

Swale Borough Council

Terms of Reference

Community Governance Review 2025/2026

1. Introduction

1.1 A community governance review will be carried out by Swale Borough Council under the provisions of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”).

1.2 The review shall comply with the legislative requirements, have regard for the associated statutory guidance and will be conducted in accordance with these terms of reference.

2. What is a community governance review?

2.1 A community governance review provides the opportunity for Principal Councils (Swale Borough Council) to review and make changes to community governance within their areas, which reflect local identities and facilitate effective and convenient local government.

The Local Government and Public Involvement in Health Act 2007 sets out that a CGR can take place for the whole or part of the Borough and can 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 Council.

2.4 These requirements have been taken into account in defining the objectives and questions proposals will be assessed against.

3. What do Parish Councils do?

3.1 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 taxpayer's in the parish. Parish Councils can also provide a local voice for the community responding to consultations and raising concerns with the relevant organisations.

3.2 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.

3.3 A Town Council, which is likely to be a relevant consideration in this review, has the same powers and role as a parish council, but in addition can opt to style its chairman as Mayor.

4. Who will undertake the review?

4.1 As the principal authority Swale Borough Council is responsible for undertaking any CGR within its electoral area. A politically balanced member steering group has been established and will be overseen by Policy and Resources Committee, supported by SBC officers from appropriate departments.

5. Areas under review

5.1 The review will consider the establishment of Town or Parish Councils for Sittingbourne including but not limited to the following electoral wards Homewood, Roman, Murston, Kemsley, Milton Regis, Chalkwell, The Meads, Woodstock, with consideration of existing local council arrangements in these areas.

5.2 The review will also consider the establishment of Parish Council for Halfway in the electoral ward area Queenborough and Halfway with consideration of existing local council arrangements in these areas.

5.3 The review will also consider name change for Warden Parish Council to Warden Bay Parish Council

5.4 The review will also consider boundary changes as approached by Parish Councils or residents including Iwade and Bobbing.

5.5 It shall have particular regard for the need to secure that community governance within the area under review:

- reflects the identities and interests of the communities in that area; and
- is effective and convenient.

5.6 When carrying out the Community Governance Review, Swale Borough Council must also take into account other existing or potential community governance arrangements. A review does not mean there will be changes but will examine if there is a case for change.

5.7 Appendix A is a map of the borough including ward and parish boundaries for reference.

6. Assessment of proposals

6.1 Proposals will be assessed against the following objectives and questions: -

Objective 1

Support the Identities and Interests of Communities

- To recognise parishes as coming from the community, belonging to the community and requiring community support

- To listen and respond to the needs and concerns of communities
- To create fair boundaries that represent communities and avoid arbitrary differences between neighbours

Key Questions:

Does the community want a parish council and is it able to support one?

Does/would this parish represent a community or coherent communities?

Objective 2

Support Effective and Convenient Local Government

- To identify existing issues with parish boundaries and seek resolutions to them
- To minimise disruption to existing parishes through effective warding

Key Questions:

Is a parish council, or change to a parish boundary the most effective resolution to the community's needs?

Is this parish boundary practical and reasonable?

7. Consultation

7.1 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.

7.2 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 Kent County Council; and
- d) Taking into account any representations received in connection with the Review.

7.3 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 potentially impacted Parish Councils or any other community or resident groups of which the Council is aware, Borough Councillors and the relevant County Councillors, and the MPs.

7.4 Information about each stage of the Review will be published on the Council's website. It will also be possible to view documents at: Swale Borough Council, Swale House, Sittingbourne, Kent ME10 3HT.

8. Indicative timetable

Event	Date
Consideration of Terms of Reference by Policy and Resources Committee	5 th November
Approval of Terms of Reference by Council	10 th December
Terms of Reference published	17 th December
First consultation stage	18 th December-9 th February 2026
Approval of draft recommendations by Policy and Resources Committee	11 th March
Approval of recommendations by full council	1 st April
Second consultation Stage-draft recommendations	13 th April-12 th June
Final recommendations considered by Policy and Resources Committee	September
Final recommendations approved by Council	End of September
If applicable Community Governance Orders made	October/November

9. Electorate Forecasts

9.1 When considering the electoral arrangements of the Parishes in the area the Council must consider any likely future changes in the number or distribution of electors within five years (2030 forecast).

9.2 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.

10. Consequential Matters

10.1 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.

10.2 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; c) Provision with respect to the transfer of any functions, property, rights and d) Liabilities; e) Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

10.3 It may also be necessary as a consequence of this review, in cases where Ward boundaries need to change to match Parish boundaries, for the Council to submit a Requested Alteration(s) to the Local Government Boundary Commission for England in order to request a change. Further,

where certain changes are required to parish wards it may be necessary to seek consent from the Local Government Boundary Commission for England.

10.4 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 when setting the Council tax levy to be charged.

Following the review the Community Governance Review Steering Group shall make recommendations as to:

- whether or not to establish a new Town/Parish Council in the identified areas.
- The electoral arrangements of any new parish or town council – including the ordinary year of election, warding and number of councillors; the review shall invite and take account of submissions from all interested parties.

11. Representations

11.1 Swale Borough 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.

11.2 Representations may be made:

By post:

Swale Borough Council
Swale House
East Street
Sittingbourne
ME10 3HT

