Report of the Monitoring Officer

Community Governance Review Budget

1. Purpose of Report

To seek budget approval for the anticipated costs of undertaking a Community Governance Review (CGR) to consider the creation of new parish councils within the unparished areas of South Broxtowe.

2. **Recommendation**

Cabinet is asked to RESOLVE that:

1. **A budget of £50,000 be allocated from General Fund Reserves towards the anticipated costs of undertaking a Community Governance Review to consider the creation of new town and/or parish councils within the unparished areas of South Broxtowe.**

2. **Authority be delegated to the Monitoring Officer, in consultation with the Resources and Personnel Policy Portfolio Holder, to procure and appoint suitably qualified external consultants, within the approved budget, to provide specialist advice and undertake the work required to progress the Community Governance Review.**

Cabinet is also asked to NOTE that the full scope and associated cost of the Community Governance Review will not be known until the initial scoping exercise has been completed and, should additional funding be required, a further report will be presented to Cabinet for consideration.

3. Detail

A Community Governance Review (CGR) is the legal process used to consider parish arrangements, as outlined in the Local Government and Public Involvement in Health Act 2007.

The Council has a duty to keep parish arrangements within its area under review to ensure that their boundaries and electoral arrangements remain appropriate.

CGRs are instigated either at the discretion of the principal council (Broxtowe Borough Council), or in response to a valid Community Governance Petition or Community Governance Application and can consider one or more of the following:

- the creation, merger, alteration or abolition of parishes;
- the naming of parishes and the style of new parishes;

- the electoral arrangements for parishes (i.e. the ordinary year of election, council size, number of councillors to be elected to the council, and parish warding); and
- the grouping or de-grouping of parishes.

The Council commenced CGRs in both October 2021 and December 2023 but neither review was able to satisfactorily agree the parish arrangements for the north of the Borough. In December 2024, Council agreed to commence a further CGR after May 2025 to resolve the outstanding boundary issues, although this has not yet begun.

Since that decision, the Government's Local Government Reorganisation (LGR) programme has progressed significantly. Based on the current LGR timetable, there will not be sufficient time for the Council to undertake, conclude and implement a review of existing parish boundaries and governance arrangements before the anticipated Structural Changes Order, expected in late 2026 or early 2027, and the commencement of transitional arrangements.

At a meeting of the Governance, Audit and Standards Committee on 20 July 2026, it was agreed to re-establish the Community Governance Review Task and Finish Group and agreed consideration should be given to the creation of new parish councils within the unparished areas in the south of Broxtowe. The Committee also agreed that the Task and Finish Group should consider and make recommendations regarding the scope of any wider CGR work.

The purpose of this report is to seek funding in relation to a CGR focused on the potential creation of new parish councils within the unparished areas of the south of Broxtowe.

The Council is able to commence a CGR notwithstanding the ongoing programme of LGR. Guidance confirms that existing principal councils may continue to undertake CGRs during the reorganisation period. However, once the LGR transitional period commences, existing principal councils are unable to make Reorganisation of Community Governance Orders. The power to make such an order transfers to the successor authority.

The creation of new parish councils within currently unparished areas is considered the element of a CGR most likely to be capable of being progressed within the remaining timeframe available before LGR transitional arrangements take effect. It is anticipated that a review of this nature could be progressed through a single consultation period of approximately eight weeks before recommendations are finalised.

By contrast, a wider review of existing parish boundaries, parish warding arrangements and governance structures would be significantly more complex and would be likely to require two stages of consultation. Given the anticipated timing of the Structural Changes Order and commencement of LGR transitional arrangements, it is not considered realistic that such a review could be completed and implemented by the Council within the remaining timeframe.

In addition, undertaking separate CGRs concurrently would be likely to cause confusion for residents, parish councils and other stakeholders participating in the consultation process.

The Community Governance Review Task and Finish Group will consider and make recommendations to the Governance, Audit and Standards Committee and Council regarding the scope of the review, the Terms of Reference and any draft recommendations arising from the review process.

Should the Task and Finish Group subsequently recommend that further CGR work relating to existing parish arrangements be undertaken, a separate report will be brought to Cabinet setting out the proposed scope, resource implications and any additional budget requirement.

A CGR remains a significant undertaking and will require the preparation of Terms of Reference, evidence gathering, public consultation, consideration of representations and the preparation of draft and final recommendations for consideration by Members.

Due to the complexity of the CGR process, the statutory consultation requirements, the interaction with LGR and the limited officer capacity available within the Council, additional resources are required to undertake the review. The Council does not currently have sufficient internal capacity or specialist expertise available to undertake a review of this scale whilst maintaining the delivery of existing governance, legal and electoral functions.

External consultants would provide specialist advice and undertake work necessary to support the review process, including evidence gathering, consultation activity, analysis of responses and the preparation of reports and recommendations for Member consideration.

As the Community Governance Review Task and Finish Group has yet to determine the detailed scope of the review, the overall cost cannot currently be quantified with certainty. The budget requested through this report relates to the anticipated costs associated with a review of the creation of new parish councils within the unparished areas of the south of Broxtowe.

These costs may include external specialist support, administrative costs, consultation and engagement activity, printing and publication costs, specialist legal advice and other expenditure reasonably required to undertake the review.

Should Members subsequently determine that a further CGR of existing parish boundaries, parish warding arrangements or governance arrangements should be undertaken, additional resources are likely to be required, and a separate report will be submitted to Cabinet seeking approval for any additional budget provision.

4. Key Decision

This report is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There is currently no budget provision for a Community Governance Review (CGR). A new budget of £50,000 would be required and, if approved, would have to be funded from General Fund Reserves. As noted in the recommendations, the full cost of the CGR will likely increase beyond the initial £50,000 and an additional budget uplift may be requested at a future date.

7. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

The statutory framework for Community Governance Reviews is contained within Part 4 of the Local Government and Public Involvement in Health Act 2007. The Council has discretion to undertake a review and determine its scope, subject to compliance with statutory consultation and procedural requirements.

The current Nottinghamshire Local Government Reorganisation timetable anticipates the making of a Structural Changes Order in late 2026 or early 2027, followed by transitional arrangements and elections to the successor authorities. Whilst Community Governance Reviews may continue during the Local Government Reorganisation process, guidance confirms that once the transitional period commences existing principal councils are no longer able to make Reorganisation of Community Governance Orders.

A review of existing parish boundaries, warding arrangements and governance structures would be likely to require two stages of consultation, and, in practice, reviews of this nature commonly take around 12 months to progress from Terms of Reference to final recommendations.

Based on the current Nottinghamshire Local Government Reorganisation timetable, there will not be sufficient time for the Council to undertake, conclude and implement such a review before responsibility transfers under the reorganisation process.

By contrast, a review limited to the creation of new parish councils within the unparished areas of South Broxtowe is anticipated to require a single eight-week consultation exercise and is therefore considered capable of being progressed within the timescales currently available. Any proposal to undertake a wider review of existing parish arrangements would require separate consideration of the legal, resource and timing implications and may require additional budget approval.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

Not applicable.

11. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

12. Equality Impact Assessment

Not applicable.

13. Background Papers

Nil.