

Warwick District Area Community Governance Review – Terms of Reference

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

What is a Community Governance Review (CGR)?

A Community Governance Review (CGR) is a legal process whereby Councils can create parish councils, review and change electoral arrangements and, in extreme cases, abolish parishes.

Warwick District Council (the District Council) must ensure that community governance in the area under review reflects the identities and interests of the community in that area and is effective and convenient.

It is important that recommendations made through a CGR should bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

In undertaking the CGR, the Council will be guided by:

- Part 4 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”);
- the relevant parts of the Local Government Act 1972 (“the 1972 Act”);
- the Guidance on Community Governance Reviews issued jointly by the Department for Communities and Local Government and the Electoral Commission in April 2008 (“the Guidance”);
- also the following regulations which guide, in particular, consequential matters arising from the Review:
 - Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625);
 - Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

What does a Parish Council do?

Parish Councils are the most local form of government. They collect money from Council Tax payers (via the District Council) known as a “precept” and this is used to invest in the area to improve services or facilities. Parish Councils can take different forms but usually are made up of local people who stand for election as Parish Councillors to represent their area. They can be the voice of the local community and work with other tiers of government and external organisations to co-ordinate and deliver services and work to improve the quality of life in the area.

Therefore, the District Council wants to ensure that parishes should be viable and should possess a precept that enables them to actively and effectively promote the well-being of their residents and to contribute to the real provision of services in their areas in an economic and efficient manner.

Who will undertake the CGR?

Warwick District Council is responsible for undertaking a CGR within its electoral area.

The District Councils Audit & Standards Committee is responsible for overseeing this process and officers will produce draft and final recommendations for consideration by the Committee before a Community Governance Order is made.

Why is Warwick District Council undertaking the review?

Burton Green Parish Council has requested a review of its electoral arrangements to ensure that the community governance for the area continues to be effective and convenient for the community.

At present Burton Green Parish Council is allocated seven Councillors for the Burton Green ward, and four Councillors for the Warwick University ward.

Burton Green Parish Council feel that a Councillor ratio of nine Councillors for the Burton Green ward and two Councillors for the University ward would be more reflective of the electorate numbers in the Parish ongoing.

The District Council propose for the ward boundary be removed (between Burton Green ward and University ward) and the Parish Council become a single electoral area with 11 seats, which would address the issue and strengthen the democratic process.

Consultation

The District Council wants to know what local people think about the electoral arrangements for the Parish and invites the public to send their views and responses in writing to Gillian Friar, Electoral Services Manager, Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire CV32 5HZ or by email to elections@warwickdc.gov.uk

The deadline for sending views and responses for consideration in the first stage of the CGR is **at noon Thursday 6 October 2022**.

The District Council will consider all the views and responses received and publish a draft proposal and the reasons behind them. There will then be a further period of time for people to comment on the draft proposal before the final proposal is agreed.

Before making any final proposal, the District Council will take full account of the views of local people.

The District Council will:

- Publish a notice in the local press informing residents of the Review and inviting responses;
- Publish information on the Council's website;
- Publish information on notice boards within the Parish informing residents of the Review and inviting responses;
- Inform and consult; all relevant Warwick District Councillors, all relevant Warwickshire County Councillors, Member of Parliament and both Warwick University and the student association for the University;
- Consult any other person or body which appears to the District Council to have an interest in the Review;
- Take into account any representations received in connection with the Review;
- Inform the Local Government Boundary Commission for England of the commencement of the CGR and keep them informed.

There will then be a further period of time for people to comment on the draft proposal before the final proposal is agreed.

A CGR must, by law, be concluded within a twelve-month period. The twelve months starts when the District Council publishes its Terms of Reference and the Review concludes when the District Council makes its final decision on the proposals in the CGR.

Timetable for the Review

Details	Relevant Date
Terms of Reference agreed by Audit & standards Committee	14 June 2022
Terms of Reference published and consultation period starts	08 August 2022
Last date for submissions	Noon 6 October 2022
First Draft Proposals are prepared	October 2022
Draft Proposals are prepared	1 November 2022
Publish Draft Proposals – consultation period begins	1 November 2022
Draft Proposals – consultation period ends	21 December 2022
Final Proposals are prepared	January 2023
Final Proposals published	1 February 2023
Burton Green Reorganisation of Community Governance Order comes into force	1 April 2023

Electorate Forecasts

The August 2022 Register of Electors has been used in providing the existing parish ward electorate figures.

When the District 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. Electorate forecasts will be prepared using information contained in the Local Plan and data obtained from the Warwickshire Observatory to project the five-year electorate forecast.

The Government's guidance is that these forecasts should be made available to all interested parties as early as possible in the review process. The information is based on the current parish data.

The Present Structure of the Parish and Electoral Arrangements

Details	Current Electoral Arrangements
Type of governance	Warded Parish Council
Number of Councillors	11
Ratio of Councillors to electorate	Burton Green Ward – 130 electors per Cllr. University Ward – 185 electors per Cllr.
District Ward	Kenilworth Abbey & Arden
County Division	Lapworth & West Kenilworth
Parliamentary Constituency	Kenilworth & Southam
Last election date	2019
Next election date	2023

Electoral Arrangements

What does 'Electoral Arrangements' mean?

The term covers the way in which a council is constituted for the parish. It covers:

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

Council Size

The Government's guidance is that "each area should be considered on its own merits, having regard to its population, geography and the pattern of communities," and therefore the District Council is prepared to pay particular attention to existing levels

of representation, the broad pattern of existing council sizes and the take-up of seats at elections in its consideration of this matter.

Parishes wishing to increase numbers must give strong reasons for doing so.

The number of parish councillors for each council must be not less than five but can be greater. However, each parish grouped under a common parish council must have at least one parish councillor.

The Aston Business School found the following levels of representation to the good running of a council:

Electors	Councillors
Less than 500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27
More than 20,000	13-31

It should also be noted that the National Association of Local Councils suggest the minimum number of councillors be seven and the maximum be twenty-five.

The District Council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- the number of local government electors for the parish;
- any change in that number which is likely to occur in the period of five years beginning with the day when the Review starts.

Parish Warding

Parishes can be divided into wards for the purpose of electing councillors. (This could depend upon the size and make up of a proposed council). Consideration must be given to the number of and distribution of local government electors which could make a single election of councillors impractical or inconvenient or it may be desirable for areas within the parish to be separately represented.

The Government's guidance is that "the warding of parishes in largely rural areas that are based predominantly on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish."

The number of councillors to be elected for parish wards

The District Council is required to have regard to the following when considering the size and boundaries of the wards and the number of councillors to be elected for each ward:

- the number of local government electors for the parish;

- any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the Review starts.

Reorganisation of Community Governance Orders and Commencement

The Review will be completed when the District Council adopts a Reorganisation of Community Governance Order.

Copies of this Order, the document(s) which set out the reasons for the decisions that the Council has taken will be deposited at the Councils offices at Riverside House, Milverton Hill, Royal Leamington Spa CV32 5HZ and website (www.warwickdc.gov.uk).

In accordance with the Guidance issued by the Government, the Council will issue maps (as necessary) to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000.

Prints will also be supplied, in accordance with the regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Electoral Commission.

The Order will specify when it will take effect for financial and administrative matters and when the electoral arrangements for the Parish Council will come into force.

Date of Publication of these Terms of Reference

Monday 8 August 2022