

# Community Governance Review (CGR): Gerrards Cross Town Council

## Terms of Reference

### Purpose of the Review:

1. An expression of interest has been received from Gerrards Cross Town Council requesting that Buckinghamshire Council undertake a Community Governance Review of the Town Council's electoral arrangements, specifically the warding.
2. A summary of the expressions of interest received are set out below:

Requestor	Summary of request
Gerrards Cross Town Council	A proposal has been received from Gerrards Cross Town Council that seeks to merge the Gerrards Cross Town Council East ward with the South ward and call it Gerrards Cross South & East ward. There is no proposed change to the council size. The proposal has been requested to better reflect community identity, electoral equality and promote efficient and effective local government.

3. The purpose of the review is to consider whether to change the electoral arrangements for Gerrard Cross Town Council area, as proposed by the Town Council, which is to merge the East ward with the South Ward and call it Gerrards Cross South and East ward. Alternatively, the review could decide not to not make any changes.
4. The expression of interest received is not a petition so any decision by Buckinghamshire Council to carry out a review for this area would be done using the Council's power to conduct its own review under Section 82 of the Local government and Public involvement in Health Act 2007.
5. These Terms of Reference are published by Buckinghamshire Council as required under Section 81 of the Local government and Public involvement in Health Act 2007.

### Reason for the review

6. Buckinghamshire Council was created three years ago in 2020, since which time significant governance changes have occurred. The most recent of these was the electoral review of Buckinghamshire Council.
7. During the recent Buckinghamshire electoral review, additional enquiries were received from various interested parties, such as parish councils, seeking to make changes to parish electoral arrangements in several areas of Buckinghamshire. To date, six separate expressions of interest have been submitted to the Council, seeking to make changes to parish council electoral arrangements. The proposal from Gerrards Cross Town Council, at paragraph 2, is one of these.
8. Government's guidance also requires principal councils to continually keep their area under review. Buckinghamshire Council recognises the important role that parish councils play in community empowerment at a local level, and the Council is keen to ensure that governance continues to be robust, representative and is able to meet the challenges ahead.

## **What is a Community Governance Review?**

9. In law, a CGR is a review of the whole or part of an area to consider one or more of the following.
  1. Creating, merging, altering or abolishing parishes;
  2. The naming of parishes and the style of new parishes;
  3. The electoral arrangements for parish councils (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding); and
  4. Grouping parishes under a common parish council or de-grouping parishes.
10. In this Review, the principle consideration is to change the warding arrangement for Gerrards Cross Town Council.

## **Legal provisions**

11. In undertaking the CGR, the Council will be guided by:
  - part 4 of the Local Government and Public Involvement in Health Act 2007
  - the relevant parts of the Local Government Act 1972
  - Statutory 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 CGR: Local Government (Parished and Parish Councils) (England) Regulations 2008 (SI2008/625); and the Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

## **Criteria for carrying out the Review**

12. In law, the Council must secure that future community governance in the area under review:
  - a) *reflects the identities and interests of the communities in that area; and*
  - b) *is effective and convenient.*
13. These are the guiding criteria for the Review.
14. In addition, the Council has agreed the following approach to considering requests received from the community other than those submitted as a petition:
  - a. Proposals purporting to come from a parish council or councils should be based on a formal resolution of at least one of those councils;
  - b. Proposals purporting to come from individuals or community groups should demonstrate wider support and that any existing parish councils affected by the proposal have already been consulted;
  - c. Where a proposal suggests an increase in councillor numbers, a commentary is supplied on how this is justified with regard to the council's success or otherwise in filling casual vacancies.

## Who undertakes the CGR

15. As the unitary authority Buckinghamshire Council is responsible, in law, for carrying out the review. This includes determining the Terms of Reference for a review, for consulting on any options under the Terms, and for preparing recommendations for resolving the review.

## How the Council intends to conduct the Review

16. Buckinghamshire Council's Standards & General Purposes Committee has the delegated authority to oversee and determine Community Governance Reviews. On 24 August 2023, the Committee established a Community Governance Working Group. The role of the Working Group is to:

- recommend Terms of Reference for the Review
- recommend a consultation plan and timeframe for the Review
- review responses and recommend draft outcomes including, as appropriate, the creation of a new parish and council, the warding pattern, council size (number of councillors), electoral arrangements and the name of any proposed new parish(es).
- review any subsequent consultation responses on the draft outcomes and make final recommendations

17. The Committee makes decisions on the recommendations received. Full Council itself would make any Order bringing a new arrangement into effect.

### Stages:

Action
Publication of Terms of Reference
Consultation – Submissions are invited
Final proposals are recommended to the Standards & General Purposes Committee for decision
Council publishes the recommendations and makes the reorganisation order
Community Governance Review ends
Changes to electoral arrangements come into being
Elections for parish or town councils

*See separate timetable*

## Consultation

18. In carrying out the Review, the Council must consult:

- the local government electors for the area under review and
- any other person or body who appears to have an interest in the Review

19. The Council will publicise and carry out the consultations transparently. All representations received will be taken into account.
20. The Council will engage with a cross-section of interests including the public, the Buckinghamshire and Milton Keynes Association of Local Councils, neighbouring parish councils, current councillors for the areas affected and adjacent to it, and Buckinghamshire's Members of Parliament.
21. Consultation will also include, but not be limited to local businesses, local residents' associations, local public and voluntary organisations such as schools or health bodies, Thames Valley Police.
22. The Council will publish all decisions taken during the Review, together with the reasons for those decisions.

## **Governance in our area**

### Parishes and towns

23. Buckinghamshire Council's *Town and Parish Charter* recognizes the importance of parish and town communities and in working with them to:
  - promote the best interests of the communities we serve
  - provide quality, value for money public services and
  - promote opportunities for greater public participation and involvement in public life.
24. The Council is committed to:
  - recognising that parish and town councils are independent democratically elected bodies who work within their own financial constraints and represent communities at a truly local level.
  - understanding that parish and town councils are a key connection between the unitary council and their community who can help improve services and foster greater community empowerment, especially through devolution and community boards.

### Existing or alternative forms of governance

25. The Review will look at making changes to electoral arrangements in the following areas:
  - Gerrards Cross Town Council

## **Effectiveness, convenience and community interests/identity**

26. Any community governance arising from a Review must:
  - reflect the identities and interests of the community in that area, and
  - be effective and convenient, and
  - take into account any other arrangements for the purposes of community representation or community engagement in the area.

Source: *Statutory Guidance on community governance reviews*, paragraphs 55-65, pages 19-21.

## **Electoral Arrangements**

27. The electoral arrangements for parish councils relates to:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council (council size);
- The division (or not) of the parish into wards for the purposes of electing councillors;
- The number and boundaries of any such Wards;
- The number of councillors to be elected for any such Wards;
- The name of any such Wards.

28. The Council will use the Register of Electors to provide electorate figures.

29. 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 including any demographic trends and influences, such as new development, that may alter the population significantly in the period of five years beginning with the day when the CGR starts. Population projections from the Office for National Statistics will be used.

30. Electorate forecasts will be made available to all interested parties as early as possible in the review process, and before the formal commencement of the Review so that they are available to all who may wish to make representations.

31. The Council would have regard to consultation responses, evidence and best practice. The Statutory Guidance says:

“Each area should be considered on its own merits, having regard to its population, geography and the pattern of communities, and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes.” (paragraph 156, page 44).

32. The Council would also have regard to the important democratic principle that each person’s vote should be of equal weight so far as possible.

## **Conclusion of the Review and Making a Reorganisation Order**

33. The Review will formally end on publication of the final recommendations. The process is completed when the Council adopts the Reorganisation Order.

34. Copies of this order, maps that showing the effects of the order in detail, and the documents which set out the reasons for the decision that the Council has taken, will be deposited at the Council’s offices and published on the Council’s website.

35. Reorganisation Order to be sealed once approval received and notification given to:

- The Secretary of State
- The Electoral Commission
- The Office of National Statistics
- The Director General of the Ordnance Survey

- Any other principal council whose area the order relates to.

### **Consequential Matters**

36. The Reorganisation Order may cover other consequential matters that appear to the relevant council to be necessary or proper to give effect to the Order.

37. It is proposed that the Order will take effect, for financial and administrative purposes, on 1 April 2025. The electoral arrangements for a new parish council will come into force at the next ordinary elections which is 1 May 2025.

### **How to Submit Your Views**

38. The Council's consultation publicity will specify the way in which you could make comments on the Review at all stages. Queries may be sent [elections@buckinghamshire.gov.uk](mailto:elections@buckinghamshire.gov.uk)