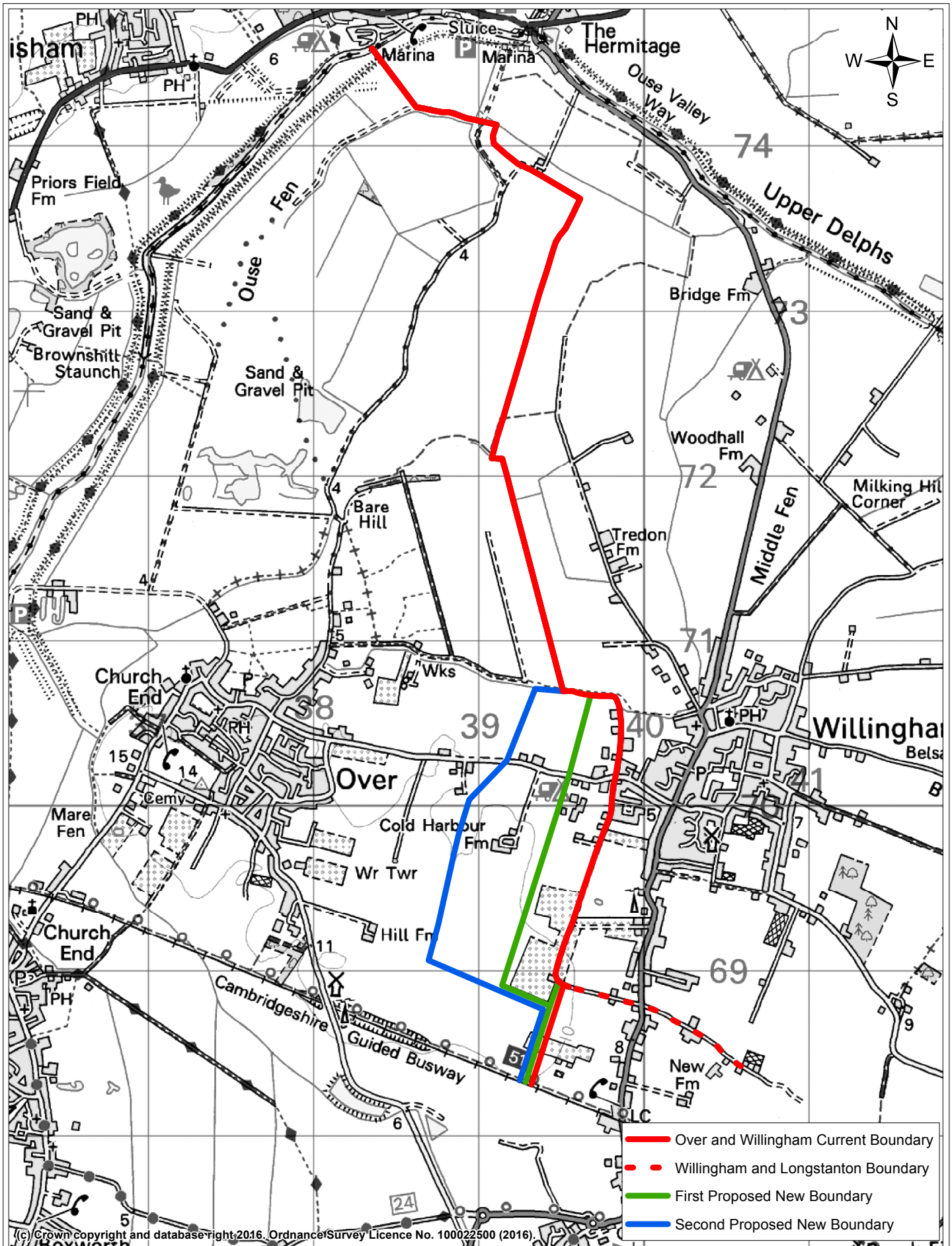
- 7.5 The Council is mindful that it may be necessary for it to recommend the Local Government Boundary Commission to make alterations to the boundaries of district wards or county electoral divisions to reflect the changes made at parish level. The Council notes that it will be for the Local Government 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.
- 7.6 The Council notes that the Local 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 endeavour to include any such draft recommendations for alterations at the earliest possible opportunity for consultation that will arise after they become apparent.
- 7.7 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 31 January 2017



Over - Willingham Boundary

Date: 09 November 2016
 Produced by: Spatial Team
 Section/Department: 3C - ICT
 Scale: 1:10,000 @ A1



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Over - Willingham Boundary

Date: 07 November 2016
 Produced by: Spatial Team
 Section/Department: 3C - ICT
 Scale: 1:10,000 @ A1

How to contact us

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

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