

WYRE FOREST DISTRICT COUNCIL

Community Governance Review – Wolverley and Cookley Parish

Terms of Reference

A review of parishes and related matters under the Local Government and Public Involvement in Health Act 2007

Introduction

Aims of the review

Wyre Forest District Council has resolved to undertake a Community Governance Review (CGR) pursuant to Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007, to consider the following parish matters:

Parish Matters to be considered

Whether Wolverley and Cookley Parish should be split into two separate parishes

If this was to happen, because of the number of electors in each prospective new parish, the review would be required to recommend that each parish should have its own Parish Council.

In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, and Guidance on Community Governance Reviews issued in accordance with section 100(4) of the 2007 Act by the (then) Department for Communities and Local Government and The Local Government Boundary Commission in March 2010. Also the following regulations would guide, in particular, consequential matters arising from the Review: the Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI 2008/625) and the Local Government Finance (New Parishes) Regulations 2008 (SI 2008/626).

What is a Community Governance Review (CGR)?

A CGR 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
- Grouping parishes under a common parish council or de-grouping parishes.

The Council is required to ensure that community governance within the area under review will be:

- reflective of the identities and interests of the community in that area; and
- effective and convenient.

In doing so, the CGR is required to take into account:

- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of a local community or parish.

Why undertake a community governance review?

A CGR provides an opportunity for principal authorities to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population or in reaction to specific or local new 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.

The Government has emphasised that recommendations made in a CGR ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

This CGR is being undertaken because Wolverley & Cookley Parish Council has submitted a request for a review which has been supported by a petition of 301 local electors across the parish. The request was submitted on 18th April 2018 and was considered by Wyre Forest District Council at its meeting on 23rd May 2018. The wording of the petition was as follows:

“We the undersigned currently being resident and on the electoral register within the Parish of Wolverley and Cookley hereby request Wyre Forest District Council to undertake a Community Governance Review with a view to dissolving the current Parish Council and forming a new Parish Council for Cookley and a new Parish Council for Wolverley.”

Specifically, therefore, this CGR will consider:

Whether Wolverley and Cookley Parish should be split into two separate parishes

If this was to happen, because there are more than 1,000 electors in each prospective new parish, the review would be required to recommend that each parish should have its own Parish Council.

Who will undertake the CGR?

As the principal authority, the District Council is responsible for undertaking any CGR within its electoral area. Council will approve the final recommendations before a Community Governance Order is made.

Consultation

How the Council proposes to conduct consultations during the Review

Before making any recommendations or publishing final proposals, the District Council will take full account of the views of local people. The District Council will comply with the statutory consultative requirements by:

- Consulting local government electors for areas under review. This will include a local advisory poll;
- Consulting any other person or body (including a local authority) which appears to the District Council to have an interest in the review
- Notifying and consulting the Parish Council
- Taking into account any representations received in connection with the review

Information relating to the CGR will be available on the Council's website and key documents will be on deposit at the District Council's offices at Finepoint Way, Kidderminster, Worcestershire, DY11 7WF.

When taking account of written representations the District Council is bound to have regard to the need to secure that community governance within the areas under review:

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

The District Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the CGR are informed of the recommendations and the reasons behind them. The District Council will notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

Timetable for the Community Governance Review

A CGR must, by statute, be concluded within a twelve month period from the day on which Council commences the CGR or from the date it receives a valid petition. A CGR starts when the District Council publishes its Terms of Reference and concludes when the District Council publishes the recommendations made in the CGR.

The following is the review timetable:

Start Date: May 2018

Council publishes 'Terms of Reference' (ToR) and notifies stakeholders, clearly defining extent of CGR.

Introductory stage: 24 May 2018 – 13 July 2018

Submissions are invited Council invites proposals from stakeholders on future arrangements under the Terms of Reference. This will include a local advisory poll of registered local government electors in the parish, which will be held on 12 July 2018.

Draft Proposals are Prepared:

Draft proposals including reorganisation order to be considered by full Council – 25 July 2018

Council publishes Draft Proposals and notifies stakeholders.

Consultation on draft proposals: 1 August – 14 September 2018

Final Recommendations published:

Submissions considered and final recommendations produced. Final Recommendations are published following decision by Council on 26 September 2018

The present structure of parishes and their electoral arrangements

In considering the electoral arrangements of the parish stated within these Terms of Reference, the District Council 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. The District Council has used the Register of Electors to provide existing local government electorate figures, which are 2015 for Cookley and 1789 for Wolverley. It is not possible accurately to predict what the number of electors will be in each ward in 2023, as required by the guidance. This is because both areas will experience growth in the coming period but the detail – apart from an extant planning approval for development of 600 homes at the Lea Castle site in the Cookley ward – is not yet known. The local plan is being reviewed and the pre-submission consultation is expected later in 2018. Further allocations for housing are expected to be made as part of the review of the local plan but it is not yet confirmed what they will be, or to what extent such allocations might lead to occupied dwellings with registered electors by 2023.

Present Structures of parish governance in the area to be reviewed

Parish Council & ward	Councillors	No. of Electors/Councillor
Wolverley & Cookley, Cookley	7	288
Wolverley & Cookley, Wolverley	7	256

Justification for Review

As the principal Council, Wyre Forest District Council has a legal duty to carry out a Community Governance Review of Wolverley and Cookley Parish following the receipt of a valid residents' petition.

The letter from the Parish Council states that “They are two distinct separate villages with two separate and recognisable community identities. Both have their own Parish Church, Primary School, Doctors Surgery, Social Club, Separate Bus Service, Own shops, Post Office, Pubs and Sports facilities and clubs.”

“Dissolving the current Parish Council and forming Wolverley Parish Council and Cookley Parish Council will give both villages greater control over shaping their village, over expansion, setting their own budgets and precepts that reflect their own changing demand. The new boundaries would be defined by the old ward

boundaries - Wolverley WFR-WO, Cookley WFR-CO and we would anticipate seven Parish Councillors for each ward are retained.”

If, following consultation and the local advisory poll, the District Council decides to implement changes to create two separate parish councils, it is proposed that the changes would take effect on 1 December 2018. The then existing councillors for the Cookley Ward on Wolverley & Cookley Parish Council would form Cookley Parish Council while the councillors for the Wolverley Ward would form Wolverley Parish Council. The two new councils would decide their budgets and level of council tax for 2019-20 and subsequent years. It is not possible to predict what their decisions will be. If the changes proposed by the petition and supported by the Parish Council were to be implemented, the first elections to the new councils would be held in May 2019.

If the review leads to the creation of separate parish councils, there is no proposal to introduce wards within each parish. Thus the level of representation across a parish would be the same. The current Parish Council has suggested that seven councillors should be retained as the number of councillors for each area, and the District Council invites representations on this issue. In particular, given the prospective significant growth at Lea Castle in the Cookley ward which already benefits from planning permission, the District Council would consider carefully any representations about whether a different, higher number would be appropriate for Cookley.

General Considerations

The Council wishes to ensure that electors should be able to identify clearly with the parish in which they are resident. It considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride. The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity; the feeling of local community and the wishes of local inhabitants are therefore primary considerations in this Review.

The Council is anxious to balance carefully the considerations of changes that have happened over time, through population shifts or additional development for example, and that have led to a different community identity with historic traditions in its area.

The Council notes the Government's Guidance that community cohesion should be taken into account in this Review.

Reorganisation of Community Governance Orders and Commencement

If changes are agreed, a 'Reorganisation Order' would then be required. This would be implemented in accordance with guidance from the Ministry of Housing, Communities and Local Government.

The Review will be completed when the Council adopts 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 decisions that the Council has taken (including where it has decided to make

no change following a Review) will be deposited at the Council's Offices and on the Council's website.

In accordance with the Guidance issued by the Government, the Council will deposit and make available for public inspection maps to illustrate each recommendation as soon as possible after making the order. The Council will inform the Secretary of State, the Electoral Commission, the Office of National Statistics and the Director General of the Ordnance Survey.

How to contact us

If you wish to submit a written representation regarding this review, please send **it to arrive no later than Friday 13 July 2018** by email to:

electoral@wyreforestdc.gov.uk

Alternatively, you can send it in the post to:

Elections Manager
Wyre Forest District Council
Finepoint Way
KIDDERMINSTER
Worcestershire
DY11 7WF

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

Caroline Newlands
Solicitor to the Council
Wyre Forest District Council

Tel: 01562 732715

Email: Caroline.newlands@wyreforestdc.gov.uk

Publication of Terms of Reference

These 'Terms of Reference' will be published on the Council web site:

<http://www.wyreforestdc.gov.uk>

and will be available for inspection at the offices at Wyre Forest House, Finepoint Way, Kidderminster, Worcestershire, DY11 7WF.

Notices advertising this Community Governance Review and the availability of these Terms of Reference will also be posted within the Parish.

Date of publication

24 May 2018