

COMMUNITY GOVERNANCE REVIEW OF THE TEWKESBURY BOROUGH

TERMS OF REFERENCE

1. Introduction

- 1.1 Tewkesbury Borough Council is carrying out a Boroughwide Community Governance Review (CGR) in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007.
- 1.2 The Council is required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. This guidance has been considered when drawing up these Terms of Reference.

2. What is a Community Governance Review?

- 2.1 A CGR provides an opportunity to put in place strong, clearly defined boundaries, which reflect local identities and facilitate effective and convenient local government. It can take place for the whole or part of the Borough to consider one or more of the following:
 - (a) Creating, merging, altering or abolishing Parishes;
 - (b) The naming of Parishes and the style of new Parishes;
 - (c) The electoral arrangements for Parishes including:
 - the ordinary year of election;
 - the number of Councillors to be elected; and
 - the warding (if any) of the Parish.
 - (d) Grouping Parishes under a common Parish Council or de-grouping Parishes.
- 2.2 The Council is required to ensure that community governance within the area under review will be:
 - (a) reflective of the identities and interests of the community in that area; and
 - (b) effective and convenient.
- 2.3 In doing so, the CGR is required to take into account:
 - (a) The impact of community governance arrangements on community cohesion; and
 - (b) The size, population and boundaries of a local community or Parish.

3. Why undertake a Community Governance Review

- 3.1 Following a review of Tewkesbury Borough Wards by the Local Government Boundary Commission for England, a number of changes were introduced in May 2018 as set out in The Tewkesbury (Electoral Changes) Order 2018. Whilst the Commission did not carry out a review of the Parish or Town Councils in the borough, they did agree some changes which amended the warding arrangements of the Parish/Town Councils of Bishop's Cleeve, Brockworth, Churchdown and Tewkesbury.
- 3.2 As the previous review amended warding arrangements to the four areas referred to in Paragraph 3.1 these are protected under the Local Government and Public Involvement in Health Act 2007. Any proposed changes to these areas require consent from the Local Government Boundary Commission for England before any order implementing the outcome of the CGR can be made. If consent is granted by the Commission, the Council can then request an alteration to deal with any consequential impact on Borough Wards. In relation to consequential changes to Borough Ward boundaries the Commission would wish to see that specific consultation had been undertaken on Ward/Division boundaries as well as the Parish boundaries themselves. The Commission can only accept or reject the requested related alterations. Accordingly, if there are changes to Ward boundaries which are likely to have a significant impact on the electoral equality of the affected Borough Wards, the Commission may not support these.
- 3.3 The Council also wishes to undertake a CGR for the whole of the Borough in response to suggestions made by some Parish/Town Councils and the electorate due to population changes and shifts in 'natural settlements' caused by new development.
- 3.4 Government guidance states that it is good practice to conduct a full CGR at least every 10 to 15 years. The Council therefore wishes to review the community governance of the Borough to ensure that there is clarity and transparency to the areas that Parish Councils represent and that the electoral arrangements of Parishes (the warding arrangements and the allocations of Councillors) are appropriate, equitable and understood by their electorate.

4. Who will undertake the Review?

- 4.1 As the relevant principal authority, Tewkesbury Borough Council is responsible for conducting any CGR within its electoral area. The Executive Committee will oversee the review and produce draft and final recommendations; Council will approve the final recommendations which will be implemented by the making of a Community Governance Order.

- 4.2 The Council will appoint a Community Governance Review Working Group comprising of seven Members to consider representations and propose draft recommendations to the Executive Committee during the review process.

5. Areas under Review

- 5.1 The whole of the Tewkesbury Borough area will be included in the CGR. The review will not automatically mean there will be changes but will examine whether there is a case for change. The Council is not seeking a particular solution at this stage. It wishes to test views and assess what solutions are the right ones to pursue with each individual Parish.

6. Scope of Review and Factors to be Considered

- 6.1 The scope of the review will include: -
- the creation of a Parish.
 - the name of a Parish.
 - the establishment of a separate Parish Council for an existing Parish.
 - the alteration of boundaries of existing Parishes.
 - the abolition of a Parish.
 - the dissolution of a Parish Council.
 - changes to the electoral arrangements of a Parish Council.
 - whether a Parish should be grouped under a common Parish Council or de-grouped.
- 6.2 The following factors will be considered as part of assessing proposals within the scope of the review: -
- a strong, inclusive community and voluntary sector.
 - a sense of civic values, responsibility and pride.
 - a sense of place – a place with a ‘positive’ feeling for people and local distinctiveness.
 - reflective of the identities and interests of the community in that area.
 - effective and convenient.
 - the impact of community governance arrangements on community cohesion.
 - the size, population and boundaries of a local community or Parish.
 - people from different backgrounds having similar life opportunities.
 - people knowing their rights and responsibilities.

7. Consultation

- 7.1 The Council is required 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 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 all stages of the consultation.

7.2 Before making any recommendations or publishing final proposals, a full consultation process will form part of the review to take full account of the views of local people and other stakeholders. The Council will comply with the statutory consultative requirements by:

- (a) consulting local government electors for the area under review.
- (b) consulting any other person or body (including a local authority) which appears to the Council to have an interest in the review.
- (c) notifying and consulting Gloucestershire County Council.
- (d) taking into account any representations received in connection with the review.

7.3 The Council will publicise the review by displaying a notice at the Council Offices and on the Council's website. The Council will also write to all Parish Councils or any other community or resident groups of which the Council is aware, the Gloucestershire Association of Local Councils, Borough Councillors and the relevant County Councillors, the MP's and Gloucestershire County Council.

7.4 Information about each stage of the review will be published on the Council's website with key documents available at:

Tewkesbury Borough Council Offices, Gloucester Road, Tewkesbury, Glos, GL20 5TT

Viewing of key documents at the Council Offices will need to take place by appointment only, as the Offices are currently closed due to the coronavirus pandemic. However, should all restrictions be lifted, the documents will be available to view in the Council's reception area.

8. Indicative timetable for the Community Governance Review

8.1

Details	Dates
Commencement of CGR – Terms of Reference published	15 June 2021
Initial consultation stage	15 June 2021 – 15 September 2021
Draft recommendations prepared	October 2021 – November 2021
Draft recommendations published	December 2021
Consultation on draft recommendations	December 2021 – February 2022
Final recommendations prepared	March 2022 – April 2022
Final Recommendations considered and approved by Council	May 2022
Community Governance Order(s) made	August 2022
New community governance arrangements come into force	May 2023 local council elections

- 8.2 Any Community Governance Order made following a CGR should, for administrative and financial reasons (for example setting up a new Parish Council and arranging for its first precept) take effect on 1 April following the date on which the Order is made. Electoral arrangements will come into force at the first elections to any new Parish Council following the making of the Order.

9. Electorate Forecasts

- 9.1 Existing Parish Ward electorate figures will be calculated from the June 2021 electoral register.
- 9.2 When the Council considers 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.
- 9.3 Electorate forecasts will be prepared using Planning Policy housing trajectory on known developments and the current Office for National Statistics average household size in the UK of 2.4, to produce five-year forecasts.

10. The present structure of Parish Councils and their electoral arrangements

- 10.1 As well as electorate information, the following will also be included in an annex to the Terms of Reference:
- (a) Type of governance; e.g. Parish/Town Council, joint Council or Parish meeting.
 - (b) Current number of Parish Councillors.
 - (c) Ratio of current Councillors to electorate.
 - (d) Borough Ward.
 - (e) County Division.
 - (f) Current Parliamentary Constituency.

(NB: This will be appended to the final approved version of the Terms of Reference).

11. Consequential Matters

- 11.1 When the required consultation has been undertaken, and the review completed, the Council may make an Order to bring into effect any decision that it may make taking account of the role of the Local Government Boundary Commission for England as set out in paragraph 3.2 above. If the Council decides to take no action, then it will not be necessary to make an Order.

- 11.2 If an Order is made it may be necessary to cover certain consequential matters in that Order. These may include:
- (a) the transfer and management or custody of any property.
 - (b) the setting of a precept (Council tax levy) for the new Parish Council.
 - (c) provision with respect to the transfer of any functions, property, rights and liabilities.
 - (d) provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- 11.3 The Council will also take into account the requirements of the Local Government Finance (New Parishes) Regulations 2008 when calculating the budget requirement of any new Parish Councils when setting the Council tax levy to be charged.

12. Representations

12.1 Tewkesbury 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.

12.2 Representations may be made in the following ways:

Online: Using the online submission form at
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By Email: elections@teiwkesbury.gov.uk

By post: Electoral Services (CGR)
Tewkesbury Borough Council
Council Offices
Gloucester Road
Tewkesbury
Glos
GL20 5TT