

This file has been cleaned of potential threats.

If you confirm that the file is coming from a trusted source, you can send the following SHA-256 hash value to your admin for the original file.

720da26fb284d6b2e6ccb0315bb5ad13aec4229f1f0a236b511ac9aea9603ce8

To view the reconstructed contents, please SCROLL DOWN to next page.

East Devon District Council

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

COMMUNITY GOVERNANCE REVIEW: CRANBROOK AND SURROUNDING DEVELOPMENT AREAS

TERMS OF REFERENCE

A review under the Local Government and Public Involvement in Health Act 2007

INTRODUCTION

Setting the Context

The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) authorises a principal council to conduct a Community Governance Review (CGR) of the whole or part of its area. Reviews can be triggered by local people presenting a petition or by application from a parish council which is designated as a neighbourhood forum. The principal council can also determine to undertake a review of its own accord at any time.

East Devon District Council (“the Council”) has resolved to undertake a CGR of the Cranbrook Parish following a request from the Cranbrook Town Council. The request is shown in Appendix 2, and is detailed below. Although the request for the review of their civil parish area has come from Cranbrook Town Council, as the request deals with its external boundaries, then the adjacent parishes of Broad Clyst, Clyst Honiton, Rockbeare and Whimble must also be included in the review as their boundaries would also need to be altered to accommodate any change made to Cranbrook civil parish.

In undertaking the review the Council will comply with the legislative and procedural requirements of the 2007 Act and will have regard to Guidance on Community Governance Reviews issued under section 100 of the Local Government and Public Involvement in Health Act 2007 by the Secretary of State and the Local Government Boundary Commission for England.

The Council has drawn up and now publishes this Terms of Reference document. This document lays out the aims of the review and the legislation that guides it.

These Terms of Reference will be published by placing a copy on public deposit at the offices of East Devon District Council, Blackdown House, Honiton and on the Council’s website at www.eastdevon.gov.uk

What is a Community Governance Review (CGR)?

A CGR is an opportunity to review and make any necessary recommendations as to changes to community governance within a specific area. This might be appropriate where there have been changes in the population, or in consequence of specific or local new issues. The aim of a CGR is to ensure that appropriate community engagement, local democracy, and effective and convenient delivery of local services, are in place.

A CGR is a review of the whole or part of the district to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of new parishes;
- The electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council; and parish warding); and
- Grouping parishes under a common parish council or de-grouping parishes.

Any of these options will be considered for the five parish areas under review, although the main focus will be on the boundaries between Cranbrook and the adjacent parishes, along with the electoral arrangements for Cranbrook.

The Council has a duty to consult local government electors for the area under review and any other person or body which appears to have an interest in the review, and to take account of any representations

received in connection with the review. The Council must also have regard to the need to secure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and
- Effective and convenient.

Reasons for this review

In 2021 the Council received a request from Cranbrook Town Council to undertake a community governance review. Cranbrook was an area experiencing significant development and the Town Council wanted to have the current boundaries assessed in anticipation of the planned expansion areas coming forward for housing and related development which extend into neighbouring parishes.

After commencing the review, it then became clear that carrying out the community governance review at that time was premature pending the adoption of the Cranbrook Plan. Subsequently a decision was made to discontinue the review on 3rd November 2021.

At its meeting on 16th December 2024 the Cranbrook Town Council, having reviewed the content of its previous request, resolved to make a new request for review to the Council in the same terms.

The Cranbrook area has undergone and continues to undergo significant development and expansion in relation to housing and related development and infrastructure which extend into the area of neighbouring parishes. It is therefore appropriate to review the current governance of the areas to ensure they are fit for purpose, reflects local identities and the interests of the community, and facilitates effective and convenient local government.

Broad Clyst, Clyst Honiton, Cranbrook, Rockbeare and Whimble Terms of Reference

In deciding what recommendations to make, the council must take into account any other arrangements (apart from those relating to parishes) that have already been made, or that could be made, for the purposes of community representation or community engagement in respect of the area under review. In doing so the CGR is required to take into account:

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

In conducting this CGR the Council will consider the electorate forecasts for at least the next five years, up to the point at which the planned expansion of Cranbrook is completed. These forecasts will be based on the planned development within the parish areas under review, and any available forecasts relating to demographic trends within the area.

Who undertakes the review?

As the principal authority the Council is responsible for undertaking any CGR within its electoral area. The Council will approve the final recommendations.

Once the final recommendations are approved, the Council will consider whether a Reorganisation Order should be made.

Where a Reorganisation Order is made, it will normally come into effect on 1 April following the date on which the Order is made.

CONSULTATION

In coming to its recommendations, the Council will take account of the views of local people. The 2007 Act 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.

The Council intends to consult with all households and interested parties within the potentially affected area inviting initial submissions, and then seeking views on the resulting draft proposals.

The Council will also identify any other person or body who it feels may have an interest in the review and write to them inviting them to submit their views at both stages of consultation.

The Council will also be pleased to receive comments from any other person or body that wishes to make representations; any such person that makes representations during the initial invitation to submit proposals will be invited to make comments in respect of the draft proposals.

As required by Section 79(3) of the 2007 Act, the Council will notify Devon County Council that a review is to be undertaken, provide them with a copy of the Terms of Reference for the review, and will consult them on the matters under review. In addition, the Council will consult with the four parish councils adjacent to Cranbook which may be affected.

The Council will publish all decisions taken in the review and the reasons for taking those decisions and will work towards the Government's aim that "Community Governance Reviews should be conducted transparently so that local people and other stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind these decisions. The Council will take appropriate steps to publish the outcome of the review, including on its website at www.eastdevon.gov.uk

A timetable for the review

The following is the indicative review timetable:

Action	Timetable
Compiling Terms of Reference	February 2025
Terms of Reference report to Council	February 2025
Council approves Terms of Reference	February 2025
Revision of Terms of Reference	April 2024
Publication of approved Terms of Reference	June 2025
Stage one – Invite consultation submissions	July 2025 – October 2025
Stage two – Consideration of submissions received and draft recommendations prepared	November 2025
Stage three – Draft recommendations are published and consultation on those recommendations undertaken	December 2025 – February 2026
Stage four – Consideration of submissions received and final recommendations prepared	March 2026 – April 2026
Period of time for final comments	May 2026
Preparation of Recommendations and approval by Full Council	June 2026
Publication of Recommendations	June 2026

Consideration will then be given to a Reorganisation Order to implement any recommendations for change. Should a Reorganisation Order be made, this will normally take effect on 1 April following the making of the Order, and will be publicised in accordance with the 2007 Act. Subject to the nature of the final recommendations there may be a need for the Council to conduct a review of polling places and districts within any parish areas affected.

PARISH AREAS

Introduction

The legislation requires that the Council must have regard to the need to secure that community governance within the area under review:

- Reflects the identities and interests of the community in that area;
- Is effective and convenient; and
- Takes into account any other arrangements that have already been made or could be made for the purposes of community representation or community engagement in the area.

Parishes

The Council is keen to ensure that electors should be able to identify clearly with the parish in which they are resident because it considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership, and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

The request made by Cranbrook Town Council, which sets out the changes to community governance that the Town Council consider appropriate, is appended to these Terms of Reference.

District Warding and County Division Boundaries

The Local Government Boundary Commission for England is responsible for deciding whether any alterations to the boundaries of District Wards or County Divisions are required. Should the recommendations arising from the review require any such alterations, the Local Government Boundary Commission for England will require evidence that the Council has consulted on any such recommendations. If the need for changes becomes apparent during the course of this review the Council will endeavour to incorporate them within the consultation at the earliest opportunity.

REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

The process will be completed when the Council publishes its final recommendations. The Council may then determine to make a Reorganisation Order.

Where an Order is made, it will contain a map showing in general outline the areas affected by the Order.

Copies of any Order, and the document(s) which set out the reasons for the decisions the Council has taken, together with maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000, will be deposited at the Councils offices and posted on its website.

Two copies of the Order will be sent to both the Secretary of State, and the Local Government Boundary Commission for England.

CONSEQUENTIAL MATTERS

The Council notes that 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;

- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- In these matters the Council will be guided by the 2007 Act and the Regulations that have been issued under it, including the Local Government (Parishes and Parish Councils) (England) Regulations 2008 and the Local Government Finance (New Parishes) Regulations 2008

In particular the Council notes that 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. Furthermore, the Council notes that the Regulations regarding the establishment of a precept for a new parish require the Council to calculate the first anticipated precept for a newly constituted parish council and for the amount of that precept to be included in the Reorganisation Order.

LOCAL GOVERNMENT REORGANISATION

The Council intends to conclude the CGR ahead of the planned parish council elections due to be held in May 2027. However, in the event that the process is delayed for whatever reason, then, subject to the progress of local government reorganisation, the CGR may be concluded by a successor authority.

HOW TO CONTACT US

Should you wish to submit a written representation regarding this review please address this to:

East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

Alternatively your representation or any questions can be e-mailed to: CranbrookCGR@eastdevon.gov.uk

DATE OF PUBLICATION OF THESE TERMS OF REFERENCE

Date of Publication: 24th July 2025