



Report to Standards and General Purposes Committee

Date: 24 August 2023

Title: **Community Governance Review – Wycombe Area**

Relevant councillor(s):

Author and/or contact officer: Nick Graham, Service Director, Legal and Democratic.
Contact officer Glenn Watson, Principal Governance Officer.

Ward(s) affected:

Recommendations:

- 1) To agree that the recommendations of the former Wycombe area Community Governance Review be not taken forward; and**
- 2) To undertake a new Community Governance Review for the Wycombe area in the light of changed circumstances; and**
- 3) To set up a Community Governance Working Group of this Committee chaired by its Chairman, as in Annex 2, to:
 - a) recommend draft Terms of Reference to this Committee for a new Community Governance Review for the Wycombe area; and**
 - b) recommend a Consultation Plan that will fully engage community views once any Terms of Reference are adopted and are published by the Committee; and consequently****
- 3) To receive the recommended Terms of Reference from the Working Group in January 2024 with a view to commencing the statutory consultation in January/February 2024.**

1. Reason for decision:

1.1 This Committee has responsibility for considering electoral arrangements and also for exercising functions in relation to parish and town councils. Consequently, it falls to this Committee to consider Community Governance Reviews. Community governance

reviews provide the opportunity for principal councils to review and make changes to community governance: that is, to suggest changes such as the creation of new parishes, the establishment of parish councils, making changes to parish boundaries and to parish electoral arrangements.

- 1.2 During the recent electoral review of Buckinghamshire, the Council deferred consideration of Community Governance Reviews (CGRs) as advised by the Local Government Boundary Commission for England. Now that the electoral review has concluded, the Council can resume consideration. Prior to the electoral review, a CGR for the Wycombe area had been undertaken by a legacy Council.
- 1.3 This report invites the Committee to determine a way forward for the community governance of the High Wycombe area.

2. Community Governance Reviews – key principles

2.1 The outcome of a Community Governance Review must, in law:

- (a) reflect the identities and interests of the community in that area, and
- (b) be effective and convenient.

2.2 Any CGR must secure these objectives. It follows that the recommendations arising from a CGR must be current, must have regard to the future of the area, and must be a necessary improvement on the status quo. Statutory guidance has been produced to help apply these principles.

3. Background – the ‘High Wycombe’ Review

3.1 During 2019, the former Wycombe District Council undertook a Community Governance Review of the High Wycombe area. High Wycombe remains unparished. The review assessed whether there was any support for establishing a council for the town of High Wycombe and parish councils for the communities of Micklefield, Sands or Totteridge. In January 2020, the final report was produced (Annex 1 to this report).

3.2 The report was mindful of two imminent events: firstly, that local government reorganisation was about to occur with the abolition of the district council and the establishment of Buckinghamshire Council; and secondly that an electoral review of Buckinghamshire Council would then follow shortly after reorganisation. Both would have implications for local governance.

3.3 The recommendations were framed as three Options:



- 1) Establish new councils – for High Wycombe and perhaps for Micklefield, Sands or Totteridge, with no Reorganisation Order happening until the new Buckinghamshire Council was established;
- 2) Deferral of any decision until the new Council was in place, recognising that further consultation may then be necessary;
- 3) Take no action - because other means of effective and convenient local governance, reflective of community interests and identity, would be established through the new unitary council, its community boards and the local Town Committee, with a further CGR occurring following the electoral review.

3.4 The publication of the recommendations effectively ended the formal CGR process (begun with the publication of the original Terms of Reference). Considering the recommendations in April 2020, the new Buckinghamshire Council deferred any decision until after the electoral review.

3.5 Consequently, the Council is now able to revisit the matter and to determine if and how to proceed.

4. Proposal – a new review for the Wycombe area

The original review

4.1 Any outcome must reflect community identities, the interests of the area and must reflect effective and convenient local government. The original Option 3 (undertake a new review) anticipated that the establishment of Buckinghamshire Council would impact local governance. Community Boards were indeed established and the High Wycombe Town Committee has continued. The electoral review of Buckinghamshire has taken place and from May 2025 will see a large-scale change to the pattern of wards, including a reduction from 147 to 97 councillors.

4.2 There are several reasons why the original consultation and the recommended options may no longer be said to meet the statutory criteria:

- there has been a considerable lapse of time since the original CGR and consultation;
- there was a relatively small response to the original consultation ;
- the original petitions were based largely on the Wycombe District Council wards pertaining at the time, rather than Buckinghamshire Council’s wards as the successor authority;
- there has been an electoral review undertaken by the Local Government Boundary Commission;

- a High Wycombe Town Committee continues and this is responsible for the services traditionally associated with a Town Council. (The Town Committee recommends to Cabinet an amount of Special Expenses to run these services to be added to the Council tax precept for the Wycombe area.);
- 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;
- there will have been changes to the population since 2019.

4.3 Consequently, it is not possible to say with confidence that the statutory criteria would still be met by adopting any of the previous options. Nor is it necessary for the Council to adopt them; it can, instead, decide not to take forward any of the previous options and/or undertake a new review.

A new review

4.4 This report recommends that it may be more pragmatic to commission a new CGR for the whole of the Wycombe area based on fresh terms of reference and on an up-to-date public consultation, to determine whether new councils should be established.

Community Governance Working Group

4.5 Recommendation 3) advises that a Community Governance Working Group be established, comprising the whole of the Committee (as with the former Electoral Review Working Group), chaired by its Chairman and that it be asked to develop Terms of Reference for the Review. Further, the Working Group should also recommend a Consultation Plan for engaging fully with the community once any Terms of Reference are approved and published by the Committee.

4.6 Suggested terms of reference of such a Working Group are included as **Annex 2**.

Outcomes into effect

4.7 As suggested in the Working Group's terms of reference (Annex 2), it would be for the Working Group to recommend the appropriate timeframe for conducting and concluding the review. Any timeframe should be consistent with the requirement for effective consultation at all stages, and the need to ensure that any resulting council was sustainably planned and resourced. A CGR is said to 'begin' when its Terms of Reference are first published. It 'concludes' when the recommendations arising from it are published. The statutory guidance suggests a review commissioned by a principal Council should be 'concluded' within a year, although this is not mandated and would depend on the levels of consultation and consideration needed.

5. Next steps and review

5.1 If the Committee adopts the Recommendations, the next immediate steps would be:



- a) The Working Group meeting to draw up potential terms of reference, and a timeline, for the 'Wycombe Review'- July to December 2023
- b) This Committee formally adopting, and publishing, Terms of Reference for the Review – January/February 2024
- c) Formal consultation begins – January/February to March 2024

5.2 The statutory stages thereafter would involve consideration of the consultation responses and the framing of draft recommendations (i.e. draft outcomes). The draft recommendations would then be consulted upon and the responses considered. This Committee would then approve any final recommendations before Full Council approves the final Order.

5.3 Under this arrangement, for example, if a new council is recommended following the Community Governance Review, and an election to it were to be held in May 2026, councillors would serve a shortened term of three years rather than four. As envisaged in the statutory guidance, elections would then fall back into line with the normal pattern from May 2029.

6. Legal and financial implications

6.1 Section 82 of the Local Government and Public Involvement in Health Act 2007 authorises a principal council to commission a community governance review. It must have regard to the statutory guidance when doing so. Where a council has published Terms of Reference for a review, it may amend them to accommodate reviews on related or other areas.

6.2 There are a number of financial implications for a Wycombe Area review that would need to be considered as part of the process. These include changes to the current 'Special Expenses' precepts, the creation of a new Town or Parish Council precept, and implications around assets, reserves and staff. The 'Special Expenses' precept for the area forms part of the Council Tax Referendum threshold for Buckinghamshire Council, and financial implications of any proposed change will be considered in due course, depending on the approach taken and guidance and advice from the Department of Levelling Up, Housing and Communities.