

# Information Sheet for Community Governance Reviews

## Community governance reviews

A community governance review is a legal process where a principal council can ask the public and other interested groups or organisations about the most suitable way of representing local communities, through parish or town councils.

## What is a community governance review?

A community governance review enables a principal council to review and put in place new arrangements, make changes to current community governance systems and structures, for example by creating, merging, abolishing or changing parish or town councils in the review area.

The government has emphasized that the aim of a review should be to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

Parish and town councils continue to provide two main roles, community representation and local administration. The legislation requires the principal council to have regard to this need to ensure that community governance under review :

- reflects the identities and interests of the community in the area, and
- is effective and convenient, and
- takes in to account any other arrangements for the purposes of community representation or community engagement in the area.

## Why do them?

All principal councils have a legal duty to carry out a community governance review if they receive a valid petition from a parish council, town council or group of electors.

A principal council may initiate a review if a number of parish or town councils are known to have some interest in for alterations or changes to their structure.

The relevant Act does encourage principal councils to regularly review arrangements for parish and town councils, ideally on a ten year cycle.

## **Who carries out the reviews?**

Principal councils are responsible for undertaking any review within the boundaries of their council area, for York it is City of York Council.

The review is undertaken with public consultation at various stages and officers will refer responses and recommendations to Gambling, Licensing and Regulatory Committee whose role was to oversee the entire review process, propose terms of reference, provide initial options for consideration and produce recommendations for consideration by the full council.

## **What are the rules for a Community Governance Review?**

All reviews are undertaken under the Local Government and Public Involvement in Health Act 2007 (LG&PIHA 2007), Section 82 covers the principal council's power to undertake a review or commence a review in response to a petition.

- The legislative framework is set out in Part 4, Chapter 3 (Sections 79 to 102) of the LG&PIHA 2007, as amended by the LDED&CA 2009.
- Additionally, the Local Government Act 1972 (as amended) still had relevant sections in regard to parish and town councils.

To assist both principal councils, the Local Government Boundary Commission for England and the Department of Community and Local Government have produced "*Guidance on community government reviews*", which is available on the DCLG website at :  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/8312/1527635.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf)

## **Terms of Reference**

Each principal council when undertaking a Community Governance Review must set the Terms of Reference for what under section 81 of the LG & PIHA 2007 will be considered in the review, for example a full review could include:

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

Or the principal council may limit what may be considered.

The Terms of Reference also includes the time frame of the review, how the review will be communicated with all interested groups and the contact details of the officer responsible.

Once published, the Terms of Reference may not be altered or the time frame changed.

### **How long does the review take?**

The timeframe for a Community Governance Review can vary from six months for small review to a full year.

If the review is triggered by petition for a matter relating to one parish, that normally will be around a six month period to all consultation.

In regard to a review the principal council initiates for all parish and town councils, it normally lasts one full year.

The Terms of Reference have the time table included.

### **What information is available?**

The principal council will provide on request and publish on the council website current electoral information for parish and town councils, maps of those areas will be available for the relevant council section of current parish and town council boundaries. There may be a small administrative charge for some maps.

Electoral arrangements do depend on the future electoral forecasts of parish and town councils, this is often done as part of a Local Boundary Commission for England review of warding structure and is available on the webpage or on request.

### **Is this part of the ward review by the Local Government Boundary Commission for England?**

No, the ward boundary review (and parliamentary boundary review) are separate to a Community Governance Review. Both of these reviews are undertaken by Commissions, with different powers and do not include parish or town council boundaries or electoral arrangements.

Although a Local Government Boundary Commission for England review may propose the warding of a parish or town council as part of their review.

If any changes to a parish or town council boundary results from a Community Governance Review after a ward boundary review is completed by the

LGBCE, the principal council will apply to the LGBCE for consequential alterations to a ward boundary.

### **References:**

- LGBCE - Local Government Boundary Commission for England
- DCLG - Department of Communities and Local Government
- LG&PIHA 2007 - Local Government and Public Involvement in Health Act 2007
- LGA 1972 - Local Government Act 1972

### **Links**

Local Government Act 1972

<http://www.legislation.gov.uk/ukpga/1972/70/contents>

Local Government and Public Involvement in Health Act 2007

<http://www.legislation.gov.uk/ukpga/2007/28/contents>

LGBCE and CDLG guidance

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/8312/1527635.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf)

### **Contact.**

Andrew Flecknor  
Electoral Services Manager  
Electoral Services  
City of York Council  
The Guildhall  
York  
YO1 9QN

Tel: 01904 552032

Email : [andrew.flecknor@york.gov.uk](mailto:andrew.flecknor@york.gov.uk)