

REPORT TITLE: COMMUNITY GOVERNANCE REVIEW

Meeting	Corporate Governance & Audit Committee
Date	1 st August 2025
Cabinet Member (if applicable)	Councillor Nosheen Dad (Corporate)
Key Decision Eligible for Call In	No N/A
Purpose of Report To note that Council has agreed to undertake a Community Governance Review and delegate to agree Terms of Reference and oversee delivery to Corporate Governance & Audit Committee.	
Recommendations <ul style="list-style-type: none"> Agree arrangements for producing Terms of Reference for the Community Governance Review to enable formal sign-off at the next meeting of Corporate Governance & Audit Committee 26th September 2025. Reasons for Recommendations <ul style="list-style-type: none"> Council have delegated to Corporate Governance & Audit Committee to agree the terms of reference of the proposed review. The Review needs to formally commence 1st October to reduce an extra cost burden on Parish/Town Councils. 	
Resource Implications: The Community Governance Review will be delivered within existing resources and complements existing planned activity. Where additional resources are required to deliver specific actions within the plan, relevant council process and procedure rules will be followed, with value for money clearly demonstrated.	
Date signed off by <u>Executive Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?	Rachel Spencer-Henshall, Deputy Chief Executive 21/07/25 Kevin Mulvaney, Service Director Finance 21/07/25 Samantha Lawton, Service Director Legal & Commissioning 21/07/25

Electoral wards affected: All

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? Yes, no personal data is included in this report

1. Executive Summary

- 1.1 A Community Governance Review (CGR) is a process that allows upper-tier councils to review and make changes to the governance arrangements of parishes within their area to ensure they continue to reflect the identity and interests of local communities and are as effective and convenient as possible.
- 1.2 At the Council meeting 16th July 2025, Council agreed the undertaking of a Community Governance Review in accordance with the relevant legal framework and Government guidance. Also, in line with Corporate Governance & Audit Committee's (CG&AC) terms of reference, to delegate to the Committee to agree the terms of reference of the review and oversee delivery.
- 1.3 The Local Government & Public Involvement in Health 2007 Act allows principal councils to determine the terms of reference under which a community governance review is to be undertaken. It requires the terms of reference to specify the area under review and the principal council to publish the terms of reference.
- 1.4 Parish/Town Councils pay for their own elections. 'All-out' elections for Parishes are already scheduled for May 2027, so to reduce an extra cost burden the review would need to be completed in sufficient time to meet the May 2027 deadline. Therefore, the aim is to formally commence the review on 1st October 2025.

2. Information required to take a decision

Background

- 2.1 A Community Governance Review (CGR) is a process that allows upper-tier councils to review and make changes to the governance arrangements of parishes within their area to ensure they continue to reflect the identity and interests of local communities and are as effective and convenient as possible.
- 2.2 The Council has power under Section 82 of the Local Government and Public Involvement in Health Act 2007 to conduct CGRs. A CGR must be conducted in accordance with the requirements set out in Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 (as amended) and guidance issued by the Secretary of State under Section 100(4) of the 2007 Act.
- 2.3 A Review must involve consultation with local people and stakeholders, and consider any representations received. It usually takes between 12 and 18 months to complete with the final recommendations subject to approval by Council.
- 2.4 A CGR is carried out by the principal council and is used to look at the whole or part of a district to identify a need for:
 - creating new parishes, abolishing, merging or altering parishes
 - the naming of parishes and the style of new parishes
 - the electoral arrangements for parishes, such as the ordinary year of election, council size, wards and numbers of councillors

- grouping parishes under a common parish council or de-grouping parishes
- 2.5 The last CGR in Kirklees took place in 2008/9, 16 years ago as a result of a petition submitted to Council in September 2006. In August 2008 the Corporate Governance & Audit Committee agreed to initiate a community governance review focussed on the five currently parished areas.
- 2.6 Council resolved on 29th July 2009;
- That the recommendations of the community governance Review for each Parish area be approved and that the Head of Legal Services be authorised to make a reorganisation order under Section 86 of the Local Government and Public Involvement in Health Act 2007 to give effect to these recommendations.
 - That Council endorses a number of additional recommendations for further work to improve the effectiveness of community governance arrangements in Kirklees, as set out in Appendix 2 to the report to Council.

The full report can be viewed here: [COUNCIL29070936257S.pdf](#)

- 2.7 The Local Government & Public Involvement in Health Act 2007 allows principal councils to determine the terms of reference under which a community governance review is to be undertaken. It requires the terms of reference to specify the area under review and the principal council to publish the terms of reference. If any modifications are made to the terms of reference, these must also be published.
- 2.8 As the 2007 Act devolves power from central to local government and to local communities, it is inappropriate to prescribe a “one size fits all” approach to terms of reference for community governance reviews applied by principal councils. However, the Government expects terms of reference to set out clearly the matters on which a community governance review is to focus. The local knowledge and experience of communities in their area which principal councils possess will help to frame suitable terms of reference. The terms should be appropriate to local people and their circumstances and reflect the specific needs of their communities.
- 2.9 Local people may have already expressed views about what form of community governance they would like for their area, and principal councils should tailor their terms of reference to reflect those views on a range of local issues. Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.
- 2.10 Parish/Town Councils pay for their own elections. ‘All-out’ elections for Parishes are already scheduled for May 2027, so to reduce an extra cost burden the review would need to be completed in sufficient time to meet the May 2027 deadline. Therefore, the aim is to formally commence the review on 1st October 2025 (see [Appendix 1](#)).

3. Implications for the Council

3.1 Council Plan

Enhancing local levels of governance will improve on our engagement with people and build relationships. In terms of the ‘place’ outcome, it also recognises local areas and the governance structures that exist.

3.2 **Financial Implications**

There are no immediate financial implications resulting from a CGR. It's worth noting that any new parishes/town councils created would be required to pay the Parish precept. Given the charges are on the Council tax bills that run from 1 April any change order following a CGR would need to take effect on the 1 April following the date on which it is made.

3.3 **Legal Implications**

In terms of the CGR once the review is complete, should any changes be proposed, a Reorganisation of Community Governance Order under S.86 of the Act would be proposed for approval at Council.

3.4 **Climate Change and Air Quality**

N/A

3.5 **Other (e.g. Risk, Integrated Impact Assessment or Human Resources)**

There are risks associated with delaying a CGR which could have financial implications in terms of elections costings for parishes.

4. **Consultation**

As part of the review, there is a statutory duty to consult local government electors and any other person or body, including a local authority, who appears to have an interest in the review. Where there are other arrangements for community representation or engagement in place, the principal council must take those into account. For example, relevant residents' associations, community forums or area committees should be consulted. Government guidance also suggests consulting local businesses, local public and voluntary organisations, such as schools or health bodies.

5. **Engagement**

5.1 Relevant council officers (including Service Directors and the Executive Leadership Team) and the Cabinet have been engaged in highlighting the need for a Community Governance Review.

5.2 Leading members were also engaged on 02 June 2025

6. **Options**

6.1 **Options considered**

- Officers draft Terms of Reference for the review in accordance with guidance and bring back to Corporate Governance & Audit Committee 26th September for formal sign-off.

6.2 **Reasons for recommended option**

- Parish/Town Councils pay for their own elections. 'All-out' elections for Parishes are already scheduled for May 2027 so to reduce an extra cost burden we need to complete the review in sufficient time to meet the May 2027 deadline. Therefore, the Review needs to begin 1st October 2025.

7. **Next steps and timelines**

- Corporate Governance & Audit Committee to discuss and agree the terms of reference at the next meeting 26th September.
- Officer to set up a series of informal conversations to engage key stakeholders on the intention to carry out a review commencing in October 2025.

8. Contact officer

Nick Howe, Policy & Partnership Manager. Policy, Partnerships & Corporate Planning
Nick.howe@kirklees.gov.uk

9. Background Papers and History of Decisions

Community Governance Review, Council 16th July 2025

<https://democracy.kirklees.gov.uk/documents/s64955/FINAL%20Council%2016%20July25.pdf>

Local Government Boundary Commission for England, Guidance on community governance reviews, March 2010

<https://www.gov.uk/government/publications/community-governance-reviews-guidance>

Council Community Governance (Parish) Review final report, 29th July 2009

[COUNCIL29070936257S.pdf](#)

Local Government Boundary Commission for England, New electoral arrangements for Kirklees Council, December 2024

[kirklees_full_report.pdf](#)

10. Appendices

Appendix 1 – DRAFT Timeline

11. Service Director responsible

Samantha Lawton, Service Director Legal & Commissioning