

REPORT TITLE: KIRKLEES COMMUNITY GOVERNANCE REVIEW, TERMS OF REFERENCE AND TIMELINE

Meeting	Corporate Governance & Audit Committee
Date	26 th September 2025
Cabinet Member (if applicable)	N/A
Key Decision Eligible for Call In	No N/A
Purpose of Report To seek approval from the Corporate Governance and Audit Committee for the proposed terms of reference and timeline for the Kirklees Community Governance Review, attached at Appendix A of this report.	
Recommendations <ul style="list-style-type: none"> Corporate Governance and Audit Committee consider and approve the proposed terms of reference and timeline for the Kirklees Community Governance Review, attached at Appendix A to this report. Reasons for Recommendations <ul style="list-style-type: none"> Council has delegated to Corporate Governance & Audit Committee to agree the terms of reference for the Kirklees Community Governance 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 16 th September 2025 Kevin Mulvaney, Service Director Finance 12 th September 2025 Samantha Lawton, Service Director Legal & Commissioning

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, and 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. To reduce an extra cost burden, the review will need to be completed in sufficient time to meet the May 2027 deadline.
- 1.5 It is proposed, in accordance with the terms of reference and timeline, to formally commence the review on 1st October 2025 with the intention that final recommendations be considered by Full Council in September 2026, and that the Review focus on those areas of Kirklees which are currently parished and relevant adjoining land.
- 1.6 Corporate Governance and Audit Committee are asked to consider and approve the proposed terms of reference and timeline for the Kirklees Community Governance Review, attached at Appendix A of this report.

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 is deemed good practice to complete a review within 12 months, 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.
- 2.5 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.
- 2.6 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.
- 2.7 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.
- 2.8 Parish/Town Councils pay for their own elections. ‘All-out’ elections for Parishes are already scheduled for May 2027. To reduce an extra cost burden the review will need to be completed in sufficient time to meet the May 2027 deadline.
- 2.9 It is proposed, in accordance with the terms of reference and timeline, to formally commence the review on 1st October 2025 with the intention that final recommendations be considered by full Council in September 2026, and that the Review focus on those areas of Kirklees which are currently parished and relevant adjoining land.
- 2.10 The Review will consider whether community governance arrangements within the areas under review are:
- reflective of the identities and interests of the community in that area; and
 - effective and convenient to the community in that area
- and make recommendations with regard to:
- Creating, abolishing, merging or altering parishes
 - The naming of parishes and the style of new parishes
 - The electoral arrangements for parishes including the ordinary year of election, the number of councillors to be elected to the council; and parish warding; and
 - Grouping of parishes under a common parish council or de-grouping existing parishes
- 2.11 In doing to, the review is required to take into account:
- the impact of community governance arrangements on community cohesion; and
 - the size, population and boundaries of a local community or parish
- 2.11 The existing parish and town councils have been made aware of the intention to initiate a Community Governance Review.

2.12 Corporate Governance and Audit Committee are asked to consider and approve the proposed terms of reference and timeline for the Kirklees Community Governance Review, attached at Appendix A of this report.

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

4.1 In coming to its recommendations in the Review, the Council will need to take account of the views of local people. The Council must:

- 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
- take the representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007.

4.2 This will consist of two phases of consultation. The first will seek the initial views and desires of local residents, groups and stakeholders, and will form the basis of the draft recommendations. The second phase will seek views upon those draft recommendations, to allow final recommendations to be formed.

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 On 16th July 2025, Council considered a report on Community Governance and resolved to undertake a Community Governance Review in accordance with the relevant legal framework and Government guidance and to delegate to the Corporate Governance and Audit Committee to agree the terms of reference of the review and oversee delivery.
- 5.2 Corporate Governance and Audit Committee considered a report at its meeting on 1st August, seeking agreement on the arrangements for producing the terms of reference for the Community Governance Review, to enable formal sign-off at the September 2025 meeting of the Committee.
- 5.3 Informal conversations are being held with Parish Councils on the intention to carry out a review. As part of these conversations, we are seeking support in promoting the review within the communities they represent.

6. Options

6.1 Options considered

That Corporate Governance and Audit Committee consider and approve the proposed terms of reference and timeline for the Kirklees Community Governance Review, attached at Appendix A to this report.

6.1 Reasons for recommended option

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

7. Next steps and timelines

- The Kirklees Community Governance Review will formally commence on 1st October 2025.
- Initial submissions to stage one consultation will be invited over a ten-week period, up to 12th December 2025.
- Submissions received will then be considered, and draft initial recommendations prepared and presented to the Council's Corporate Governance and Audit Committee on 30th January 2026.

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>

Community Governance Review, Corporate Governance and Audit Committee, 1 August 2025: [Community Governance Review report.pdf](#)

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

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

Local Government Boundary Commission for England, New electoral arrangements for Kirklees Council, December 2024: [kirklees_full_report.pdf](#)
Report to Corporate Governance and Audit Committee

10. Appendices

Appendix 1 – Proposed Terms of Reference and Timeline for the Kirklees Community Governance Review

11. Service Director responsible

Samantha Lawton, Service Director Legal & Commissioning