Agenda Item No:	14	Fenland
Committee:	Council	
Date:	17 May 2018	CAMBRIDGESHIRE
Report Title:	Community Governance Review - Final Recommendations	

Cover sheet:

1 Purpose / Summary

For Council to approve the final recommendations in relation to the Community Governance review for the future parish warding arrangements of Whittlesey

2 Key issues

- Fenland District Council (FDC) was subject to an electoral review of District ward boundaries conducted by the Local Government Boundary Commission for England (LGBCE) in 2013. The review resulted in the creation of a number of new parish wards predominantly in Whittlesey.
- A subsequent Community Governance Review (CGR) was undertaken to address some of the additional parish warding anomalies. The recommendations from the CGR were not endorsed by the LGBCE, as they concluded that the parish warding arrangements could help to inform the County Electoral division review of Cambridgeshire. The review concluded in December 2016 however in contrast to the original thoughts of the LGBCE, the existing parish warding arrangements in Whittlesey did not help to inform the revised electoral divisional boundaries in the area.
- As a result a further CGR was initiated. The CGR Terms of Reference were published on 11 December 2017, which initiated the first phase of public consultation, which ended on 26 January 2018. The terms of reference confirmed the focus of the review as being restricted to the internal parish warding arrangements within Whittlesey, the names of the parish wards within the town to ensure they are reflective of the communities they serve and finally to consider the number of town councillors required to serve Whittlesey to ensure they reflect the current and forecast electorate in the area.
- FDC consulted extensively with Whittlesey Town Council in addition to publicising the CGR to residents in the area through public notices, press releases and community groups.
- The draft proposals report was informed by consultation submissions in response to publication of the terms of reference
- The draft proposals were agreed by Council in February 2018 which launched the second phase of public consultation on 26 February 2018 to 06 April 2018. The Council has been mindful of the consultation comments in formulating the final recommendations.
- The key recommendations are:

- Amalgamate the parish wards of Bassenhally, Elm and Delph into one parish ward. This will result in the parish ward boundaries being re-aligned to reflect the district ward boundaries in the area therefore successfully achieving co-terminosity. The resulting new parish ward is to be called Bassenhally represented by 4 Town Councillors.
- St Andrews parish ward is amalgamated with St Mary's North parish ward.
 The resulting revised parish ward is renamed St Andrews and St Marys
 North parish ward. It is recommended the new parish ward be represented by two parish Councillors.
- The parish ward boundaries of Stonald parish ward remain unchanged however in order to facilitate electoral equality across the wider area it is recommended that Stonald parish ward is represented by two parish Councillors rather than the current one elected representative.
- It is important to note that whilst Fenland District Council will be the principal authority responsible for undertaking the CGR on this occasion, we will be required to seek the agreement and consent of the LGBCE before implementing any changes resulting from the review. The reason consent is required is because of the timeframe in which the previous District warding and Electoral Division Reviews were undertaken, as a CGR cannot be utilised as a mechanism for undermining the outcomes of either of those processes.

3 Recommendations

For Council to approve the final CGR recommendations

- Amalgamate the parish wards of Bassenhally, Elm and Delph into one parish ward entitled Bassenhally parish ward represented by 4 Town Councillors.
- Amalgamate St Andrews parish ward with St Mary's North parish ward and rename the resulting parish ward St Andrews and St Marys North parish ward represented by 2 Town Councillors.
- Change the level of local representation in Stonald parish ward to 2 Town Councillors to facilitate greater levels of electoral equality across the wider area.

Wards Affected	Whittlesey parish wards	
Forward Plan Reference		
Portfolio Holder(s)	Member Working Group: Cllr Will Sutton Cllr Sam Hoy Cllr Gavin Booth Cllr Virginia Bucknor Cllr Chris Boden Cllr Kay Mayor Cllr Fred Yeulett	

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Background Paper(s)	CGR Terms of Reference CGR Draft proposals Report

Report: Community Governance Review Final Recommendations

1 Background / introduction

- 1.1 In 2012/13 Fenland District Council was subject to an Electoral Review which was conducted by the Local Government Boundary Commission for England (LGBCE). The primary objective of the review was to achieve electoral equality across all of the district wards ensuring every electors vote carried equal weight. The review also sought to maintain communities of interest; whilst also enabling effective and convenient local government.
- 1.2 The final electoral review recommendation report, published by the LGBCE in March 2013, resulted in the creation of several new parish wards, which reflected the new district ward boundaries and existing county division boundaries. The creation of additional parish wards was particularly prevalent in Chatteris and Whittlesey.
- 1.3 A Community Governance Review was undertaken in 2014 in relation to Chatteris, Manea and Whittlesey in an effort to address some of the additional parish warding anomalies resulting from the LGBCE electoral review.
- 1.4 Whilst Fenland District Council was the principal Council responsible for undertaking the Community Governance Review in 2014 we were required to seek permission from the LGBCE to agree and sanction any proposed changes prior to their implementation. We were required to seek consent as the LGBCE had undertaken an electoral review within the past five years and as such a Community Governance Review could not be utilised as a vehicle to undermine the changes resulting from the Electoral Review.
- 1.5 The LGBCE agreed to two of the three recommendations arising from the previous Community Governance Review and therefore we were successfully able to make changes to parish wards in Chatteris and Manea. The LGBCE refused to accept the recommended changes in respect of Whittlesey. The rationale for refusal was that they were scheduled to undertake an electoral division review of the whole of Cambridgeshire in 2014 and therefore they were of the opinion that they would utilise the existing parish warding arrangements in the area to help inform the electoral division review.
- 1.6 The LGBCE published their final recommendations in respect of the Cambridgeshire County Council review in December 2016 and in contrast to their original thoughts, the existing parish warding arrangements in Whittlesey did not help to inform the revised electoral divisional boundaries in the area.
- 1.7 As a result Whittlesey has a number of parish wards which do not appear to achieve electoral equality nor do they reflect the identity of the local community they serve and finally they appear not to achieve effective or convenient local government, which is why the District Council has embarked on a further Community Governance Review of the area in order to address these issues.
- 1.8 Whilst Fenland District Council will be the principal authority responsible for undertaking the Community Governance Review on this occasion, we will be required to seek the agreement and consent of the LGBCE before implementing any changes resulting from the review. The reason consent is required is because of the timeframe in which the previous District warding and Electoral Division Reviews were undertaken, as a Community Governance Review cannot be utilised as a mechanism for undermining the outcomes of either of those processes.

2 The Community Governance Review

2.1 FDC received a letter from Whittlesey Town Council requesting that a Community Governance Review (CGR) be under taken, under the Local Government and Public Involvement in Health Act 2007, in order to address some of the boundary anomalies

which had resulted from the LGBCE electoral review. Whilst the letter did not constitute a Community Governance Petition the requests for a Community Governance Review were endorsed by the Member Working Group, tasked with leading the electoral review project. The review scope focussed specifically on the following:

- The internal parish warding arrangements in Whittlesey parish
- The number of parish councillors to represent Whittlesey parish in the future.
- 2.2 The CGR commenced on 11 December 2017, when FDC published a Terms of Reference document and invited initial submissions from individuals and/ or organisations who had an interest in the review. Widespread communication took place in the relation to the review in order to engage local residents. In addition the Council published a timetable for the review in order to further maximise transparency and local engagement.
- 2.3 The period for initial submissions closed on 26 January 2018. The Council published its draft proposals in response to the consultation comments received following publication of the terms of reference. A second period of consultation commenced on 26 February 2018 following publication of the draft proposals report, the closing date for submissions in relation to the second round of consultation was 06 April 2018.
- 2.4 In preparing its draft proposals the Council was mindful of the letter received from Whittlesey Town Council in addition to the initial submissions received. The Council had the role of balancing the submissions against the wider requirements and duties which are placed upon it by the 2007 Act. In particular the Council has a duty to ensure that community governance within its area:
 - Reflects the identities and interests of the community in that area;
 - Is effective and convenient and
 - takes into account any other, non-parish, arrangements for the purposes of community representation or community engagement in the area.

A timetable for the review was established which allowed for appropriate consultation periods. The draft proposals document was circulated to local community groups, statutory consultees and was available to the general public on the Fenland District Council (FDC) website and in the District Council One Stop Shops and Community Hub. During the consultation period two press releases were issued to advertise the publication of the draft proposals and the closing date for submissions.

- 2.5 The District Council's draft proposals made three recommendations in relation to Community Governance arrangements in Whittlesey, those recommendations were as follows:
 - Amalgamate the parish wards of Bassenhally, Elm and Delph into one parish ward represented by 4 Town Councillors as opposed to the current 5 Town Councillors representing the area. This proposal will result in the parish ward boundaries being re-aligned to reflect the district ward boundaries in the area therefore successfully achieving co-terminosity.
 - Amalgamate the current St Andrews parish ward with St Mary's North parish ward and rename the resulting parish ward St Andrews and St Marys North parish ward. It is recommended the new parish ward be represented by two parish Councillors. The rationale for the reduction in local representation is to facilitate greater electoral equality across the wider area.

 The parish ward boundaries of Stonald parish ward we are also proposing to remain unchanged however in order to facilitate electoral equality across the wider area we are proposing that Stonald parish ward is represented by two parish Councillors rather than the current one elected representative.

These proposals will result in the following parish wards within Whittlesey Town Council and their associated levels of representation remaining unchanged, namely St Mary's South, Lattersey in addition to Coates and Eastrea.

- 2.6 Reasons were given to support the draft proposals, in summary these reasons were as follows; parish wards should reflect distinctive and recognisable communities of interest with their own sense of identity. Furthermore, consideration must be given to the relationship between the parish ward boundaries and the boundaries of the district wards. The parish wards have been used as the building blocks for the district wards across much of the district, and the district wards therefore share the same boundaries with the parish wards. The maintenance and where possible the re-establishment of this coterminosity is in the best interests of effective and convenient local government for the residents in Whittlesey.
- 2.7 Further support was provided in relation to the draft proposals as they would result in greater levels of electoral equality across the whole parish and whilst ideal levels of electoral equality cannot be achieved due to the constraints associated with the district and county electoral division boundaries, the level of electoral equality achieved is far greater than the current parish warding arrangements allow.
- 2.8 In drawing up these final proposals, the council has been primarily concerned to identify any submissions which significantly alter and influence the reasoning behind the draft proposals
- 2.9 In this review the Council has been required to balance the greater good for all residents in Whittlesey particularly as the area has already been the subject of a district and county electoral review in addition to a previous CGR in 2014. The resulting changes must therefore represent change for the good whilst also meeting the communities of interest and effective and convenient local government tests, those tests have been at the heart of this review, the balance between successfully achieving both.

3 Consultation Submissions

- 3.1 Publication of the Terms of Reference in relation to the CGR was intended to inform and open the local debate by providing information on the parish governance in the areas concerned, the legislative framework for a review and the other issues the Council felt were of importance. Further more publication of the draft proposals on 26 February 2018 and the opening of a further period of consultation permitted local residents and other interested stakeholders to submit comments in relation to the proposals both in support and against whilst also providing the opportunity to propose alternative governance arrangements.
- 3.2 Four consultation submissions were received as a part of the initial period of consultation following publication of the terms of reference which have indicated that there are strongly held views from interested parties both in favour of the re-alignment of parish and District ward boundaries where possible and a counter submission that residents in Peterborough Road Kings Dyke and Kings Delph be incorporated into Stonald or St Marys parish ward rather than the parish ward of Coates and Eastrea. The rationale for this proposal is because local residents have a greater affinity with the town rather than the surrounding local villages.
- 3.3 When considering this counter proposal we are constrained by the LGBCE guidance outlined in paragraph 4.7 which states clearly that a principal council undertaking a CGR

should be mindful of the provisions of schedule 2 (Electoral change in England: considerations on review) to the Local Democracy, Economic Development and Construction Act 2009 in relation to reviews of district council electoral arrangements. These provide that when the LGBCE is making changes to principal council electoral arrangements, no warded parish should be split by a district or county division boundary. While these provisions do not apply to reviews of parish electoral arrangements, the LGBCE believe that in the interests of effective and convenient local government they are relevant considerations for principal councils to take into account when undertaking community governance reviews. The consultation proposal would result in the St Marys North and St Andrews parish ward straddling the Whittlesey North and Whittlesey South electoral division boundary. The electoral division boundary is provided in part by the railway line in this area which is a clear geographical representation of the boundary and it is highly unlikely that the LGBCE would respond favourably to this request. It is also important to note that this review is to consider parish ward boundaries we are unable to utilise the CGR as a vehicle to impact district warding arrangements as that is the sole jurisdiction of the LGBCE.

- 3.4 Following publication of the draft proposals report a further 6 consultation submissions have been received, Appendix 1 contains the details of the consultation submissions received to date since the publication of the Terms of Reference and publication of the draft proposals. In summary submissions have been received from Whittlesey Town Council, March, Chatteris & Whittlesey branch of NE Cambs Labour Party, Individual Whittlesey Town Councillors and a local resident.
- 3.5 Whittlesey Town Council wrote to request a Community Governance Review be initiated to address the electoral inequalities within the parish wards across the town which resulted from the Boundary Review undertaken by the LGBCE. The main emphasis of the original request was to 'redress the gross under representation of Stonald parish ward and bring Whittlesey Town Council as nearly as is legally possible back to the position it used to enjoy where Town and District Council wards were coterminous' as it is this approach which supports convenient local government.
- 2.6 Chatteris & Whittlesey branch of NE Cambs Labour Party suggested that Bassenhally parish ward remains unchanged geographically however they have suggested that Elm and Delph parish wards are combined, which would result in two parish wards being contained within the wider district ward. It was also suggested to amalgamate the current St Andrews, St Marys North and St Marys South parish wards as whilst we agree in principle this appears to be far more representative of the established community in this area we are bound by the constraints of the Guidance on Community Governance Reviews published by the LGBCE. This consultation suggestion would result in the amalgamated ward straddling the Whittlesey North and Whittlesey South electoral division boundary. This would result in approximately 25% of the electorate voting for a different County Councillor, which would appear to contradict the objective of parish wards reflecting recognised communities of interest with their own sense of identity. It is also highly unlikely that the LGBCE would agree to this change particularly in light of their published guidance.

The responses from the other individuals include Whittlesey Town Councillors Mrs Julie Windle, Mrs Kay Mayor, David Mason, Mrs Dee Laws, Chris Boden and Ray Whitwell, all of whom were supportive of the CGR and endorsed the changes proposed by Whittlesey Town Council. Their comments included the following 'I am fully supportive of the decision of Fenland District Council to undertake a Community Governance Review of Whittlesey. I support the changes proposed by Whittlesey Town Council which should produce warding arrangements that will provide more effective and convenient local governance and which will better reflect the identities and interests of the community. Without making this change, Whittlesey Town Council would experience significant future electoral disparities between its wards. Under the arrangements currently put in place by the LGBCE, most of the Town Councillors will represent wards which have a variance greater than 14%. without change, there will be three wards with a variance

from quota greater than 26%: St Marys South (-53%); St Marys North (-66%) and Stonald (+143%). If Fenland's draft proposals are approved there will be only one ward with a variance from quota greater than 26%: St Marys South (-53%), and that variance is unavoidable because of the local lack of coterminosity between District Council and County Council boundaries. It is unreasonable to expect no electoral variance between wards. But it is also unreasonable to accept variances which are so significant that they threaten the democratic legitimacy of the entire electoral process.

4 Summary of Final Proposals

- 4.1 This review began with the receipt of a letter from Whittlesey Town Council requesting that a Community Governance Review be facilitated by the District Council in order to resolve some of the boundary anomalies resulting from the electoral review conducted by the LGBCE. In particular the Town Council was concerned about the number of parish wards within the towns which they felt were neither reflective of local communities, effective or convenient nor did they achieve electoral equality in terms of town council representation.
- 4.2 The District Council in its terms of reference and latterly in the draft proposals expressed its view that the resulting changes must be reflective of communities of interest whilst also providing benefits in terms of effective and convenient local government for the electors in the Whittlesey.
- 4.3 The Council has consulted widely in relation to the proposed changes and whilst we have been minded to identify any submissions which significantly alter and influence the reasoning behind the draft proposals, it is our view that the submissions received are largely supportive with two exceptions, both of which were in relation to proposed changes which would result in parish wards straddling County electoral division boundaries. These proposals contradict the LGBCE guidance and are therefore highly unlikely to be granted by the LGBCE. All the other consultation comments were in favour of the proposed changes affecting the parish wards of Whittlesey and also in relation to the number of parish/ town councillors to represent the afore mentioned areas. In reaching conclusions on the boundaries between parish wards the principal council should take account of community identity and interests in the area, and consider whether any particular ties or linkages might be broken by the drawing of particular ward boundaries.
- 4.4 It is for these reasons that the Council considers the final proposals in this review should be as follows
- 4.5 Amalgamate the parish wards of Bassenhally, Elm and Delph into one parish ward and rename the resulting parish ward Bassenhally. The new parish ward is to be represented by 4 Town Councillors as opposed to the current 5 Town Councillors representing the area. This proposal will result in the parish ward boundaries being re-aligned to reflect the district ward boundaries in the area therefore successfully achieving co-terminosity
- 4.6 Amalgamate the current St Andrews parish ward with St Mary's North parish ward and rename the resulting parish ward St Andrews and St Marys North parish ward. The new parish ward is represented by two parish Councillors.
- 4.7 This would result in St Mary's South parish ward boundaries remaining unchanged geographically reflecting the existing parish warding arrangement, represented by one elected representative. This will ensure that none of the newly proposed parish wards will cross the newly implemented County Council electoral division boundaries.
- 4.8 The parish ward boundaries of Lattersey remain unchanged with the parish continuing to be represented by two elected parish Councillors
- 4.9 The parish ward boundaries of Stonald parish ward remain unchanged however in order to facilitate electoral equality across the wider area we are proposing that Stonald parish

ward is represented by two parish Councillors rather than the current one elected representative.

4.10 Finally Coates and Eastrea parish ward boundaries will remain unchanged as will the number of elected representatives

Whilst Fenland District Council will be the principal authority responsible for undertaking the Community Governance Review on this occasion, we will be required to seek the agreement and consent of the LGBCE before implementing any changes resulting from the review. The reason consent is required is because of the timeframe in which the previous District warding and Electoral Division Reviews were undertaken, as a Community Governance Review cannot be utilised as a mechanism for undermining the outcomes of either of those processes. Assuming the LGBCE are agreeable we will then publish a reorganisation Order and this will take affect from the 2019 all out local elections.

5 Next Steps

Action	Timetable	Outline of action
Final Proposals are adopted by Council	17 May 2018	District Council considers Final Proposals and decide on the extent to which the Council will give effect to them
Final Proposals are submitted to the LGBCE for consideration	June 2018	As the District Council has been subject to an electoral review conducted by the LGBCE in the past 5 years we are required to gain consent from the LGBCE to make any changes to parish warding arrangements
Council publishes the reorganisation order * subject to LGBCE approval	thereafter	District Council publishes a reorganisation order and requests the Electoral Commission to approve any consequential changes.

Appendix 1: Consultation Submissions

- 1.1 Whittlesey Town Council is supportive of the decision of Fenland District Council to undertake a Community Governance Review of Whittlesey so as to produce warding arrangements which provide more effective and convenient local governance and which better reflect the identities and interests of the community.
- 1.2 Ideally the Town Council would recommend that warding arrangements for the Town Council should be the same as the warding arrangements for the District Council as this approach provides greater certainty for the local electorate. The Town council recognises however that the outcome from the LGBCE review of the County Council prevents coterminosity of all boundaries as parish wards cannot cross electoral division boundaries. The Town Council; have endorsed Lattersey, Bassenhally and Stonald District Council wards being co-terminous with the parish Council wards in these areas. That Coates and Eastrea district and parish Council wards boundaries should be aligned. That St Andrews District Council ward should be split into two parish Council wards where the boundary for the Whittlesey North and Whittlesey South electoral division boundary falls.
- 1.3 Whittlesey Town Council endorses the following levels of local representation across the town Bassenhally 4 Town Councillors, Lattersey 2 Town Councillors, St Andrews and St Marys North 2 Town Councillors, St Marys South 1 Town Councillor, Stonald 2 Town Councillors, Coates and Eastrea 3 Town Councillors.
- 1.4 Mr Stevens a Whittlesey resident hoped that the CGR provided the opportunity for residents of Peterborough Road Kings Dyke and Kings Delph to be considered for

inclusion within Stonald or St Mary's parish ward rather than the parish ward of Coates and Eastrea. He feels strongly that local residents in these areas have a stronger affiliation with the town rather than the surrounding villages. The aim of the Community Governance Review is to address the issues raised by Whittlesey Town Council at a parish ward level, the CGR cannot seek to address the district warding issues which were determined by the LGBCE and which took effect in 2015.

- 1.5 Whittlesey Town Councillor Julie Windle emailed in the following comments 'I fully support the proposed Town Council warding arrangements for Whittlesey put forward by Fenland District Council in their draft Community Governance Review proposals published in February 2018.
- 1.6 March, Chatteris & Whittlesey branch of NE Cambs Labour Party suggested that Bassenhally parish ward should be represented by two parish Councillors which is a reduction of one parish Councillor which would help to achieve greater electoral equality as representation would be 1 Councillor per 1471 electorate.
- 1.7 The Labour Party also suggest that Elm and Delph parish wards should be amalgamated and represented by two parish Councillors achieving representation of 1 Councillor per 1092 electorate. They endorse Stonald parish ward maintaining its current level of parish Council representation which would achieve 1 Councillor per 1392 electorate. Again The Labour party endorse Lattersey parish ward maintaining its current level of parish Council representation which would achieve 1 parish Councillor per 1113 electorate.
- 1.8 The Labour Party's consultation submission supported the view that St Andrews parish ward and both St Mary's parish wards be amalgamated and represented by 2 parish Councillors achieving an electoral representation ration of one Councillor per 1115. Finally The labour Party endorsed the current parish warding and local representation levels of Coates and Eastrea parish ward which would achieve 1 elected councillor per 1216 electorate.
- 1.9 Whittlesey Town and Fenland District Councillor David Mason, emailed the following comments 'Dear Sirs I support the proposed future Town Council warding arrangements for Whittlesey put forward by Fenland District Council in their draft Community Governance Review proposals published in February this year.'
- 1.10 Whittlesey Town and Fenland District Councillor Mrs Kay Mayor emailed the following comments 'I am fully supportive of the decision of Fenland District Council to undertake a Community Governance Review of Whittlesey. I support the changes proposed by Whittlesey Town Council which should produce warding arrangements that will provide more effective and convenient local governance and which will better reflect the identities and interests of the community'.
- 1.11 Whittlesey Town and Fenland District Councillor Mrs Dee Laws emailed the following comments 'I fully support the proposed future Town Council warding arrangements for Whittlesey put forward by Fenland District Council in their draft Community Governance Review proposals published in February this year.'
- 1.12 Whittlesey Town Councillor Ray Whitwell emailed the following comments 'I am fully in support of the proposed changes, especially regarding Stonald Ward. This ward is much too large for just one Town Councillor, and needs to be represented by two'
- 1.13 Whittlesey Town and Fenland District Councillor Chris Boden emailed the following comments I support the proposed future Town Council warding arrangements for Whittlesey put forward by Fenland District Council in their draft Community Governance Review proposals published in February this year. Without making this change, Whittlesey Town Council would experience significant future electoral disparities between its wards. Whittlesey's electorate in 2022 is forecast to be 16,015. The are 14 Town Councillors, so the average number of electors per Town Councillor will be 1,144 (the "quota").

Under the arrangements currently put in place by the LGBCE, most of the Town Councillors will represent wards which have a variance from quota greater than 14%. Under the draft Community Governance Review proposals, most of the Town Councillors will represent wards which have a variance from quota which is less than 13%.

But it at the extreme ends of variance from quota that we see the greatest need to approve Fenland's draft proposals: without change, there will be three wards with a variance from quota greater than 26%: St Marys South (-53%); St Marys North (-66%) and Stonald (+143%). If Fenland's draft proposals are approved there will be only one ward with a variance from quota greater than 26%: St Marys South (-53%), and that variance is unavoidable because of the local lack of coterminosity between District Council and County Council boundaries.

It is unreasonable to expect no electoral variance between wards. But it is also unreasonable to accept variances which are so significant that they threaten the democratic legitimacy of the entire electoral process. "One person - One vote" is fundamental to our system of government. But if one person's vote (in St Marys North Ward) is worth seven times more than another person's vote (in the nearby Stonald Ward) - because both wards have a single Councillor but their electorates in 2022 will be 387 and 2,785 respectively - then the credibility of the system of local elected representation will be lost.

Appendix 2: Maps -





