

artCheltenham Borough Council

Council – 12 May 2025

Community Governance Review

Accountable member:

Councillor Rowena Hay, Leader of the Council

Accountable officer:

Claire Hughes, Director of Governance, Housing and Communities

Ward(s) affected:

All

Key Decision: No

Executive summary:

In light of the government's announcement on the reorganisation of Local Government, the council is keen to ensure the retention and improvement of community engagement and cohesion, local democracy and the delivery of effective local services.

The council therefore proposes to carry out a community governance review with the purpose of establishing whether there is support for the establishment of any new Town or Parish Councils within the administrative areas of Cheltenham or whether any of the existing parish councils of Charlton Kings, Leckhampton with Warden Hill, Prestbury, Swindon Village or Up Hatherley wish to amend their existing boundaries.

This report seeks approval of the Terms of Reference for the review and the commencement of the first stage of public consultation.

Recommendations: That Council:

- 1. agrees the Terms of Reference for the Community Governance Review, signifying the formal start of the Review and commencement of the first stage consultation**
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2. Implications

1.1 Financial, Property and Asset implications

There are no direct finance and property implications of the decision in this report. The consultation will be undertaken using existing systems and software which already have approved budget. The implications from any recommendations from the review may have finance or property implications which will be considered as part of any reporting of the review conclusions.

Signed off by: Gemma Bell, Director of Finance and Assets

gemma.bell@cheltenham.gov.uk

1.2 Legal implications

The Council, as principal council, has authority to take decisions about parish electoral governance arrangements under Sections 79 and 102(2) the Local Government and Public Involvement in Health Act 2007.

A Borough Council that is undertaking a review, must notify the County Council that the review for its area is to be undertaken and the terms of reference (including any modifications to those Terms), as per section 79(3).

Sections 81 – 84 of the said Act cover relevant aspect of the Terms of reference for the review. These are to be the Terms under which the review is to be undertaken and approved by the Council. The Terms must specify the area under review and any modifications to make to them, for example, following any petition that may be received during the course of the review. As per the Guidance, there is no 'one size fits all' approach, nevertheless on general principles, the Terms of reference should set out clearly the matters on which a community governance review is to focus. As soon as practicable after deciding the Terms, they must be published.

A petition may still be received and there is a duty under section 84 or power to respond under section 85 of the Act, dependent on the Terms of reference approved.

Section 102(6) provides the Terms of reference of a community governance review “allow for a community governance petition or community governance application to be considered” if the terms of reference of the review are such that—(a) the area under review includes the whole of the petition area or application area; and (b) the recommendations to be considered by the review include all of the petition's or application's specified recommendations.

Council Functions states that functions relating to Community governance are reserved to Council as referred in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

Signed off by: One Legal

Tel: 01684 272012 Email: legalservices@onelegal.org.uk

1.3 Environmental and climate change implications

The benefits associated with this report such as the retention and improvement of community engagement and cohesion, local democracy and the delivery of effective local services have positive environmental implications. Local community parishes play a crucial role in communicating the impacts of climate change, raising awareness, and promoting sustainable practices.

Signed off by: Maizy McCann, Climate Officer maizy.mccann@cheltenham.gov.uk

1.4 Corporate Plan Priorities

This report contributes to the following Corporate Plan Priorities:

- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity
- Being a more modern, efficient and financially sustainable council

1.5 Equality, Diversity and Inclusion Implications

In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

A review of community governance will not impact on the requirement of the Public Sector Equality Duty.

Parish and Town Councils are the most local tier of government in England and play an important role in terms of community empowerment at a local level. A CGR offers an opportunity for both existing parishes and local people to feed into this process and offer proposals for any changes

2 Background

2.1 In light of the government's announcement on the reorganisation of Local Government, the council is keen to ensure the retention and improvement of community engagement and cohesion, local democracy and the delivery of effective local services. The council therefore proposes to carry out a community governance review with the purpose of establishing whether there is support for the establishment of any new Town or Parish Councils within the administrative areas of Cheltenham or whether any of the existing parish councils of Charlton Kings, Leckhampton with Warden Hill, Prestbury, Swindon Village or Up Hatherley wish to amend their existing boundaries.

2.2 The Council has authority to take decisions about parish electoral governance arrangements under the Local Government and Public Involvement in Health Act 2007. The Council is required to monitor these arrangements, with good practice indicating a formal review should be undertaken every 10-15 years. This formal review process is

known as a Community Governance Review (CGR). A CGR reviews only parish-level electoral arrangements. It does not consider or amend borough ward-level governance arrangements.

2.3 A CGR is the process by which parish electoral arrangements are formally reviewed. The Council has considerable powers to review and amend governance arrangements without further referral to an external body, provided the statutory process is followed. Decisions are usually made by Full Council, unless appropriate delegations are in place, given the importance of parish governance arrangements across the local authority area. A CGR may review any aspect of community governance including, for example, the creation or naming of a parish, the establishment of a separate parish from an existing parish, alteration of parish boundaries, abolition or dissolution of a parish, changes to parish electoral arrangements (the number of councillors to be elected to the council; the year when the ordinary election of parish councillors are held, whether the parish should be divided into wards) or parish grouping.

2.4 Legislation and statutory guidance set out the requirements for a CGR. These include that the Council must;

- draw up Terms of Reference (ToR) for the review, specifying the area/s under review and any consequential matters that need to be considered.
- consult local government electors for the area under review and any other person or body (including a local authority) who appears to have an interest in the review.
- 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 and is effective and convenient”.
- take into account any representations received in connection with the review.
- publish recommendations as soon as practicable after making them and take steps to ensure that those who may be interested in the review are informed of those recommendations

2.5 Subject to these duties, it is for the Council to decide how to undertake the review.

2.6 The Terms of Reference for a CGR set out the scope of the review and the timetable for the work. Once agreed by Council, the Terms of Reference must be published and they form one of the foundations for the CGR.

2.7 The draft Terms of Reference, including the timetable for the review, are set out in Appendix 3. Members are invited to consider and agree these Terms of Reference. Once approved, the Terms of Reference shall be published, signifying the formal start of the CGR, and a public consultation shall commence.

2.8 Once the first stage of consultation has been concluded the results will be analysed by the CGR Cabinet Working Group, following which draft recommendations will be

developed by officers, discussed by the CGR Cabinet Working Group and agreed by Full Council. These will set out specific recommendations for each area. In some cases, the draft recommendation may be for no change; in others boundary changes may be recommended; in others the number of parish councillors may be adjusted; or new parish councils created. There is no assumption or expectation that any given area will be changed.

2.9 Once approved by Council, the draft recommendations will be subject to a further period of more focussed consultation.

2.10 Following the consultation, officers will review all responses received and take these into account in developing the Final Recommendations. These will be presented, along with the submissions received, to the CGR Cabinet Working Group before presentation to and discussion by Council, with the final decisions due to be made in early 2026.

2.11 The Final Recommendations, once approved, become enacted by a formal reorganisation Order. Any changes to governance arrangements (including boundaries, parish names, and numbers of Councillors) take effect from the next scheduled elections in May 2026.

2.12 Timetable for the Review – it is intended to complete the CGR within 12 months. However, the indicative timetable for the Review below may change depending on local circumstances, although implementation ahead of May 2026 is anticipated

Date	Action
12 May 2025	Full Council approves the Terms of Reference, signifying the start of the review
19 May – 18 July 2025	First period of public consultation
August – September 2025	Review by Officers and Working Group and development of Draft Recommendations.
13 October 2025	Draft Recommendations to be considered by Council and approved for second round of consultation.
20 October – 19 December 2025	Second public consultation
January – February 2026	Review by Officers and Working Group and development of Final Recommendations.
27 February 2026	Full Council discuss and agree Final Recommendations
February 2026	Reorganisation Order made

2.13 At this stage no assumptions are made as to what the Draft or Final Recommendations may be. The Terms of Reference are broad, enabling submissions about any aspects of local governance. However, some communities within unparished areas have already expressed an interest in forming a new Town or Parish council, and they are invited to submit a response to the first stage consultation. Any community that does not have a parish council at present may request to have a parish council. There are implications of this, including local council tax precepts, which will be explained more fully at the second stage of consultation as appropriate.

3 Reasons for recommendations

3.1 In light of the government's announcement on the reorganisation of Local Government, the council is keen to ensure the retention and improvement of community engagement and cohesion, local democracy and the delivery of effective local services.

3.2 In addition the Council is required to keep parish electoral arrangements under review to ensure they remain fit for purpose, and to ensure they continue to reflect local needs

4 Alternative options considered

4.1 Council may decide not to proceed with the CGR or make amendments to the proposed Terms of Reference.

5 Consultation and feedback

5.1 The CGR will be subject to two rounds of public consultation.

6 Key risks

6.1 See Appendix 1

Report author:

Claire Hughes, Director of Governance, Housing and Communities
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Appendices:

- i. Risk Assessment
- ii. Equality Impact Assessment – Screening
- iii. Terms of Reference for Community Governance Review

Background information:

N/A

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1.	If the Council chooses not to undertake a CGR, local people and/or parish councils may submit a petition requiring the council to undertake a CGR which must be completed within a year	Claire Hughes	3	2	6	Accept	CGR Cabinet Working Group established to develop TOR and ensure councillor support for review	Claire Hughes	Complete
2.	There may be changes in the indicative timetable provided for the review	Claire Hughes	2	2	4	Accept	Actively monitor progress via the CGR Cabinet Working Group	Claire Hughes	Ongoing

Appendix 2: Equality Impact Assessment Screening

1. Identify the policy, project, function or service change

a. Person responsible for this Equality Impact Assessment

Officer responsible: Claire Hughes	Service Area: Governance, Housing and Communities
Title: Director of Governance, Housing and Communities	Date of assessment: 11 April 2025
Signature: C. Hughes	

b. Is this a policy, function, strategy, service change or project?

Project

If other, please specify:

c. Name of the policy, function, strategy, service change or project

Community Governance Review

Is this new or existing?

New or proposed

Please specify reason for change or development of policy, function, strategy, service change or project

Community Governance Review in accordance with [Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007](#).

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:	In light of the government's announcement on the reorganisation of Local Government, the council is keen to ensure the retention and improvement of community engagement and cohesion, local democracy and the delivery of effective local services.
Objectives:	The main purpose of this review is therefore to establish whether there is support for the establishment of any new Town or Parish Councils within the administrative areas of Cheltenham or whether any of the existing parish councils of Charlton Kings, Leckhampton with Warden Hill, Prestbury, Swindon Village or Up Hatherley wish to amend their existing boundaries.

Outcomes:	Parish areas which reflect the needs of Cheltenham
Benefits:	Retention and improvement of community engagement and cohesion, local democracy and the delivery of effective local services.

e. What are the expected impacts?

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

Yes

Do you expect the impacts to be positive or negative?

Positive

Please provide an explanation for your answer:

The outcome of the review should see an improvement of community engagement and cohesion, local democracy and the delivery of effective local services.

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate

Stage Two required	No - a stage 2 impact assessment is not required at this stage but may be required once draft recommendations have been developed.
Owner of Stage Two assessment	
Completion date for Stage Two assessment	