

Community Governance Review Terms of Reference

Introduction

North Devon District Council is carrying out a Community Governance Review (CGR) in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007.

The Council is required to have regard to the guidance on Community Governance Review published by the Government. That guidance has been considered when drawing up these terms of reference.

What is a Community Governance Review?

A CGR provides an opportunity to put in place strong, clearly defined boundaries, which reflect local identities and facilitate effective and convenient local government. It can take place for the whole or part of the District to consider one or more of the following:

- a) Creating, merging, altering or abolishing parishes;
- b) The naming of parishes and the style of new parishes;
- c) The electoral arrangements for parishes including:
 - the ordinary year of election;
 - the number of councillors to be elected; and
 - the warding (if any) of the parish
- d) 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:

- a) Reflective of the identities and interests of the community in that area; and
- b) Is effective and convenient.

In doing so, the community governance review is required to take into account:

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

Legal Framework

In undertaking the Review, the Council will be guided by;

- a) Part 4 of the Local Government and Public Involvement in Health Act 2007.
- b) the relevant parts of the Local Government Act 1972.
- c) 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.

The Council will also be guided by the following regulations on consequential matters arising from the review:

- a) Local Government (Parishes and Parish Councils) (England) Regulations 2008.
- b) Local Government Finance (New Parishes) Regulations 2008.

Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish its Terms of Reference in a Review.

Reason for the review

The Council wishes to undertake a CGR for those areas that we have had requests from Parish/Town Councils due to population changes and shifts in 'natural settlements' caused by new development.

Government guidance states that it is good practice to conduct a full CGR at least every 10 to 15 years. The Council therefore wishes to review the changes outlined above to ensure that there is clarity and transparency to the areas that parish councils represent and that the electoral arrangements of parishes (the warding arrangements and the allocations of councillors) are appropriate, equitable and understood by their electorate.

Who will undertake the review?

As the relevant principal authority, North Devon District Council is responsible for conducting any CGR within its electoral area. The Council will oversee the review and produce draft and final recommendations; Full Council will approve the final recommendations before a Community Governance Order (Order) is made.

Areas under review

The Council conducted an informal data gathering exercise prior to the formal review to ascertain whether there were any matters that parish/town councils already wanted to be looked at.

From that exercise the following parish councils have asked the Council to review their boundaries and neighbouring parishes could be affected by these requests.

Proposal Number	Area	Change Suggested (the documents can be found in the appendices attached)
A1	Tawstock Parish Council Neighbouring Parish Council affected: Fremington	Boundary change to align with the highway (currently goes through the middle of industrial buildings). This is the same as Proposal 2. See Plan TAW1.
A2	Fremington Parish Council Neighbouring Parish Council affected: Tawstock	Extend Fremington Parish boundary from the BP Roundswell roundabout to follow the main road. This is the same as Proposal 1. See Plan FREM1.
A3	Fremington Parish Council Neighbouring Parish Council affected: Tawstock	Extend Fremington Parish boundary to incorporate Birch Lane to the Old Bideford Road and then follow the Old Bideford Road up to the Roundabout, the whole of Sainsburys will be in Tawstock Parish as a result. See Plan FREM2.
A4	Fremington Parish Council Neighbouring Parish Council affected: Barnstaple	The boundary at Chestwood Avenue should follow the main road and up to Beechwood Avenue. See Plan FREM3.
	Barnstaple Town Council	Rationale for Changes Being Proposed. For clarity the complete original proposal document is reproduced at BAR1.

	<p>Various Proposals, see below. A5 to A8 and B4 and B5.</p>	<p>Barnstaple Town Council is making proposals for changes in parish boundaries and governance arrangements to reflect the following:</p> <p>1. Identities and interests of the different communities in the area.</p> <p>The Town Council considers that this is a 'community of identity' test, which is applicable to the new developments and some existing settlements that are presently adjacent to its boundary.</p> <p>2. It is effective and convenient.</p> <p>The Town Council considers that this is a 'viability' test and is keen to ensure that arrangements are viable and can actively and effectively promote the well-being of residents and to contribute to the real provision of services in the area in an economic and efficient manner.</p> <p>3. Democratic representation.</p> <p>The Town Council normally has the majority of Councillor seats filled and contested at each election. Most Parishes within North Devon do not achieve this.</p> <p>Most of the residents within the areas identified believe they are part of the town of Barnstaple.</p> <p>4. Service Delivery. See BAR1</p> <p>Residents directly benefit from the services and facilities that are offered by the Town Council including, but not limited to:</p> <ul style="list-style-type: none"> - Rock Park recreation facilities - Community Grants to voluntary organisations and community groups. - Community, Heritage and youth activities delivered across the Town; distinction is not generally made to whether participants live within the current parish of Barnstaple. - Town Centre environmental maintenance and improvements - Wider town environmental maintenance including the highway verges, shrub beds and support for environmental improvements. <p>5. Benefits realisable from these proposals.</p> <p>A change to the boundary would bring urban developments (some very recent) into the town increasing the population.</p> <p>This would give the Town Council greater opportunity to:</p> <ul style="list-style-type: none"> - continue to afford community projects. - continue to provide services for the benefit of all local residents in the wider Barnstaple catchment, these include engagement with statutory services, Street Marshals, local facilities including public open space improvements, support for voluntary organisations. - give the Town Council a greater democratic voice with the principal authorities and central government. - bring increased opportunities and access to a wider range of funding. - to provide future growth opportunities for the Town.
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		- support for the future devolution of services, and assets particularly considering the English Devolution White Paper and future budget pressures on Principal Authorities.
A5	Barnstaple Town Council Neighbouring Parish affected: Pilton West	Three Options: <ol style="list-style-type: none"> 1. The new developments of Shearford Close and Trayne Heights that immediately border the Barnstaple Parish to move the boundary to bring these into Barnstaple. See Plan BARN1 (BAR1 page 8). 2. Move the boundary to bring in the Pilton West Parish Land east of Bradiford Water. See Plan BARN2 (BAR1 page 9). 3. Absorb the whole of Pilton West Parish. See Plan BARN3 (BAR1 page 10).
A6	Barnstaple Town Council Neighbouring Parish affected: Landkey	Move the boundary of the remaining land east of the A361, to coincide with the north section boundary of the Mount Sandford development from Planning Application 54923. See Plan BARN4 (BAR1 page 11).
A7	Barnstaple Town Council Neighbouring Parish affected: Tawstock (Northern & Southern Urban Wards)	Move the boundary from the A39 to the A3125 up to the junction near Oakland Avenue. This would bring in the new developments on Old Torrington Road, Petroc College and the existing settlements around the Old Bideford Road. See Plan BARN5 (BAR1 Page 12).
A8	Barnstaple Town Council Neighbouring Parish affected: Fremington	Five Options: <ol style="list-style-type: none"> 1. Move parish boundary to follow A3125 from A39 roundabout to Cedars. See Plan BARN6. Roundabout, includes the Maple and Roundswell & Woodville Wards. See Plan BARN6 (BAR1 Page 13). 2. Option One plus Cedars Roundabout to the River Taw options to be considered to simplify parish boundary along Oakland Avenue. See Plan BARN7 (BAR1 Page 14). 3. Option One plus a boundary through Oakland Park South, includes most of the Anchor Wood Ward. See Plan BARN8 (BAR1 Page 15). 4. Option One plus move west to follow Lower Cross Road and west of Anchorwood View. See Plan BARN9 (BAR1 Page 16). 5. To move the boundary to Tews Lane, to run from the A39 to the River Taw this would bring some of the Bickington Ward into Barnstaple. See Plan BARN10 (BAR1 Page 17).

The following parish councils have requested that we review the number of councillors and/or wards

Proposal Number	Area	Change Suggested
B1	Tawstock Parish Council	The Wards of Tawstock Northern Urban and Tawstock Southern Urban be merged and renamed Tawstock Urban

	Neighbouring Parish Council affected: None	and the ward of Tawstock Rural to be retained. It was thought that a two warded urban area caused confusion and was unnecessary as the urban Councillors considered that they represented all of the urban area.
B2	Ilfracombe Town Council Neighbouring Parish Council affected: None	We would like to return to 3 wards for the Ilfracombe Parish. East, West and Central. The reason for wanting it back is because the Central Ward was/is the area in Ilfracombe with this highest statistics of deprivation and poverty etc. Having it only as two wards it dilutes the statistics as the outer areas of Ilfracombe have the higher house values and wealth.
B3	Fremington Parish Council Neighbouring Parish Council affected: Tawstock and Barnstaple	<p>Members are keen to ensure that the names of the wards are representative of the areas that they are, this was the case historically and before they were altered following the last Community Governance Review. Members now feel that the names given to the wards are not reflective of the community within that ward. It was also noted that the current ward arrangements do not have anywhere near an equal ration of residents to Cllrs.</p> <p>Fremington Parish Council strongly feels that the wards should be as follows:</p> <p>Ward Names</p> <ul style="list-style-type: none"> • Anchorwood Bank should revert to Woodville. • Roundswell & Woodville should be Roundswell and incorporate Maple. • Bickington, Fremington and Yelland should remain unchanged. <p>Ward Councillors</p> <ul style="list-style-type: none"> • The number of Cllrs in Fremington Yelland should remain unchanged at six. • Bickington should have four Cllrs. • Woodville two Cllrs. • Roundswell three Cllrs.
B4	Barnstaple Town Council Neighbouring Parish Council affected: None	<p>Change to the number of Councillors. Rationale used: Not to have single Councillor Wards. 1,000 to 1,500 electorate per Councillor. Ward Boundaries follow logical community lines. Maximum of 6 Wards.</p> <p>See BAR1 Page 18 for a comparison of Councillor numbers at similar sized Councils, see BAR1 Page 19 for the proposed number of Councillors.</p> <ol style="list-style-type: none"> 1. The Town Council currently has 24 Councillors across 7 Wards. 2. The number of councillors relative to the resident population is significantly higher than towns of a similar population. 3. If an increase in population is the outcome of this review it may not be necessary to increase the number of councillors.

		<p>See Plan BARN11 (BAR1 Page 20) for the current Ward Boundaries. See Plan BARN12 (BAR1 Page 21) for the proposed Ward Boundaries.</p> <ol style="list-style-type: none"> 1. The Parish of Barnstaple is currently divided into 7 Wards. 2. A proposed change of Ward boundaries would be necessary as part of this review. 3. Ward representation is uneven across the parish, ranging from 252 electorate per councillor to in excess of 1,000. 4. The boundaries within the parish do not best represent some of the communities. 5. The boundary of Pilton & Yeo Valley and Fort Hill cuts through the Gorwell estate.
B5	North Molton Parish Council	<p>We currently have 11 Councillors and have done for many years. However, there have been several significant housing developments in the Parish, a reasonable number of barn conversions/new builds, and there are 40 new houses going in at the Cavanna development Hollywell Meadows on the way into North Molton from South Molton. An additional Councillor would reflect this.</p>

Consultation

The Council is required to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account. The Council will also identify any other person or body who it feels may have an interest in the review and write to them inviting them to submit their views at all stages of the consultation.

Before making any recommendations or publishing final proposals, a full consultation process will form part of the review to take full account of the views of local people and other stakeholders. The council will comply with the statutory consultative requirements by:

- a) consulting local government electors for the area under review;
- b) consulting any other person or body (including a local authority) which appears to the Council to have an interest in the review;
- c) taking into account any representations received in connection with the review

The Council will publicise the review by displaying a notice at the Council Offices and on the Council's website and engagement platform. The Council will also write to all parish councils or any other community or resident groups of which the Council is aware, the Devon Association of Local Councils, North Devon District Council Councillors and the MP for North Devon.

The copy of the notice and these terms of reference will be sent to Devon County Council.

Information about each stage of the review will be published on the Council's website with key documents available at North Devon District Council offices at Lynton House, Commercial Road, Barnstaple, EX31 1DG.

Indicative timetable for the Community Governance Review

Stage	Description	Dates
1	Terms of Reference Approved by Governance Committee	10 th June 2025

2	Publication of the Terms of Reference	4 th July 2025
3	Initial consultation: Submissions and views sought and invited on existing arrangements from affected residents and other stakeholders	4 th July 2025 – 30 th September 2025
4	Draft proposals are considered and prepared	1 st October – 31 st October 2025
5	Governance Committee consider draft proposals	11 th November 2025
6	Consultation of Published Draft Proposals: Any recommendations will be circulated to affected residents and stakeholders and their further comments and/or proposals invited.	18 th November 2025 – 30 th January 2026
7	Final recommendations prepared	2 nd February 2026 – 27 th February 2026
8	Recommendations are considered by Governance Committee	10 th March 2026
9	Final Recommendations: Governance Committee recommendations are considered by Full Council	22 nd April 2026
10	Implementation: Final recommendations published. Full Council resolves to make a Reorganisation of Community Governance Order.	23 rd April 2026
For administrative and financial purposes, the Order would take effect on 1 April 2027.		
Electoral arrangements for an existing town and/or parish council will come into force at the first elections to the town and/or parish council following (any) Reorganisation Order, which will be May 2027.		

Any Community Governance Order made following a CGR should, for administrative and financial reasons (for example setting up a new parish council and arranging for its first precept) take effect on the 1st April following the date on which the Order is made. Electoral arrangements will come into force at the first elections to any new parish council following the making of the Order.

Electoral Forecast

The Council will use the Register of Electors of * 2025 in providing the existing parish / parish ward electorate figures..

When the Council comes to consider electoral arrangements for the parish councils in its area, it is required to consider any change in the number or distribution of electors which is likely to occur in the period of five years beginning with the day when the Review starts. Electorate forecasts will be prepared by the council using the Local Plan five year housing land supply statement.

Consequential Matters

When all the required consultation has been undertaken and the review completed the Council may make an Order to bring into effect any decision that it may make. If the Council decides to take no action then it will not be necessary to make an Order.

If an Order is made it may be necessary to cover certain consequential matters in that Order.

These may include:

- a) the transfer and management or custody of any property
- b) the setting of a precept (council tax levy) for the new parish council
- c) provision with respect to the transfer of any functions, property, rights and liabilities
- d) Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

The Council will also take into account the requirements of the Local Government Finance (New Parishes) Regulations 2008 when calculating the budget requirement of any new parish councils when setting the council tax levy to be charged.

Any changes to parish wards or external boundaries could lead to those boundaries ceasing to be coterminous with the District and/or County Electoral boundaries. Recommendations may be made to the Local Government Boundary Commission for England after this review so that coterminosity is restored.

Representations

North Devon District Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included in the Review.

Representations may be made in the following ways:

By Email: cgr@northdevon.gov.uk

Website: North Devon Council's Engagement Platform

By Post: Electoral Services (CGR), North Devon Council, Lynton House, Commercial Road, Barnstaple, EX31 1DG.