

# Community Governance Review (CGR) – High Wycombe Area

## Terms of Reference

### Purpose of the Review:

1. Buckinghamshire Council has resolved to undertake a Community Governance Review of the currently unparished area of High Wycombe.
2. The purpose of the review is to consider:
  - A) whether the existing governance arrangements for the area of High Wycombe are sufficient or could be improved; OR
  - B) whether the currently unparished area of High Wycombe should be parished and so have a town council for the whole area.
3. These Terms of Reference are published by Buckinghamshire Council as required under Section 82 of the Local Government and Public Involvement in Health Act 2007.

### Reason for the review

4. Buckinghamshire Council was created three years ago in 2020 since which time significant governance changes have occurred. The most recent of these was the electoral review of Buckinghamshire Council. With these matters settled, the time is right to give further consideration to the important subject of the future governance of the High Wycombe area, which is currently unparished. This is done by undertaking a 'Community Governance Review' (CGR).
5. Buckinghamshire Council recognises the important role that parish and town councils play in community empowerment at a local level, and the Council is keen to ensure that local governance continues to be robust, representative and is able to meet the challenges ahead.
6. It is important to make the right decision that reflects the circumstances of High Wycombe today. A Community Governance Review was carried out in 2019 by the former Wycombe District Council but this was suspended due to the abolition of that council and the establishment of Buckinghamshire Council as the new unitary authority. The review carried out in 2019 gave a valuable insight but much has changed since that time. This matters because the statutory criteria for governance reviews require that any outcome must demonstrably
  - a) reflect the identity and interests of the communities concerned
  - b) provide a sound basis for effective and convenient local government
  - c) involve an assessment any other arrangements that have been made, or could be made, for the purposes of representing or engaging the community.
7. It is not possible to say with confidence that the previous review could demonstrate compliance with the statutory criteria. Circumstances have changed considerably since 2019 and these changes require fresh consideration of local views and evidence to be sure that the criteria can be met. The circumstances include:
  - a) The considerable lapse of time since the original CGR and consultation;
  - b) The relatively small response to the original consultation

- c) The fact that the original petitions considered in 2019 were based largely on the Wycombe District Council wards pertaining at the time, since abolished, rather than Buckinghamshire Council's wards as the successor authority;
- d) There has been an electoral review undertaken by the Local Government Boundary Commission which has resulted in new ward boundaries for Buckinghamshire Council (as from the May 2025 elections, and change in councillor numbers (97 instead of the current 147);
- e) The High Wycombe Town Committee continues and is responsible for the services traditionally associated with a Town Council. The Town Committee consists of all elected members for the High Wycombe area. It recommends to Cabinet an amount of Special Expenses to run these services to be added to the Council tax precept for the High Wycombe area;
- f) Buckinghamshire Council has established a Community Board for High Wycombe (as with 15 other areas of the County) which provides local governance for community engagement, place shaping, and leading numerous locality-based activities;
- g) there will have been changes to the population since 2019.

8. All of these factors mean that a new Community Governance Review is necessary.

### **What is a Community Governance Review?**

9. In law, a CGR is a review of the whole or part of an area to consider one or more of the following.
1. Creating, merging, altering or abolishing parishes;
  2. The naming of parishes and the style of new parishes;
  3. The electoral arrangements for parish councils (the ordinary year of election; council size; the number of councillors to be elected to the council , and parish warding); and
  4. Grouping parishes under a common parish council or de-grouping parishes.
10. In this Review, the principle consideration is whether the existing governance arrangements are sufficient or whether the whole of the High Wycombe area should formally be parished which would mean, under the legislation, the creation of a town council.

### **Legal provisions**

11. In undertaking the CGR, 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
  - Statutory Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010, and
  - the following regulations which guide, in particular, consequential matters arising from the CGR: Local Government (Parished and Parish Councils) (England) Regulations 2008 (SI2008/625); and the Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

## Criteria for carrying out the Review

12. In law, the Council must secure that future community governance in the area under review:

- a) reflects the identities and interests of the communities in that area; and
- b) is effective and convenient.

And the Council must also consider

- c) any other arrangements... that have already been made or that could be made for the purposes of community representation or community engagement in respect of the area under review

13. These are the guiding criteria for the Review.

## Who undertakes the CGR

14. As the unitary authority, Buckinghamshire Council is responsible in law for carrying out the review. This includes determining the Terms of Reference for a review, for consulting on any options under the Terms, and for preparing recommendations for resolving the review.

## How the Council intends to conduct the Review

15. Buckinghamshire Council's Standards & General Purposes Committee has the delegated authority to oversee and determine Community Governance Reviews. On 24 August 2023, the Committee established a Community Governance Working Group. The role of the Working Group is to:

- recommend Terms of Reference for the Review;
- recommend a consultation plan and timeframe for the Review;
- review responses and recommend draft outcomes including, as appropriate, the creation of a new parish and council, the warding pattern, council size (number of councillors), electoral arrangements and the name of any proposed new parish(es);
- review any subsequent consultation responses on the draft outcomes and make final recommendations.

16. The Committee makes decisions on the recommendations received. Full Council itself would make any Order bringing a new arrangement into effect.

## Stages:

17. The proposed timeframe is as follows. This is indicative and the may be subject to change depending on certain factors such as the outcome of the consultations or the occurrence of a General Election (during which active consultations are normally suspended).

Action	Timetable
Publication of Terms of Reference	February 2024
First Consultation – Submissions are invited	5 February - 31 March 2024
Draft proposals recommended to Committee for decision	July 2024

Draft proposals are published	July 2024
Second consultation, if needed - on Draft Proposals	July – October 2024
Final proposals are recommended to the Committee for decision	December 2024
Council publishes the Final Recommendations and the Review ends	December 2024
<b><i>The following only applies in the event that a town council option is pursued</i></b>	
Reorganisation Order made	December 2024
Any new town council to come into being - if necessary with transition member arrangements in place	At the date specified in the Final Recommendations and Order
Elections to new town council	At the date specified in the Final Recommendations and Order

## Consultation

18. In carrying out the Review, the Council must consult:

- the local government electors for the area under review; and
- any other person or body who appears to the Council to have an interest in the Review.

19. The Council will publicise and carry out the consultations transparently. All representations received will be taken into account.

20. The Council will follow established best practice and engage with a cross-section of interests including the public, the Buckinghamshire and Milton Keynes Association of Local Councils, neighbouring parish councils, current councillors for the areas affected and adjacent to it, and the relevant Member of Parliament.

21. Consultation will also include, but not be limited to local businesses, local residents' associations, local public and voluntary organisations such as schools or health bodies, Thames Valley Police, and the Charter Trustees of High Wycombe.

22. The Council will publish all decisions taken during the Review, together with the reasons for those decisions.

## Governance in our area

### Parishes and towns

23. Buckinghamshire Council's *Town and Parish Charter* recognizes the importance of parish and town communities and in working with them to:

- promote the best interests of the communities we serve
- provide quality, value for money public services and
- promote opportunities for greater public participation and involvement in public life.

24. The Council is committed to:

- recognising that parish and town councils are independent, democratic bodies who work within their own financial constraints and represent communities at a truly local level.
- understanding that parish and town councils are a key connection between the unitary council and their community who can help improve services and foster greater community empowerment, especially through devolution and community boards.

### Existing or alternative forms of governance

25. The Review is carried out, of course, against the backdrop of existing governance in the area. The Guidance says:

“In conducting a community governance review, principal councils must consider other forms of community governance as alternatives or stages towards establishing parish councils. Section 93(5) of the 2007 Act states that ‘In deciding what recommendations to make [in the community governance review] the principal council must take into account any other arrangements... that have already been made or that could be made for the purposes of community representation or community engagement in respect of the area under review.’”

(Statutory Guidance, paragraph 136, page 38).

26. Examples of existing governance include:

- Buckinghamshire Council and its ward councillors
- Community Boards
- High Wycombe Town Committee and the Charter Trustees

27. The Council is required by law to consider other forms of community governance as alternatives or as stages towards establishing parish or town councils. There may be other arrangements for community representation/engagement in an area, including area committees, neighbourhood management programmes, tenant management organisations, area or community forums, residents’ and tenant associations or community associations. The Review has to consider whether these may be more appropriate than parishes and their councils or may provide stages towards the creation of a parish or town council.

28. Views on such arrangements and their effectiveness as a means of community representation and / or community engagement will be sought and considered as part of the introductory stage submissions.

29. However, the Council notes that parish governance introduces a separate democratic tier of local government with directly elected representatives, independent of other council tiers and budgets, and possessing specific powers for which they are democratically accountable.

### Charter Trustees

30. There are Charter Trustees for the currently unparished High Wycombe area. The Statutory Guidance expects Councils to consider the following in a Charter Trustee area:

“Proposals to create a parish or parish council covering all or part of a charter trustee area need to be judged in particular against the following considerations:

- a) the effect on the historic cohesiveness of the area
- b) what are the other community interests in the area? Is there a demonstrable sense of community identity encompassing the charter trustee area? Are there smaller areas within it which have a demonstrable community identity and which would be viable as administrative units?”

## **Effectiveness, convenience and community interests/identity**

31. Any community governance arising from a Review must:

- reflect the identities and interests of the community in that area;
  - that is, it must offer a sense of place and local identity for all residents
- be effective and convenient;
  - that is, the governance must have the ability to deliver quality services economically and efficiently and give users of those services a democratic voice in the decisions that affect them; services should be easy to reach and accessible to local people.
- take into account any other arrangements for the purposes of community representation or community engagement in the area.

Source: *Statutory Guidance on community governance reviews*, paragraphs 55-65, pages 19-21.

## **Alternative Styles**

32. The 2007 Act introduced 'alternative styles' for parishes. If adopted, the 'alternative style' would replace the style "parish." However, only one of three prescribed styles can be adopted: "community," "neighbourhood" or "village." In addition, the style of "town" is still available to a parish. However, for as long as the parish has an 'alternative style,' it will not also be able to have the status of a town and vice versa.

33. Where a new parish is being created, the Council will make recommendations as to the geographical name of the new parish and as to whether or not it would have one of the alternative styles.

34. A Council can establish a 'parish meeting' in appropriate cases instead of a parish council.

## **If Town Council Option Pursued - Naming of Parish and Town Wards**

35. If the recommendations include establishing a parish or town council, the Council is required to recommend a name for any parish or town wards. The Council will endeavour to reflect existing local or historic place-names and will give strong presumption in favour of names proposed by local interested parties. Notwithstanding this, in the interest of effective and convenient local government and for the avoidance of voter confusion, the Council will look for different ward names to those used for principal council areas.

## **If Town Council Option Pursued - Electoral Arrangements**

36. If establishing a town council is to be recommended, an important part of the Review will be determining the electoral arrangements for any new parish council. This means:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council (council size);
- The division (or not) of the parish into wards for the purposes of electing councillors;
- The number and boundaries of any such Wards;

- The number of councillors to be elected for any such Wards;
- The name of any such Wards.

37. The Council will use the Register of Electors of published in October 2023 in providing electorate figures.
38. The Council is required to consider any change in the number or distribution of the electors which is likely to occur. This includes any demographic trends and influences, such as new development, that may alter the population significantly in the period of five years beginning with the day when the CGR starts. Population projections from the Office for National Statistics will be used.
39. Electorate forecasts will be made available to all interested parties as early as possible in the review process alongside any consultation so that they are available to all who may wish to make representations.

### **If Town Council Option Pursued - Council size (number of councillors)**

40. A parish or town council must have no fewer than five councillors. There are otherwise no rules to the number of councillors that a parish or town council must or can have. Research from Aston Business School recommended the following:

Electorate	Councillor Allocation
Less than 500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27
Greater than 20,000	13-31

41. However, the National Association of Local Councils recommends a practical maximum of 25 councillors.
42. The Council would have regard to consultation responses, evidence and best practice. The Statutory Guidance says:
- “Each area should be considered on its own merits, having regard to its population, geography and the pattern of communities, and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes.” (paragraph 156, page 44).
43. The Council would also have regard to the important democratic principle that each person’s vote should be of equal weight so far as possible.

### **If Town Council Option Pursued - Conclusion of the Review and Making a Reorganisation Order**

44. The Review will formally end on publication of the final recommendations. The process is completed when the Council adopts the Reorganisation Order.
45. Copies of this order, maps that showing the effects of the order in detail, and the documents which set out the reasons for the decision that the Council has taken, will be deposited at the Council’s offices and published on the Council’s website.

46. Reorganisation Order to be sealed once approval received and notification given to:

- The Secretary of State
- The Electoral Commission
- The Office of National Statistics
- The Director General of the Ordnance Survey
- Any other principal council whose area the order relates to.

### **If Town Council Option Pursued - Consequential Matters**

47. The Reorganisation Order may cover other consequential matters that appear to the relevant council to be necessary or proper to give effect to the Order.

48. These should include, but are not limited to:

- the transfer and management or custody of property;
- the setting of precepts for new parishes;
- provision with respect to the transfer of any functions, property, rights and liabilities;
- provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

49. The Order will take effect for financial, administrative and electoral purposes in the month(s) and year(s) designated in the Final Recommendations.

### **How to Submit Your Views**

50. The Council's consultation publicity will specify the way in which you could make comments on the Review at all stages. A dedicated email address has also been created for queries: [highwycombecgr@buckinghamshire.gov.uk](mailto:highwycombecgr@buckinghamshire.gov.uk)