

## **Terms of Reference – Community Governance Review.**

### **Proposals to review the options to amalgamate the parish of Walterstone with Ewyas Harold - Longtown Group Parish Council**

#### **1. Introduction**

Herefordshire Council is carrying out a Community Governance Review (CGR) in the Longtown Group Parish Council in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007. The Council is required to have regard for the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. This guidance has been considered in drawing up these terms of reference.

#### **2. What is a community governance review?**

A CGR can consider a number of issues, including whether to:

- create a new parish (this may be where an area is not currently parished, or as a result of bringing together two or more existing parishes)
- alter the boundary of one or more existing parishes
- bring a number of parishes together as a grouped parish council
- alter the number of seats on an existing parish council

A community governance review provides an opportunity to remove unsuitable boundaries and ensure that boundaries both reflect local identities and facilitate effective and convenient local government. Reviews also offer principal councils the opportunity to consider the future of what may have become redundant or declining parishes, often the result of an insufficient number of local electors within the area who are willing to serve on a parish council.

#### **3. In undertaking the review, Herefordshire 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
- The guidance on Community Governance Reviews issued jointly by the Department for Communities and Local Government and the Electoral Commission, published in April 2008 and,
- The following regulations which guide, in particular, consequential matters arising from the review:
  - Local Government (Parishes and Parish Councils) (England) Regulations 2008 (S12008/625);
  - Local Government Finance (New Finance) regulations 2008 (S12008/626)

#### **4. Who carries out the review?**

Herefordshire Council is responsible for conducting the review. A decision on whether or not to carry out a CGR will be taken by Herefordshire Councillors at a meeting of full Council on 13 October 2017. If agreed, the council will have one year to complete the review. A full consultation will take place with parishes, ward members and other local stakeholders as part of the review. See item 7 below.

#### **5. Why are we proposing a Community Governance Review for Longtown Group Parish Council?**

In September 2015 the audit and governance committee received a report setting out the reasons for considering undertaking a CGR in the county, and agreed a timetable by which the information necessary to assess the case for a CGR would be collated.

Herefordshire is currently divided into 239 parishes and there are no areas within the county which are not 'parished'. Within the county there are 133 parish councils, (some of which are

group parish councils which collectively represent more than one parish), and four parish meetings (where there is no parish council but a parish meeting is held at least twice a year to which all electors are entitled to attend and vote on certain matters).

To inform the recommendation of the committee, a range of information has been collated including current elector numbers per parish, number of uncontested seats in the 2015 local elections and number of seats remaining vacant after the election.

As part of a county wide consultation with parishes in 2016, a number of parishes came forward to highlight that they wished alter the membership of their current group arrangements. During that consultation Longtown Group noted that: *The parish council expressed an interest in separating the parish of Walterstone from the group and instead amalgamating Walterstone with Ewyas Harold group parish council.*

Following confirmation of these proposals with Longtown Group, the parish council noted: *At the Parish Council meeting on 20<sup>th</sup> September 2017 it was agreed that whilst the Parish Council could not formally request these changes without consulting the residents of Walterstone, but it can confirm that the reasons originally indicated are still relevant.*

## **6 The scope of the CGR.**

The review will not automatically mean there will be changes but it will see if there is a case for change. Herefordshire Council is not seeking a particular solution at this stage. It wishes to test views and assess what solutions are the right ones to pursue with each individual parish.

## **7 Who will we consult?**

The review will not automatically mean there will be changes but it will see if there is a case for change. Herefordshire Council's audit and governance committee will seek to establish a working group made up of appropriate local stakeholders, which will include the ward member for the Longtown Group and Ewyas Harold parish councils. This working group will be supported and facilitated by Herefordshire Council officers.

A full consultation process will form part of the review to take full account of the views of local people. The Act requires the Council to 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 and to take the representations that are received into account. The Council will also identify any other person or body who it feels may have an interest in the review and write to them inviting them to submit their views at both stages of consultation. This will include:

- The Parish Councils within the Longtown Group and Ewyas Harold Parish Council.
- Communities within the parishes under review.
- Ward Members (in the wards where parishes are under review)
- Community Council
- Groups and Societies
- Schools and Colleges
- Members of Parliament
- Herefordshire Association of Local Councils
- Local Political Parties

The deadline for sending your submissions for the first stage of the review is **23 March 2018**. Please return your views in writing to: Democratic Services Community Governance Review, The Shire Hall , St. Peter's Square, Hereford, HR1 2HX or by email: [CGR@herefordshire.gov.uk](mailto:CGR@herefordshire.gov.uk)

The Council intends to clearly publish all decisions taken and the reasons for taking those decisions and will work towards the Government's view that "Community Governance Reviews should be conducted transparently so that local people and other stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind these decisions."

To that end, Herefordshire Council will:

- Publish a notice in the local press informing residents of the review and inviting responses;
- Publish information on the council's website;
- The Council will also be pleased to receive comments from any other person or body that wishes to make representations; any such person that makes representations during the initial invitation to submit proposals will be invited to make comments in respect of the draft proposals.
- Take into account any representations received in connection with the Review.

#### **8. What matters will the review focus on?**

The recommendations made in a community governance review will have two main objectives:

- 1) To facilitate the changes the parishes identified in this document are seeking
- 2) To improve community engagement and better local democracy.

The review must ensure that community governance within the area under review reflects the identities and interests of the community in that area and is effective and convenient. It must also take into account any existing arrangements such as community or resident's associations or neighbourhood councils.

The Council is keen to ensure that electors should be able to identify clearly with the parish in which they are resident because it considers that this sense of identify and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

#### **9. Timeframes**

Publication of this draft terms of reference formally begins the review, and the review must be completed within twelve months.

#### **10. Indicative timetable for the Review**

|                                                              |                                                      |
|--------------------------------------------------------------|------------------------------------------------------|
| Terms of Reference Presented to Council                      | <b>13 October</b>                                    |
| Publish Terms of Reference                                   | 11 December                                          |
| Initial Consultation period                                  | 11 December 2017 to 1 February 2018                  |
| <b>Consultation phase 1</b>                                  | <b>1 February to 23 March 2018</b>                   |
| Prepare draft proposals/recommendations                      | 23 March to 16 April 2018                            |
| <b>Consultation phase 2: Draft proposals/recommendations</b> | <b>1 May to 18 June 2018</b>                         |
| Presentation of proposals                                    | 19 June to 1 July 2018                               |
| Prepare final proposals                                      | 2 July to 31 July 2018                               |
| Internal consultation and sign off of report                 | August/September 2018                                |
| Report to Council                                            | Report published 5 days before Council, October 2018 |
| If required: Organisation of Community                       | <b>To be advised.</b>                                |

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| Governance Order |  |
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