

**COMMUNITY GOVERNANCE REVIEW
LONDON BOROUGH OF TOWER HAMLETS**

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN
HEALTH ACT 2007**

**DRAFT
TERMS OF REFERENCE**

Published on: 8 October 2018.

Introduction

Tower Hamlets Council ('the council') is carrying out a community governance review ('the review') under the provisions of the Local Government and Public Involvement in Health Act 2007 ('the 2007 Act').

The council is required to have regard to the government's [Guidance on Community Governance Reviews](#). This is to ensure that the review reflects the identities and interests of the community in that area and that any arrangements put in place by the review are effective and convenient. This and other relevant legislation and guidance have been considered in drawing up these terms of reference.¹

Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the council to publish its terms of reference for the review. The legislation also expects the terms of reference to set out clearly the matters on which a community governance review is to focus.

Why is the council undertaking the review?

Tower Hamlets Council has received a valid petition from local residents requesting the creation of a new parish council² under the 2007 Act as detailed below:

'This petition is addressed to Tower Hamlets Council under section 80 of the Local Government and Public Involvement in Health Act 2007.

We, the undersigned, are electors who live in Spitalfields and believe that Spitalfields should have a Town Council which we hope will be subdivided into at least three electoral wards.

We ask that Tower Hamlets Council undertake a Community Governance Review in accordance with its duties under section 83 of the Act. We hope that the outcome of the review leads to the creation of a new local council for Spitalfields, to be called Spitalfields Town Council, which would work with Tower Hamlets to represent our community and bring about improvements to our town. We recommend the Town Council includes Spitalfields Neighbourhood Planning Area and the Former Bishopsgate Goods Yard site

¹ In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, 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, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626). (The 2007 Act has transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

² References in these terms of reference to a 'parish' should be taken to include a parish which has an alternative style. Legislation allows for that area to be known as a town, community, neighbourhood or village, rather than as a parish.

(only that part within Tower Hamlets). A detailed map of this area has been sent separately to your officers.

This petition was jointly organised and circulated by Spitalfields Forum, the Spitalfields Society and Spitalfields Community Group.'

The petition was submitted to the council on 23 July 2018. The petition was signed by the required number of local government electors for the area as set out in Section 80(3) of the Local Government and Public Involvement Health Act 2007. The council is therefore required to undertake a review in accordance with Section 83(2) of the 2007 Act.

What is a community governance review?

Community governance reviews provide the opportunity for councils to review and make changes to community governance within their areas. The recommendations made in a community governance review have two main objectives:

- To improve community engagement and better local democracy;
- More effective and convenient delivery of local services

A community governance review considers one or more of the following:

- Creating, merging, altering or abolishing of parish councils;
- The naming of and the style of new parish councils;
- The electoral arrangements for parish councils (the ordinary year of election; council size; the number of councillors to be elected to the council and warding);
- Grouping or degrouping parish councils.

In this case, the review is considering whether a parish council for the Spitalfields area should be created and the electoral arrangements for that parish council should the proposal be adopted.

Review objectives

The objectives of the review as a whole are as follows:

1. To fulfil the council's obligations to undertake a community governance review following the receipt of a valid petition. The current guidelines state that we must complete this review within 12 months of the receipt of the petition.
2. To consider whether the creation of a parish council reflects the identities and interests of the community in the area.
3. To ensure that any proposed arrangements provide effective and convenient local government including viability in the provision of services, the promotion of well-being and community cohesion.
4. To take into account any other arrangements for community representation and engagement in the area that are already in place or that could be made.
5. To consider options for electoral arrangements for the parish council should the proposal to create a parish council be adopted.

Which area is being reviewed?

The area being reviewed includes the area proposed in the petition as well as adjacent areas within the borough. This comprises all of Spitalfields and Banglatown ward and Weavers ward.

A map of the area proposed by the petitioners is attached to this document at appendix 1. The map also shows the boundaries of current council wards.

How will the review take place?

A full timetable is set out in Appendix 2 but in summary the following steps will be followed:

1. Initial general consultation based on this terms of reference (phase 1 consultation)
2. The council considers the responses and prepares draft recommendations
3. The draft recommendations are presented for consultation (phase 2 consultation)
4. The council prepares final recommendations which are considered by a council meeting.

Who will be consulted in the review?

Tower Hamlets Council is responsible for conducting the review. The council will consult with all local government electors for the wards of Spitalfields & Banglatown and Weavers and any other person, organisation or business who appears to have an interest in the review.

How will the consultation be conducted?

The council will write to all local government electors in the area informing them of the review and asking for their views on the proposals in the petition. It will also write to organisations and businesses who appear to have an interest in the review. Information will be made available in a range of community venues and on the council website (phase 1 consultation). Following this initial phase of consultation the council will prepare and publish draft recommendations and the reasons for making them. There will be a further period of consultation (phase 2) on the draft recommendations before final proposals are agreed by the council.

Information relating to the community governance review will be published on the council's website. Information will also be made available at a range of public venues and sent to community groups and business networks in the borough.

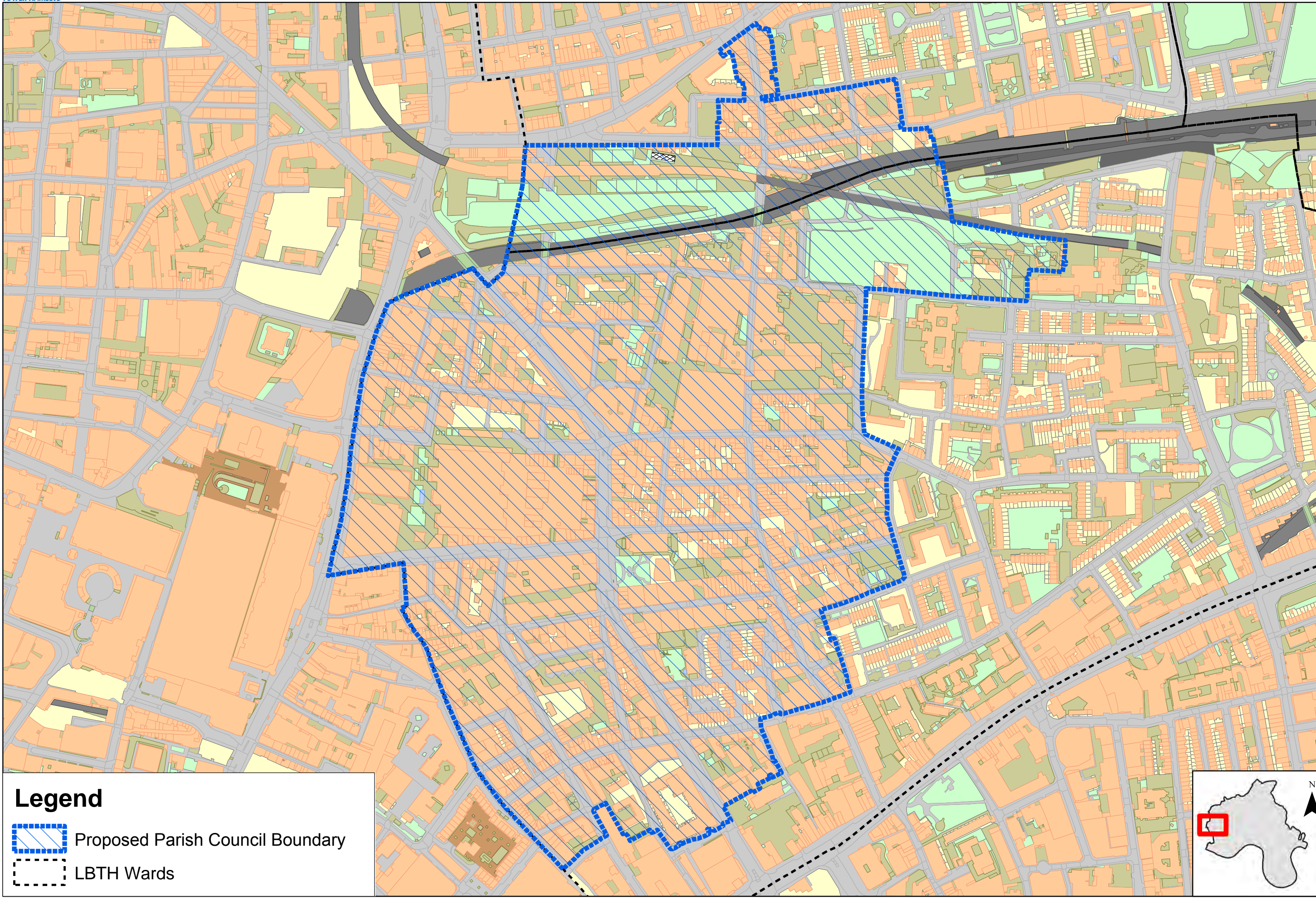
In order to keep the consultation as transparent as possible all consultation responses made will be published on the council's website.

The review timetable is at appendix 2.

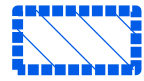

Appendix 1 – the area proposed by the petitioners

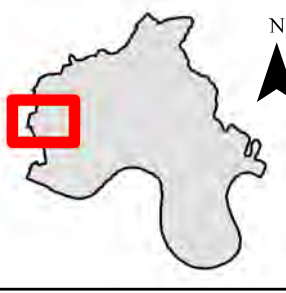
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Spitalfields



Legend

-  Proposed Parish Council Boundary
-  LBTH Wards



Appendix 2 Timetable for the review

Publication of these Terms of Reference formally begins the community governance review. The review must be completed within twelve months of the receipt of a valid petition.

<i>Stage</i>	<i>What happens?</i>	<i>Timescales</i>	<i>Dates</i>
Initiation	Valid petition received	Milestone	23 July 2018
Preparing for the review	Project planning Preparation of terms of reference	Two months	1 August – 30 September
Review begins	Terms of Reference published	Milestone	8 October 2018
Consultation phase 1	Initial submissions are invited	Two months	8 October – 9 December 2018
Review phase 1	Consideration of submissions received Draft recommendations are prepared	Two months	10 December 2018 – 31 January 2019
Draft recommendations	Draft recommendations published	Milestone	1 February 2019
Consultation phase 2	Consultation on draft recommendations	Three months	1 February 2019 – 30 April 2019
Review phase 2	Consideration of submissions received Final recommendations prepared and agreed by council	Two months	1 May 2019 – 30 June 2019
Conclusion of review	Final recommendations are published – concluding the review	Milestone	1 July 2019
Implementation	Council resolves to make a Reorganisation Order if required	Milestone	July / August 2019