

COMMUNITY GOVERNANCE REVIEW (CGR) OF THE UNPARISHED AREA OF TAUNTON AND EIGHT NEIGHBOURING PARISHES – CHRONOLOGY TO DATE

Note: Unless otherwise stated, legislative references below are to the Local Government and Public Involvement in Health Act 2007 and ‘Guidance’ means the ‘Guidance on community governance reviews’ issued by DCLG and the LGBCE in March 2010.

CONTEXT – GENERAL POWERS AND DUTIES

- General power of a principal council to undertake a CGR (s.82, Guidance paras 26-29); Power to decide how to undertake a CGR, subject to duties set out in s.93 (s.93(2), Guidance para 32); Power to decide and modify terms of reference (s.81(4), Guidance paras 19-23).
- Duty to conduct a CGR in accordance with the Act (s.79(2)(a)); Duty to conduct a CGR in accordance with the terms of reference (s.79(2)(b)); Duty to have regard to guidance issued by the Secretary of State and/or LGBCE (s.100).
- No part of the area under review is subject to ‘protected electoral arrangements’ as defined in s.86(6)

SPECIFIC POWERS AND DUTIES (relevant to this review)	HOW THE POWER WAS EXERCISED OR THE DUTY DISCHARGED IN RELATION TO THIS CGR	INFORMATION SPECIFIC TO CHEDDON FITZPAINE PARISH
Terms of reference (Guidance paras 19-23)		
Duty for terms of reference to specify the area under review (s.81(2))	Section 4 of the terms of reference (ToR) published on 12.11.21 state the area that the review will cover. A plan was attached showing that area.	Cheddon Fitzpaine (CF) Parish is included in the area to be reviewed as set out in the ToR published on 12.11.21.
Duty to publish terms of reference as soon as practicable after deciding or modifying them (s.81(5-6))	Somerset West and Taunton (SWT) Council (19.10.21) delegated authority to approve the ToR to the CEO and MO or Deputy, after consultation with the CGR Working Group (CGRWG) and Leader of the Council. The officer decision to approve the ToR was taken on 12.11.21 and the ToR were published the same day.	Cheddon Fitzpaine Parish Council (CFPC) was, alongside all other parish councils in the area under view and the Taunton Charter Trustees, notified of the CGR and terms of reference by email/letter on 15.11.21 .
Duty to notify and supply ToR to the county council (if any) (s.79(3))	Somerset County Council (SCC) was notified of the CGR and ToR by email/letter on 15.11.21	
Consultation		
Duty to consult local government electors for the area under review and other persons or bodies (including a local authority) which appear to the principal council to have an interest in the review (s.93(3), Guidance paras 34,38)	A first stage of public consultation ran from 17.11.21 to 12.01.22 inviting responses on whether a parish/town council(s) should be established for Taunton, what area it/they should cover; any changes to other parishes and related matters. SWT Council (03.03.22) agreed draft recommendations of the CGR and these were subject to a second stage of public consultation from 14.06.22 to 26.07.22. A wide range of channels was used to publicise each stage of consultation as listed at para 6.2 of the report to SWT Council (03.03.21) and para 6.5 of the report to SWT Council	CFPC was notified of the first stage consultation by email/letter on 15.11.21 and invited to respond . Members of the CGRWG and an officer attended a meeting of CFPC on 06.12.21 CFPC was notified of the second stage consultation by email on 30.05.22 and invited to respond. A drop-in event to publicise the consultation was held at Cheddon Fitzpaine Village Hall on 6 July 2022 (2pm–6pm)

	(29.09.22). Responses were accepted by post, e-mail or via an online form or a hard copy version of the form available on request.	
Duty to take into account any representations received in connection with the review (s.93(6))	<p>229 responses were received to the first stage consultation. A number of parish councils including CFPC also provided the results of their own surveys of local residents. CGRWG agreed these should be considered alongside the responses to SWT's consultation.</p> <p>CGRWG held four meetings to consider the submissions in the context of the statutory criteria and Guidance and submitted its draft recommendations to SWT Council on 03.03.22 together with a report (Appendix D) setting out all of the responses received including the surveys undertaken by the parish councils.</p> <p>501 responses were received to the second stage consultation. CGRWG held four meetings to consider the submissions in the context of the statutory criteria and Guidance and has submitted its draft final recommendations to the SWT Council on 29.9.22 together with a (Appendix H) setting out all of the responses received.</p>	<p>First stage consultation: 17 responses received from CF residents. CFPC also responded and provided the results of its own survey with 116 responses. CGRWG considered these responses when drafting recommendations in respect of CF at its meetings on 26.01.22, 10.02.22 & 15.02.22. Details are included in the report to SWT Council (03.03.22) sections 9.32 - 9.37 & Appendix B pages 1,4,12,19 & 20. Council's consideration of the report and decision to agree the draft recommendations are recorded at minute 107. Note: the local electorate of Cheddon Fitzpaine Parish (May 2022) is 1,880.</p> <p>Second stage consultation: 112 responses received from CF residents. No further response from CFPC. CGRWG considered the responses in reaching its draft final recommendations at meetings on 16.08.22, 19.08.22 and 06.09.22. Details are included in the report to SWT Council (29.09.22) sections 8.27 - 8.34 & Appendix C pages 4, 5, 10, 17, 18, 25, 32 & 33.</p>
Considerations		
Duty to have regard to the need to secure that community governance within the area under review (i) reflects the identities and interests of the community in that area (s.93(4)(a), Guidance paras 55-61) and (ii) is effective and convenient (s.93(4)(b), Guidance paras 62-65)	When considering the responses to each stage of public consultation and formulating their draft and final recommendations the CGRWG were advised by officers of the statutory criteria. The reports to SWT Council (03.03.22 and 29.09.22) each included full information on these duties and set out in relation to each recommendation why the CGRWG considered the proposal meets the requirements of s.93(4)(a) and/or (b).	When considering the responses to each stage of public consultation and formulating their draft and final recommendations the CGRWG were advised by officers of the statutory criteria. The sections of the reports and appendices above set out in why the CGRWG considered its proposals in relation to Cheddon Fitzpaine meet the requirements of s.93(4)(a) and/or (b).
Duty to take into account any other arrangements (apart from those relating to parishes and their	Paras 9.7 and 9.8 of the CGRWG report to SWT Council (03.03.22) and paras 8.67 to 8.70 of the CGRWG report to SWT Council (29.09.22) draw attention to this duty and the responses to the	No representations were received to suggest that CF Parish should not continue to have a council.

<p>institutions) that have been made or could be made for community representation or engagement in the area under review (s.93(5), Guidance paras 35,36,136-146)</p>	<p>relevant questions in the first and second stage consultations respectively. No compelling evidence was presented for any suitable alternative to a parish council for Taunton or that any parishes that is proposed to continue should not continue to have a council.</p>	
<p>Guidance, when considering the criteria identified in the Act, to take into account (i) the impact of community governance arrangements on community cohesion (Guidance paras 48, 53-54, 67-76) and (ii) the size, population and boundaries of a local community or parish (paras 53-54, 77-85)</p>	<p>When considering the responses to each stage of consultation and formulating draft and final recommendations CGRWG were advised of this guidance. The reports to SWT Council (03.03.22 and 29.09.22) each included information on these matters. 72% of second stage respondents agreed that 'A town council for Taunton could help to promote a sense of community in the town and promote community cohesion'. CGRWG considered its proposals will promote community cohesion at the same time as addressing instances where existing boundaries no longer meet the criteria.</p>	<p>When considering the responses to each stage of public consultation and formulating their draft and final recommendations the CGRWG were advised by officers of this guidance. CGRWG considered the implications of its proposal to amend the boundaries of CFPC and considered the parish council would continue to be viable following the change. The changes would return CF to being a rural parish as it had been prior to the development of the Maidenbrook area and its projected electorate would be over twice the minimum figure of 150 set out in section 94(3) of the 2007 Act for a parish council to be created in a new parish.</p>
<p>Guidance that Government expects to see a trend over time for the creation rather than abolition of parishes and guidance on abolition/creation of parishes as part of a CGR (Guidance paras 117-135)</p>	<p>Government expectation included in the ToR as one of the policies to guide the CGR (para 6.2). Charter Trustee considerations addressed in the report to SWT Council (29.09.22) paras 8.61-8.64.</p>	<p>No representations were received to suggest that CF Parish should be abolished.</p>
<p>Duty to consider certain questions when deciding if a parish should be/ continue to be divided into wards (s.95(1-3), Guidance paras 158-161)</p>	<p>These questions were addressed by the CGRWG on 15.02.22, 16.08.22, 25.08.22 and 06.09.22 and in the reports to SWT Council (03.03.22) at paras 9.71 to 9.73 and (29.09.22) at paras 9.10 to 9.20.</p>	<p>The CGRWG considered that once the changes to the area of CFPC were made, it would not be desirable for any part of the area to be separately represented and a single election of councillors would be practical and convenient.</p>
<p>If recommending a parish be divided into wards, duty to have regard to certain factors when considering size & boundaries of wards and number of councillors to be elected for each (s95(4-5), Guidance paras 162-171)</p>	<p>These questions were addressed by the CGRWG on 15.02.22, 16.08.22, 25.08.22 and 06.09.22 and in the reports to SWT Council (03.03.22) at paras 9.71 to 9.73 and (29.09.22) at paras 9.10 to 9.20.</p>	

If recommending a parish be not warded, duty to have regard to certain factors when considering the number of councillors to be elected (s.95(6-7), Guidance paras 170-171)	These factors were addressed by the CGRWG on 15.02.22 and 06.09.22 and in the reports to SWT Council (03.03.22) at paras 9.71 to 9.73 and (29.09.22) at paras 9.10 to 9.20.	The CGRWG noted that the estimated local electorate of CPFC in its amended area was 304 and this was not projected to rise significantly in the next five years. The WG considered that the appropriate number of councillors to be elected was 5.
Recommendations		
Duty to make recommendations re: any new parish(es) to be constituted (s.87(1-2), Guidance paras 87, 92)	Recommendation to establish new Taunton Parish included in report to SWT Council (29.09.22) (Recommendation 2.4 A)	
Duty to recommend name/style of any new parish and whether it should have a council (s.87(4-7), Guidance paras 107-112)	Recommendation that new parish will be called Taunton Parish and that it should have a council included in report to SWT Council (29.09.22) (Recommendation 2.4 B)	
Duty to make recommendations as to whether to abolish or alter existing parishes under review (s.88 (1-2), Guidance para 92)	Recommendations for abolition of two existing parishes and alteration of six existing parishes included in report to SWT Council (29.09.22) (Recommendation 2.4 A)	Recommendations for alteration of Cheddon Fitzpaine Parish included in report to SWT Council (29.09.22) (Recommendations 2.4 A (v) and (xvii))
Duty to recommend if the name of any existing parishes should change and whether they should (continue to) have a council (s.88 (3-5))	Recommendation that save as set out at recommendations 2.4 A to F, the existing parishes in the review area and their names, boundaries, council size and other arrangements remain unchanged included in report to SWT Council (29.09.22) (Rec 2.4 G)	Cheddon Fitzpaine Parish is covered by the recommendation 2.4 G to SWT Council (29.09.22)
Duty with regard to recommending parish council formation (duty varies depending on size of electorate) (s.94, Guidance paras 88-90)	Recommendations that the new Taunton Parish should have a council, and that the continuing parishes should continue to have councils, included in report to SWT Council (29.09.22) (Recommendations 2.4 B&G)	Cheddon Fitzpaine Parish is covered by the recommendation 2.4 G to SWT Council (29.09.22)
Guidance that recommendations should be supported by evidence that the recommended community governance arrangements would meet the criteria set out in the Act (Guidance para 95)	The reports to SWT Council (03.03.22 and 29.09.22) and the minutes of all meetings of the CGRWG attached at appendices B and C respectively set out the Working Group's consideration of the CGR criteria and why the CGRWG considers these are met in relation to each of its proposals.	Paras 9.32-9.37 & Appendix B of the report to SWT Council (03.03.22) and paras 8.27-8.34 & Appendix C of the report to SWT Council (29.09.22) set out the CGRWG's consideration of the CGR criteria and why it considers these are met in relation to its proposals for Cheddon Fitzpaine.
Guidance that CGR should consider information received in the form of expressions of local opinion on the	Minutes of all meetings of the CGRWG included in the reports to SWT Council (03.03.22 and 29.09.22) (Appendices B and C respectively) set out the Working Group's consideration of the	Paras 9.32-9.37 & pages 1,4,12,19 & 20 of Appendix B of the report to SWT Council (03.03.22) and paras 8.27-8.34 & pages 4, 5, 10, 17, 18, 25, 32 & 33 of

<p>matters considered by the review, representations made by local people and other interested persons, and also use its own knowledge of the local area (Guidance para 96)</p>	<p>expressions of local opinion and representations made in response to the consultation exercises and members' own local knowledge in making its recommendations to the Council.</p>	<p>Appendix C of the report to SWT Council (29.09.22) set out the CGRWG's consideration of the representations and members' own local knowledge in respect of its proposals for Cheddon Fitzpaine.</p>
<p>Duty, where a parish council is created/retained, to recommend electoral arrangements for it (s.89-90) (Guidance paras 92, 147-157))</p>	<p>Recommendations included in the report to SWT Council (29.09.22) in respect of the electoral arrangements of the proposed Taunton Town Council (Recommendation 2.4 C-E); and the six continuing parish councils (Recommendation 2.4 F&G).</p>	<p>Recommendations included in the report to SWT Council (29.09.22) re: electoral arrangements for CFPC (Recommendation 2.4 F&G & section 9.20)</p>
<p>Power to recommend to the LGBCE for related alterations to boundaries of principal council wards/divisions (s.92) Guidance paras 177-189)</p>	<p>Recommendation included in the report to SWT Council (29.09.22) that the LGBCE be requested to make related alterations to the boundaries of the relevant Somerset Council electoral areas.</p>	
<p>Duty as soon as practicable after making any recommendations to publish the recommendations and take such steps as the principal council considers sufficient to secure that persons who may be interested in the review are informed of those recommendations (s.93(7), Guidance para 98)</p>	<p>Draft recommendations of the CGR published in the SWT Council agenda and for second stage consultation and were sent to first stage consultation respondents who registered their email address.</p> <p>Draft final recommendations of the CGRWG to SWT Council (29.09.22) published on the SWT and SCC websites on 15.09.22. Copies of the report including the draft recommendations sent by email to SCC, to all parish councils within the area under review and to the Charter Trustees on 14.09.22.</p>	<p>Draft recommendations of the review were sent to CFPC by email on 21.02.22.</p> <p>Draft final recommendations of the CGRWG were sent to CFPC by email on 14.09.22.</p>