



Charnwood

CHARNWOOD BOROUGH COUNCIL

**COMMUNITY GOVERNANCE REVIEW WITHIN THE
BOROUGH OF CHARNWOOD**

TERMS OF REFERENCE

JANUARY 2017

Introduction

Charnwood Borough Council is undertaking a Community Governance Review of the whole of the Charnwood Borough local authority area in accordance with Part 4, Chapter 3 of the Local Government & Public Involvement in Health Act 2007.

The Borough Council is also required to have regard to the 'Guidance on Community Governance Reviews' issued by the Secretary of State for Communities & Local Government. That guidance was considered when drawing up these Terms of Reference.

What is a Community Governance Review (CGR)?

A CGR is a legal process whereby principal authorities can create parish councils¹, review and change parish council electoral arrangements and boundaries, and in extreme cases, abolish parish councils.

Charnwood Borough Council, as the principal authority responsible for CGRs within its area, must ensure that community governance arrangements within the Borough of Charnwood reflect the identities and interests of local communities and are effective and convenient.

It is important that any recommendations made as the result of a CGR should bring about improved community engagement, more cohesive communities, better local democracy and result in the more effective and convenient delivery of local services.

In undertaking the Review, the Borough Council will be guided by:

- Part 4 of Local Government & Public Involvement in Health Act 2007 (the 2007 Act),
- the relevant parts of the Local Government Act 1972 (the 1972 Act),
- the Guidance on Community Governance Reviews issued jointly by the Department of Communities & Local Government and The Electoral Commission in April 2008 (the Guidance),
- Also, the following Regulations which guide, in particular, consequential matters arising from the Review:
 - Local Government (Parishes & Parish Councils) (England) Regulations 2008 (SI2008/625);
 - Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

¹ In order to ensure consistency with the relevant legislation and Government guidance, within this document the term 'parish council' is used to refer to both parish and town councils.

What does a parish council do?

Parish councils are the most local form of local government. They levy money from council tax payers (via the Borough Council in its role as the collection authority) in the form of a 'precept', and this is used to invest in their local area to deliver or improve services and facilities. Parish councils can take different forms, but are usually made up of local people who stand for election or who are co-opted to represent their area.

A parish meeting consists of the local government electors for parishes with smaller populations, where every person living within the parish old enough to vote has the right to be directly involved in how their parish is run, to raise issues to go on the agenda, and to speak and vote at meetings. A parish meeting does not have parish councillors.

The Borough Council wishes to ensure that parish councils within its area are viable and able to actively and effectively promote the well-being of their residents and contribute to the provision of services in their area in an economic and efficient manner.

Why undertake this Community Governance Review?

A CGR provides an opportunity for principal authorities to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population or in reaction to specific or local new issues to ensure that the community governance for the area continues to be effective and convenient and to reflect the identities and interests of local communities.

The Government has emphasised that recommendations arising from a CGR ought to bring about improved community engagement, more cohesive communities, better local democracy and should result in more effective and convenient delivery of local services.

Government guidance further states that it is good practice to conduct a full CGR of the principal council's area (in the case of Charnwood the whole Borough) at least every 10-15 years, and to keep the area under review in the interim. This Review will be a full CGR.

Areas to be Reviewed

The Review will encompass the whole of the Charnwood Borough Council area, including consideration of the areas affected by the major residential development proposals as set out in the table below.

Proposed Development	Parish Councils / Areas Affected
North East of Leicester Sustainable Urban Extension (4,500 homes)	Barkby & Barkby Thorpe Parish Council Thurmaston Parish Council
West of Loughborough Sustainable Urban Extension (3,000 homes)	Hathern Parish Council Loughborough (unparished) Shepshed Town Council
North of Birstall Direction of Growth – ‘Broadnook’ (1,500 homes)	Rothley Parish Council Thurcaston & Cropston Parish Council Wanlip Parish Meeting

Who will undertake the Community Governance Review?

As the relevant principal authority, Charnwood Borough Council is responsible for undertaking any CGR within its electoral area.

The body responsible for approving the terms of reference for the CGR and agreeing any recommendations before a final Community Governance Order is made will be the full Borough Council.

The Head of Strategic Support will be the officer responsible for coordinating the CGR, and the process will be managed as a project.

A Member Reference Group (MRG) of Borough Councillors will also be established to provide elected member input to the CGR as it progresses, which will consist of 5 Borough Councillors selected on the basis of political balance.

Consultation

The Borough Council wants to know what local people and other stakeholders think about the community governance arrangements for the whole Borough of Charnwood, or for specific local areas within the Borough. The public and other stakeholders will be invited to send their views and responses during the relevant consultation stages as set out in the Timetable for the Review below.

Before making any recommendations or publishing final proposals, the Borough Council will take full account of the views of local people and other stakeholders. The Borough Council will comply with the statutory consultative requirements by:

- Consulting local government electors and residents within the Borough,
- Consulting any other persons or bodies (including local councils) which appear to the Borough Council to have an interest in the Review,
- Notifying and consulting with Leicestershire County Council,
- Taking into account any representations received in connection with the Review.

Information relating to the Review will be available on the Borough Council’s website (www.charnwood.gov.uk/cgr) and key documents will also be on deposit at the Borough Council’s offices at Southfield Road, Loughborough, LE11 2TX.

When taking account of representations the Borough Council is bound to have regard to the need to secure that community governance arrangements:

- Reflect the identities and interests of the community in the relevant area,
- Are effective and convenient.

The Borough Council will publish its recommendations as soon as practicable and will take such steps as it considers sufficient to ensure that persons who may be interested in the Review are informed of the recommendations and the reasons behind them.

The Borough Council will notify each consultee who submits a response, and any other persons or bodies who have made written representations, of the outcome of the Review if they have provided contact details.

Timetable for the Review

A CGR must, by law, be concluded within the twelve month period, which commences when the Terms of Reference are published and concludes when the Borough Council makes its final decision on any recommendations arising from the CGR.

Details	Dates
Commencement of CGR - terms of reference published	1 February 2017
Initial consultation stage	1 February 2017 – 30 April 2017
Draft proposals prepared	May 2017 - June 2017
Draft proposals considered by full Council	June 2017
Consultation on draft proposals	July 2017 - September 2017
Final recommendations prepared	October 2017 – December 2017
Final recommendations considered and approved by full Council	January 2018
Community Governance Order(s) made – if required	February 2018 - March 2018
New community governance arrangements come into force	May 2019 local council elections

Electorate Forecasts

The January 2017 Register of Electors has been used to produce existing parish-parish ward electorate figures, which are set out in Annex A.

When the Borough Council comes to consider electoral arrangements for the parish councils in its area, it is required to consider any change in the number or distribution of electors which is likely to occur in the period of five years beginning with the day when the Review starts.

Electorate forecasts have been prepared using information contained in the Local Plan and data from the projected housing supply to produce five-year forecasts, details of which are also set out in Annex A.

The Government's guidance is that these forecasts should be made available to all interested parties as early as possible in the Review process, and ideally before the formal commencement of the Review, so that they are available to all who may wish to make representations.

The present structure of parish councils and their electoral arrangements

As well as electorate information, Annex A also includes information regarding the following:

- Type of governance; eg. parish/town council, joint council or parish meeting,
- Current numbers of parish councillors,
- Ratio of current councillors to electorate,
- Borough Ward,
- County Division (effective from the May 2017 elections),
- Current Parliamentary Constituency.

Representations

Charnwood Borough Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included within the Review.

Representations may be made in the following ways:

Online: Using the online submission form at:
<http://www.charnwood.gov.uk/cgr>

By email: cgr@charnwood.gov.uk

By post: Adrian Ward
Head of Strategic Support
Charnwood Borough Council
Southfield Road
Loughborough
LE11 2TX