

Community Governance Review of Buckshaw

conducted under the Local Government & Involvement in Health Act 2007

TERMS OF REFERENCE

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COMMUNITY GOVERNANCE REVIEW OF BUCKSHAW

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1. INTRODUCTION

Request for creation of a Parish Council for Buckshaw Village

- 1.1 Chorley Council has received a recent request from a resident of Buckshaw Village for the creation of a Parish Council for the Buckshaw Village area. There have been a number of similar informal requests over recent years and as a result the Chief Executive submitted a report to a meeting of full Council at Chorley Town Hall on 2 November 2010 requesting that Members consider the matter. The Council agreed to conduct a Community Governance Review for the Buckshaw area of Chorley Borough which would look at whether current parishing arrangements best serve the local community and whether there should be a new Parish Council created for the Buckshaw area.

The legislative framework

- 1.2 The Local Government and Public Involvement in Health Act 2007 provides for local authorities to undertake reviews of Parish Council arrangements known as Community Governance Reviews. This power was previously the responsibility of the Local Government Boundary Commission for England. Principal Councils (such as Chorley) can commence a Community Governance Review at any time and if they receive a petition consisting of a prescribed number of signatures from residents of the area affected (para 41 of the CGR Guidance), then Councils must undertake a formal community governance review. Whilst no petition has been received for a Buckshaw Review, the Council has acknowledged that this is an issue which residents wish to see examined.
- 1.3 In undertaking this Review the Council will be guided by the following legislation and government guidance:
- The Local Government and Public Involvement in Health Act 2007
 - The Local Government Act 1972
 - Guidance on Community Governance Reviews issued by the Department for Communities and Local Government, dated 2010
 - Consequential matters arising from the review may be impacted by the Local Government (Parishes and Parish Council) (England) Regulations 2008 and Local Government Finance (New Parishes) Regulations 2008

The terms of reference document

- 1.4 Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish a Terms of Reference document for a Community Governance Review. This sets out:
- how the Review will be conducted;
 - expected timescales;
 - what the Review will focus on;
 - what the key considerations should be;
 - factual electoral and parish information; and
 - a consultation strategy.

This information is set out in the following sections of this Terms of Reference document.

Community Governance Review Committee

- 1.5 The Council has authorised a Community Governance Review Committee consisting of seven Councillors appointed on 2 November 2010, to be responsible for this Review and ultimately to bring its final recommendations to the full Council for their consideration and decision. That Committee met on 25 November 2010 and agreed the precise area which the Review should cover, along with expected timescales. The agenda and minutes of this and future meetings of the Committee are publicly available and can be accessed on the Council's website.

The area which is subject to a Community Governance Review

- 1.6 Buckshaw Village area is partly within the Borough of Chorley and partly in the Borough of South Ribble. This review can only consider the area of Buckshaw within Chorley Borough.

The area of Buckshaw Village in South Ribble Borough is unparished. The area of Buckshaw Village within Chorley is currently either in the Parish of Euxton or the Parish of Whittle le Woods. These areas are covered by the two polling districts of 2C and 10C and are illustrated in maps at Annex 1. A polling district is a small area within a parish or ward which is used purely for electoral administrative purposes. For the purpose of the Review it usefully defines the area which is under consideration.

- 1.7 Buckshaw Village is an area of new housing development on the site of a former Royal Ordnance Factory (900 acres). The development started in 1999/2000 and currently consists of approximately 1200 completed houses and a commercial element with development still continuing and expecting to continue until 2021. More detailed information about the development, future forecasts of population and the Management Agreement in place for the maintenance of the area is contained in later sections of this document.
- 1.8 The Local Government Boundary Commission for England has been requested to undertake a review of Chorley Council's boundaries in the Buckshaw area to try and achieve all of the Buckshaw community under one local authority area. However the Council has been informed that it could be some years before this review takes place.

What is a Community Governance Review

- 1.9 A Community Governance Review considers the following topics for the area under review:
- Parish areas – creating, merging, altering or abolishing parishes;
 - The naming of parishes and the style of new parishes
 - The electoral arrangements for parishes - creating a council, the number of councillors to be elected, parish warding
 - Consequential matters – ie the effect on existing parishes; dealing with parish assets; resolving issues relating to employees of existing parishes; setting a precept for a new Council; setting a date for the first elections and the subsequent electoral cycles.

- 1.10 Consequently this Review will look at **all** options for future parish governance arrangements. This will include:
- **Creating a new parish for Buckshaw made up of parts of the current Euxton and Whittle le Woods Parish Councils;**
 - **status quo, with current parishing arrangements remaining unchanged;**
 - **the unparishing of some or all of the area under consideration;**
 - **the unparishing of some or all of the area under consideration, with a recommendation to reconsider the position if district boundaries are reviewed by the Boundary Commission for England which put all of Buckshaw Village under one District Council; and**
 - **Any other arrangements which come out of the consultation process for the review and receive significant support**

Parish Governance

- 1.11 The Council values the important role that parish councils play in their local area both in terms of community empowerment and engagement and the delivery of local services and this is reflected in the Council's strategic objectives. Ultimately the recommendations made in a Community Governance Review should bring about improved community engagement, more cohesive communities, better local democracy and should result in more effective and convenient delivery of local services.

2. CONSULTATION

Proposals for consultation during the Community Governance Review (CGR)

- 2.1 In considering and making recommendations within these Terms of Reference the Council will take account of the views of local people. The 2007 Act requires that the Council consults the local government electors for the area under review and any other person or body who appears to have an interest in the review. The Council must take representations into account by judging them against criteria laid out in the Act.
- 2.2 The timetable for the Review in paragraph 2.6 below provides for a number of periods for comment and submissions by the public. Specifically these are:
- Two months after the Terms of Reference are published
 - Two months after the publication of the Draft Recommendations
 - One month after the publication of the Final Proposals
- 2.3 The Council through the Community Governance Review Committee will conduct the review transparently with decisions being in public and reasons given for those decisions. This is in line with the Government guidance on conducting CGRs. All meetings of the Community Governance Review Committee will take place in public and information will be available on the Council's website. The Council is keen to conduct meaningful consultation that leads to effective proposals.
- 2.4 The Council proposes to use the following mechanisms to keep consultees informed:
- General press releases.
 - Council website.
 - Key documents on deposit at the Town Hall, Chorley library and relevant branch libraries.
 - Briefings/public meetings with Buckshaw Village Community Association, Euxton Parish Council, Whittle le Woods Parish Council and RMG, the Management Company who manage and maintain the community facilities and open spaces on Buckshaw village.
 - Direct personal communication

The Council will be mindful of the cost of consultation and will endeavour to ensure that consultation processes are cost effective.

How to submit your views

- 2.5 Comments should be submitted by letter or email using the addresses and contacts below. A range of consultation questions are included throughout this document and summarised in Section 11. These are intended to be of assistance in structuring responses and addressing all aspects of the review, however these are not prescriptive and all views submitted will be logged and taken into consideration.

You can contact us or submit views by letter or email at:

Democratic Services (Community Governance Review)
Chorley Council
Town Hall
Market Street
Chorley PR7 1DP

buckshawcgr@chorley.gov.uk

CONSULTATION RESPONSES MUST BE IN WRITING, WHETHER BY EMAIL OR LETTER, AND MUST CONTAIN THE NAME AND RESIDENTIAL ADDRESS OF THE PERSON SUBMITTING THEIR VIEWS. ALL RESPONSES WILL BE ACKNOWLEDGED.

Below are the contact officers for queries about the review.

Carol Russell, Democratic Services Manager
carol.russell@chorley.gov.uk tel 01257 515196

Phil Davies, Electoral Services Manager
phil.davies@chorley.gov.uk tel 01257 515131

Alex Jackson, Legal Advisor to the Review
alex.jackson@chorley.gov.uk tel 01257 515166

Dianne Scambler, Democratic and Member Services Officer
dianne.scambler@chorley.gov.uk tel 01257 515034

Timeframe for the review

2.6 The Community Governance Review Committee has agreed the following timeframe for the conduct of the review. The Committee will endeavour to keep to these dates and will certainly not reduce the length of any consultation periods, however if changes to dates are required, these will be published on the Council's website. A CGR is a lengthy process but the regulations require that they are concluded within a 12 month period.

Table 2.1

Stage	Action	Dates
Start of review	Community Governance Committee meets to agree Terms of Reference	Community Governance Committee, Monday 31 January 2011
	Publish Terms of Reference (ToR) and invite submissions – 2 months	7 February until 7 April 2011
Preliminary stage	Offer briefings to inform key interested parties and invite submissions, including: <ul style="list-style-type: none">• Buckshaw Village Community Association• Euxton Parish Council• Whittle le Woods Parish Council• RMG Management Company	From 7 February 2011

Stage 1	Receive submissions over 2 month period and develop Draft Recommendations	Community Governance Committee to meet late May/early June 2011 to consider submissions received and agree Draft Recommendations
Stage 2	Publish Draft Recommendations and start 2 month consultation period.	Friday 17 June 2011 until 17 August 2011 Community Governance Committee meets end August 2011 to consider responses and agree Final Proposals
Stage 3	Publish Final Proposals and start 1 month consultation period.	Friday 2 September 2011 until 2 October 2011 Community Governance Committee meets mid October 2011 to consider responses and agree Final Proposals for consideration by full Council.
Stage 4	Council resolves to agree the Final Proposals and to make a Reorganisation Order (if required).	Full Council Meeting
Stage 5	Implementation of any change by 1 April 2012	

PLEASE NOTE THIS IS AN ESTIMATED TIMEFRAME AND WHILST WE WILL ENDEAVOUR TO KEEP TO THE DATES, ANY CHANGES WILL BE PUBLISHED ON THE COUNCILS WEBSITE.

Question 1

Are the proposed timescales within the Review appropriate.

Consultees for this Review

2.7 A range of organisations operate within the parishes affected and may be interested in the Review. The existing Parish Councils will have a clear interest along with any group specific to the Buckshaw Village area. This includes the Buckshaw Village Community Association and also RMG, the Management Company employed by the major Housing Developers of Redrow and Barratts in the Buckshaw area. This company manages community facilities on Buckshaw and maintains recreation, woodland and open space areas. Residents of Buckshaw all currently pay an annual estate charge of £150 for the management and maintenance of these facilities and this is detailed in their agreed Management Plan. Currently the roads, street lighting etc are not yet adopted by local authorities and therefore still the responsibility of the developers.

A list has been compiled of interested organisations and individuals who it is proposed will be consulted at the various stages of the Review and these are contained in Annex 2.

Question 2

Should any bodies or organisations be added to the consultees listed in Annex 2?

Consultation strategy for the Review

2.8 The schedule below sets out our strategy for consulting on the Review to ensure that those affected are aware of the proposals and their potential impact.

Table 2.2 Consultation Strategy

Date	Action	Follow up
7 February 2011	Publish Terms of Reference and invite submissions by 7 April 2011	<ol style="list-style-type: none"> 1. Article on Council website 2. Press releases to local press 3. Inform all Borough Ward Councillors and County Council Divisional Councillor 4. Briefings/attend public meetings with key interested parties including: <ul style="list-style-type: none"> • Buckshaw Village Community Association • Euxton Parish Council • Whittle le Woods Parish Council • RMG Management Company 5. Write to organisations as indicated in Annex 2 with ToR document 6. ToR available on deposit at Council offices, libraries
17 June 2011	Publish Draft Recommendations and invite comments by 17 August 2011	<ol style="list-style-type: none"> 1. Update Council website 2. Press releases to local press 3. Inform all Borough Ward Councillors and County Council Divisional Councillor 4. Write to organisations as indicated in Annex 2 with Draft Recommendations document or summary information as indicated, offer drop in sessions for public where appropriate 5. Information leaflets about the draft recommendations to all residents in polling Districts 2C and 10C (the areas affected). 6. Publicise with remaining residents in Euxton and Whittle le Woods Parish Councils who are outside the two polling districts (mechanism to be agreed with Parish Councils). 7. Draft Recommendations available on deposit at Council offices, libraries, etc

2 September 2011	Publish Final Proposals and invite comments by 2 October 2011	<ol style="list-style-type: none"> 1. Update Council website 2. Press release to local press 3. Inform all Borough Ward Councillors and County Council Divisional Councillor 4. Write to organisations as indicated in Annex 2 with Final Proposals document 5. Write to all those who have responded to the consultation with summary information about Final Proposals. 6. Final Proposals document available on deposit at Council offices, libraries, etc
November 2011	Council make final decision and agree implementation dates	<ol style="list-style-type: none"> 1. Press releases, website updates and formal correspondence with key parties affected.

Question 3

Is the suggested method of consultation sufficient, balancing the need to secure wide interest within reasonable costs to the Council?

3. ELECTORATE AND DEMOGRAPHIC FORECASTS

The electorate and electorate forecasts for the Review areas

- 3.1 The Council has used the latest update to the 2011 Register of Electors published on 1 December 2010 in providing the following parish/parish ward electorate figures.

The area under review forms parts of the Parish Wards of Euxton North East and Whittle le Woods West and includes Polling Districts 02C and 10C respectively.

Table 3.1 Current electorate and property statistics for the review area

Polling District	Properties with registered electors	Electors	Electors per property (on average)
02C	415	703	1.7
10C	367	605	1.7
02C & 10C	782	1308	1.7

- 3.2 Later in this document, we will give some initial consideration to the electoral arrangements that might accompany any changes to the parishes now under review. The Review will consider any change in the number or distribution of the electors which is likely to occur in the next five years beginning with the day when the Review starts (Section 95 of the 2007 Act). However, the projections for development on Buckshaw as shown in Annex 1 cover proposed development up to 2021.
- 3.3 The Council notes that the following numbers of new residential dwellings could be built in the existing parish wards during the period 2011/12 to 2015/16.

Table 3.2 Projected new dwellings and electoral change statistics for the review area 2009/10 – 2021

Polling District	Projected new dwellings	Electors per property	Projected additional electors	Electorate forecast
02C & 10C	1232	1.7	2094	3402

However, any percentage increase in the overall electorate of these wards shown in these statistics requires a cautionary note. Due to current financial and housing market conditions it is difficult to give a realistic assessment of the actual numbers of new dwellings that will be completed to occupation within these timescales.

- 3.4 The Government guidance indicates that these forecasts should be made available to all interested parties as early as possible in the review process so that they are available to all who may wish to make representations. (Guidance, para 169).

Question 4

Are these appropriate measures of the current and forecasted electorate for the CGR area?

4. THE PRESENT STRUCTURE OF PARISHES AND THEIR ELECTORAL ARRANGEMENTS IN THE REVIEW AREA

The parish areas

- 4.1 The current boundaries of the existing parishes of Euxton and Whittle le Woods together with the affected areas of Polling Districts 02B/02C and 10B/10C are shown in the maps in Annex 1.

The parish electoral arrangements

- 4.2 The existing parishes of Euxton and Whittle le Woods are each divided into wards for the purposes of elections to the parish councils, and the existing ward boundaries are also shown in maps in Annex 1.

Table 4.1 Parish of Euxton

Parish Ward	Electors	Councillors	Ratio of Electors to Councillors
Euxton North East	879	2	440
Euxton North West	3564	8	446
Euxton South	3237	8	405

Table 4.2 Parish of Whittle le Woods

Parish Ward	Electors	Councillors	Ratio of Electors to Councillors
Whittle Le Woods East	964	3	321
Whittle Le Woods West	3149	9	350

- 4.3 These electoral arrangements were laid down in The Borough of Chorley (Electoral Changes) Order 2001. As a period of five years has elapsed since this Order was laid, it will not be necessary to seek the consent of the Electoral Commission if it becomes the intention of the Council to alter the electoral arrangements for these parishes (section 86 of the 2007 Act).

The relationship with the borough wards

- 4.4 The area under review is divided between two Borough Wards, Clayton le Woods and Whittle le Woods Ward and Astley and Buckshaw Ward and between the Parishes of Whittle le Woods (West Ward) and Euxton (North East Ward). The parishes are warded because this is a requirement where parish boundaries cross over borough ward boundaries. The actual affected areas are then divided again into electoral polling districts as shown below:

Table 4.3 – Electoral arrangements Borough/Parish/Parish Ward/Polling District divisions for the Review area

Borough Ward	Parish	Parish Ward	Polling District	Electors
Clayton le Woods and Whittle le Woods	Whittle le Woods	Whittle le Woods West	10B	2544
Clayton le Woods and Whittle le Woods	Whittle le Woods	Whittle le Woods West	10C	605
Astley and Buckshaw	Euxton	Euxton North East	02B	176
Astley and Buckshaw	Euxton	Euxton North East	02C	703

The table above shows the impact on the current parish wards if polling districts 2C and 10C (shaded lines) were removed. Whilst Whittle le Woods West remains of significant size, Euxton North East would be quite small representing only 176 electors. However when compared to other parishes and parish wards (information contained in Annex 5) this is not necessarily of significance but may result in a reduction in the number of parish councillors representing that ward.

- 4.5 As previously indicated Borough wards cannot be altered by the Council in a Community Governance Review; they are the responsibility of the Local Government Boundary Commission for England. However, the Council can make recommendations to the Commission requesting that related alterations be made to the boundaries of the Borough wards, and the Commission may give effect to those recommendations by order. In considering any such recommendations, the Commission will expect that they have been consulted upon and will expect them to be accompanied by electorate forecasts and maps.

5. EUXTON PARISH COUNCIL AND WHITTLE LE WOODS PARISH COUNCIL INFORMATION

- 5.1 Below is information relating to the two Parish Councils currently serving Chorley Buckshaw residents. The legislation requires that in the event of the creation of a new parish, that the current assets (located in the affected area), balances and staffing be considered and potentially apportioned and transferred to the new parish.

Table 5.1

Euxton Parish Council
Mrs Debra Platt Clerk to Euxton Parish Council 9 Ambleside Avenue Euxton Chorley PR7 6NX Tel: 01257 234004 Email: euxtoncouncil@btinternet.com
Whittle le Woods Parish Council
Mrs Lesley Atherton Clerk to whittle le Woods Parish Council 10 chester Place Adlington Chorley PR6 9RP Tel: 01257 474961 Email: whittlelewoodspc@yahoo.co.uk

- 5.2 **Current parish precepts 2010/11**

Table 5.2

Parish	Amount Required 2010/11	Council Tax Band D equivalent 2010/11
Euxton	£113,200	£32.09
Whittle le Woods	£32,150	£16.03

Parish budgets

- 5.3 Parish Council budgets for 2010/11 for Euxton and Whittle le Woods are contained in Annex 4.

Parish assets

- 5.4 Details of Parish Assets for both Euxton and Whittle Parish Councils are also contained in Annex 4.

Parish staff

- 5.5 Euxton Parish Council employs four members of staff. A part time Clerk working 20 hours per week and 3 part time caretakers for the Parish working a combined total of 50 hours per week.

Whittle le Woods Parish Council employs two members of staff. A part time Clerk working 13 hours per week and one part time lengthsman working 11 hours per week.

6. CREATING A PARISH COUNCIL AND PRECEPT INFORMATION

6.1 Considering potential outcomes of the review

Legislation requires that key factors are taken into account in considering outcomes. At the current time the potential outcomes are set out below. Views are requested on these and any other suggestions for parish arrangements in this area.

- **a new parish created for Buckshaw village made up of parts of the current Euxton and Whittle le Woods Parish Councils;**
- **status quo, with current parishing arrangements remaining exactly the same;**
- **the unparishing of some or all of the area under consideration;**
- **the unparishing of some or all of the area under consideration, with a recommendation to reconsider the creation of a Parish Council for Buckshaw if district boundaries are reviewed by the Boundary Commission for England resulting in all of Buckshaw village under one District Council;**
- **Any other parish governance arrangements which come out of the consultation process for the review and receive significant support**

6.2 Section 93 of the Act contains the key factors which the Council must be mindful of in considering these options. The Council has a duty to ensure that community governance within the area under review:

- a) reflects the identities and interests of the community in that area;
- b) is effective and convenient, and
- c) takes into account any other, non-parish arrangements for the purposes of community representation or community engagement in the area (section 93 of the 2007 Act)

6.3 It is possible to think of these key factors as a number of tests. The first 'test', (a), as the 'community of identity' test: do the Buckshaw areas under consideration represent a distinctive community of identity, deserving of separate parish status and individual parish representation?

6.4 However, this test cannot be considered in isolation from a second test, (b), which may be thought of as the 'viability' test: do these areas have the viability to stand alone as a separate parish not dependent on the existing Parishes, in the funding and provision of services that would compare with current service levels?

6.5 The final test, (c), requires the Council to take into account other organisations in the area that promote representation and engagement for its inhabitants and that thereby serve to reinforce the community of identity test.

'Communities of Identity'

6.6 The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity, and, therefore, the feeling of local community and the wishes of local inhabitants and other interested bodies are primary considerations in this review.

- 6.7 Government guidance (paras 45-47) indicates that electors should be able to identify clearly with the parish in which they are resident because 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.

Question 5

Does the area of Buckshaw Village have a separate, distinctive and recognisable community of identity of its own, separate from the existing parishes?

How is this demonstrated in the provision of community and neighbourhood facilities on Buckshaw?

- 6.8 The Council considers that an adequate infrastructure should exist to support that community of identity which in turn justifies parish governance. We envisage this infrastructure as comprising meeting points, community facilities, local school, neighbourhood stores, community organisations, voluntary groups, etc., through which the community builds its sense of local identity.

In considering the future of areas that do not possess an adequate infrastructure to support separate parish governance, the Council will not lightly make a recommendation to separate one area from another area on which it has a traditional and long-standing dependence. The government has emphasised in its Guidance that the interests of community cohesion should be taken into account in a review.

- 6.9 As previously mentioned this review cannot look at the South Ribble part of Buckshaw and any parish council established for Buckshaw can only serve the Chorley part of Buckshaw. South Ribble Council would need to undergo a Community Governance Review if there was a will to also establish a Parish Council for that part of Buckshaw.

Question 6

Do you think a Parish Council serving just part of the Buckshaw development would operate effectively?

Ward arrangements in parish councils

- 6.10 In Section 8, we consider the parishing arrangements of the present parishes. As we have already indicated, the Review area is currently contained within the existing parishes of Euxton and Whittle-le-Woods. In addition, due to the existing parishes crossing over Borough Ward boundaries, the parishes are also currently warded with the Review areas being parts of Euxton North East Parish Ward and Whittle-le-Woods West Parish Ward. The warding of parishes is often appropriate where it is felt that particular areas of a parish should be separately represented on a parish council. Parishes must also be warded in instances where their boundaries cross Borough Ward boundaries. Should a new parish be formed for the review area, as explained above the new parish will consist of 2 parish wards.

The boundaries between communities of identity – appropriate parish boundaries

- 6.11 The Review could alter boundaries between existing and/or proposed parishes, and in this section some guidance is given on appropriate parish boundaries. Boundaries can be either natural or man-made: they might include rivers, open countryside or man-made features such as parks, railways or major roads. They may also be boundaries of the current Borough Council or Borough ward boundaries.
- 6.12 There will inevitably be areas on the fringes of our existing parishes that identify well both with their existing parish and with an adjoining parish. This is an inevitable consequence of boundaries and the Council is anxious to hear of views and suggestions for appropriate boundaries.

Question 7

Do you feel that the proposed boundaries would be appropriate for a new Parish Council or what alternative boundaries should be considered?

The ‘viability’ test

- 6.13 The Council is anxious to ensure that parishes should be viable and should possess a precept that enables them to actively and effectively promote the well-being of their residents and to contribute to the real provision of services in their areas in an economic and efficient manner.
- 6.14 In Section 5 we laid out the following current precept requirements and the resultant Council Tax Band D Equivalents of the existing parishes:

Table 6.1 Precepts, Council Tax Base and Council Tax Band D Equivalents in the Review area Existing Parishes

Parish	Total number of dwellings	Precept Amount Required 2010/11	Council Tax Base 2011/12	Council Tax Band D Payable
Euxton	4117	£113,200.00	3527.2	£32.09
Whittle-le-Woods	2295	£32,150.00	2005.0	£16.03

- 6.15 The Council has separated the data to show the precept/tax base for the review areas and the subsequent remaining existing parishes as shown.

Table 6.2 shows the precept/council tax situation should the existing parishes wish to retain the existing precept amounts.

Table 6.2 Precepts, Council Tax Base and Council Tax Band D Payable for Proposed and Existing parishes – Precept Amount Required Unchanged

Parish	Total number of dwellings	Precept Amount Required 2010/11	Council Tax Base 2011/12	Council Tax Band D Payable
Buckshaw Review area (Polling Districts 02C and 10C)	860	N/K	731.0	N/A
Residual Euxton Parish	3648	£113,200.00	3100.8	£36.51
Residual Whittle-le-Woods Parish	1904	£32,150.00	1618.4	£19.87

Table 6.3 shows the precept/council tax situation should the existing parishes wish the Council Tax Payable to remain unchanged.

Table 6.3 Precepts, Council Tax Base and Council Tax Band D Payable for Proposed and Existing parishes – Council Tax Band D Payable Unchanged

Parish	Total number of dwellings	Precept Amount Required 2010/11	Council Tax Base 2011/12	Council Tax Band D Payable
Buckshaw Review area (Polling Districts 02C and 10C)	860	unknown	731.0	N/A
Residual Euxton Parish	3648	£99,505.00	3100.8	£32.09
Residual Whittle-le-Woods Parish	1904	£25,943.00	1618.4	£16.03

NB These figures have been compiled using the following assumptions:

- Precept requirements for 2010/2011 have been used because 2011/12 requirement is only due to be submitted by 04/02/11*
- Dwelling numbers for Euxton and Whittle le Woods are as at October 2010 and are those used to calculate 2011/12 Council Tax Base*
- Dwelling numbers for Buckshaw are banded properties as at August 2010*
- Buckshaw and residual Euxton and Whittle le Woods Council Tax Base has been calculated at 85% of dwelling numbers which is consistent with Euxton and Whittle le Woods prior to any changes.*
- Precept required and Council Tax Band D Equivalent for a Buckshaw Parish Council are unknown*
- Table 6.2 - Precept Amount Required for Euxton and Whittle le Woods kept at original amount to show effect on Council Tax Band D Payable*

- g. *Table 6.3 - Council Tax Band D Payable for Euxton and Whittle le Woods kept at original amount to show effect on Precept Amount Required*
- h. *Tables 6.2 & 6.3 figures are best estimates and are subject to change depending on number of new properties completed and number of Council Tax discounts and exemptions.*

Although some assumptions have had to be made, the Council considers that this margin of error is low and that it does not prevent the Council from providing estimated precepts to help inform the consultation in the Review.

- 6.16 In the presentation of these figures reference is made to both a Council Tax Base and Band D Property. Annex 3 contains an explanation of these terms.
- 6.17 We have also asked Euxton and Whittle le Woods Parish Councils to supply us with details of their budgets along with details of their assets. These are included at Annex 4.

Other non parish arrangements

- 6.18 The final key factor and test to be applied (c) requires the Council to take into account other organisations in the area that promote representation and engagement for its inhabitants. The main organisation currently representing the wider community on Buckshaw Village appears to be Buckshaw Village Community Association. This serves the whole of the village including residents of the South Ribble Council area. The developers in conjunction with the Community Association and residents have agreed a Management Plan for the management and maintenance of community facilities and open spaces until 2015 and this is now in place.

Question 8

**How would the creation of a parish council for the Chorley part of Buckshaw impact on the effectiveness of community organisations serving the area?
Could the organisations work effectively together?**

7. PARISH NAMES AND STYLES

Parish names

- 7.1 The Council envisages that if a new Parish Council was created for the area that it could be titled the Buckshaw Parish Council. As it can only represent those residents who live in the Chorley Council part of Buckshaw, it may be considered inappropriate to title it Buckshaw Village Parish Council.

Parish wards and numbers of elected councillors

- 7.2 If a new Parish Council was created for Buckshaw which was based on the current polling districts of 10C and 2C (see maps in Annex 1) then legislation requires that it to consist of two wards and these wards would each require to be named eg Buckshaw East (10C) and Buckshaw South (2C).

Alternative styles

- 7.3 The 2007 Act introduced alternative styles for new parishes – community; neighbourhood or village. If a new Parish Council was created for Buckshaw, it could be named either a Parish Council, a Village Council, a Neighbourhood Council or a Community Council. Depending on the style adopted the Councillors elected would be Neighbourhood Councillors, Village Councillors etc.

Question 9

What are your views on the name and style of a new Parish Council for Buckshaw and the names of wards within the Parish Council?

8. ELECTORAL ARRANGEMENTS

What are 'Electoral Arrangements'?

8.1 'Electoral Arrangements' are an important part of the review. The term covers the way in which a Council is constituted for a parish – be that an existing or a new parish. It covers:

- the ordinary year in which elections are held;
- a council for a parish;
- the number of councillors to be elected to the council;
- the division (or not) of the parish into wards for the purpose of electing councillors;
- the number and boundaries of any such wards;
- the number of councillors to be elected for any such ward;
- the name of any such ward.

A council for a parish

8.2 The legislation lays down the different duties that the Council has with regard to the creation of a council for a parish, and, where the number of electors in a parished area is 1,000 or more, a parish council must be created (section 94 of the 2007 Act) and parish councillors elected. The area affected is over 1100 and likely to grow significantly in future years.

What considerations cover the number of parish councillors to be elected to a council?

8.3 In its Guidance, the government makes a point "that the conduct of parish council business does not usually require a large body of councillors" (para 155 of the guidance). The Local Government Act 1972 states that the number of parish councillors for each parish council shall not be less than five. However, there is little further guidance on appropriate numbers of parish councillors to be elected to a council and there is no maximum number. There are no rules relating to the allocations of councillors and the number of parish councillors per parish council varies greatly across Chorley Borough. This comparative information is included in Annex 5.

8.4 If a new parish is formed it will have to be warded. The Council considers that the following would be an appropriate councillor allocation for the parish wards.

Table 8.1 – Proposed councillor entitlements if a new parish were formed

Parish Ward	Electors	Suggested councillor allocation
Buckshaw (02C Euxton)	703 (as at Dec 2010 but likely to grow in population)	4
Buckshaw (10C Whittle le Woods)	605 (as at Dec 2010)	2

- 8.5 The Act requires the Council to have regard to any change in the number of local government electors which is likely to occur in the period of five years (Section 95 of the 2007 Act). We have provided our estimates of change in the number of electors in the review area in Section 3, we have also noted how difficult it is in the current financial and housing market conditions to estimate whether land allocated for the development of new houses will see new homes completed to occupation in the next five years.

Question 10

If you think that a Parish Council should be created for Buckshaw, do you agree with the Council's suggested councillor allocation as given above?

Where you are proposing a specific number of councillors, please provide reasons for your proposal.

Numbers of parish councillors in the current parished areas

- 8.6 Section 4 includes details of the impact of removing Polling Districts 2C and 10C from the Parishes of Euxton and Whittle le Woods. This reduces the electorate and as a consequence may result in the Review recommending a reduction of the number of parish councillors serving the parish wards in those areas.

Unparishing of a parished area

- 8.7 Government guidance (paras 117 to 124) refers to the potential abolition of parishes and the unparishing of areas. The Guidance makes it very clear that the Government do not wish to see existing parishes abolished and areas becoming unparished leaving no community governance arrangements in place. The issue of unparishing areas 10C and 2C is likely to arise during the consultation process – even if there is no clear will to create a parish council for Buckshaw. This would mean that residents in those areas would not pay a parish precept. The review would need to see strong evidence that this is the right way forward and this would need to include evidence that there are alternative effective community governance arrangements in place.

Question 11

Do you consider that unparishing the area of Buckshaw under review would be the right way forward?

If so what are the alternative community governance arrangements in place?

9. PROGRESSING THE REVIEW

- 9.1 If you have a clear interest in this review or are impacted by its outcome as a resident, the Council would like to hear your views and we invite submissions and comments in response to the questions posed by the deadline of 7 April 2011.

The guidance on undertaking CGRs dictates that **community governance should reflect the identities and interests of our communities and that it should be effective and convenient.**

- 9.2 The Community Governance Review Committee will consider all responses and will then draw up Draft Recommendations on parish governance arrangements for the Buckshaw area. There will then be detailed consultation for 2 months on those proposals in line with the consultation strategy set out in Section 2 of these Terms of Reference.
- 9.3 The Community Governance Review Committee will then consider the comments received on the Draft Recommendations and produce a Final Proposals document which it will again consult on for a period of one month.
- 9.4 The Community Governance Review Committee will then submit its proposals to a meeting of the full Chorley Council who will make the final decision. If that decision makes any changes to the existing parish governance structure then the Council will make a Reorganisation Order which will enable the implementation of these changes to take place. This will include the consequences of any changes and Section 10 addresses what these might be.

10. CONSEQUENTIAL MATTERS

10.1 This section covers the issues that will need to be addressed if the review results in new parish arrangements. These issues include:

- Commencement dates for new arrangements
- Recommendations to the Electoral Commission - Boundary Commission for England, for changes to borough ward boundaries
- Setting of precepts for parishes
- Transfer of property, rights and liabilities
- Transfer of any staff and associated staffing matters

10.2 The Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/265) and the Local Government Finance (New Parishes) (England) Regulations 2008 (SI2008/626) provide guidance on these matters.

Property matters

10.3 The two existing parishes have submitted information about their assets and these are detailed in Annex 4. The regulations require that such property, rights and liabilities will be transferred to any new parish in which they are located. Both parish councils advise they have no property of significance in the areas affected.

Financial matters

10.4 The regulations state that the parish balances as they stand immediately before the date of any Reorganisation Order should be transferred to any new parish in an appropriate proportion based on the population of an area as estimated by the proper officer of the Council on the day immediately before the Order date.

Setting a new precept

10.5 The regulations state that the Council must anticipate a precept in the Order for any new parish and the new parish council must ensure that its budget for the first year does not exceed the precept in the Order. The regulations set out provisions for the issue of precepts and these must be followed.

Staffing matters

10.6 The regulations cover the transfer of staff and continuity of employment following the making of an Order

Commencement dates

10.7 The Council envisages that if there are changes made to parish arrangements the Order will come into effect in April 2012. The following dates are suggested:

- **1 December 2011:** publication of the revised Register of Electors which will give effect to any boundary and electoral arrangement changes
- **1 April 2012:** commencement date for administrative and financial purposes
- **1 April 2012 to 3 May 2012:** the Council would manage the affairs of a new parish until parish councillors can be elected and a clerk appointed
- **May 2014:** the next scheduled elections in Euxton and Whittle le Woods Parish Councils when any changes in overall numbers of parish councillors would take effect.

Payment for elections

- 10.8 The practice in Chorley Borough is for all parish councils to fund parish council elections in their area. Any new parish council would similarly be expected to fund their elections.

Recommendations to the Local Government Boundary Commission for England

- 10.9 If during the course of the review or as a result of the review the Council feels that changes to current borough ward boundaries are necessary then the Council may request that the Local Government Boundary Commission for England conduct an electoral review of the relevant area. As stated previously, the Council's powers under community governance only extend to changes to parish council and parish ward boundaries and not to borough or borough ward boundaries. Any such request will need to provide evidence of consultation which support an electoral review.

Question 12

The Council invites comments on these consequential arrangements, bearing mind the requirements of the regulations.

11. SUMMARY OF CONSULTATION QUESTIONS

Question 1 (page 8)

Are the proposed timescales within the Review appropriate?

Question 2 (page 8)

Should any bodies or organisations be added to the consultees listed in Annex 2?

Question 3 (page 10)

Is the suggested method of consultation sufficient, balancing the need to secure wide interest within reasonable costs to the Council?

Question 4 (page 11)

Are these appropriate measures of the current and forecasted electorate for the CGR area?

Question 5 (page 17)

Does the area of Buckshaw Village have a separate, distinctive and recognisable community of identity of its own, separate from the existing parishes?

How is this demonstrated in the provision of community and neighbourhood facilities on Buckshaw?

Question 6 (page 17)

Do you think a Parish Council serving just part of the Buckshaw development would operate effectively?

Question 7 (page 18)

Do you feel that the proposed boundaries would be appropriate for a new Parish Council or what alternative boundaries should be considered?

Question 8 (page 20)

How would the creation of a Parish Council for the Chorley part of Buckshaw impact on the effectiveness of community organisations serving the area? Could the organisations work effectively together?

Question 9 (page 21)

What are your views on the name and style of a new Parish Council for Buckshaw and the names of wards within the Parish Council?

Question 10 (page 23)

If you think that a Parish Council should be created for Buckshaw, do you agree with the Council's suggested councillor allocation as given above?

Where you are proposing a specific number of councillors, please provide reasons for your proposal.

Question 11 (page 23)

Do you consider that unparishing the area of Buckshaw under review would be the right way forward?

If so, what are the alternative community governance arrangements in place?

Question 12 (page 27)

The Council invites comments on these consequential arrangements – bearing mind the requirements of the regulations.

LIST OF ANNEXES

1. Maps of the relevant areas.
 - 1.1 Map of parish boundaries including parish wards and polling districts
 - 1.2 Map of parish council boundaries and borough ward boundaries
 - 1.3 Map of current and future Buckshaw Village Development based on polling district boundaries
2. Consultation information
3. An explanation of the calculation of Council tax
4. Information from Euxton and Whittle le Woods Parish Councils
5. Schedule of Parish Councils in Chorley Borough with Parish Councillor and Electorate Information

MAPS OF THE RELEVANT AREA

1.1 Buckshaw Village - Chorley Polling Districts

1.2 Buckshaw Village - Borough Ward and Parish boundaries

1.3 Buckshaw Village - Development Plan

CONSULTATION INFORMATION

1. **Preliminary Stage** - Invite submissions and any comments on the terms of reference

Copies of the full Terms of Reference Document to:

- Euxton Parish Council
- Whittle le Woods Parish Council
- Buckshaw Village Community Association
- RMG Management Company
- Redrow Homes
- Barratt Homes
- Lancashire County Council
- Borough Council Ward Councillors (Astley and Buckshaw Ward and Clayton le Woods and Whittle le Woods Ward)
- County Council Divisional Ward Councillor (Chorley North Division)

2. **Draft Recommendations Stage** - Consultation on the Draft Recommendations of the Review

Copies of the full Draft Recommendations Document to:

- Euxton Parish Council
- Whittle le Woods Parish Council
- Buckshaw Village Community Association
- RMG Management Company
- Redrow Homes
- Barratt Homes
- Lancashire County Council
- Borough Council Ward Councillors (Astley and Buckshaw Ward and Clayton le Woods and Whittle le Woods ward)
- County Council Divisional Ward Councillor (Chorley North Division)

Summary leaflet to all Buckshaw residents in the affected area of Polling Districts of 2C and 10C and any individual or organisation who made a submission or comments at the preliminary stage

Inform the remaining residents of Euxton and Whittle le Woods Parish Councils by other means to be agreed with the Parish Councils eg parish newsletter.

3. **Final Proposals Stage** - Consultation on the Final Proposals for the Review

Copies of the full Final Proposals Document to:

- Euxton Parish Council
- Whittle le Woods Parish Council
- Buckshaw Village Community Association
- RMG Management Company
- Redrow Homes
- Barratt Homes
- Lancashire County Council
- Borough Council Ward Councillors (Astley and Buckshaw Ward and Clayton le Woods and Whittle le Woods ward)
- County Council Divisional Ward Councillor (Chorley North Division)

Summary information to any individual or organisation who responded to the Draft Recommendations.

Inform the remaining residents of Euxton and Whittle le Woods Parish Councils by other means to be agreed with the Parish Councils eg parish newsletter.

AN EXPLANATION OF THE CALCULATION OF COUNCIL TAX

Council Tax Base Explanation

The Council Tax Base is an estimate of how much revenue would be raised for each £ of Council Tax set for a Band D property.

Conversely, if you divide the Parish Precept requirement by the Council Tax Base, it will indicate the additional annual amount to be added to a Band D Council Tax for properties in the Parish. It is important to note that if a Parish Tax Base changes from one year to the next, the amount payable may also change for residents within the Parish even if the total Precept requirement is the same.

How the Council Tax Base is Calculated

The estimated Council Tax base for a Band D property in each Parish is calculated by taking the following steps:

In October each year the Department for Communities and Local Government is provided with an analysis of the Council Tax valuation list into the various Council Tax Bands (from A to H), adjusted to take account of single persons discounts (25%); empty property discounts (50%); exempt properties (100%) and disabled relief. The total for each band is then converted into Band D equivalent. (For example, the total of Band A properties is multiplied by 6/9; Band B by 7/9 and so on).

This information is then analysed over Parishes and the unparished area of the Borough.

The final step is to allow for anticipated adjustments which were not taken into account in the estimate required to be returned to the Department for Communities and Local Government. This reflects the housing development in the Borough and also the effects of banding adjustments by the Valuation Office as well as any bad debt provision.

INFORMATION FROM EUXTON AND WHITTLE LE WOODS PARISH COUNCILS

1.

EUXTON PARISH COUNCIL - PRECEPT 2010/2011

Budget Codes	Description	Carry Forward	Precept 2010/ 11
01	Employees		
01	Employees		44500
02	Housekeeping		
02-1	Employee Mileage		1300
02-2	General Office - stationery, copy, post, etc		1200
02-3	Publicity - newsletter and Annual Report		1250
02-4	Insurance		2000
02-5	Subscriptions (SLCC, CPRE, LPFA etc)		190
02-6	Audit		850
02-7	Election May 2010		7500
04	Council		
04-1	Training/Conference Fees		150
05	Grants/S137		
05-1	Grants		2500
05-2	Christmas Celebrations		650
06	Amenity/Utility		
06-1	Lease of Land		100
06-2	Utilities		750
06-3	Gardens/Planting/Competitions		3000
06-4	Street Sweeping		2500
06-5	Bowling	19976	10000
06-6	Skatepark	19924	10000
06-7	Millennium Green - grass cuts, maint		2000
06-8	All Purposes Committee		1000
06-9	Amenity/Open Space RRM		14750
06-9	Deployment of the SPID		500
07	Earmarked Reserve/Carry Forward Money		
07-1	Pear Tree Greens/Land Fund	79841	10000
07-2	School Lane Play Area	2857	
07-3	Street Sweeping Machine Fund	10000	2500
07-4	Buckshaw Village Christmas Fund	164	
			<u>119190</u>
	Less money in hand		<u>5990</u>
			<u>113200</u>

2. EUXTON PARISH COUNCIL

Assets Register

	£	Stored/Operated from
Buildings - pavilion (rebuild)	100,000	
Play equipment	120,000	
Land - (community value)		
Primrose Hill Play Area	1	
Balshaw Lane Play Area	1	
Pockets of Land around Talbot Row Shops	1	
Badge of Office (gold)	1,200	
Chain of Office (gold plate)	600	
Vice Chairmans badge of office (silver)	750	
Noticeboards (5)	2,500	All over the village 5 locations around the village
Street Furniture (25 wayside seats)	5,000	
Solar Light column	4,200	Southport Road
Pavement Sweeper Machine	5,500	Pavilion
Petrol powered hedge trimmer / strimmer	300	Pavilion
Petrol powered blower	350	Pavilion
Trailer	1,200	Pavilion
Speed indicator road sign device	3,000	Clerks home/Pavilion/on site around the village
	<u>244,603</u>	

3. Whittle le Woods Parish Council – Budget for precept 2010/11

BUDGET FOR 2010-2011	
PAYMENTS	
Admin	
Salaries	10500
Audit	430
Insurance	2500
Newsletter	700
Rent	144
Training	250
Exp	1200
Subs	300
Misc	150
Total admin	<u>16174</u>
Maintenance	
Repairs/footpaths	700
General	1680
Playing Fields	650
Dog bins	400
Baskets	550
Canal cleaning	400
Bus shelter repairs	500
	<u>4880</u>
Misc	
Village Hall Contingencies	300
Playing Fields	2000
Other	700
	<u>3000</u>
Projects	
2 new noticeboards	1136
Refurbish 2 noticeboards	383
Paint boundary signs	350
Extra lengthsman hours	950
	<u>2819</u>
Grants	350
Elections	600
War memorial	1500
Debt repayment	5040
Contingencies	2500
	<u>36863</u>
RECEIPTS	
Precept	
Interest	50
Financial Position	
Balance April 2010	4665
Receipts	<u>50</u>
	4715
Payments	36863
	<u><u>-32148</u></u>

4.

WHITTLE-LE-WOODS PARISH COUNCIL Asset Register as at 31st March 2010 09/43/c

REF NO.	DESCRIPTION	IDENTIFICATION	DATE ACQUIRED	VALUE	LOCATION	DISPOSAL / DISCHARGE
001	Wall & coping stones		More than 25yrs	£4004 (insurance value)	Factory Lane, Whittle-le-Woods	
002	Wall		More than 25yrs	£4114 (Insurance value)	School Brow, Whittle-le-Woods	
003	Fencing & gate		2000	£2002 (insurance value)	Hill Top Lane, Whittle-le-Woods	
004	Chairman's Badge of Office		1987	£328 (insurance Value)	Cllr Hayhurst (Chair) Shaw Brow, Whittle-le-Woods	
005	Public seats x 6		1.Un known 2.Unknown 3.Unknown 4.1999 2001 5.Unknown	£5423 (Insurance value)	1. Moss Lane 2. Preston Rd 3. Dolphin Brow 4. Carwood Lane footpath (2) 5. Cophurst Lane	
006	Village Hall		Dec 2000	£446412 (insurance value)	Union Street, Whittle-le-Woods	
007	Epson Stylus Office Printer	SN - JGPY 023461	Jul2006	£60 (Cost of £80 less £20 straight line depreciation)	Clerk	
008	Hp Laptop computer	SN- CND7132BZJ	06/08/2008	£450 (cost)	Clerk	
009	Maypole Hanging Basket Poles		1.Unknown 2. Unknown 3.2008	£2000 (based on cost of pole erected in 2008)	1. Traffic island, Water House Green 2. Shaw Brow/Preston Road junction 3. Traffic Island Town Lane	

1
Signed Chairman Date.....

WHITTLE-LE-WOODS PARISH COUNCIL Asset Register as at 31st March 2010 09/43/c

110	Notice boards		1.unknown 2.unknown 3.unknown 4.2007 5.2009	£2500 (Based on cost of new board in 2009)	1.Redrow roundabout, Preston Road 2.Opp St John's church, Preston Road 3.Opp Copthurst Lane junction, Town Lane 4. Traffic Island, a674 Blackburn Road 5. Chorley Old Road at the end of canal path.	
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2
 Signed Chairman Date.....

PARISH COUNCILLOR AND ELECTORATE INFORMATION

Polling District	Parish/Parish Ward	Electorate	No. Councillors	Ratio Electors to Councillors
01C	Adlington Central	764	3	255
01B	Adlington East	920	3	307
01A & 01F	Adlington North	1462	3	487
01D	Adlington West	1384	3	461
01E	Anderton	1037	6	173
02A	Astley Village	2421	10	242
18A	Bretherton	558	6	93
03A & 03B	Brindle	823	9	91
04B	Charnock Richard	1489	12	124
10A	Clayton Le Woods East	2744	4	686
11A/11B/11C	Clayton Le Woods North	5101	7	729
12A & 12B	Clayton Le Woods West	3263	4	816
13A & 13B	Coppull East	4780	12	398
04C	Coppull West	1045	3	348
18B	Croston	2287	9	254
12C	Cuerden	111	5	22
14A & 14B	Eccleston	3425	12	285
02B & 2C	Euxton North East	879	2	440
15A	Euxton North West	3564	8	446
16A	Euxton South	3237	8	405
19B & 19C	Heapey	742	6	124
17A & 17C	Heath Charnock	1707	7	244
04A	Heskin	729	6	122
03C	Hoghton	688	7	98
14C	Mawdesley	1440	7	206
17B	Rivington	73	5	15
18C	Ulnes Walton	601	6	100
20E	Wheelton	794	7	113
19D	Whittle Le Woods East	964	3	321
10B & 10C	Whittle Le Woods West	3149	9	350
03D	Withnell North	262	1	262
20A/B/C/D	Withnell South	2464	13	190