

Community Governance Review (CGR) for Parishes May 2024

Terms of Reference

Purpose of the Review:

1. Expressions of interest have been received from Buckingham Town Council, Hazlemere Parish Council, Longwick Cum Ilmer Parish Council, a resident of Lake End Road, Lake End and Newton Longville Parish Council requesting that Buckinghamshire Council undertake a Community Governance Review of those areas.
2. A summary of the expressions of interest received are set out below:

Requestor	Summary of request
1) Buckingham Town Council	<p>a) merge Highlands & Watchcroft ward into Buckingham North, thereby increasing the number of councillors for this ward from 7 to 8.</p> <p>b) merge Fisher's Field ward into Buckingham South, thereby increasing the number of councillors for this ward from 8 to 9. The wards retain the current names of Buckingham South and Buckingham North.</p> <p>No proposed change to council size. The proposals are requested to better reflect community identity, electoral equality and promote efficient and effective local government.</p> <p>From May 2025 all of Buckingham Town Council's wards are in the Buckinghamshire Council ward of Buckingham. Buckingham Town Council will be in the new parliamentary constituency Buckingham & Bletchley.</p>
2) Electors from Lake End Road, Lake End	<p>To change the parish boundary between Burnham and Dorney to align with the M4 to better reflect community identity. The proposal will affect 7 houses.</p> <p>From May 2025 Burnham, Dorney and Taplow Parish Councils will be in the Buckinghamshire Council ward of Burnham. All three parish councils will be in the new parliamentary constituency Beaconsfield.</p> <p>The proposal would increase the tax base for Dorney Parish Council by 7 households and reduce the tax base for Burnham Parish Council by 7 households.</p>

3) Hazlemere Parish Council	To increase the number of councillors from 12 to 16 due to the increased workload and increase in housing and electorate in Hazlemere in the coming years. No changes to the parish boundary are being requested. The parish currently has two wards (North and South) with 6 councillors for each ward.
4) Longwick cum Ilmer Parish Council	To increase the number of councillors from 7 to 9 to reflect the increase in housing and population. No changes to the parish boundary are being requested. <i>This request was considered by the Standards and General Purposes Committee in July 2020. It was agreed that consideration of this request be deferred until the completion of the Electoral Review.</i>
5) Newton Longville Parish Council	To increase the number of councillors from 8 to 10 due to a forecast electorate increase and additional workload. No other changes are requested.

3. The purpose of the review is to consider whether to change the electoral arrangements for all of those areas, some of the areas, or to not make any changes to some, or all of the areas.
4. The expressions of interest received are not petitions so the decision by Buckinghamshire Council to carry out a review for these areas has been 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 in April 2020, since which time significant governance changes have occurred. The most recent of these was the electoral review of Buckinghamshire Council.
7. During 2019, the former Wycombe District Council undertook a community governance review for High Wycombe area. A request was also received from Longwick Cum Ilmer Parish Council seeking to change the size of the parish council. Considering recommendations in April 2020, the new Buckinghamshire Council deferred any decision until after the Local Government Boundary Commission's electoral review of Buckinghamshire Council. Government guidance advised against carrying out community governance reviews until the electoral review had concluded.
8. During the electoral review, additional enquiries were received from various interested parties, including parish councils, seeking to make changes to parish electoral arrangements in several areas of Buckinghamshire. To date, five separate expressions of interest have been submitted to the Council seeking to make changes to parish council electorate arrangements. These are summarised in paragraph 2.
9. 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?

10. 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.

11. In this Review, the principle consideration is to change the council size, warding arrangement and parish boundary for five areas affecting parish or town councils.

Legal provisions

12. 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

13. 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.*

14. These are the guiding criteria for the Review.

15. 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

16. As the principal 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

17. 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

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

Stages:

Action	Timetable
Publication of Terms of Reference	7 May 2024
Consultation submissions are invited	7 May to 16 June 2024
Final proposals are recommended to the Committee for decision	11 July 2024
Council publishes the Recommendations	July 2024
Reorganisation Order agreed by Full Council (community governance review ends)	18 September 2024 TBC
Implementation of Order	March 2025
Elections to parish or town councils with new arrangements	1 May 2025

Consultation

19. 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

20. The Council will publicise and carry out the consultations transparently. All representations received will be taken into account.

21. 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.

22. 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, and the Charter Trustees of High Wycombe.

23. The Council will publish all decisions taken during the Review, together with the reasons for

those decisions.

Governance in our area

Parishes and towns

24. Buckinghamshire Council's *Town and Parish Charter* recognises 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.

25. 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

26. The Review will look at making changes to electoral arrangements in the following areas:

- Buckingham Town Council
- Burnham Parish Council
- Dorney Parish Council
- Hazlemere Parish Council
- Longwick Cum Ilmer Parish Council
- Newton Longville Parish Council

Effectiveness, convenience and community interests/identity

27. 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.

Alternative Styles

28. It is not envisaged that there will be any changes to the style of parish as part of the review. However, the different parish styles are set out below.

29. The 2007 Act introduced 'alternative styles' for parishes. If adopted, the 'alternative style' would replace the style "parish". However, only one of three prescribed styles can be adopted: "community", "neighbourhood" or "village". In addition, the style of "town" is still available to a parish. However, for as long as the parish has an 'alternative style', it will not also be able to have the status of a town and vice versa.

30. Where a new parish is being created, the Council will make recommendations as to the geographical name of the new parish and as to whether or not it would have one of the alternative styles.
31. A Council can establish a 'parish meeting' in appropriate cases instead of a parish council.

Naming of Parish and Town Wards

32. It is not envisaged that changes will be made to the names of parishes or parish wards as part of the review, however if the recommendations necessitate such changes the Council will endeavor to reflect existing local or historic place-names and will give strong presumption in favour of names proposed by local interested parties. Notwithstanding this, in the interest of effective and convenient local government and for the avoidance of voter confusion, the Council will look for different ward names to those used for principal council areas.

Electoral Arrangements

33. 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.

34. The Council will use the Register of Electors to providing electorate figures.

35. 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. Electorate projections will use the method utilised by the Local Government Boundary Commission for electoral reviews.

36. 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.

Council size (number of councillors)

37. A parish or town council must have no fewer than five councillors. There are otherwise no rules to the number of councillors that a parish or town council must or can have. Research from Aston Business School recommended the following:

Electorate	Councillor Allocation
Less than 500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27

38. However, the National Association of Local Councils recommends a practical maximum of 25 councillors.
39. 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).
40. 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

41. The Review will formally end on publication of the final recommendations. The process is completed when the Council adopts the Reorganisation Order.
42. 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.
43. 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

44. 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.
45. These should include, but are not limited to:
- 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.
46. The Order will take effect, for financial and administrative purposes, on 1 March 2025 in the designated year. 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

47. The Council’s consultation publicity will specify the way in which you could make comments on the Review at all stages.