

EAST HERTFORDSHIRE DISTRICT COUNCIL

**COMMUNITY GOVERNANCE REVIEW OF
EASTWICK AND GILSTON PARISH COUNCIL**

TERMS OF REFERENCE

1. INTRODUCTION

- 1.1 East Hertfordshire District Council ('the Council') has resolved to undertake a Community Governance Review ('the review') of Eastwick and Gilston Parish Council.
- 1.2 The review will consider whether the number of councillors to be elected to the parish council from Gilston parish should be increased in response to growth in the number of electors in the parish, and any consequent changes to the electoral arrangements for the parishes.
- 1.3 In undertaking this review the Council has considered the Guidance on Community Governance Reviews issued in March 2010 by the Secretary of State for Communities and Local Government and 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 and associated regulations.
- 1.4 These terms of reference set out the aims of the review, the matters on which it will focus and policies that the Council considers relevant to the review. The terms of reference will be published on the Council's website and in hard copy and will be made available at the District Council offices and at other venues within the area under review.

Reasons for the review

- 1.5 The Council is undertaking the review at this time in response to a request from Eastwick and Gilston Parish Council. The Chairman of the Parish Council wrote on 15 December 2017 to the Council's Head of Legal and Democratic Services requesting a review of the parish council with a view to increasing the number of parish councillors by one, from six to seven. The request was made on the basis that the completion of the Terlings Park development has resulted in the number of dwellings in Gilston parish being more than doubled and the Parish Council believes an increase in the number of parish councillors is required to support this growth.

Community Governance Reviews

- 1.6 A Community Governance Review is a review of the whole or part of the district to consider one or more of the following:
 - Creating, merging, altering or abolishing parishes;

- The naming of parishes and the style of new parishes;
- The electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding), and/or
- Grouping parishes under a common parish council or de-grouping parishes.

The aims of the review

- 1.7 In accordance with the 2007 Act the Council will have regard to the need to secure community governance within the area under review which:-
- Is reflective of the identities and interests of the community in that area;
 - Provides for effective and convenient local government; and
 - Takes into account any other arrangements for the purposes of community representation or community engagement in the area.
- 1.8 When considering the above criteria, Government guidance states that the Council should take into account:-
- The impact of community governance arrangements on community cohesion; and
 - The size, population and boundaries of a local community or parish.

2. CONSULTATION

- 2.1 In coming to its recommendations in the review, the Council will take account of the views of local people and stakeholders. Legislation 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 by judging them against the criteria in the 2007 Act.
- 2.2 The Council wishes to promote community engagement and transparency in decision-making. In relation to the review the Council will:
- Publish these terms of reference and accept submissions by post or via e-mail or the Council's website;
 - Publicise the review by providing information to the parish council and by other printed and electronic means;
 - Consult residents, local organisations and elected representatives in the areas under review.
 - Make key documents available at the District Council offices and at other venues in the parishes affected;
 - Consider all submissions received; and
 - Publicise the outcome of the review.
- 2.3 The Council will notify Hertfordshire County Council that a review is to be undertaken; the County Council is a formal consultee of this process.

2.4 The Council will consider the matters under review on their merits and on the basis of the information and evidence provided during the course of the review.

3. THE TIMETABLE FOR THE REVIEW

3.1 Publication of these terms of reference formally begins the review, which must then be completed within twelve months.

Timetable for Community Governance Review of Eastwick and Gilston Parish Council	
Stage of process	Proposed dates
Publication of terms of reference	Tuesday 20 March 2018
Initial submissions	
Initial submissions invited/ publicity campaign	Tuesday 20 March – Friday 27 April 2018
Deadline for initial submissions	Friday 27 April 2018
Consideration of submissions/ preparation of draft recommendations	April – May 2018
Consultation on draft recommendations	
Publication of draft recommendations	May 2018
Consultation on draft recommendations/publicity campaign	May – July 2018
Deadline for consultation responses	20 July 2018
Consideration of responses/ preparation of final recommendations	July – September 2018
Decisions & implementation	
Publication of final recommendations	September 2018
Council meeting to make Reorganisation Order	Wednesday 17 October 2018
Revised electoral register published incorporating any amendments	1 December 2018
Implementation of any changes for financial/administrative purposes	1 April 2019
Parish council ordinary elections	2 May 2019

4. ISSUES FOR CONSIDERATION IN THE REVIEW

4.1 The review will consider current and projected patterns of population, development, community identity and linkages in the area under review; and whether these give rise to the need for any changes to parish electoral arrangements.

- 4.2 A plan showing the area covered by the parish council and the boundaries of Eastwick and Gilston parishes is attached at Appendix 'A' to these terms of reference.
- 4.3 In reviewing the community governance arrangements of any parish in its area, the Council is required to consider the number of local government electors in the area under review, and any change in that number or the distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts. The table below shows the current electorate of the two parishes that are grouped together to form Eastwick and Gilston Parish Council:-

Parish	Current electorate (March 2018)
Eastwick	126
Gilston	535

- 4.4 Electorate forecasts for March 2023, taking into account information on developments underway or planned based on planning permissions granted and the draft District Plan will be published to inform the consultation process during the review and provided to the parish council.
- 4.5 As part of the consultation process the Council will also make available information on the Council Tax precept (Band D equivalent) currently applicable in the parishes under review.

5. POLICIES THAT WILL GUIDE THE REVIEW

- 5.1 The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity and that electors should be able to identify clearly with the parish in which they are resident. The feeling of local community and the wishes of local inhabitants are therefore important considerations in the review.
- 5.2 The Council wishes to ensure that parishes should be viable as an administrative unit and should possess a precept that enables them effectively to promote the well-being of their residents and contribute to the provision of services in their areas.
- 5.3 In accordance with Government guidance the Council intends that any recommendations made in the review should bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.

6. ELECTORAL ARRANGEMENTS

- 6.1 Any changes to parish electoral arrangements will come into effect at the next scheduled ordinary parish elections. Parish elections will take place in East Hertfordshire in May 2019 and every four years thereafter.

The number of parish councillors

- 6.2 Legislation provides that the number of parish councillors for each parish council shall not be fewer than five. There is no maximum number. There are no statutory rules relating to the allocation of councillors although each parish grouped under a common parish council must have at least one parish councillor. Government guidance is that 'each area should be considered on its own merits, having regard to its population, geography and the pattern of communities'.
- 6.3 In addition to the electorate numbers and forecasts mentioned at paragraph 4.3 above the Council will, when considering the number of councillors to be elected for a parish, have regard to existing levels of representation in parishes across the district, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter.
- 6.4 The Council will also give consideration to the recommendations of any national body representing parish and town councils and any published research on levels of representation.

Parish warding

- 6.5 The Council may also consider whether a parish should be divided into wards for the purposes of elections to the parish council, and when doing so must take into account:-
- Whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and
 - Whether it is desirable that any area or areas of the parish should be separately represented on the council.

7. REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

- 7.1 The review will be completed when the Council agrees its final recommendations. At the conclusion of the review the Council will adopt a Reorganisation of Community Governance Order. Copies of this order, the map(s) that show the effects of the order in detail, and the document(s) which set out the reasons for the Council's decisions (including where it has decided to make no change following a review) will be deposited at the Council's offices and copies provided to the clerk of each town or parish council affected. The information will also be published on the Council's website.
- 7.2 The provisions of any order will take effect for financial and administrative purposes on 1 April following the adoption of the order. Any revised electoral arrangements for a new or existing parish council will come into effect at the next ordinary parish council elections.

8. CONSEQUENTIAL MATTERS

- 8.1 A reorganisation order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the order. In these matters, the Council will be guided by the relevant regulations issued following the 2007 Act.
- 8.2 In the event that the review results in proposals to alter the electoral arrangements for a parish whose existing electoral arrangements were put in place within the previous five years by an order made either by the Secretary of State, the Electoral Commission or the Local Government Boundary Commission for England (LGBCE), the consent of the LGBCE will be required.
- 8.3. Where changes are made to parish boundaries that result in those boundaries no longer being coterminous with district ward or county division boundaries, the Council may recommend to the LGBCE that the principal area boundaries be realigned along the revised parish boundary.

Date of publication of these terms of reference: 20 March 2018

How to contact us

Enquiries regarding the review process and/or comments on the matters set out in these terms of reference should be directed to:

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APPENDIX 'A'

The plan below shows the area covered by Eastwick and Gilston Parish Council and within this the boundaries of Eastwick and Gilston parishes.

