

# COMMUNITY GOVERNANCE REVIEW

## TERMS OF REFERENCE

### 1. Introduction

1.1 St Albans City and District Council is carrying out a District-wide Community Governance Review (CGR) in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007 (the 2007 Act).

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 and the Local Government Boundary Commission for England. 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 District to consider one or more of the following:

- (a) Creating, merging, altering or abolishing Parishes/Town Councils;
- (b) The naming of Parishes and the style of new Parishes/Town Councils;
- (c) The electoral arrangements for Parishes/Town Councils including:
  - the ordinary year of election;
  - the number of Councillors to be elected; and
  - the warding (if any) of the Parish/Town Councils.
- (d) Grouping Parishes under a common Parish Council or degrouping 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 / Town Council.

### **3. Why undertake a Community Governance Review**

3.1 Following a review of St Albans City and District Council Wards by the Local Government Boundary Commission for England, a number of changes were laid before Parliament in June as set out in The St Albans (Electoral Changes) Order 2021.

3.2 In some instances the changes made by the Commission altered District Ward Boundaries that had been shared with Parish/Town Council Ward Boundaries. One of the aims of this CGR is to consider bringing those Parish/Town Council Boundaries into line with the new District Ward Boundaries.

3.3 In addition the Council wishes to undertake a CGR for the whole of the District to ensure that all localities have an opportunity to express a view on community governance. It may be that existing Parishes/Town Councils have matters to bring to our attention and this Review will allow them to do so. The Review will also pay regard to population changes and shifts in 'natural settlements' caused by new development.

3.4 St Albans City and District Council wants Parish Councils to play an important part in community empowerment at a local level and wishes to ensure the parish governance in the District continues to be robust, representative of the locality and able to meet future challenges. It is also important that electoral arrangements are appropriate, equitable and understood by the local electorate.

3.5 Government guidance states that it is good practice to conduct a full CGR at least every 10 to 15 years. The Council has not undertaken a CGR since that guidance was issued so therefore wishes to review the community governance of the District to ensure that there is clarity and transparency to the areas that Parish Councils/Town Councils represent and that the electoral arrangements of Parishes/Town Councils (the warding arrangements and the allocations of Councillors) are appropriate, equitable and understood by their electorate.

### **4. What do Parish Councils do?**

4.1 Parish Councils represent the most local form of government and can own land and assets, employ staff and provide services at a local level, this can include open space and recreation, cemeteries, grass cutting, street lighting etc. They can raise funds to meet the costs of administration and provision of services through setting a precept which forms part of council tax bills levied on council tax-payers in the parish. Parish Councils can also provide a local voice for the community responding to consultations and raising concerns with the relevant organisations

4.2 A Parish Council is made up of parish councillors elected by the local government electors in the parish with elections taking place every four years. Vacancies within the four-year term are filled by co-option or by election if 10 local government electors request it.

## **5. Who will undertake the Review?**

5.1 As the relevant principal authority, St Albans City and District Council is responsible for conducting any CGR within its electoral area. The Policy 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 an appropriate Order.

5.2 The staff of Electoral Services within the Council will be engaged in work on the Review and they can be contacted at [elections@stalbans.gov.uk](mailto:elections@stalbans.gov.uk) for any further information on this Review.

## **6. Areas under Review**

6.1 The whole of the St Albans City and District Council area will be included in the CGR. A map of the District showing all nine of the existing Parish Councils is attached at **Appendix A**. The Review will not automatically mean there will be changes but it will examine whether there is a case for change. The Council is not seeking a particular solution, rather it wishes to test views and assess what solutions are the right ones to pursue with each individual Parish/Town Council.

## **7. Scope of Review and Factors to be Considered**

7.1 The scope of the review will include: -

- the creation of a Parish/Town Council;
- the name of a Parish/Town Council;
- the establishment of a separate Parish Council for an existing Parish;
- the alteration of boundaries of existing Parishes/Town Councils;
- the abolition of a Parish/Town Council;
- the dissolution of a Parish Council/Town Council;
- changes to the electoral arrangements of a Parish Council/Town Council;
- whether a Parish should be grouped under a common Parish Council or degrouped.

7.2 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;
- effectiveness and convenience;
- 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.

## 8. Consultation

8.1 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 who, or body that, 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.

8.2 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 Hertfordshire County Council; and (d) taking into account any representations received in connection with the Review.

8.3 The Council will publicise the Review by displaying a notice at the Council Offices and creating a dedicated page on the Council's website. The Council will also write to all Parish Councils/Town Councils or any other community or resident groups of which the Council is aware, District Councillors and the relevant County Councillors, and the MPs.

8.4 Information about each stage of the Review will be published on the Council's website. It will also be possible to view Review documents at: St Albans City and District Council Offices, Civic Centre, St Peter's Street, St Albans, Hertfordshire, AL1 3JE.

## 9. Indicative timetable for the Community Governance Review

### 9.1 Details Dates Commencement of CGR – Terms of Reference

Event	Date
Approval of timetable and terms of reference for the Community Governance Review [CGR] by the Policy Committee.	4th November 2021
Formal commencement of CGR – Terms of Reference published. (The Review should be completed within twelve months of this date)	4th January 2022
Initial consultation stage.	4th January to 31 <sup>st</sup> March 2022

Report to Policy Committee on proposed draft recommendations.	June 2022
Draft recommendations published.	1st July 2022
Consultation on draft recommendations.	1 <sup>st</sup> July to 16 <sup>th</sup> September 2022
Proposed final recommendations submitted to Policy Committee.	November 2022
Final recommendations submitted to Council.	December 2022
Community Governance Order(s) made.	January 2023

9.2 Any 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 / Town Council following the making of the Order.

## **10. Electorate Forecasts**

10.1 When considering the electoral arrangements of the Parishes and Town Council in the area the Council must consider any likely future changes in the number or distribution of electors within five years from the day the review commences.

10.2 The Review will use the latest electorate figures available at a parish level together with the estimated delivery of new dwellings within the five- year period taken from the Council's most recent forecast.

## **11. The present structure of Parish Councils/Town Councils and their electoral arrangements**

11.1 The following information on Parish/Town Councils is detailed in **Appendix B**

- (a) Name of Parish/Town Council;
- (b) Number of electors as of September 2021;
- (c) Current number of Parish / Town Councillors;
- (d) Ratio of current Councillors to electorate;
- (d) District Ward.

## **12. Consequential Matters**

12.1 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. If the Council decides to take no action, then it will not be necessary to make an Order.

12.2 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 / Town 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.

12.3 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 / Town Councils when setting the Council tax levy to be charged.

### **13. Representations**

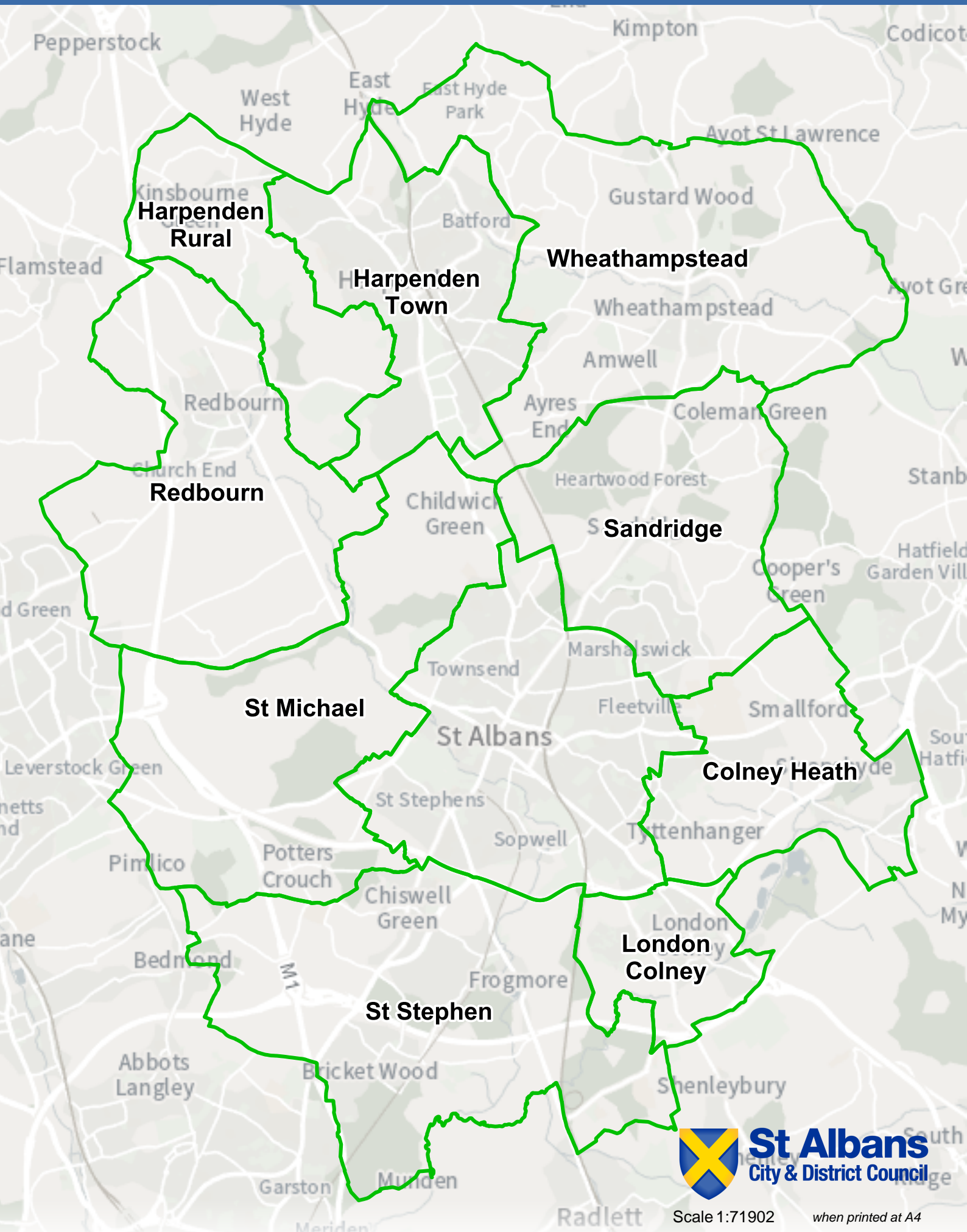
13.1 St Albans City and District Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included within the Review.

13.2 Representations may be made in the following ways:

By Email: [elections@stalbans.gov.uk](mailto:elections@stalbans.gov.uk)

By post: Electoral Services (CGR),  
St Albans City and District Council,  
Civic Centre,  
St Peter's Street,  
St Albans,  
AL1 3JE

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Scale 1:71902

when printed at A4

**Structure of Parish Councils/Town Councils and their electoral arrangements**

<b>Name</b>	<b>No of electors</b>	<b>No of councillors</b>	<b>Councillor/elector ratio</b>	<b>Current District Ward(s)</b>
Colney Heath Parish Council	4,639	9	1:515	Colney Heath
Harpenden Rural Parish Council	337	5	1:67	Redbourn
Harpenden Town Council	23,010	16	1:1,438	Harpenden East Harpenden West Harpenden North Harpenden South
London Colney Parish Council	7,310	9	1:812	London Colney
Redbourn Parish Council	4,192	12	1:349	Redbourn
Sandridge Parish Council	9,018	14	1:644	Sandridge Marshalswich North
St Michael Parish Council	392	7	1:56	Redbourn



St Stephen Parish Council	11,523	12	1:960	St Stephen Park Street
Wheathampstead Parish Council	5,021	12	1:418	Wheathampstead