

Taunton Charter Trustees

Tuesday, 14th December, 2021,
6.00 pm

The John Meikle Room - The Deane House



Members: Sue Lees (Chair), Brenda Weston (Vice-Chair), Lee Baker, Chris Booth, Simon Coles, Tom Deakin, Caroline Ellis, Marcia Hill, Richard Lees, Libby Lisgo, Derek Perry, Martin Peters, Hazel Prior-Sankey, Francesca Smith, Federica Smith-Roberts and Danny Wedderkopp

Agenda

1. Apologies

To receive any apologies for absence.

2. Minutes of the previous meetings of the Taunton Charter Trustees

To approve the minutes of the previous meeting of the Trustees held on 29th June 2021 and 20th July 2021.

(Pages 5 - 14)

3. Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4. Public Participation

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

Temporary measures during the Coronavirus Pandemic

Due to the temporary legislation (within the Coronavirus Act 2020, which allowed for use of virtual meetings) coming to an end on 6 May 2021, the council's committee meetings will now take place in the office buildings within the John Meikle Meeting Room at the Deane House, Belvedere Road, Taunton. Unfortunately due to capacity requirements, the Chamber at West Somerset House is not able to be used at this current moment.

Following the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), the council meeting rooms will have very limited capacity. With this in mind, we will be recommending those members of the public who have registered to speak to attend the meetings in person in the office buildings, if they wish (we will still be offering to those members of the public that are not comfortable in attending, for their statements to be read out by a Governance and Democracy Case Manager). Please can we urge all members of the public who are only interested in listening to the debate to view our live webcasts from the safety of their own home to help prevent the transmission of coronavirus (COVID-19).

5. Petitions

To receive any petitions from residents of Taunton containing over 200 signatures in accordance with Standing Order 30.

6. Motions to the Charter Trustees

To consider motions in the order in which notice has been received.

7. Communications

To receive such communications as the Mayor may desire to lay before the Charter Trustees.

8. To answer questions under Standing Order 8

A Charter Trustee may ask the Mayor any question upon an item which is under consideration by the Charter Trustees. Every question shall be put and answered without discussion. The person to whom a question has been put may decline to answer but shall give an explanation for declining to do so. An answer may take the form of :- 1. A direct oral answer; or 2. Where the desired information is contained in a publication of the Charter Trustees, a reference to that publication; or 3. Where reply to the question cannot conveniently be given orally, a written answer circulated to Charter Trustees.

9. Community Governance Review for Taunton - Stage 1 Consultation (Pages 15 - 48)

The Charter Trustees for Taunton have been notified by the District Council of the publication of Terms of Reference commencing a Community Governance Review for Taunton, and subsequent commencement of the first stage of consultation of the review. The Charter Trustees are able to submit a collective response or alternatively respond individually as Councillors.

10. Interim External Auditor Report and Certificate 2020/21 (Pages 49 - 52)

The Charter Trustees must consider the report and consider what, if any, action is required.

Please note that this meeting will be recorded. At the start of the meeting the Chair will confirm if all or part of the meeting is being recorded. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you are advised otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact the officer as detailed above.

Members of the public are welcome to attend the meeting and listen to the discussions. There is time set aside at the beginning of most meetings to allow the public to ask questions. Speaking under "Public Question Time" is limited to 3 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chair will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate. Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chair will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group. These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room. Full Council, Executive, and Committee agendas, reports and minutes are available on our website: www.somersetwestandtaunton.gov.uk

The meeting room, including the Council Chamber at The Deane House are on the first floor and are fully accessible. Lift access to The John Meikle Room, is available from the main ground floor entrance at The Deane House. The Council Chamber at West Somerset House is on the ground floor and is fully accessible via a public entrance door. Toilet facilities, with wheelchair access, are available across both locations. An induction loop operates at both The Deane House and West Somerset House to enhance sound for anyone wearing a hearing aid or using a transmitter. For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please email: governance@somersetwestandtaunton.gov.uk

Taunton Charter Trustees - 29 June 2021

Present: Councillor Sue Lees (Mayor)

Councillors Brenda Weston, Lee Baker, Chris Booth, Simon Coles, Caroline Ellis, Marcia Hill, Richard Lees, Libby Lisgo, Derek Perry, Hazel Prior-Sankey and Francesca Smith

Officers: Jo Comer and Marcus Prouse

(The meeting commenced at 6.02 pm)

12. **Apologies**

Apologies were received from Councillors Peters and Smith-Roberts

13. **Minutes of the previous meeting of the Taunton Charter Trustees**

(Minutes of the meeting of the Taunton Charter Trustees held on 25th May 2021 circulated with the agenda)

RESOLVED that the minutes of the Taunton Charter Trustees held on 25th May 2021 be confirmed as a correct record.

14. **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr L Baker	All Items	Cheddon Fitzpaine & SWT	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and SWT	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr C Ellis	All Items	SWT	Personal	Spoke and Voted
Cllr Mrs Hill	All Items	SWT	Personal	Spoke and Voted
Cllr R Lees	All Items	SWT	Personal	Spoke and Voted
Cllr S Lees	All Items	SWT	Personal	Spoke and Voted
Cllr L Lisgo	All Items	SWT	Personal	Spoke and Voted
Cllr D Perry	All Items	SWT	Personal	Spoke and Voted
Cllr H Prior-Sankey	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr F Smith	All Items	SWT	Personal	Spoke and Voted
Cllr B Weston	All Items	SWT	Personal	Spoke and Voted

15. **Public Participation**

No members of the public had notified of a wish to speak or ask questions.

16. **Petitions**

The Charter Trustees were advised that no petitions had been submitted.

17. **Motions to the Charter Trustees**

The Charter Trustees were advised that no notice of any motions had been submitted.

18. **Communications**

The Mayor advised the Charter Trustees of her activities since her election on the 25th May 2021;

- Attended the opening of the offices of NEST@Mallard
- Attended the 77th Anniversary events commemorating D-Day, laying a wreath at the Normandy Stone in Vivary Park.
- Attended the induction of the new Vicar at Creech St. Michael.
- Attended a lunchtime concert at St. John's Church.
- Supported the Armed Forces Day event.
- Attended an evening event with the Young Sea Cadets.
- Launched the Love Windows Trail.
- Opened the Rainbow Trail.

These were just a snapshot of events.

19. **To answer questions under Standing Order 8**

No Charter Trustees requested to ask a question under Standing Order 8.

20. **Annual Internal Audit Report 2020/21**

This had been added to the Agenda on 25th June 2021 when received - Under Access to Information Procedure Rules "*Where there are special circumstances requiring an item to be added to the agenda after publication, the revised agenda will be open to inspection from the time the item was added to the agenda.*"

The purpose of this item was to receive and note the Annual Internal Audit Report 2020/21. This was not mandatory but was recommended by the External Auditors in their review last year. There were some suggested improvements that were to be recommended and these were going to be addressed now identified.

During the discussion of this item, Members made comments and asked questions which included:-

- A concern was raised that these matters had not been addressed by the Finance Team.
- *Officers worked closely with the Finance team at SWT in terms of extracting a statement of accounts.*
- Why had the Charter Trustees not engaged South West Audit Partnership?
- *They were emailed and did not respond to a request to quote.*
- It was stated that an Action Plan to address these points needed to be put in place.
- *This was a good idea and it was considered that nothing in this report could not be addressed.*
- The discussion on risks to the Charter Trustees had felt to be considered but this would need to be formally recorded in a Risk Register.
- It was suggested that looking at what other Charter Trustee areas did in this regard would be a good idea.

RESOLVED that the Annual Internal Audit Report 2020/21 was received and noted.

21. **Annual Governance Statement 2020/2021**

The Clerk advised that the report had been circulated and it was a requirement for the Charter Trustees to acknowledge certain statements as part of the Annual Governance Return. The Clerk advised that part of the requirements for a Charter Trustee body, which had been established in the Unparished Area in 2019 by Statutory Instrument, was an offer to become part of the Small Auditors Appointments Regime (SAAA), which the Charter Trustees had accepted previously to be a part of. Every year the Charter Trustees needed to submit an Annual Governance Statement and Accounting Statements for audit, to ensure that the proper use of public funds was being discharged.

RESOLVED to approve the Annual Governance Statement 2020/2021 for submission to the Taunton Charter Trustees External Auditors, PKF Littlejohn LLP.

22. **Accounting Statements 2020/21**

The Mayor of Taunton advised that the Draft Accounting Statements for 2020/2021 had been circulated as part of the Agenda.

RESOLVED to approve the Draft Accounting Statements 2020/2021 for submission to the Charter Trustee's external Auditors, PKF Littlejohn LLP.

(The Meeting ended at 6.37 pm)

Special Meeting of the Taunton Charter Trustees - 20 July 2021

Present: Councillor Sue Lees (Mayor)
Councillors Brenda Weston, Lee Baker, Chris Booth, Simon Coles,
Caroline Ellis and Libby Lisgo

Officers: Marcus Prouse

(The meeting commenced at 6.00 pm)

23. Apologies

The Mayor called for a minutes silence at the commencement of the meeting in memory of the passing of Councillor Alan Wedderkopp.

Apologies were received from Councillors Hill, R Lees, Perry, Prior-Sankey, Smith and Smith-Roberts.

24. Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr L Baker	All Items	Cheddon Fitzpaine & SWT	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and SWT	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr C Ellis	All Items	SWT	Personal	Spoke and Voted
Cllr S Lees	All Items	SWT	Personal	Spoke and Voted
Cllr L Lisgo	All Items	SWT	Personal	Spoke and Voted
Cllr B Weston	All Items	SWT	Personal	Spoke and Voted

25. Public Participation

The Clerk read out the following statement on behalf of Mr David Orr;

“Back in 2018, when John Williams proposed a Town Council based only on unparished wards in just half of the town, it was a subpar solution to a Town Council fit for our County Town in historic Somerset. In 2021, with a Unitary Council decision expected within weeks, it is parochial and expedient to carry on

with an outdated half-a-town proposal like this. King Alfred had ambitions in Somerset that led to the formation of England and his cakes were over-baked rather than half-baked! To those who say there isn't enough time to do this properly, I say you have had two years to start earlier.

By direct comparison, David Fothergill for One Somerset says that they can carry out a fully-scoped Town Council project and meet the May 2023 timescale. On the one hand, we have councillors not wanting a new Tiverton and Minehead constituency taking Staplegrove and Norton Fitzwarren wards away from Taunton, while supporting a subpar Town Council project that only covers half the town. Within a few weeks the Secretary of State is expected to announce his preferred unitary solution. I hope that within the Statutory Change Orders, he will decree a proper Town Council for Taunton, after 47 years without one. This half-a-town project will then be obsolete and should be halted in favour of the Shadow Authority running a properly scoped project.

Q1. In the scoping paper for the Working Group it is stated that Taunton parishes adjoining the unparished ward will NOT be part of the remit. Will the Charter Trustees amend the recommendations to allow for early consultation with parishes within Taunton and for those in favour of joining a Town Council to be in-scope?

Q2. So that the work here isn't wasted if a unitary council is announced, will the Charter Trustees consult now with the Boundary Commission for a whole of Taunton boundary review to determine a viable geography and the settlement boundaries?

Q3. What are the estimated annual running costs of a new Town Council? With the costs only falling on the unparished wards, then what is the estimated band D precept for a Town Council?

Q4. If the project remains narrowly scoped to only unparished wards, will the Town Council consultation be undertaken only with households within the unparished wards (as the future precept payers)?

Q5. With a Town Council based on unparished wards only as a pre-determined option, will the consultation choice simply be between having the unparished wards individually parished or the unparished wards being amalgamated into a half-a-town Town Council? Would that pre-determined choice pass the test of being "a meaningful and genuine consultation"?

Q6. Will the Mayor for a half-a-town Town Council attend events for all of Taunton and will grants be issued to support causes and groups that are whole of Taunton in nature? Is it fair that only the residents in unparished wards will bear those costs for whole of Taunton events and causes?"

The Clerk advised that Mr Orr would receive a written response which would be circulated to all Charter Trustees. It is reproduced below;

Q1. In the scoping paper for the Working Group it is stated that Taunton parishes adjoining the unparished ward will NOT be part of the remit. Will the Charter Trustees amend the recommendations to allow for early consultation with parishes within Taunton and for those in favour of joining a Town Council to be in-scope?

It is not for the Charter Trustees for Taunton, as a separate body to SWT Council to amend the recommendations of the Council Working Group or their scoping documentation, although when the final report and Terms of Reference is brought back before the Taunton Charter Trustees for their consideration then the feedback of the Taunton Charter Trustees will be considered and should carry the appropriate weight in Councillors considerations at Full Council. I would refer you to the statement read out at the Charter Trustees on 20th July 2021 which outlined how the Council and by extension the Working Group need to *“review the reasons for the extent of the planned review area and the terms of reference of the community governance review before it places such before full council. The reasoning for the extent of the review, or any variation of such, needs to be set out with clarity and follow the statutory guidance, or if not, set forth reasons for any departure.”*

Q2. So that the work here isn't wasted if a unitary council is announced, will the Charter Trustees consult now with the Boundary Commission for a whole of Taunton boundary review to determine a viable geography and the settlement boundaries?

I have not been instructed by the Charter Trustees for Taunton to consult with the Boundary Commission on their behalf, however I can confirm officers from Somerset West and Taunton Council have been and are in discussions with the Boundary Commission on the review.

Q3. What are the estimated annual running costs of a new Town Council? With the costs only falling on the unparished wards, then what is the estimated band D precept for a Town Council?

This estimation work is currently being undertaken by Officers of SWT Council, and will necessarily be determined on the nature of the activities that any successor body would wish to precept for and its geographical scope.

A balance has to be struck between providing any created body and Somerset West and Taunton Council with stability and allowing any new council autonomy to make its own decisions. The long-term funding and service agreement will be the mechanism to strike this balance. The decision about the precept will be linked to the budget set for the new Council which will, in turn, be driven in significant part by the proposed funding and service agreements to be entered between SWT Council and any new Parish/Town Council.

Q4. If the project remains narrowly scoped to only unparished wards, will the Town Council consultation be undertaken only with households within the unparished wards (as the future precept payers)?

Yes this would be correct if this was the exercise that is ended up as proposed, as from reading the Guidance, which states that;

“Under the 2007 Act principal councils are required to consult both those local government electors in the area under review, and others (including a local authority such as a county council) which appears to the principal council to have an interest in the review.”

Q5. With a Town Council based on unparished wards only as a pre-determined option, will the consultation choice simply be between having the unparished wards individually parished or the unparished wards being amalgamated into a half-a-town Town Council? Would that pre-determined choice pass the test of being “a meaningful and genuine consultation”?

I would refer you to the statement read out at the Charter Trustees on 20th July 2021 which outlined how the Council and by extension the Working Group needed to “review the reasons for the extent of the planned review area and the terms of reference of the community governance review before it places such before full council. The reasoning for the extent of the review, or any variation of such, needs to be set out with clarity and follow the statutory guidance, or if not, set forth reasons for any departure.”

The first stage of the consultation exercise as evidenced in the draft documentation did not set out any potential options so was intended to be as genuine and meaningful as possible in taking on as many views as possible on the future of this area.

Q6. Will the Mayor for a half-a-town Town Council attend events for all of Taunton and will grants be issued to support causes and groups that are whole of Taunton in nature? Is it fair that only the residents in unparished wards will bear those costs for whole of Taunton events and causes?

I would consider it far too early to comment on the scope of a role that is yet to be created, although I can see your line of argument I don't think I can comment on the fairness or otherwise of such a system. It will be for the two councils to negotiate on such matters and to take in consideration when the Community Governance Review is underway as part of the issues around geographical scope.

The District Council would no longer need to raise a Special Expenses precept on the ratepayers of the former unparished area if the area became a Town or Parish Council. It would be for the successor body to determine whether to operate any form of grants scheme out of the precept it levied if possible, however the existing scheme is designed to support those types of things that a town or parish council usually would, so it would presumably do this through the precept rather than through a grants scheme this would be done.

26. **Communications**

The Mayor advised of no communications.

27. **Draft SWT Council Report - Community Governance Review for the**

Unparished Area of Taunton

The Mayor invited the Democracy and Governance Specialist/Clerk to read out the following statement:

Item 5 - Draft SWT Council Report - Community Governance Review for the Unparished Area of Taunton

The draft Council report on the Community Governance Review for the Unparished Area of Taunton originally timetabled to go before SWT Full Council on the 27th July sets out proposals from the Community Governance Review Working Group for a CGR in relation to Taunton. The Council is minded to pause an immediate decision on this report and instead bring a revised report back to Full Council in September. The reasons are set out below and have been discussed and agreed with the Acting Chair of the Working Group; The Council has received legal advice that it is required to formally consult the County Council on the intention to conduct a Review and of their terms of reference. Such formal consultation has yet to take place. Procedurally it would be better to undertake such consultation and take any representations into account before proceeding further. The Report should reflect such steps. In addition, a ministerial decision on local government changes in Somerset is due to be made this week. Such a statement has implications for an intervention by the Boundary Commission and a potential electoral review. The statutory guidance on CGR's makes clear that councils should avoid starting a community governance review, if a wider electoral arrangements review, is being, or is about to be undertaken. It would be sensible to pause and consider the implications of paragraph 28 of the Guidance and whether, in the light of the ministerial statement, a preliminary discussion with the Boundary Commission would be beneficial. There may be no implications but, at least the report would be better to include such matters. Finally, the council needs to review the reasons for the extent of the planned review area and the terms of reference of the community governance review before it places such before full council. The reasoning for the extent of the review, or any variation of such, needs to be set out with clarity and follow the statutory guidance, or if not, set forth reasons for any departure. Mr Marcus Prouse Mr Kevin Williams Somerset West and Taunton Council.

The Mayor advised that statements or questions only in relation to the statement were allowed;

- The Acting Chair of the Working Group had agreed to this action as it had been felt that there was no alternative. It had to be put on record that she was extremely unhappy with how this had been progressed. She agreed with Mr Orr's statement that this Council had completely dragged its feet on this issue and this should have been in train 12-18 months ago. This had been a complete failure by this Council and this administration.

RESOLVED that the Charter Trustees for Taunton adjourned the meeting until the end of August until such time that this item could be re-considered.

(The Meeting ended at 6.16 pm)

Taunton Charter Trustees

Date: 17th November 2021**REF:** CGR/S1

Dear Madam Mayor,

RE: Approval and publication of the Terms of Reference for the Community Governance Review of Taunton and surrounding parishes

Thank you for attending with the Deputy Mayor the pre-consultation event for Parish Councils on 3rd November 2021 at The Deane House.

As you will have been aware, since April of this year, Somerset West and Taunton Council (through the Community Governance Review Working Group) has been preparing the ground for a Community Governance Review for Taunton, and at our Full Council meeting on the 19th October 2021 members formally resolved that a community governance review be undertaken of the unparished area of Taunton and surrounding parishes (Trull, Bishop's Hull, Comeytrove, Norton Fitzwarren, Staplegrove, Kingston St. Mary, Cheddon Fitzpaine, West Monkton) with a view to the creation of a parish or parishes and council(s) to serve all or part of that area.

The Council also delegated the approval of the Terms of Reference of the review to the Chief Executive Officer and Deputy Monitoring Officer, which was approved and published on 12th November 2021. (Link to the decision can be found here - <https://democracy.somersetwestandtaunton.gov.uk/ieDecisionDetails.aspx?Id=1337>)

As a Parish Council within scope of the geographical area concerned, the District Council is required to consult under section 93 of the 2007 Act other local authorities which have an interest in the review. There is a statutory process which has to be followed in order to commence the review which starts with the publication of the Terms of Reference for the Review and a formal consultation which will commence on 17 November 2021. Link to the Consultation is here: <https://yoursay.somersetwestandtaunton.gov.uk/governance/communitygovernancereview>

We would welcome any individual or collective feedback as the Consultation is underway. The first stage of the consultation will close on 12th January 2022. As stated at the pre-consultation event, we are also positively interested in supporting discussions at your Charter Trustee meetings if possible and if you have not yet advised of the

dates please do get in touch. Further details on the review can also be found on the webpage below;

<https://www.somersetwestandtaunton.gov.uk/consultations/community-governance-review-for-taunton/>

If you have any further queries or questions please do not hesitate to get in touch with myself or the Officers supporting this project.

Yours faithfully,



Cllr Derek Perry
Chair – Community Governance Review Working Group
Deputy Leader – Somerset West and Taunton Council
Vivary Ward Member
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A TOWN/PARISH COUNCIL FOR TAUNTON? HAVE YOUR SAY

Somerset West and Taunton Council is carrying out a review to decide on whether changes should be made to the existing local governance arrangements, including whether or not a new town/parish council(s) should be set up to represent Taunton and if so, whether the new council(s) should cover just those parts of Taunton that don't currently have a parish council ('the Unparished Area') or also take in parts of the surrounding parish areas; and whether any other changes should be made to those parishes.

All local residents and organisations are invited to give their views.

What is a Community Governance Review?

A Community Governance Review is a formal process involving consultation with local electors and other interested parties on potential changes such as creating new parishes, setting up or abolishing town/parish councils, changing their boundaries or electoral arrangements.

What are town and parish councils?

Town and parish councils exist in many areas, both rural and urban, and are the most local tier of government in England. Somerset West and Taunton Council as a 'principal council' is responsible for deciding whether to create, amend or abolish parish areas within its boundaries and whether to establish a council to serve any parish.

A parish council that serves a town area may decide to call itself a 'town council'.

Town and parish councils do not have statutory responsibility for services such as social care, education or housing but they may decide to provide some local services for their residents or in some cases to take over responsibility for services previously delivered by Somerset West and Taunton Council or Somerset County Council.

Town and parish councils also represent their communities. These local councils can also play a key role in communities by the promotion of community engagement

between the council and residents and more inclusive local government. They must be consulted on planning applications within their area and may work with the principal council to create a Neighbourhood Plan for development in their area. They may bid to purchase assets of community value or express an interest in running a local authority service.

Town and parish councils are directly elected by local voters and are independent of the other layers of local government. Any new town or parish council, for example in Taunton, would not replace Somerset West and Taunton Council or the new Unitary Authority but would exist alongside.

Why is Somerset West and Taunton Council carrying out the review at this time?

Taunton is the only area in Somerset that does not have a Town or Parish Council level of local government. The Council is undertaking the review as it is a key corporate priority for the 21/22 municipal year. Somerset West and Taunton Council took the decision that a Community Governance Review should be undertaken at this time because the former Taunton Deane Borough Council committed to address this anomaly in 2018, and the new Council restated this commitment in March 2021, with a view to any new council coming into being from 1 April 2023 so that it could play a full and proper role, alongside the town and parish councils representing other areas, in negotiations with the proposed new unitary authority for Somerset.

Across the country, many areas that were previously unparished have been turned into town and parish councils in previous years. Town or parish councils may also promote community engagement and effective local government. In addition, Government guidance is that a Community Governance Review should be carried out every 10-15 years.

What kinds of services could a town or parish council provide and how much would it cost?

There are almost 10,000 parish and town councils across England, with populations ranging from fewer than 200 to almost 100,000. The range of services provided varies accordingly and each town or parish council decides what, if any, services it will provide. Typically, these can include the provision of allotments (a statutory responsibility, if there is demand); parks and recreation grounds; public conveniences; control of litter; play areas; community centres; crime prevention; festivals and fetes; traffic calming; tourism activities and/or markets. However there are examples of different types of services being delegated to councils, for example street cleaning and CCTV in Salisbury, and a library in Charnwood.

As the level of services provided varies significantly between town or parish councils, so does the level of the precept that they charge Council Tax payers. For example, the average precept payable in 2020-21 by a Band D Council Tax payer within the Somerset West and Taunton Council area is £43.86 per annum. The national

average Band D precept of all precepting parish and town councils in the current year is £64.05 per annum. The Charter Trustees for Taunton for 21/22 precepted £52,819, from the Unparished Area of Taunton ratepayers. This was equivalent to £3.47 expenditure per Band D property. In addition to this amount, Somerset West and Taunton are able to precept a limited amount for Special Expenses on the Unparished Area of Taunton ratepayers to fund the types of activities that a Town or Parish Council would usually provide. In 2021/22 this amounted to £29,093 or £1.91 on a Band D property. These two charges would be replaced by any Town or Parish Council precept.

A town or parish council itself decides what level of precept to charge but in the case of any new town or parish councils, Somerset West and Taunton Council would set the precept for their first year of operation based on the estimated cost of the level of activity expected. In relation to service delivery and the level of precept, just as for any town or parish councils elsewhere in Somerset West and Taunton, a new Town or Parish Council could decide in future to take on additional services of the sort set out above, in negotiations with the new Unitary Council.

What area(s) could any new town or parish council(s) cover?

At the Full Council meeting on 19th October 2021, Full Council resolved to include within the scope of the review eight surrounding parishes which could be affected by any Community Governance Review. These are Trull, Bishop's Hull, Comeytrowe, Norton Fitzwarren, Staplegrove, Kingston St. Mary, Cheddon Fitzpaine, West Monkton, with a view to the creation of a parish or parishes and council(s) to serve all or part of that area.

The government guidance does state that the division of a cohesive area, such as a Charter Trustee town, would not reflect the sense of community that needs to lie behind all parishes; or places where there were no recognisable smaller communities, and a larger parish may best suit the needs of the area.

However, alternative options are possible - for example there could be a larger number of small town or parish councils representing individual areas, parts of Taunton could remain unparished, or we could simply retain the status quo. Somerset West and Taunton Council wants to know your views.

Will the Taunton Charter Trustees remain in place?

Not necessarily. The Charter Trustees for Taunton were established in 2019 in order to be able to save the historic Mayoralty for Taunton from being abolished. They are the 16 Somerset West and Taunton councillors elected to represent wards in the unparished area of Taunton. The Trustees elect a Mayor and Deputy Mayor for Taunton each year. The Mayor and Deputy uphold the traditional roles previously carried out by the Mayor and Deputy Mayor of Taunton Deane within the boundary of the unparished area.

Charter Trustees only have the power to raise a precept to cover the costs of their administration and the associated costs for the upkeep of the Civic Insignia or 'Silver' and the Mayoralty of Taunton. They cannot legally precept for taking on responsibilities and costs that Parish and Town Councils can such as grass cutting and public conveniences.

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

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

This review is an opportunity for local people to comment on any changes that they might like to suggest in respect of the existence of the Unparished Area, the Taunton Charter Trustees, the area covered by it and its electoral arrangements (the number of councillors, wards etc). In the event that following the Community Governance Review a decision is made to parish the Unparished Area, the Charter Trustees would be dissolved upon the vesting of the new Council and their assets transferred.

Issues to be considered by the review

In arriving at its recommendations the law requires that Somerset West and Taunton Council must have regard to the need for community governance arrangements to:-

- reflect the identities and interests of the community in the area;
- and
- promote effective and convenient local government.

It must also consider the impact of town or parish councils on community cohesion and the size, population and boundaries of a local community or parish; and must take into account any other existing or potential arrangements for community representation or engagement in the area.

In coming to decisions on the electoral arrangements for any town or parish council the Council must consider the number of electors in the area(s) under review and any change in the number or distribution of those electors which is likely to occur in the next five years.

Any town or parish council should reflect distinctive and recognisable communities of interest, with their own sense of identity and electors should be able to identify with the town or parish in which they live. Any submissions providing evidence of community identity or local linkages will be important considerations in this review.

When would any new town or parish council(s) be set up?

By law the review must be completed within 12 months of starting it. This review started in November 2021 and is planned to be completed by May 2022. It is anticipated that if any new town or parish councils were to be established following this review they would come into existence no later than April 2023.

Alternative forms of Community Representation

There are some bodies in place already in Taunton which represent local residents, such as Community groups, Resident's Associations etc. As part of the review, the Council would like to know if residents think these could be developed to promote Community representation and engagement as alternatives to, or stages towards, the establishment of town or parish council(s).

Electoral Arrangements

If a new Parish/Town Council is established, Somerset West and Taunton Council is required to decide whether it should be divided into wards for the purpose of electing parish/town councillors, taking into account (i) whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and (ii) whether it is desirable that any area or areas of the parish should be separately represented on the council.

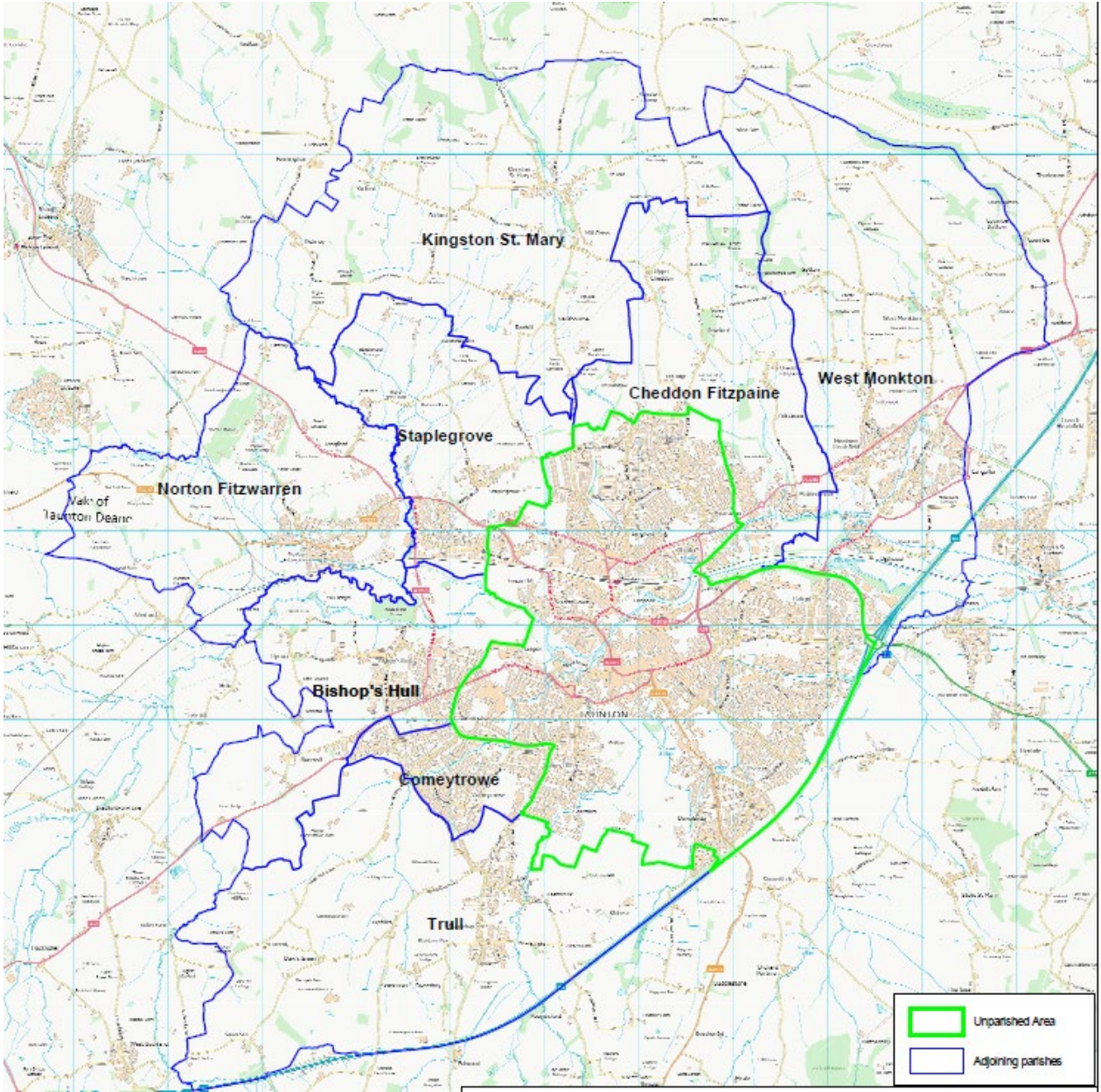
The total local electorate for the unparished area of Taunton is currently 34,536 and for the purposes of district council elections the area is divided into nine wards returning a total of 16 councillors. Somerset West and Taunton Council believes that it would not be practicable or convenient for a single election to be held for the whole of any new parish/town council for the area. Subject to this consultation it is therefore proposed that any new parish/town council should be divided into wards based on the existing district ward boundaries within the unparished area.

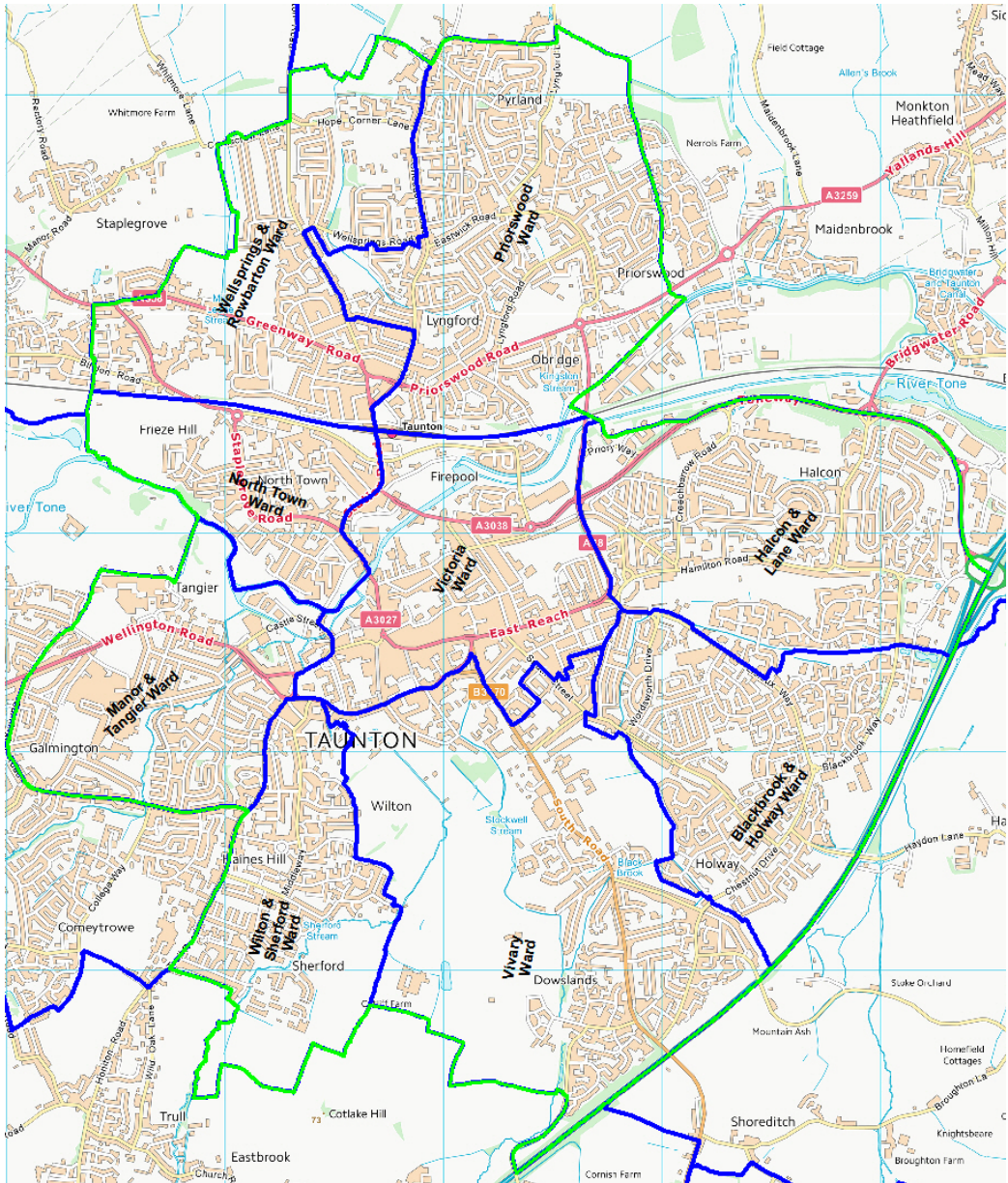
How to find out more

Full information about the Community Governance Review including the terms of reference and detailed timetable are on the website at www.somersetwestandtaunton.gov.uk

Map

The two maps below shows the existing Unparished Area Boundaries together with the Somerset West and Taunton Council Wards (revised with effect from May 2019) and the eight surrounding parishes included in the scope of the review area.





WE WANT TO HEAR YOUR VIEWS

Please tell us what you think about the matters above or any other issues concerning governance at the town or parish council level by **Wednesday 12th January 2022**. Somerset West and Taunton Council will consider all submissions received before coming to its draft recommendations, which will then be published for further consultation before any final decisions are made.

Community Governance Review - Questionnaire

A TOWN/PARISH COUNCIL FOR TAUNTON?

INTRODUCTORY PAGE

Somerset West and Taunton Council is carrying out a review to decide on changes to existing local governance arrangements, including whether or not a new town or parish council or councils should be set up in those parts of Taunton where they don't currently exist.

Full information about the review including the terms of reference and a timetable, are on our website at www.somersetwestandtaunton.gov.uk

All local residents, business owners and organisations within the area of the scope of the review are invited to give their views.

The Council will consider all feedback before making draft recommendations. These will then be subject to further consultation before final recommendations are published and considered by Councillors.

You can complete this questionnaire online, or obtain a paper version and return it to Governance Team, Somerset West and Taunton Council, PO Box 866, Taunton, TA1 9GS or hand it in one of our offices.

Alternatively you can tell us your views by e-mailing:
governance@somersetwestandtaunton.gov.uk

This consultation will close on **Wednesday 12 January 2022**

1. Please tell us whether you are a:

- Local resident
- Local employee
- Local business person
- Official representative of community organisation – Please state which one.....
- Other (please state)

2. Please enter the postcode of your home (if a local resident) or work/other premises with which you have a local connection

.....

3. Based on where you live (or work/other connection with the area under review), which town, parish, area or locality do you feel you belong to?

RESPONSE (free text)

4. Should a town or parish council or councils be set up to serve the parts of Taunton that do not currently have them (the 'unparished areas')?

- Yes
- No
- Don't know

If 'Yes' or 'Don't know' go to Q. 5

If 'No' go to Q. 7

REASONS/COMMENTS (free text)

5. Should a single town or parish council be set up to cover the whole of the currently unparished area of Taunton or should there be separate councils for any area(s) within the unparished area?

- A single council for the whole unparished area
- Separate councils for areas within the unparished area (please specify those separate areas)
.....
.....
- Don't know

6. Should any new parish or town council that is set up in the currently unparished area of Taunton also take in the urban parts of any surrounding parish(es)?

- Yes – the new parish/town council should also take in the urban part(s) of the following surrounding parish(es):

.....
.....
.....

- No – the new parish/town council(s) should be confined to the currently unparished area.
- Don't know

For those who answered No to Question 4 - if you do not think a town or parish council or councils should be set up to serve the currently unparished areas of Taunton – please answer Q. 7 & 8

For all others please go to Q. 9

7. Why do you think that a town or parish council or councils should not be set up to serve the currently unparished areas of Taunton?

REASONS/COMMENTS (free text)

8. Do you think there are other (non-parish) forms of community governance (e.g. community partnerships/forums, area committees, residents' and tenants' associations, neighbourhood management programmes, community associations) that have been, or could be, made to promote community representation or engagement in the area under review, either as alternatives to, or stages towards, the establishment of town or parish councils?

- Yes (please specify):
.....
.....
.....
- No
- Don't know

9. In the event that a new parish/town council is established taking in both the currently unparished area of Taunton and the urban parts of one or more surrounding parishes, what arrangements should be made for the remaining (rural) parts of those parishes?

- If viable, they should remain as individual, smaller, parishes each with their own council
- They should also be absorbed into the new town council(s) serving Taunton
- Consideration should be given to merging or grouping them into a smaller number of areas (please specify);
.....
.....
.....
- Don't know

REASONS/COMMENTS (free text)

10. Do you think town or parish council(s) should consider delivering some local services that are currently provided by Somerset West and Taunton Council and for these to be paid for by the town council precept?

- Yes (please specify what sort of services you think town or parish councils could deliver)

.....
.....
.....

- No

Reasons/Comments (free text)

11. Do you have any other comments on governance issues or boundaries at the parish/town council level?

RESPONSE (free text)

Further consultation

Once this first stage of consultation has completed the Council will consider the results and then publish draft recommendations for a further stage or second stage consultation. If you would like to be contacted about the results of the first stage of consultation and alerted to the beginning of the second stage, please leave your email details below. We will only use your information to contact you about the matters above.

Name

E-mail

Privacy Notice

Somerset West and Taunton Council will hold this information for the purpose of contacting you about the second stage of this consultation, this information will not be used for any other purpose. We will hold your personal information for no longer than five years.

If you feel any information Somerset West and Taunton Council holds about you is incorrect, or if you wish to see a copy of the information we hold about you, please contact governance@somersetwestandtaunton.gov.uk

SOMERSET WEST AND TAUNTON COUNCIL

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH
ACT 2007**

**COMMUNITY GOVERNANCE REVIEW OF TAUNTON AND
SURROUNDING PARISHES**

TERMS OF REFERENCE

1. INTRODUCTION

- 1.1 Somerset West and Taunton Council ('the Council') has resolved to undertake a community governance review ('the review') of the unparished area of Taunton and the surrounding parish areas of Trull, Bishop's Hull, Comeytrowe, Norton Fitzwarren, Staplegrove, Kingston St. Mary, Cheddon Fitzpaine and West Monkton with a view to the creation of a parish or parishes and council(s) to serve all or part of that area.
- 1.2 The review will consider whether any changes should be made to existing community governance arrangements within the area under review, including whether any new parish(es) should be created and whether any new parish/town council for Taunton should cover only some or all of the currently unparished area or should extend to include also to take in urban areas of one or more adjoining parishes; and the electoral arrangements for the existing and any proposed parish/town council(s).
- 1.3 In undertaking this review the Council will have regard to the Guidance on Community Governance Reviews issued in March 2010 by the Secretary of State for Communities and Local Government and will comply with Part 4 of the Local Government and Public Involvement in Health Act 2007 ('the 2007 Act') as amended, the relevant parts of the Local Government Act 1972 and regulations issued under those acts.
- 1.4 These terms of reference set out information including the reasons for the review, its projected process and timescale, the matters that it will address and principles that the Council considers should guide the review. The terms of reference will be published on the Council's website and in hard copy and will be made available at the Council offices and at other venues within the area under review.
- 1.5 Town and parish councils¹ are the most local tier of government in England. They are democratically elected and can play an important role in

¹ **Note re: terminology:** A principal (i.e. unitary or district) council may following a community governance review create, abolish, or alter the area of, any parish within its area and may establish a

representing their local community, delivering services to meet local needs and promoting community wellbeing. They are a statutory consultee on planning applications. They may exercise a variety of powers and duties including the delivery of some local services and may also enter into discussions with the principal councils (i.e. Somerset West and Taunton Council and the proposed unitary authority) about the transfer of services, budgets and assets subject to mutual agreement. Town and parish councils are funded principally through an annual precept – an additional amount added to the Council Tax in their area.

Reasons for the review

- 1.6 The Council is undertaking the review as it is a key corporate priority for the 21/22 municipal year. A resolution was made by Taunton Deane Borough Council on 19th March 2018, that a Community Governance Review (CGR) of the unparished area of Taunton is commenced with a view to creating a new Town or Parish Council(s) from 1st April 2023, and this was re-affirmed by Somerset West and Taunton Council on 30th March 2021.
- 1.7 On 19 October 2021 the Council resolved that the area to be covered by the review should include eight surrounding parishes as well as the unparished area.
- 1.8 The currently unparished area of Taunton is the only unparished area within Somerset. Any new town or parish Council could play a full and proper part, alongside town and parish councils representing all other areas in Somerset, in negotiations with the proposed Unitary Authority on any devolution framework plans.
- 1.9 Town or parish councils may promote community engagement and effective local government. Government guidance states that it is good practice for principal councils to conduct a community governance review every 10-15 years, except in areas with very low populations.

Community governance reviews

- 1.10 A community governance review is a review of the whole or part of a principal council's area to consider one or more of the following:
 - Creating, merging, altering or abolishing parishes;
 - The naming of parishes and the style of new parishes;
 - Whether a town or parish council should be established for a new parish area;
 - The electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council, and any parish warding); and/or

parish council to serve a newly-created parish. A parish council serving an urban area may resolve to be called a town council. There is no difference between a parish council and a town council in terms of powers or duties.

- Grouping parishes under a common parish council or de-grouping parishes.
- 1.11 In accordance with the 2007 Act the Council will have regard to the need to secure community governance within the area under review which:-
- Is reflective of the identities and interests of the community in that area;
 - Provides for effective and convenient local government; and
 - Takes into account any other arrangements for the purposes of community representation or community engagement in the area.
- 1.12 In accordance with Government guidance, when considering the above criteria the Council will also take into account the impact of community governance arrangements on community cohesion and the size, population and boundaries of a local community or parish; and will seek to make recommendations that bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.

Responsibility for the review

- 1.13 As the relevant principal council, Somerset West and Taunton Council is responsible for conducting any community governance review within its electoral area and for deciding whether to give effect to the recommendations of the review.
- 1.14 In accordance with regulations issued under the Local Government Act 2000, functions relating to Community Governance Reviews are not to be the responsibility of an authority's executive.
- 1.13 The management of the review will be the responsibility of officers in the Governance team led by the Governance Manager and Deputy Monitoring Officer. The review will be overseen by the Community Governance Review Working Group. The Council itself will agree the final recommendations and make any Reorganisation of Community Governance Order required to implement the outcome of the review.

2. CONSULTATION

- 2.1 In coming to its recommendations in the review, the Council will take account of the views of local people and stakeholders. Legislation requires the Council 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 by judging them against the criteria in the 2007 Act.
- 2.2 In order to promote community engagement and transparency in the community governance review, the Council will:-
- Publish these terms of reference;

- Publicise the review as widely as possible including using electronic means and social media and seek to engage the local media in reporting the issues under review;
- Consult local electors and other residents, business organisations, community groups, other local organisations, political parties and elected representatives for the areas under review, the Taunton Charter Trustees, Somerset County Council and the parish councils in the area under review;
- Make key documents available at the Council offices and at other venues in the areas under review;
- Accept submissions by post or via e-mail or the Council's website;
- Take into account representations received in connection with the review; and
- Publicise the recommendations and outcome of the review.

2.3 The Council will consider each matter under review on its merits and on the basis of the information and evidence provided during the course of the review.

3. THE TIMETABLE FOR THE REVIEW

3.1 Publication of these terms of reference formally begins the review. The Council proposes to complete the review within twelve months, with a view to any changes to community governance arrangements in the area under review taking effect from 1 April 2023. An indicative timetable is attached at Appendix B.

4. THE AREA TO BE COVERED BY THE REVIEW

4.1 The review will cover the currently unparished area of Taunton and the surrounding parish areas of Trull, Bishop's Hull, Comeytrove, Norton Fitzwarren, Staplegrove, Kingston St. Mary, Cheddon Fitzpaine and West Monkton.

4.2 The plan attached at Appendix A shows the area under review including the existing parish and district ward boundaries within that area.

5. ISSUES FOR CONSIDERATION IN THE REVIEW

Parish areas and town or parish councils

5.1 The review will consider whether any changes should be made to the community governance (parish) arrangements within the area under review , including:-

- whether or not a new parish or parishes should be created in areas that are currently unparished, or any other arrangements for some or all of those areas;

- in the event that a new parish or parishes are created, whether they should have a council or councils;
- whether any new parish/town council for Taunton should cover only some or all of the currently unparished area or should extend to include also to take in urban areas of one or more adjoining parishes; and
- whether any changes should be made to the boundaries of any existing parish(es) and whether any existing parish or parish council should be abolished or grouped.

5.2 In considering the above, the review will have regard to current and projected patterns of population, development, community identity and linkages in the area under review; to the viability of existing and any potential parish areas and the delivery of local services.

5.3 The 2007 Act provides that where a new parish is created which has 1,000 or more electors, the principal council must recommend that the parish has a council. Where a new parish is created that has between 151 and 999 electors the principal council may decide whether or not it should have a council.

5.4 In relation to previously unparished areas, the 2007 Act requires a principal council in undertaking a review to take into account other (non-parish) forms of community governance that have been, or could be, made for the purpose of community representation or engagement in the area under review. These might include community partnerships/forums, area committees, residents' and tenants' associations, neighbourhood management programmes or community associations. In accordance with Government guidance the review will consider whether such arrangements could be alternatives to, or stages towards, the establishment of town or parish councils. The Council notes however that the guidance also states 'what sets parish councils apart from other kinds of governance is the fact they are a democratically elected tier of local government, independent of other council tiers and budgets, and possess specific powers' and 'their directly elected parish councillors represent local communities in a way that other bodies, however worthy, cannot since such organisations do not have representatives directly elected to those bodies'.

Names and style of parishes

5.5 In the event that a new parish is proposed to be created, the review will make recommendations as to the name of the new parish and as to whether or not any council should be a parish council or have one of the alternative styles (community, neighbourhood or village). A council that is created as a parish council may decide that it shall have the status of a town council.

Electoral arrangements

5.6 The review will consider what electoral arrangements should apply to any new town or parish council that is created and whether any changes should be

made to the electoral arrangements of any existing parish council and/or the Taunton Charter Trustees. 'Electoral arrangements' means:-

- The ordinary year in which elections are held;
- 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; and
- The name of any such ward.

5.7 In accordance with legislation², if the entire unparished area were to become parished, the Charter Trustees for Taunton would be dissolved and all their rights and responsibilities would be transferred to the new Council(s) on vesting day. Government guidance states that 'proposals to create a parish or parish council covering all or part of a charter trustee area need to be judged in particular against the following considerations:

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

5.8 In relation to the year of election, the ordinary election of parish councillors takes place in 2023 and at four-yearly intervals thereafter. However, a principal council may decide, following a community governance review, that the first elections to any new town or parish council shall take place in another year, with the councillors elected serving an adjusted term of office to bring future elections back into line with the normal cycle.

5.9 In relation to the number of town or parish councillors, legislation provides that the number of councillors for each council shall not be fewer than five. There is no maximum number. Government guidance is that 'each area should be considered on its own merits, having regard to its population, geography and the pattern of communities'.

5.10 In relation to warding of a parish, the 2007 Act requires that in considering whether a parish should be divided into wards the Council should consider (i) whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and (ii) whether it is desirable that any area or areas of the parish should be separately represented on the council.

Electorate forecasts

5.11 When the Council comes to consider the electoral arrangements of the town or parish councils in its area, it is required to consider the number of local

² The Local Government (Parishes and Parish Councils) (England) Regulations 2008

government electors in the area under review, and any change in that number or the distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts.

- 5.12 Current electorate figures for each of the parishes and polling districts in both the parished and unparished parts of the area under review will be published as soon as possible after the launch of the review.
- 5.13 Electorate forecasts for October 2026, taking into account information on developments underway or planned based on extant planning permissions and the local development framework, will also be published to inform the consultation process as early as possible during the review.
- 5.14 In accordance with legislation, population estimates will be used to apportion assets where significant changes, including the creation of new parishes, are recommended.

Service provision and council tax precept

- 5.15 As part of the consultation process the Council will outline the services that could be provided by town or parish councils and/or any assets or liabilities that it may intend to transfer to them.
- 5.16 The Council will make available information on the Band D council tax precepts currently payable by council tax payers in the parishes in the area under review, in the area served by the Taunton Charter Trustees and in town and parish council areas elsewhere in the principal council's area; together with the estimated level of precept may be payable by council tax payers in the first year of any new town or parish council's existence.

Other matters

- 5.17 The review will consider any other issues raised during the consultation process which are relevant to the review.
- 5.18 In the event that the review recommends the creation of any new council(s), the review will also consider what preparatory and transitional arrangements should apply to the establishment of that council or councils.

6. PRINCIPLES THAT WILL GUIDE THE REVIEW

Parishes

- 6.1 There is an evidence base which demonstrates that town or parish councils can play an important role in empowering and representing communities.
- 6.2 The Council notes the Government's continued commitment to town and parish councils and its guidance that it 'expects to see a trend in the creation, rather than the abolition, of parishes'.

- 6.3 It is important that the creation of any parish(es) should reflect distinctive and recognisable communities of interest, with their own sense of identity and that electors should be able to identify clearly with the parish in which they are resident. This information will therefore need to be gathered as part of the review.
- 6.4 The Council will wish to balance carefully the consideration of changes that have happened over time, for example through population shifts or additional development and that may have led to a different community identity, with historic traditions in the area.
- 6.5 The Council wishes to ensure that parishes should be viable as an administrative unit and should possess a precept that enables them effectively to promote the well-being of their residents and contribute to the provision of services in their area in an economic and efficient manner. Nevertheless it is recognised that in a rural area a strong sense of community can prevail over a sparsely populated area.

Boundaries

- 6.6 The Council notes that the boundaries between parishes will often reflect the 'no-man's land' between communities represented by areas of low population or pronounced physical barriers, either natural or man-made; and that ideally boundaries should be, and be likely to remain, easily identifiable.

Names

- 6.7 With regard to the names of any town or parish councils or town wards established, the Council believes that these should reflect existing local or historic place names and there will be a presumption in favour of names proposed by local interested parties.

The number of town or parish councillors

- 6.8 When considering the number of councillors to be elected for any town or parish council, in addition to applying the statutory rules described above, the Council will have regard to:-
- the recommended guidance issued by the National Association of Local Councils (NALC) and indicative national data on representation;
 - existing levels of representation, the pattern of existing council sizes which have stood the test of time and the take-up of seats at elections; and
 - the desirability of a broadly equitable allocation of councillors to town and parish councils across Somerset West and Taunton, whilst acknowledging that local circumstances may merit variation.

Warding

- 6.9 The Council will give careful consideration both to traditional community identities and to any changes that have happened over time, for example population movements or new development, that may have led to a different community identity in any part of the area under review.
- 6.10 The Council notes Government guidance that ‘there is likely to be a stronger case for the warding of urban parishes ... [where] ... community identity tends to focus on a locality ... [and] ... each locality is likely to have its own sense of identity’. The Council will seek to secure that any warding arrangements should have relevance for the electorate, be in the interests of effective and convenient local government and not be wasteful of a town or parish council’s resources.
- 6.11 In reaching conclusions on the boundaries between any wards, the Council will have regard to community identity and interests and will consider whether any particular ties or linkages might be broken by the drawing of particular ward boundaries. The Council will also have regard to guidance by the Local Government Boundary Commission for England (LGBCE) that the principal council ward boundaries should not split an unwarded parish and that no parish ward should be split by such a boundary.
- 6.12 When deciding the number of councillors to be elected for any ward, the Council will take into account the view of the LGBCE that it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation.

7. COMPLETION OF THE REVIEW AND IMPLEMENTATION OF ANY DECISIONS

- 7.1 The review will be completed when the Council publishes its final recommendations. The Council will take steps to inform interested parties of the recommendations and outcome of the review. In accordance with Government guidance the Council will issue maps to illustrate each recommendation at a scale not smaller than 1:10,000.
- 7.2 If the review results in any changes to community governance, at the conclusion of the review the Council will make a Reorganisation of Community Governance Order. Copies of this order, the map(s) that show the effects of the order in detail, and the document(s) which set out the reasons for the Council’s decisions (including where it has decided to make no change following the review) will be deposited at the Council’s offices, published on its website, and provided to the clerk of any council affected.
- 7.3 In accordance with legislation, copies of any order and associated maps will be deposited with the Secretary of State and the LGBCE. Prints of the maps will also be supplied to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency and the Boundary Commission for England.

7.4 Subject to the final recommendations of the review, the provisions of any order will take effect for financial and administrative purposes no later than 1 April following the adoption of the order. Any revised electoral arrangements for a new or existing town or parish council will come into effect in accordance with the provisions of any Reorganisation Order.

8. CONSEQUENTIAL MATTERS

8.1 A Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include the transfer and management or custody of property, the setting of precepts for new parishes, provision with respect to the transfer of any functions, property, rights and liabilities and/or provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

8.2 In these matters, the Council will be guided by the relevant regulations issued following the 2007 Act. In particular, the Council notes that the regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the proper officer of the Council as an appropriate proportion.

8.3 In relation to the establishment of a precept for any new town or parish council, the Council will comply with the requirements of the Local Government Finance (New Parishes) Regulations 2008, which provide that the principal council sets the precept for the new parish/town council for their first year, and requires the Reorganisation Order to include the budget requirement for the first year of the parish/town council.

Principal area boundaries

8.4 Any changes to parish or parish ward boundaries as a result of this review will not automatically change the corresponding principal council ward or division boundaries.

8.5 In the event of a Reorganisation Order making such a change the Council may recommend the LGBCE that the principal council ward/division boundaries are realigned to coincide with the revised parish or parish ward boundaries and it would be for the LGBCE to decide if and when these related alterations should be made.

8.6 The LGBCE would require evidence that the Council has consulted on the recommendations as part of the review. The Council will therefore seek to include any such draft recommendations for consultation at the earliest possible opportunity should they appear desirable.

Date of publication of these terms of reference: 12th November 2021

Contact details for the review

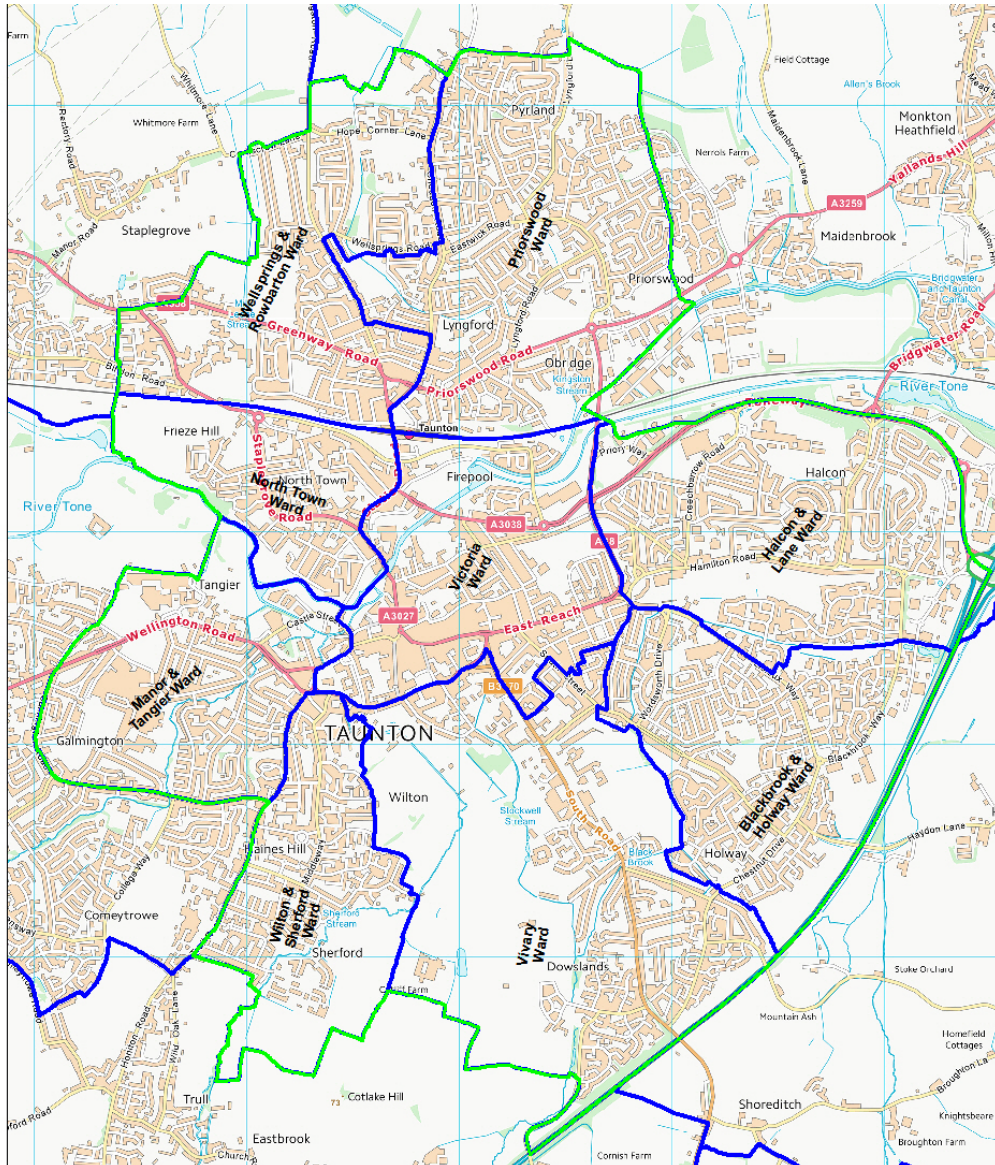
Enquiries regarding the review process and/or comments on the matters set out in these terms of reference should be directed to:

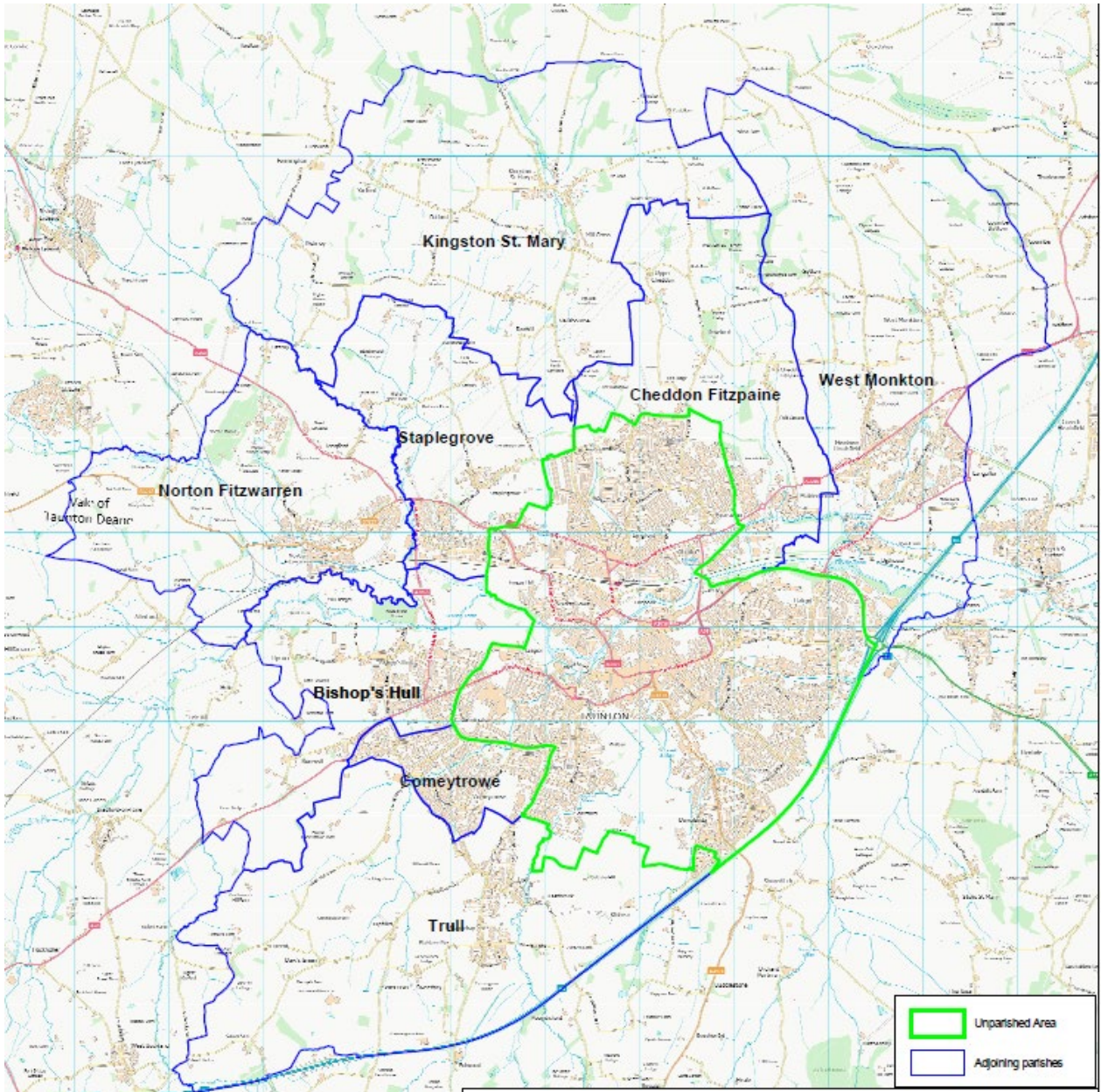
Marcus Prouse
Community Governance Review
c/o Governance Team
Somerset West and Taunton Council
PO Box 866
Taunton
TA1 9GS

E-mail: governance@somersetwestandtaunton.gov.uk

APPENDIX A

The two maps below shows the existing Unparished Area Boundaries together with the Somerset West and Taunton Council Wards (revised with effect from May 2019) and the eight surrounding parishes included in the scope of the review area.





APPENDIX B

Community Governance Review for the Unparished Area of Taunton

Revised Indicative Timetable: Option 2C

Timetable for the Review

Report to Council	30 March 2021 (was presented to the Charter Trustees on 16 March 2021)	Council gave approval to set up the Member Working Group to commence the process
Scope of CGR Agreed.	Full Council 19 October 2021	Full Council decided to proceed with an Option 2C. Authority delegated to the Chief Executive Officer and Monitoring Officer or Deputy to approve ToR, after consultation with the Community Governance Review Working Group and the Leader of the Council for later publication.
Publish Terms of Reference (12 month clock starts)	12 November 2021	Publish as a delegated Officer Decision on the Council website as per the Council resolution of 19 th October 2021. The ToR will set out: <ul style="list-style-type: none"> • the matters to be considered; • the geographic area to be covered; • Notification of other local authorities which have an • Interest.
Draft Indicative Timetable for Consultation.	Publish on Council website prior to 17 November 2021	Member Working Group to finalise draft indicative timetable for a two stage consultation to be sent to All Councillors (alongside TOR and Consultation text) and in line with Council delegation.

Commence Stage 1 Consultation on draft proposals and invite initial submissions	17th November 2021 - 12th January 2022 (8 weeks long - to give extra time in account of Xmas)	Submissions/representations invited. Consult with: Local government electors and other residents in the area under review SWT and County Councillors Somerset County Council Parish Councils in the Area under Review Somerset Association of Local Councils Member of Parliament Local Groups and Interested parties such as local businesses, local residents association, local public and voluntary organisations Publish proposals on the website and make available in hard copy on request
Consider submissions and draft revised option proposals	January 2022	Consider any submissions/ representations and prepare report of final options for Council. Member Working Group to agree final proposals based on analysis of submissions.
Decide upon preferred option for proceeding with CGR, if appropriate	On or around 7 February 2022	Decide upon preferred option which will then go out for Consultation Stage 2.
Commence Stage 2 Consultation on	11th February 2022 – 25th	Consultation Stage 2 to be undertaken.

Preferred option and invite submissions	March 2022 (6 weeks)	
Consider submissions and draft revised final recommendations, if appropriate	April 2022	Consider any submissions/ representations and prepare report of final recommendations for Council. Member Working Group to agree report to Full Council in April/May including final recommendations and draft Reorganisation Order (if applicable)
Publish final recommendations	April/May 2022 as part of FC report or earlier if possible	Publish final recommendations
Publish final recommendations	Full Council in April/May 2022	Full Council to adopt final recommendations and make Reorganisation Order (if applicable)
Make Reorganisation Order	April/May 2022	Reorganisation Order to be sealed once approval received from Full Council. Budget completed by this point - precept can not be higher than as stated in re-organisation order.
Option to appoint Steering Group or create Shadow Council (in	Date TBC in the run-up to 1 April 2023	Re-organisation order could appoint local elected Councillors representing the area to serve in a temporary capacity until the new local Council vests on 1 April 2023. The Full Council in its re-organisation

temporary format until Vesting Day).		<p>order can decide who would be appointed to such a body.</p> <p>Laying the groundwork for the new Local Council including:</p> <ul style="list-style-type: none"> • Finding premises for the local council to meet • Creating a website for the new Council • Setting a Budget and Precept • Securing staff resource • Vesting and Statutory Asset Transfer of Allotments and Civic Regalia etc. • Drafting constitutional documents
Create Shadow Council	1 April 2023	Appoint temporary Councillors to serve from 1.4.23 to the first elections.
Elections to new Local Council	May 2023	

Accountants &
business advisers

Mr M Prouse
Taunton Charter Trustees
c/o Somerset West and Taunton Council
Deane House
Belvedere Road
TA1 1HE

Our ref OT0067
SAAA ref SB10155

Email sba@pkf-l.com

29 September 2021

Dear Mr Prouse

Taunton Charter Trustees
Annual limited assurance review for the year ended 31 March 2021

We have commenced our review of the Annual Governance & Accountability Return (AGAR) for Taunton Charter Trustees for the year ended 31 March 2021 but cannot formally complete it. Please refer to our 'interim' external auditor report (Section 3 of the AGAR Part 3) which sets out the reasons we have not been able to complete the review. The 'interim' report is included for your attention as another attachment to the email containing this letter along with a copy of Sections 1 and 2. The smaller authority must consider the report and decide what, if any, action is required.

The Accounts and Audit Regulations 2015 (SI 2015/234) as amended by the Accounts and Audit (Coronavirus) (Amendment) Regulations 2020 (SI 2020/404) set out what you must do at the conclusion of the review. In advance of the formal conclusion, we have provided the attached documents. The authority should use this 'interim' external auditor report and:

- Prepare a "Notice of audit" which details the rights of inspection, in line with the statutory requirements. We attach a pro forma notice you may use for this purpose. It also states that the audit has not yet been completed.
- Publish the "Notice" along with the uncertified AGAR (Sections 1, 2 & 3) before 30 September, which must include publication on the smaller authority's website. (Please note that when the statute and regulations were amended in 2014 and 2015, they did not include a requirement for the length of time for which that the "Notice" must be published. The previous statute required 14 days; but it is now up to the authority to make this decision).
- Keep copies of the AGAR available for purchase by any person on payment of a reasonable sum.
- Ensure that Sections 1, 2 and 3 of the published AGAR remain available for public access for a period of not less than 5 years from the date of publication.

Fee

We enclose our fee note for the review, which is in accordance with the fee scales set by Smaller Authorities' Audit Appointments Ltd.

Tel: +44 (0)20 7516 2200 • www.pkf-l.com

PKF Littlejohn LLP • 15 Westferry Circus • Canary Wharf • London E14 4HD

If there are additional charges itemised on your fee note, these have arisen where either:

- we were required to issue chaser letters and/or exercise our statutory powers due to a failure to provide an AGAR; or
- we had to seek clarification and/or correction to supporting documentation due to a mistake or omission by the smaller authority; or
- it was necessary for us to undertake additional work.

Please return the remittance advice with your payment, which should be sent to: PKF Littlejohn LLP, Ref: Credit Control (SBA), 5th Floor, 15 Westferry Circus, Canary Wharf, London, E14 4HD. Please include the reference OT0067 or Taunton Charter Trustees as a reference when paying by BACS.

Please note that only those authorities with ‘open’ challenge correspondence (in respect of which we have yet to finish our additional work), may receive an additional invoice with the final report and certificate. Those authorities who have received this uncertified report for another reason will not receive a further invoice. Please settle the enclosed invoice on receipt of your final report and certificate.

Timetable for 2021/22

Next year we plan to set a submission deadline for the return of the completed AGAR Part 3 and associated documents (or Certificate of Exemption) of Friday 1 July 2022. It is anticipated that the instructions will be sent out during March 2022, subject to arrangements for the 2021/22 AGARs and Certificates of Exemption being finalised by Smaller Authorities’ Audit Appointments Limited (SAAA). Our instructions will cover any changes about which smaller authorities need to be aware.

- The smaller authority must inform the electorate of a single period of 30 working days during which public rights may be exercised. This information **must be published at least the day before** the inspection period commences;
- The inspection period **must** include the first 10 working days of July 2022, i.e. 1 to 14 July inclusive. In practice this means that public rights may be exercised:
 - at the earliest, between Friday 3 June and Thursday 14 July 2022; and
 - at the latest, between Friday 1 July and Thursday 11 August 2022.

As in previous years, in order to assist you in this process we plan to include a pro forma template notice with a suggested inspection period on our website. On submitting your AGAR and associated documentation, as was the case for this year, we will need you to either confirm that the suggested dates have been adopted or inform us of the alternative dates selected.

Yours sincerely



PKF Littlejohn LLP

Taunton Charter Trustees
Notice of the audit and right to inspect the Annual Return
Annual Return for the year ended 31 March 2021

Sections 20(2) and 25 of the Local Audit and Accountability Act 2014

Accounts and Audit Regulations 2015 (SI 2015/234)

	Notes
<p>1. The audit of accounts for Taunton Charter Trustees for the year ended 31 March 2021 has been carried out but cannot be completed for the reasons stated in the external auditor report. The accounts have been published.</p>	<p>This notice and Sections 1, 2 & 3 of the AGAR must be published by 30 September. This must include publication on the smaller authority's website. The smaller authority must decide how long to publish the Notice for; the AGAR and external auditor report must be publicly available for 5 years.</p>
<p>2. The Annual Governance & Accountability Return is available for inspection by any local government elector of the area of Taunton Charter Trustees on application to:</p>	
<p>(a) _____ _____ _____ _____</p>	<p>(a) Insert the name, position and address of the person to whom local government electors should apply to inspect the AGAR</p>
<p>(b) _____ _____</p>	<p>(b) Insert the hours during which inspection rights may be exercised</p>
<p>3. Copies will be provided to any local government elector on payment of £____(c) for each copy of the Annual Governance & Accountability Return.</p>	<p>(c) Insert a reasonable sum for copying costs</p>
<p>Announcement made by: (d) _____</p>	<p>(d) Insert the name and position of person placing the notice</p>
<p>Date of announcement: (e) _____</p>	<p>(e) Insert the date of placing of the notice</p>

