



**COMMUNITY GOVERNANCE REVIEW
TERMS OF REFERENCE**

PARISH OF SPARHAM

THESE TERMS OF REFERENCE HAVE BEEN PUBLISHED BY
THE COUNCIL ON

25 November 2022

SUBMISSIONS AND COMMENTS ON THESE TERMS OF
REFERENCE DOCUMENT SHOULD BE MADE

BY

6 January 2023

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

TERMS OF REFERENCE PARISH OF SPARHAM

Introduction

On 24 November 2022, Breckland Council resolved to undertake a Community Governance Review for the parish of Sparham.

Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 devolves the power to take decisions about matters such as the creation of parishes and their electoral arrangements from the Secretary of State and the Electoral Commission to local government and local communities in England.

The review will be conducted under Sections 79 to 102 of the Local Government Public Involvement in Health Act 2007 and have regard to Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010.

Breckland Council has also given due consideration and carefully considered the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government published in March 2010.

The full text of the 2007 Act can be accessed at: Local Government and Public involvement in Health Act 2007. [Local Government and Public Involvement in Health Act 2007 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2007/25/contents/enacted)

Principal councils are also required to have regard to guidance on undertaking community governance reviews. The guidance can be accessed at: [Community governance reviews: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/community-governance-reviews)

The Terms of Reference document

Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish a Terms of Reference document for a Community Governance Review. This document is published to meet that requirement.

The Terms of Reference of any Review will be published on the Council's website (www.breckland.gov.uk) and will also be available to view at the Council's main offices Breckland Council, Elizabeth House, Walpole Loke, Dereham, NR19 1EE.

Who will undertake the Review?

The Deputy Chief Executive is responsible for undertaking the review. Organisation of the consultations and all subsequent correspondence is undertaken by the Electoral Services Team Leader at Breckland Council. The Deputy Chief Executive for the Council is delegated to deal with all related matters and will make the final recommendation after the consultations have been concluded.

What is a Community Governance Review (CGR)?

A Community Governance Review (CGR) is a legal process whereby Councils can create parish councils, review and change parish boundaries and in extreme cases, abolish parishes. The Council must ensure that community governance in the area under review reflects the identities and interests of the community in that area, and is effective and convenient. It is important that recommendations made through a CGR should bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

This means making sure that electors and other interested groups have a say in how local services are delivered in their area. Electors and interested parties will be notified of the proposals by way of public notice and their feedback will be sought.

A community governance review can consider one or more of the following options:-

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style of new parishes and the creation of town councils;
- the electoral arrangements for parishes (for instance, the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding);
- grouping parishes under a common parish council or de-grouping parishes;
- other types of local arrangements.

The Council is required to ensure that community governance within the area under review:-

- will be reflective of the identities and interests of the community in that area;
- consider what community governance arrangement is effective and convenient to the community in that area;
- consider what other arrangements there could be for the purpose of community governance or engagement;
- consider the size, population and boundaries of the local community or parish.

Why is the Council undertaking the review?

The Local Government and Public Involvement in Health Act 2007 (LGPIH) devolved the power to take decisions relating to the creation or abolition of parishes, the boundaries of parishes and the electoral arrangements of parish councils from the Secretary of State and the Electoral Commission to principal councils.

This document sets out the aims of the review, the legislation that guides it and some of the policies the Council considers important in the review. In coming to its recommendations in a review, the Council needs to take account of the view of the local people.

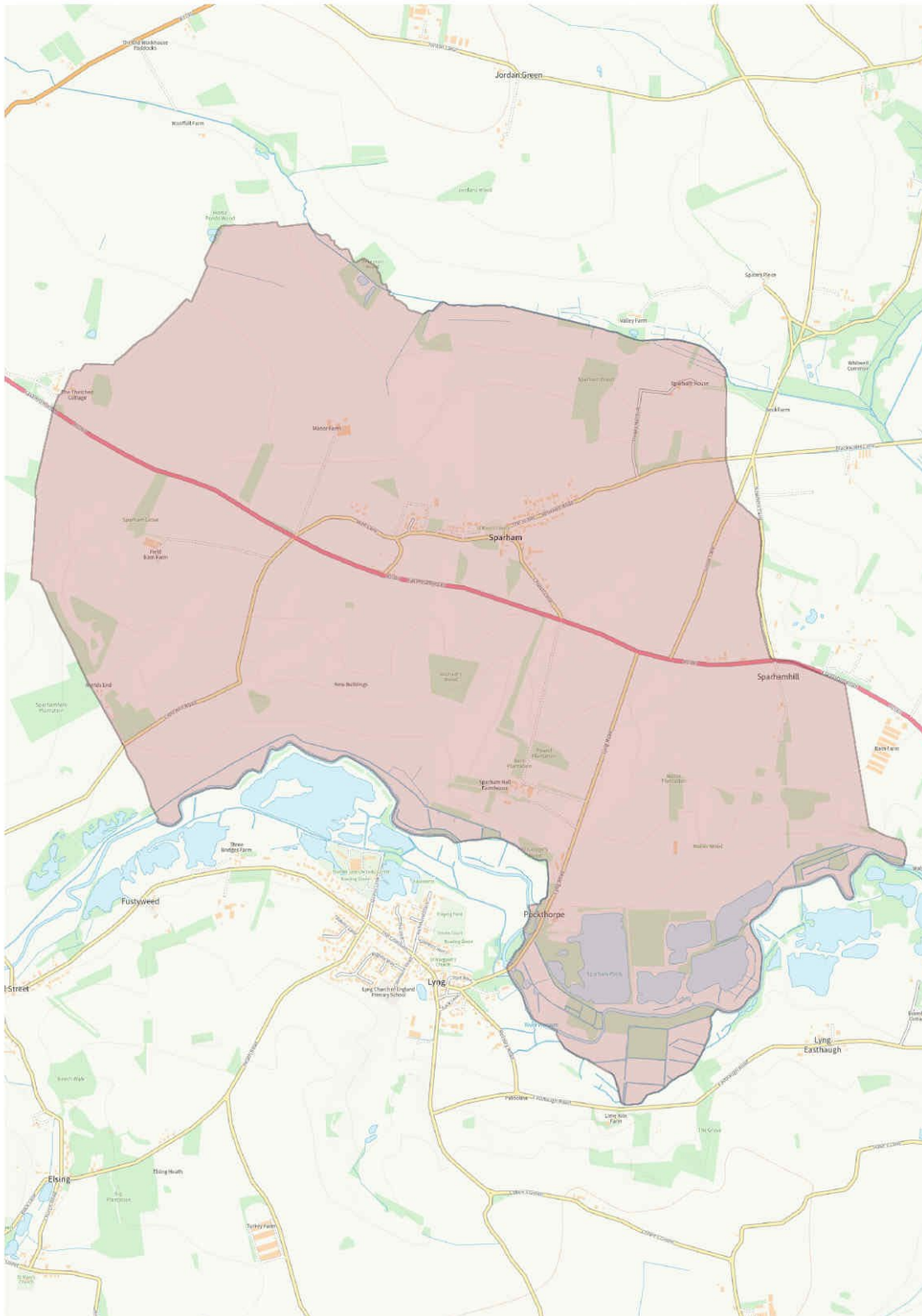
The Council recognises that the development of strong, sustainable communities depends on residents' active participation in decision making and making a positive contribution to improving the place where they live. The Council is therefore committed to engaging effectively with the Communities it serves and to enabling local people to participate meaningfully in decisions that affect their lives, where all people feel able to take an active part in influencing service delivery.

Breckland Council received a request from Sparham Parish Council to increase the number of Councillors on the Parish Council from five to seven members. There would be no alteration to the parish boundaries as part of this review.

The rationale behind this request is to increase the membership of Sparham Parish Council from 5 to 7 members, based on increasing resilience, aid succession planning, and providing support to the parish constituents. The current electorate is 246 and an increase in parish council members would be in line with similar parishes of this size within Breckland.

Area under Review

The area under review is the parish of Sparham map below



The ordinary year of election

The Local Government Act 1972 states that the ordinary election of parish councils, shall take place in 1976, 1979 and every fourth year thereafter (i.e. 2019, 2023, 2027). The Government however, has indicated that it wants a parish council electoral cycle to coincide with the cycle for the District Council so that the costs can be shared.

If the review finds that it is appropriate to increase the number of parish councillors, the changes will come into effect no later than at the next ordinary day of election on 4 May 2023.

Parish Council Requirements

Legislation sets out the following limits for a parish council

- Where the number of electors is 1,000 or more – a parish council must be created
- Where the number of electors is 151-999 a parish council may be created, with a parish meeting being an alternative form of governance
- Where the number of electors is 150 or fewer a parish council should not generally be created

The current electorate /councillor ratio for the parish of Sparham is:

Electorate (Sept 22)	Number of Councillors	Ratio
246	5	1:49

The proposed number of councillors, electorate /councillor ratio for the parish of Sparham is:

Electorate	Proposed number of Councillors	Ratio
246	7	1:35

What considerations cover the number of parish councillors?

Both the Government and the Council believe that it is an important democratic principle that each person's vote should be of equal weight so far as possible (having regard to other legitimate competing factors) when it comes to the election of councillors.

Whilst the number of parish councillors for each parish council must not be less than five, there is no maximum number. By law, the Council must have regard to the following factors when considering the number of electors to be elected for the parish.

- The number of local government electors for the parish
- Any change in that number which is likely to occur in the period of five years beginning with the day the review starts
- The Council will also have regard to the National Association of Local Council recommendations set out in the table below

Number of parish councillor guidelines

Electors	Councillors	Electors	Councillors
Up to 900	7	Up to 10,400	17
Up to 1,400	8	Up to 11,900	18
Up to 2,000	9	Up to 13,500	19
Up to 2,700	10	Up to 15,200	20
Up to 3,500	11	Up to 17,000	21
Up to 4,400	12	Up to 18,900	22
Up to 5,400	13	Up to 20,900	23
Up to 6,500	14	Up to 23,000	24
Up to 7,700	15	Up to 45,000	25
Up to 9,000	16		

Consultation

The Council intends to undertake a consultation with electors, Ward and Parish councillors and interested stakeholders in the area by way of Notice of the Review on the Sparham Parish Council notice board(s) and website and Breckland Council website. The Council will also write to the Parish Council and Ward Member(s) directly as part of the consultation process.

Breckland Council will be pleased to receive comments from any person or body that wishes to make representation during the review.

The consultation responses will be published on the Breckland council website and will be held on public deposit for inspection at Breckland Council Offices, Dereham.

The Council intends to clearly publish all decisions taken during the review, give reasons for taking such decisions and conduct the process transparently so that local people and local stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reason.

Community Governance Review Timetable

Sparham Parish Council

Stage	What happens	Date / Timescales
Commencement of Review Stage 1	Publication of terms of reference Consultation period. Submissions are invited.	6 weeks (25 November 2022 – 6 January 2023)
Stage 2	Consideration of submissions. Draft recommendations prepared and published.	1 week (6 January 2023 – 13 January 2023)
Stage 3	Second consultation period. Final proposals prepared and published	1 week 13 January 2023 – 20 January 2023)

Stage	What happens	Date / Timescales
Stage 4	Principal Council agrees and publishes final recommendations	23 January 2023

Date of Publication of Terms of Reference

These Terms of Reference will be published on the Breckland Council website <https://www.breckland.gov.uk/article/20327/Parish-of-Sparham> and are available for inspection at the offices of the Council from 25 November 2022.

Responses to the consultation may be made in the following ways:

Breckland Council Website [Breckland Council - Breckland Council](#)

By email to: elections@breckland.gov.uk

In writing to Electoral Services, Breckland Council, Community Governance Review 2022 – (Sparham), Elizabeth House, Walpole Loke, Dereham, NR19 1EE

Any submissions received after the closing date for this consultation Friday 20 January 2023 may not be considered.

Consultation responses will be published on the Breckland council website and will be held on public deposit for inspection at Breckland Council Offices, Dereham.

Community Governance Review

PARISH OF SPARHAM

Form to assist in the Submission of any comments in respect of the proposed increase in size of Sparham Parish Council from 5 to 7 seats

Please take a few minutes to give your views on the proposal to increase the size of Sparham Parish Council from 5 to 7. We ask your name and address as 'must answer' questions. This is, by law, a public consultation so all responses to this consultation will be publicly available. You can see your's and other people's responses in hard copy at the Electoral Services Office, Elizabeth House, Walpole Loke, Dereham, NR19 1EE and on the Breckland Council website at <https://www.breckland.gov.uk/article/20327/Parish-of-Sparham> at the end of the consultation period.

1. What is your name? You must provide an answer to this question.

2. What is your address? You must provide an answer to this question.

3. Please give an email address or a daytime phone number we can contact you on:

4. Please give your views on the proposed increase in council size:

Please say whether you agree or disagree with the proposal.

5. if you wish to propose any amendment, please give your reasons