

Agenda



Listening Learning Leading

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Date: 16th February 2022

Website: <http://www.southoxon.gov.uk>

A MEETING OF THE **Community Governance and Electoral Issues Committee**

WILL BE HELD ON MONDAY 28 FEBRUARY 2022 AT 6.00 PM

FIRST FLOOR MEETING SPACE, 135 EASTERN AVENUE, MILTON PARK,
MILTON, ABINGDON, OXFORDSHIRE, OX14 4SB

Members of the Committee:

Lynn Lloyd (Chair)

Ken Arlett

David Bartholomew

Maggie Filipova-Rivers

Mocky Khan

David Turner

Substitutes

Anna Badcock

Pieter-Paul Barker

Sue Cooper

Stefan Gawrysiak

Lorraine Hillier

Kellie Hinton

George Levy

Axel Macdonald

Ian Snowdon

Celia Wilson

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Patrick Arran

Head of Legal and Democratic



1 Apologies for absence

To receive any apologies for absence.

2 Minutes (Pages 4 - 6)

To adopt and sign as a correct record the Community Governance and Electoral Issues Committee minutes of the meeting held on Tuesday 16th February 2021.

3 Declarations of interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

4 Urgent business and chair's announcements

To receive notification of any matters which the chair determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chair.

5 Public participation

To receive any questions or statements from members of the public that have registered to speak.

6 Community Governance Review - terms of reference (Pages 7 - 21)

To consider the report of the head of legal and democratic.

Minutes



Listening Learning Leading

OF A MEETING OF THE

Community Governance and Electoral Issues Committee

HELD AT 6.00 PM ON TUESDAY 16 FEBRUARY 2021

AS A VIRTUAL MEETING

Present

Lynn Lloyd (Chair)

David Bartholomew, Maggie Filipova-Rivers, Elizabeth Gillespie, Mocky Khan and David Turner

Officers

Susan Baker, Steven Corrigan and Margaret Reed

11 Apologies for absence

None.

12 Minutes

RESOLVED: to approve the minutes of the meeting held on 29 October 2019 as a correct record and agree that the chair signs them as such.

13 Declarations of interest

Councillor Khan declared an interest in agenda item 6 as a trustee of the King Alfred Community Centre. He stated that he would not take part in the discussion or voting on anything relating to the centre under that item.

14 Public participation

No members of the public had registered to address the committee.

15 Urgent business and chair's announcements

The chair provided general guidance on the procedure for virtual meetings and advised there were no items of urgent business.

16 Temporary changes to polling stations due to Covid 19

The committee considered the report of the head of legal and democratic on proposed changes to polling places for the May 2021 elections to provide a more Covid secure environment.

The committee was advised that officers have been working on measures to provide for safe elections in May 2021. An element of this work involved reviewing the suitability of the designated polling places, in light of the current circumstances, to establish whether venues are large and spacious enough to enable social distancing to be maintained, whether there are multiple entrances to provide for a way in and out and whether there are opportunities to maintain air flow within buildings. Paragraph 5 of the report set out proposed temporary changes to address issues identified with a number of polling places.

In response to questions, officers confirmed that officers are risk assessing all polling places and measures would be implemented to ensure that polling stations would be safe venues for voting including appropriate signage to ensure social distancing, one way routes where possible, face coverings and shields for election staff, the provision of hand sanitiser and additional pencils and additional staff to manage the flow of electors into the larger and busier polling places. Electors would, via national and local campaigns, be requested to wear face coverings when in a polling station and encouraged to bring their own writing implement.

The committee was advised that officers had identified the cricket/recreation pavilion in Clifton Hampden as a possible polling place in the event that, as set out in the report, the Village Hall is unavailable. Officers advised that those included on the NHS Shielded Patient List would be contacted about voting options for the May 2021 elections. In response to a question, officers confirmed that new additions to the list would also be contacted.

The committee agreed to make the proposed changes, to authorise the returning officer to make any later changes required to address safety concerns and to note the changes agreed under delegated powers.

RESOLVED: to

1. approve the temporary proposed changes to polling places set out in paragraph 5 of the report of the head of legal and democratic for the forthcoming elections to be held on 6 May 2021;
2. note the temporary polling place changes agreed by the returning officer under delegated powers set out in paragraphs 6 to 11 of the report for the forthcoming elections to be held on 6 May 2021;
3. authorise the returning officer, in consultation with committee members and the ward councillors, to allocate appropriate polling places where the need arises for the elections on 6 May 2021;

4. authorise the returning officer, in consultation with committee members and the ward councillors, to allocate appropriate polling places where the need arises for any other elections, by-elections, referendums and polls during 2021.

17 District wide community governance review

The committee considered and agreed a proposal, set out on the agenda, to defer the consideration of a timetable for a district wide community governance review until there is greater clarity on the government's proposals for local government reform, including unitary authorities. The committee noted that if the Devolution and Local Recovery White paper was not published in the Autumn of 2021 it would be necessary to proceed with a review to ensure any changes agreed could be implemented for the elections in May 2023.

The meeting closed at 6:45pm

Chair

Date

Community Governance and Electoral Issues Committee



Report of head of legal and democratic

Author: Steven Corrigan, Democratic Services Manager

Telephone: 07717 274704

E-mail: steven.corrigan@southandvale.gov.uk

To: Community Governance and Electoral Issues Committee

DATE: 28 February 2022

Community Governance Review – terms of reference

Recommendation

1. To agree the terms of reference for the review set out in Appendix 5 to this report
2. To authorise the Democratic Services Manager, in consultation with the Chair, to amend the terms of reference to include issues submitted for review by Didcot Town Council.

Purpose of report

1. To invite the committee to agree terms of reference for a community governance review of South Oxfordshire.

Corporate Objectives

2. Community governance reviews contribute to the council's corporate objective of openness and accountability.

Background

3. Local authorities (in the case of two-tier areas, district councils) have had powers to review parish arrangements for many years. Until 2007, any proposals for change resulting from such reviews had to go to the relevant secretary of state for approval. The Local Government and Public Involvement in Health Act 2007 (the 2007 Act) changed that and gave full powers to local authorities to implement proposals without reference to central government. The Act created the title of community governance reviews (CGR) to cover such activity.
4. There is no duty on the council to carry out a CGR unless it is petitioned to do so. Rather, it is a permissive power. The guidance offers the following pieces of advice on what might trigger a CGR:

it can be helpful to undertake community governance reviews in circumstances such as where there have been changes in population, or in reaction to specific or local new issues

over time communities may expand with new housing developments. This can often lead to existing parish boundaries becoming anomalous as new houses are built across the boundaries resulting in people being in different parishes from their neighbours. In such circumstances, the council should consider undertaking a community governance review

councils should exercise their discretion, but it would be good practice to consider conducting a review every 10-15 years

5. A community governance review is a legal process whereby the council will consider and undertake consultation on matters identified for review and agree any changes. A review can consider:
 - Altering the existing boundary of a parish.
 - Creating, merging or abolishing parishes.
 - Changing the name of existing parishes.
 - The electoral arrangements for parishes (e.g. how many parish councillors are required and parish warding).
 - Grouping parishes under a common parish council, or de-grouping parishes.
 - The “style” of a parish (enabling an area to be known as a town, community, neighbourhood or village rather than a parish).
6. In the conduct of a review, the council has to be mindful of Part 4 of the Local Government and Public Involvement in Health Act 2007 and Guidance on Community Governance Reviews that has been issued by the Department for Communities and Local Government and The Local Government Boundary Commission for England (LGBCE). The council has a duty to ensure that community governance within the area under review meets the ‘Community of Identity’ test. Community governance should:
 - reflect the identities and interests of the community in that area;
 - be effective and convenient, and
 - take into account any other, non-parish, arrangements for the purposes of community representation or community engagement in the area.
7. South Oxfordshire District Council undertook a comprehensive review of the whole district in 2013/14 with final decisions agreed at the Council meeting in July 2014.
8. At its meeting on 30 October 2017, this committee agreed to undertake a community governance review every 4 years, after the scheduled parish council elections, with any agreed changes implemented for the next scheduled elections, for this review May 2023, to ensure community governance arrangements within the district are reflective of the identities and interests of the community in that area. Changes agreed as part of the previous review were implemented at the 2019 elections together with consequential changes agreed by the Local Government Boundary Commission for England to district ward boundaries with consequential changes to County Division boundaries implemented for the county council elections in May 2021.
9. Following the elections in May 2019 this committee agreed to defer the commencement of any further review whilst awaiting clarity on any local

government reforms including the possibility of unitary authority proposals. The Covid pandemic also impacted progress.

10. Officers wrote to all parish/town councils and parish meetings in November 2021 inviting them to submit any requests for matters to be considered for review. Details of the requests received are set out in the attached appendices.

Issues for review

11. Four parish councils submitted issues for review. In addition, officers propose one item for review in respect of the parish boundary dividing residents at Swiss Farm Park Homes brought to their attention at a previous election. Details of the proposed items for review are set out below and in the appendices as indicated.

- Cuddesdon & Denton Parish Council – request to deward the parish council see appendix 1
- Henley-on-Thames/Bix – proposal to review the parish boundary at Swiss Farm Park Homes currently located in both parishes
- Sonning Common Parish Council – request to increase the size of the parish council from 12 to 15 councillors – see appendix 2.
- Thame – request to review the town council ward boundaries and the parish boundary - see appendix 3
- Wallingford – request to review the parish boundary see appendix 4

12. Didcot Town Council are due to meet on 7 March 2022 to agree its submission of any issues for review. The committee is requested to authorise the democratic services manager, in consultation with the Chair, to amend the terms of reference to include matters submitted for review by the town council. The committee will be informed of any submission via a virtual meeting.

Terms of reference

13. The 2007 Act requires the council to publish terms of reference for the review, which must specify the issues under review. The committee is invited to agree the scope of the review and also a timetable for carrying out the review including dates for consultation. The review must be completed within 12 months of the publication of the terms of reference.

Financial Implications

14. Under the Local Government and Public Involvement in Health Act 2007, local authorities have responsibility for undertaking community governance reviews. The process is prescribed and involves officer time and other associated costs, such as postage and printing. These costs will be met from within existing budgets.

Legal Implications

15. The Community Governance and Electoral Issues Committee has delegated authority to deal with all matters relating to parish community governance reviews.
16. In carrying out a community governance review the council must follow the requirements laid down in the Local Government and Public Involvement in Health Act 2007. It must also pay heed to the joint guidance on community governance reviews published by the Communities and Local Government Department and LGBC.
17. The council will implement any changes by making a reorganisation of community governance order.

Climate and Ecological Emergencies Implications

18. There are no implications arising from this report.

Risks and Options

19. There is no statutory requirement to undertake a CGR so council has the option at any time to cease the review.
20. There is a risk that someone could challenge the outcome of a particular review item through judicial review. Council officers will mitigate against this by ensuring that at all times the council follows the requirements laid down in the 2007 Act and guidance.
21. The main risk is that the council fails to meet the statutory requirement to complete the review within 12 months. The terms of reference for the review set out the timetable for the review – well within 12 months.

Conclusion

22. The committee has previously agreed to undertake a community governance review every four years. Officers have invited parish/town councils and parish meetings to submit items for review. The committee is invited to agree the terms of reference which will formally commence the review.

Background papers

None

CUDDESDON AND DENTON PARISH COUNCIL

COMMUNITY GOVERNANCE REVIEW

**APPLICATION FOR THE AMALGAMATION OF THE WARDS OF
CUDDESDON AND DENTON INTO A SINGLE WARD**

18th January 2021

- 1 This document is an application by Cuddesdon and Denton Parish Council for the two wards of Cuddesdon and Denton to be combined into a single ward, which will have the boundaries of the present parish.
- 2 The Parish of Cuddesdon and Denton consists of the two adjacent settlements of Cuddesdon and Denton. The two settlements abut one another and form a single integrated community.
- 3 The Parish was formed in 1962 by the joining of the two parishes of Cuddesdon and Denton. Previously Cuddesdon had its own parish council and Denton had a parish meeting.
- 4 When the Parish of Cuddesdon and Denton was formed, there were two wards, with Cuddesdon represented by five parish councillors and Denton represented by two. That situation has continued to the present day.
- 5 It is a historical anomaly that there are two wards, which only arose because of the way the Parish was formed.
- 6 As it stands, councillors theoretically only represent the electors from their ward. If the wards were combined then all the councillors would represent all the parishioners.
- 7 Combining the wards will simplify the election process for SODC and halve the expenses for the Parish Council, whether there is an election or not.
- 8 Electors will be able to vote for their preferred candidates from the whole community rather than just those from their local ward.
- 9 Candidates will no longer have to decide which ward they should stand in, in order to optimise their chances of becoming a councillor. On occasions in the past, candidates have stood in the ward in which they do not live if they have considered that insufficient candidates are likely to stand in that ward to make an election necessary.
- 10 With the present arrangement there is the possibility that three candidates could stand in Denton, requiring an election. At the same time there might be fewer than five candidates in Cuddesdon meaning that an election is needlessly held.
- 11 There are no other parishes in Oxfordshire of comparable size to Cuddesdon and Denton with more than one ward.
- 12 The Parish Council considers it important that there continue to be a total of seven councillors, so the parishioners are properly represented.

- 13 The Parish Council would like to reserve the right to withdraw this request, depending on SODC's proposal for the amalgamation, particularly with regard to the total number of councillors for the new ward. Withdrawal of the request will also depend on views expressed by parishioners concerning the change.

M J MOUNT
Parish Clerk

Extract from Sonning Common Parish Council email request.

I believe that you are the correct person to approach on this matter.

Some years ago this council had 15 members. It then went into a period of stasis wanting to be as inactive as possible and as a result proposed that it be reduced to 12 members which was enacted. A measure of that state was that the whole parish office administration was carried out by one very part-time Clerk.

We now have the polar opposite situation wherein we have a highly active council with four very busy committees and an office that fully employs four busy staff. We are facing ever more local initiatives and can see that members who, unlike yours, receive no remuneration for their time, are wilting under their workloads.

With the agreement of the full council under the leadership of Michael Cann, copied, we wish to obtain approval for an increase in number of members before the next election. Ideally, we would like to revert to 15.



MS/LF/GM

Legal and Democratic
South Oxfordshire District Council
135 Eastern Avenue
Milton Park
Milton
OX14 4SB

16 February 2022

Community Governance Review

Dear Sir/Madam,

Thame Town Council has considered the Community Governance Review and would like to request two changes:

1. Electoral Arrangements for Parishes

The North / South ward electoral ward boundary be repositioned so that the boundary line runs along Oxford Road. Properties north of Oxford Road (including Thame Meadows estate) would be included in the North Ward. (See Appendix A for a map showing the proposed boundary)

Justification for this change:

- Over recent years, Thame has experienced high levels of residential development in its South Ward compared to the North Ward. This is creating an imbalance in the two wards.
- The Town Council felt that including the Oxford Road 'Thame Meadows' development in the North Ward would help to balance out the numbers and provide greater representation.
- Repositioning the ward boundary line as proposed would also visually give the town a clearer North / South split.

2. Altering the Existing Boundary of a Parish

The Thame Parish boundary be extended westwards up to North Weston (with a suggested boundary extending west along Rycote Lane, heading north along the watercourse and Weston Lane / Track and east from the junction of the A418). (See Appendix B for a map showing the proposed boundary)

Justification for this change:

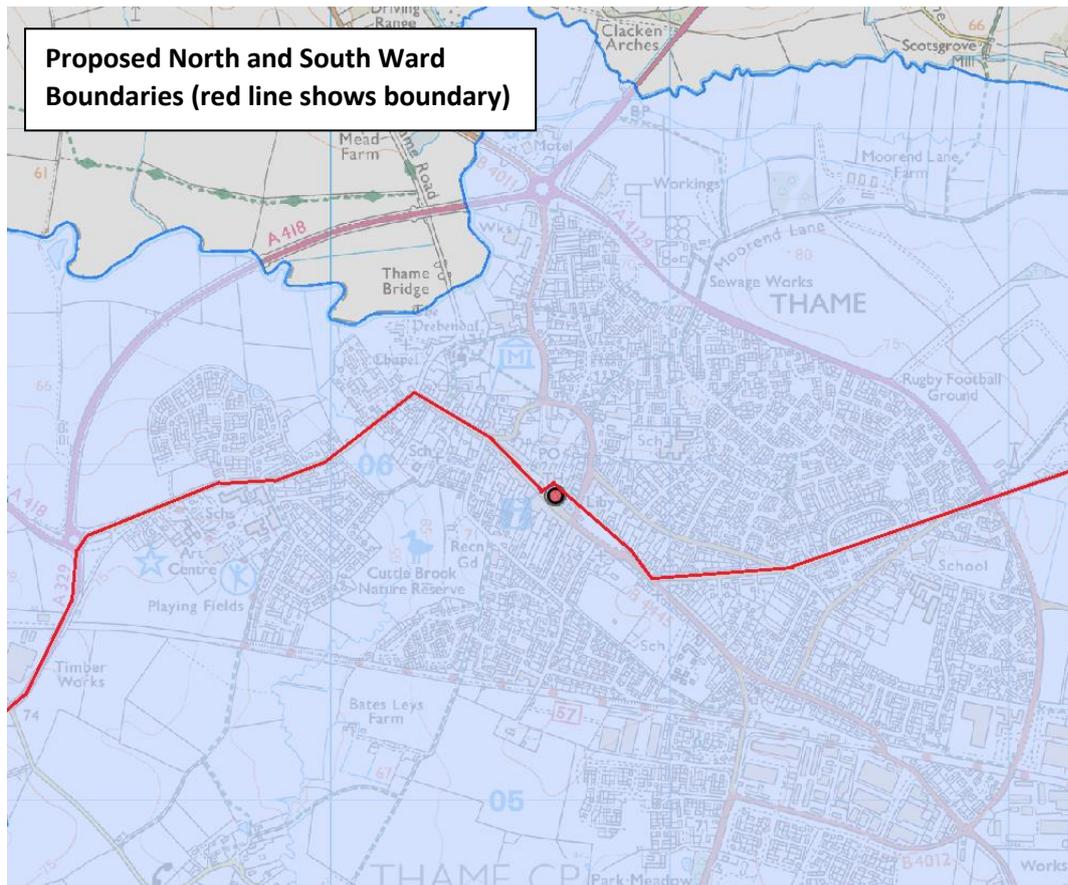
- Thame's Cattle Market, once relocated, would be within the Thame parish, rather than Great Haseley which would be the case with the current parish boundary.
- Potential for Thame to have more influence over future development in this area if its Neighbourhood Plan area was also extended to include it.
- Within the proposed new parish boundary is a live Reserved Matters planning application for employment land that currently falls under the parish of Great Haseley. This would be dependent on / serve predominantly Thame's facilities and people but Thame currently would not receive any support to manage the impact on its infrastructure. By moving the parish boundary, Thame would be eligible to receive developer contributions to offset the impact of the development on Thame's infrastructure.

Thank you for considering the Town Council's recommendations as part of the Community Governance Review. We look forward to hearing the outcome of the review.

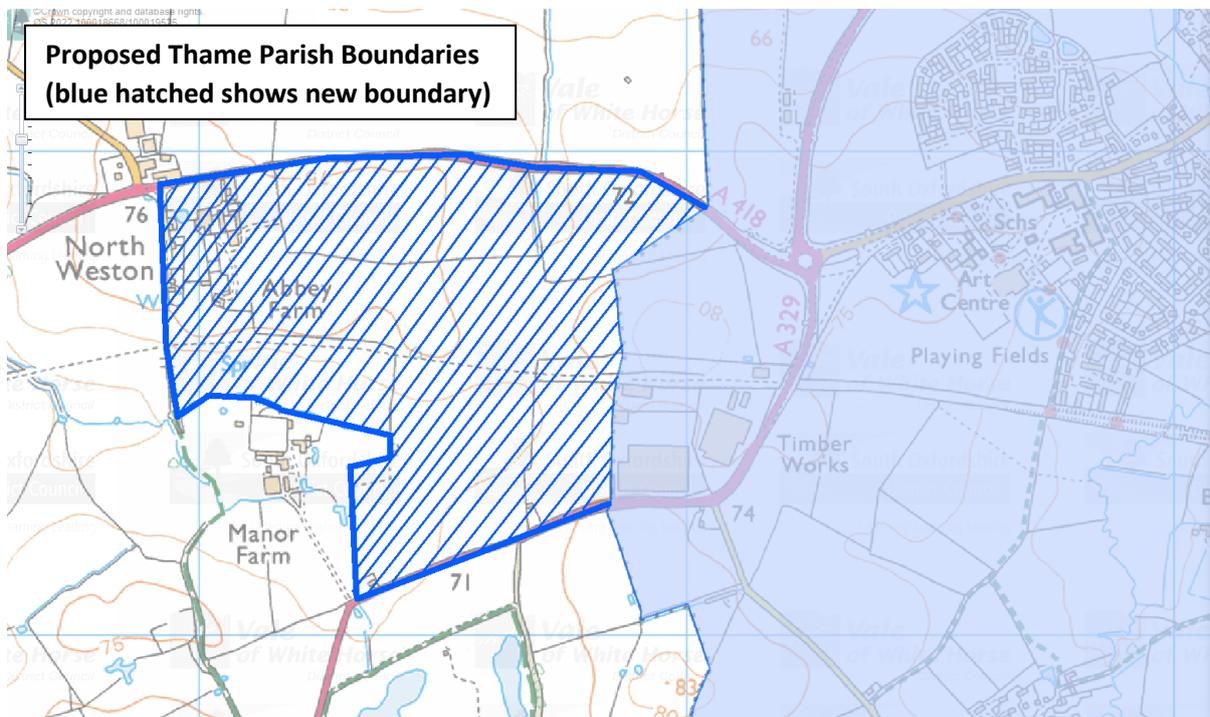
Yours faithfully

Mandy Sturdy
Town Clerk to Thame Town Council

APPENDIX A



APPENDIX B





Wallingford Town Council

8A Castle Street
Agenda Item 6

Wallingford
Oxfordshire
OX10 8DL

Tel: 01491 835373

Email: admin@wallingfordtowncouncil.gov.uk

Web: www.wallingford.co.uk

Democratic Services: C/O Mr Steven Corrigan
South and Vale District Council
135 Eastern Avenue, Milton Park
Didcot, Oxfordshire
OX14 4SB

17th January 2022

Dear Mr. Corrigan,

Re: Community Governance Review, South Oxfordshire District Council

I trust my letter will find you well. Further to your email regarding the above, Wallingford Town Council has considered governance issues as they affect the town. The only issue raised by Members of the Council was that of Site A being moved within the Wallingford Parish boundary. The Planning Committee's recommendation and Full Council's resolution on this matter are attached herewith for your consideration; should you require any further information please do not hesitate to contact me.

Yours sincerely,

Miss Michelle Taylor
Town Clerk/RFO, Wallingford Town Council

South Oxfordshire District Council

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

COMMUNITY GOVERNANCE REVIEW

TERMS OF REFERENCE

Introduction

The council’s Community Governance and Electoral Issues Committee (“the committee”) has agreed to undertake a community governance review (CGR) pursuant to Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007 of part of the district of South Oxfordshire. The 2007 Act vested powers in the council to undertake such a review and the council has delegated those powers to the committee.

The committee will undertake the review in accordance with the guidance on community governance reviews issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England (LGBCE) in March 2010 (“the guidance”).

Proposal for consideration

The committee proposes to consider the following parish matters:

CGR reference	Parish/Area	Matters to be considered
CGR_A	Cuddesdon & Denton	Removal of current warding arrangements.
CGR_B	Henley-on-Thames/Bix	Review of parish boundary at Swiss Farm Park Homes currently split between Henley parish and Bix parish
CGR_C	Sonning Common	Increase in the number of parish councillors from 12 to 15
CGR_D	Thame (Great Haseley)	Amending the boundary of the parish to include land up to North Weston, currently in Great Haseley, within Thame parish.
CGR_E_	Thame	A review of the warding arrangements to provide electoral representational balance between the North and South wards.
CGR_F	Wallingford (Brightwell-cum-Sotwell)	Amending the boundary of the parish to include land at Site A, currently in Brightwell-cum-Sotwell, within Wallingford parish.

Assessment criteria

The factors that the council will take into account in making decisions are as follows:

- natural or man-made boundaries that help to define clearly one community from another
- effective and convenient representation of local residents at parish level

- views expressed in relation to any changes, particularly from those people directly affected
- the extent to which proposals reflect the identities and interests of the affected community
- the size and population of the local community

Why is the Council undertaking the review?

The guidance states that it is good practice for principal councils (in this context that means this council) to undertake CGRs every 10-15 years. The council completed a review of the whole district in 2014 and agreed to undertake a further review every four years with any changes to be implemented for the next scheduled elections. Changes were implemented at the scheduled elections in May 2015 and May 2019. Any changes agreed as part of this review will be implemented for the elections in May 2023. The council invited parish councils to submit matters for review and these issues are set out under proposals for consideration. The committee has agreed to carry out this review.

Consultation

The committee will consult formally on the review.

Timetable

The 2007 Act requires the council to complete a CGR within 12 months of the date of publication of terms of reference. The proposed timetable complies with the legal requirement.

Action	Completion Date
Publication of terms of reference	March 2022
Consultation commences	March 2022
Consultation closes	29 April 2022
Committee agrees draft proposals for consultation	May 2022
Further consultation commences	May 2022
Further consultation closes	8 July 2022
Committee agrees whether to make changes	July 2022
Community Governance Order completed and consequential matters in place for implementation at the district and parish council elections in May 2023	Autumn 2022

How to make comments

Please submit any comments via email to cgr@southandvale.gov.uk

The council does not require a hard copy of any submission. For those without access to email please send any submission to:

CGR
South Oxfordshire District Council
Legal and Democratic
135 Eastern Avenue
Milton Park
Milton
OX14 4SB

Should you require any further information or need clarification on the review process, please contact:

Steven Corrigan
Democratic Services Manager
Telephone: 07717 274704
Email: steven.corrigan@southandvale.gov.uk