

TERMS OF REFERENCE

For a Community Governance Review of the parish arrangements for Torrige District

Introduction

Torrige District Council (the Council) is carrying out a Community Governance Review (CGR) pursuant to the provisions of the Local Government and Public Involvement in Health Act 2007 (the Act). The Act gives principal authorities the power to consider whether existing parish arrangements should be changed in any way. More information on CGRs and the guidance and legislation which the Council will follow in carrying out the review can be found at: <https://www.gov.uk/government/publications/community-governance-reviews-guidance>.

What is a Community Governance Review?

A CGR is the process used to consider whether existing parish arrangements should be changed. The Review can be of the whole or part of the Council's area to consider one or more of the following:

- Altering the boundaries of existing parishes
- Changing the names of existing parishes
- Creating a new parish or abolishing an existing parish
- Creating or abolishing parish councils
- The electoral arrangements for parish councils (including the number of councillors and arrangements for parish warding)
- The grouping or de-grouping of parish councils (and consequential changes to their electoral arrangements)
- The "style" of a parish (enabling an area to be known as a town, community, neighbourhood or village rather than a parish)

The Council may recommend that the Local Government Boundary Commission for England (LGBCE) make alterations to district ward boundaries to reflect any changes made at a parish level. The Council notes that it will be for the LGBCE to decide if any related alterations should be made.

A CGR provides an opportunity for the Council to review and make changes to community governance within its area. Such reviews can be undertaken where there have been or will be changes in population or in reaction to specific, local issues to ensure that the community governance for the area continues to be effective and convenient and it reflects the identities and interests of the community. In this instance, the CGR will examine a mixture of issues which have been identified by the Council itself or through earlier consultation on the scope of the review with parish councils and other stakeholders.

A CGR should:

- Improve community engagement;
- Provide for more cohesive communities;
- Provide better local democracy; and
- Result in more effective and convenient delivery of local services.

Final recommendations should be adopted and published within 12 months of the date of publication of these terms of reference. Implementation of any agreed changes will be explained in a formal Order made thereafter. This will set out when and how any new

arrangements will come into effect, including any consequential impacts.

Who is carrying out the Review?

Torrige District Council is statutorily responsible for carrying out the Review. The conduct of the review will be overseen by the Council's Community Governance Review Working Group. Formal decisions as to the Terms of Reference for the Review and the recommendations arising from the review will be made by the Full Council.

What is the area under review?

The whole of the district of Torrige is included in the scope of the Community Governance Review. We would like to hear from local people and parish councils and other interested bodies with proposals as to where and how they believe parish arrangements should be reviewed.

What is the present structure of parishes and their electoral arrangements?

Torrige has 63 parishes, and no unparished areas. The responsibility for parish administration in the parish areas lies with 4 town councils (Bideford, Holsworthy, Northam and Torrington), 52 parish councils and 10 parish meetings.

Process

We will carry out two phases of consultation on parish arrangements. The first phase of consultation will ask for proposals on changes to existing parish arrangements. We will use the responses received to draw up draft recommendations. We will then hold a second phase of consultation on these draft recommendations, during which time we will welcome comments on the proposals. After this consultation, a final decision will be made and the Council may change its recommendation in the light of the information received.

The District Council is responsible for conducting the review. The Council (i.e. all District Councillors) will be the ultimate decision-maker. The Council's officers will carry out the administrative aspects of the review.

After taking a decision as to the extent to which it will give effect to any recommendations made in the CGR, the Council must publish its decision and the reasons for taking that decision. It must also take sufficient steps to ensure that persons that may be interested in the CGR are informed of the decision and the reasons for it. The key issue is transparency and who should be so informed will depend on the circumstances of each case. There are then statutory procedures which the Council must follow in making the consequential reorganisation order.

Official notices for the CGR, including this Terms of Reference, will be published on the Council's website at <http://www.torrige.gov.uk/CGR>.

It is intended that the final recommendations, which will include any changes to the current parish arrangements in Torrige, will be implemented in time for the May 2019 elections.

What matters will the review focus on?

The final recommendations made at the end of the Review will seek to ensure that community governance across the district:

- Reflects the identities and interests of the community in that area
- Is effective and convenient

When submitting a response to the consultation on parish arrangements, you should ensure that your proposal takes account of these two criteria.

In considering the electoral arrangements of the parishes in its area, the Council is required to consider any change in the number of distribution of electors likely to occur in the period of five years beginning with the day the review starts. In order to support those who wish to respond to the consultation, we will provide information on current parish arrangements, as well as current and projected future electorate figures for parishes. This and all other information relating to the CGR, including how to respond, will be available on the Council's website at <http://www.torridge.gov.uk/CGR>.

There is no provision in legislation that each parish councillor should represent (as near as possible) the same number of electors. However, LGBCE guidance states that it is not in the interests of effective and convenient local government to have a significant difference in levels of representation between different wards in the same parish. Additionally, any recommendations to alterations in the current community governance arrangements must adhere to the legal minimum number of parish councillors for any parish council, which is five. There is no legal maximum number of parish councillors.

Consultation

When undertaking a CGR the Council is required to consult local government electors in the areas affected by the CGR and other persons or bodies which appear to the Council to have an interest in the CGR. These will include directly affected parish, town, district and county councils, MPs, other public sector bodies and, where appropriate, local businesses and voluntary and community organisations.

The Council must take into account all representations that it receives during the Review's periods of consultation and will make all representations available for public viewing.

The Council will also publicise the review on our website, through our internal communication channels and on our social media platforms to engage with residents, community groups and other stakeholders. Relevant organisations will be consulted by letter or email. However, given the variation in the type and scale of issues under consideration, the Council proposes to consult with local government electors for the area by using two different methods of consultation, which it believes is a proportionate and equitable approach:

- (a) Where specific properties may be directly affected by a proposal to transfer them between two existing parish council areas (without creating a new parish), the Council will attempt to write to each affected household or business to seek their views;
- (b) Where a proposal relates to electoral arrangements affecting a whole parish and all of the electors in it (e.g. creation of new parishes, splitting a parish into two separate parishes, parish wards, number of councillors, etc), the Council will consult electors primarily by way of an online survey. There is, however, no requirement to use the online survey to take part, and people may respond to the Council at the addresses given below by letter, email, petition or local survey instead. Responses should be in writing; telephone responses can only be accepted in exceptional circumstances.

This and all other information relating to the CGR, including how to respond, will be available on the Council's website at <http://www.torridge.gov.uk/CGR>.

Timetable

The CGR formally begins when the terms of reference are published. A provisional timetable for the CGR is as follows (please note that these dates may be subject to slight alteration):

Action	Timetable	Outline of Action
Terms of Reference (TOR) are published	Review start date Friday 15 December	District Council publishes TOR and notifies stakeholders, clearly defining extent of CGR
Introductory stage – submissions are invited	Nine week consultation period ending Friday 16 February	District Council invites proposals from stakeholders on future arrangements under TOR
Draft proposals are prepared	To be considered at Full Council on Monday 19 March	Draft proposals to be considered by Council
Draft proposals are published	By Friday 6 April	District Council publishes Draft proposals and notifies stakeholders
Consultation	Twelve week consultation ending Friday 29 June	Consultation with stakeholders
Final Proposals are prepared	To be considered by Full Council on Monday 17 September	Results of consultation considered and Final Proposals prepared
Final Recommendations are published and decision by Council	Monday 29 October (provisional date)	The Council consider Final Recommendations and decide on the extent to which the Council will give effect to them.
Council publishes the reorganisation order	Thereafter	District Council publishes a reorganisation order and requests the Local Government Boundary Commission for England to approve any consequential changes.

How to submit your views

All correspondence and queries in relation to the CGR should be directed to:

Postal Address: Electoral Services, Riverbank House, Bideford EX39 2QG

Email : elections@torridge.gov.uk

Phone: Elections helpline 01237 428739

Date of Publication of these Terms of Reference

Friday 15 December, 2017