

Draft Terms of Reference



For a Community Governance Review

Unparished area of Guildford Town - July 2025

Introduction

Guildford Borough Council has decided to undertake a Community Governance Review (CGR) under the provisions of the Local Government and Public Involvement in Health Act 2007, to consider whether to parish the currently unparished urban area of Guildford.

Local Government Reorganisation (LGR) proposes the formation of unitary authorities for Surrey, and the abolition of Surrey's existing eleven district and borough councils and Surrey County Council. HM Government envisages that by April 2027 new unitary authorities will be vested in Surrey.

Areas within the Borough of Guildford, which were not parished at that time, would have no first tier of local government that is democratically accountable for delivering certain services and strategic priorities for local people.

What is a Community Governance Review?

A CGR is a review of the whole or part of the Guildford Borough to consider one or more of the following:

- Creating, merging, altering or abolishing parishes
- The naming of parishes and the style of new parishes
- The electoral arrangements for parishes (the ordinary year of election, council size, the number of councillors to be elected to the council, and parish warding), and
- Grouping parishes under a common parish council or de-grouping

Why undertake a Community Governance review?

A CGR provides an opportunity for principal authorities to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population or in reaction to specific, or local, new issues to ensure that the community governance for the area continues to be effective and convenient and it reflects the identities and interests of the community.

Government guidance emphasises that ultimately, recommendations made in 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.

Within the 'Final Proposal for Local Government Reorganisation in Surrey - Shaping Surrey's Future' setting out the Borough Council's proposals for unitary authorities was a commitment to plan a community governance and community empowerment approach. This included an undertaking to conduct CGRs as appropriate to establish the desire for and suitability of potential parish council formation in unparished areas.

Considerations of a Community Governance Review

Section 93 of the 2007 Act requires principal councils 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 for the community in that area.

In so doing the review is required to consider:

- a) the impact of community governance arrangements on community cohesion; and
- b) the size, population and boundaries of the local community or parish.

Scope of this Review

Guildford Borough Council has resolved to undertake a CGR to consider whether there is a desire and need to create a parish council for the currently unparished urban area of Guildford.

This review seeks to ascertain the most appropriate boundary and governance arrangements for the unparished urban area of Guildford.

This review would also consider any alternative proposals that are submitted. Such alternative proposals must clearly define the area(s) to which they relate by reference to a map and provide the rationale for and benefits of the proposal(s).

What do Parish Councils do?

By way of information, a summary of the general powers and duties of parish councils is attached at Annex 1.

Current proposal for creation of a new parish

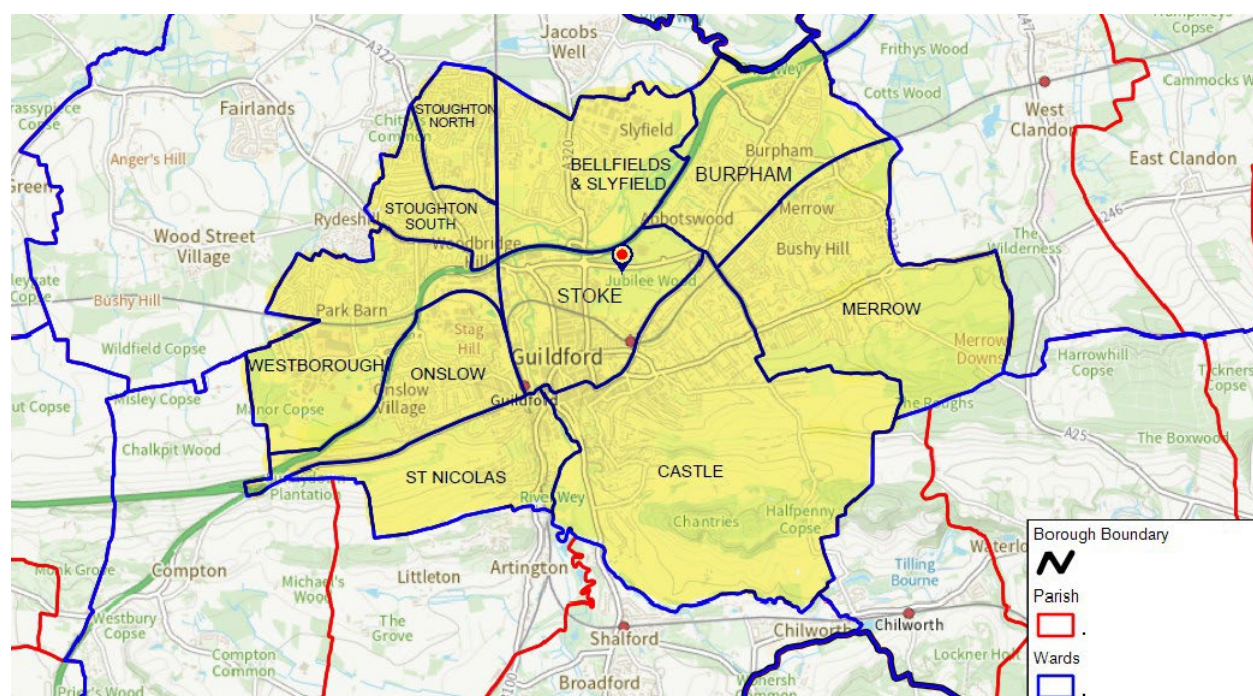
The current proposal is to create a new parish for the unparished urban area of Guildford. If this proposal is supported by local people and approved by Guildford Borough Council, it would be styled as a Town Council and would have the name Guildford Town Council (GTC).

Considering recent Electoral Reviews carried out by the Local Government Boundary Commission for England (LGBCE), and in the interest of coterminous boundaries, it is proposed that the GTC replicate current Borough warding and Councillor numbers.

The unparished areas of Guildford are the following current Borough wards:

Borough Ward	Electorate (1 May 2025)	Households (1 May 2025)	Proposed number of Councillors
Bellfields & Slyfield	4,506	2,600	2
Burpham	5,030	2,904	2
Castle	7,378	4,597	3
Merrow	7,386	4,000	3
Onslow	5,296	2,926	3
St Nicolas	2,365	1,678	1
Stoke	5,855	5,206	3
Stoughton North	4,487	2,487	2
Stoughton South	4,365	2,569	2
Westborough	5,396	4,039	3
Total electorate	52,064	33,006	24

The map below highlights the unparished urban area of Guildford and the existing borough wards. All other surrounding areas of the borough are parished.



Who will undertake the community governance review

The Local Government and Public Involvement in Health Act 2007 provides that a principal authority, may conduct a CGR, and following statutory consultations can evaluate and report the outcome. Guildford Borough Council therefore will conduct the CGR.

The review will comply with the legislative and procedural requirements set out in the 2007 Act, as well as statutory guidance and best practice models. This includes guidance produced jointly by HM Government and the Local Government Boundary Commission for England (LGBCE). The review will follow the approach set out in these Terms of Reference, including the indicative timetable.

Indicative Timetable for the review

Date	Action
19 June 2025	GBC Executive to consider a report and draft Terms of Reference for the CGR. If agreed, it may make an Executive recommendation to the Full Council.
29 July 2025	Full Council to consider the Executive recommendation and whether to grant approval to conduct a CGR.
August to October 2025	Formal Community Governance Review public and stakeholder consultation (1).
November 2025 to January 2026	Evaluation and consideration of responses and formulation of draft recommendations.
January 2026	Based upon outcome(s) of consultation (1), Full Council to consider whether to publish draft recommendations as to the future governance arrangements for the unparished area of Guildford.
February to April 2026	Subject to approval above, further public consultation (2) on the Draft Recommendations including a year one GTC budget, precept, and electoral arrangements.
May to July 2026	Evaluation and consideration of responses and formulation of final recommendations.
August to September 2026	Final recommendations to be considered by the Full Council.
October to November 2026	Reorganisation Order made
May 2027	Parish council elections to be held under any new arrangements that may be decided.

Consultation

Before making or publishing final recommendations, in line with legislative requirements, Guildford Borough Council will take full account of the views of local people. The Council (whilst still in existence) will do this by;

- a) consulting local government electors for the areas under review;
- b) consulting any other person or body (including a local authority or elected representative) which appears to the principal council to have an interest in the review;
- c) taking into account any representations received in connection with the review.

When taking account of written representations, the Council is bound to have regard to the need to secure that community governance within the area under review is;

- a) reflective of the identities and interests of the community in that area; and
- b) effective and convenient to the community in that area.

To ensure that this review is conducted transparently, as soon as practicable the Council will publish its recommendations and take such steps as it considers sufficient to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them. This will consist of two phases of consultation. The first will seek initial views and desires of local residents, groups and stakeholders, and will form the basis of the draft recommendations. The second phase will seek views upon those draft recommendations, to allow final recommendations to be formed.

Consultation and awareness raising will consist of various communication methods, such as direct mailings, media posts (digital and printed), on the ground workshops where viable, and each will explain how residents and stakeholders can submit their views.

The value of local councils

Local parish and town councils play an important role in terms of community empowerment at a local level and GBC wishes to ensure that local governance in the area subject to this review continues to be robust, representative and enabled to meet the challenges that are ahead.

Parish and town councils have a key role to play in representing the views and promoting the needs of the borough's local communities and neighbourhoods and that every opportunity should be afforded to them to express such views to the new Unitary Authority prior to any decisions taken which might affect local circumstances.

Other (non-parish) forms of community governance

The Council is required by law to consider other forms of community governance. There may be other arrangements for community representation or community engagement in an area, including area committees, neighbourhood management programmes, tenant management organisations, area or community forums, residents' and tenants' associations or community associations, which may be more appropriate to some areas than parish councils. The Council will be mindful of such other forms of community governance in its consideration of whether parish governance is most appropriate. The Council also notes that what sets parish councils apart from other kinds of governance is the fact that they are a democratically elected tier of local government with directly elected representatives, independent of other council tiers and budgets, and possessing specific powers for which they are democratically accountable.

Charter Trustee Areas

The Council will be mindful of guidance issued by Government that proposals to create a parish council covering all or any part of a Charter Trustee area should carefully reflect upon the following considerations:

- a) The effect on the cohesiveness of the area
- b) What are the other community interests in the area? Is there a demonstrable sense of community identity encompassing the Charter Trustee area? Are there smaller areas within it which have a demonstrable community identity and would be viable as administrative units?

The only unparished area of Guildford Borough is the urban area of Guildford. To preserve the historic property, privileges, rights and traditions presently enjoyed by the residents of the town, any new arrangements may establish a Charter Trustee area in the town. Trustees can carry out ceremonial functions, but they are not administrative units and would have no control over general functions or services.

Parish boundaries

The Council considers that 'natural' settlements or settlements as they are defined in the Local Development Framework should not usually be partitioned by parish boundaries.

The Council considers that the boundaries between parishes should where possible reflect identifiable physical barriers. These physical barriers might include natural boundaries such as rivers or man-made features such as railways or roads.

In any event the Council will endeavour to select boundaries that are, and are likely to remain, easily identifiable as well as considering any local ties which might be broken by the drawing of boundaries.

Electoral arrangements and councillor representation

An important part of the Review is to consider the 'Electoral Arrangements'. GBC would determine how a council is constituted for the parish, comprising the following:

- The ordinary year in which elections are held
- The number of Councillors to be elected to the council
- The division (or not) of the parish into wards for the purpose of electing Councillors
- The number and boundaries of any wards
- The number of Councillors to be elected for wards
- The name of any ward

The Local Government Act 1972 states that ordinary election of Parish Councillors shall take place in 1976, 1979 and every fourth year thereafter (i.e. 2019, 2023, 2027, etc.) Parish elections, however, may be held in other years to coincide with the cycle of the principal authority, so that election costs can be shared. If the review finds that it will be appropriate to hold an election for Parish Councillors, for a newly formed parish, at an earlier date than the next scheduled ordinary elections, the terms of office of any newly elected Parish Councillors will be so reduced as to enable the electoral cycle to revert to the normal cycle in that electoral area at the next ordinary elections.

The Council notes that the number of Parish Councillors for each parish council shall not be less than five. There is no maximum number and there are no rules relating to the allocation of Councillors. There are, however, guidelines produced both by the National Association of Local Councils and by the Aston Business School and the Council will be mindful of these during the review.

How to contact us

If you would like to say how you view potential future arrangements under these Terms of Reference please respond to the online consultation on the Guildford Borough Council Website: [\[insert hyperlink\]](#) The survey will also be available in other formats, please contact us via email: [\[insert dedicated email address\]](#) or telephone: [\[insert telephone number\]](#).

Powers and Duties of Parish Councils

The role played by parish councils varies considerably. Smaller parish councils have only limited resources and generally play a minor role, while some larger parish councils have a role like that of a small district council. Parish councils receive funding by levying a "precept" on the council tax paid by the residents of the parish.

The list below is intended as a summary of the main functions of parish councils. It is not intended to be a definitive list of such functions. Where a function is marked with an asterisk a parish council also has the power to give financial assistance to another person or body performing the same function.

Functions	Powers And Duties
Allotments	Powers to provide allotments Duty to provide allotment gardens if demand unsatisfied
Bus Shelters and roadside seats	Power to provide and maintain
Bye Laws	Power to make byelaws for public walks and pleasure grounds
Clocks*	Power to provide public clocks
Closed Churchyards	Powers (and sometimes duty) as to maintain
Commons Land and Common Pastures	Powers in relation to enclosure as to regulation and management and as to providing common pasture
Community Centres and Village Halls	<ul style="list-style-type: none"> • Power to provide and equip premises for use of clubs having athletic, social or educational objectives • Power to provide buildings for offices and for public meetings and assemblies
Conference facilities*	Power to provide and encourage the use of facilities
Crime Prevention*	Powers to spend money on various crime prevention measures including
Drainage	Power to deal with ponds/ditches
Education	Right to appoint governors of primary schools
Entertainment and the Arts*	Provision of entertainment and support of the arts
Environment	Power to act for the benefit of the community by tackling and promoting awareness of environmental issues
Flagpoles	Power to erect flagpoles in highways

Functions	Powers And Duties
Highways	<ul style="list-style-type: none"> • Power to repair and maintain footpaths and bridleways • Power to provide lighting of roads and public places • Power to provide parking places for vehicles, bicycles and motorcycles • Power to enter into an agreement as to dedication and widening • Power to provide traffic signs and other notices • Power to plant trees, etc., and to maintain roadside verges • Power to prosecute for unlawful ploughing of a footpath or bridleway • Power to contribute financially to traffic calming schemes
Investments	Power to participate in schemes of collective investment
Land	<ul style="list-style-type: none"> • Power to acquire land by agreement or compulsory purchase, • Power to appropriate land • Power to dispose of land • Power to accept gifts of land • Power to obtain particulars of persons interested in land
Litter bins	Power to provide litter bins including receptacles for dog faeces
Lotteries	Power to promote lotteries
Monuments and Memorials	Power to agree to maintain monuments and memorials
Mortuaries and post-mortem rooms	Powers to provide mortuaries and post-mortem rooms
Nature Reserves	Power to designate statutory to the nature reserves and marine nature reserves - English Nature can designate sites of specific scientific interest
Nuisances	Power to deal with offensive ditches, ponds and gutters
Open Spaces, Burial Grounds, Cemeteries and crematoria*	Power to acquire, maintain or contribute towards expenses
Parish Property and Records	<ul style="list-style-type: none"> • Powers to direct as to their custody • Power to collect, exhibit and purchase local records
Parks and pleasure grounds	Power to hire pleasure boats in parks and pleasure grounds
Parochial charities	<ul style="list-style-type: none"> • Power to appoint trustees of parochial charities • Duty to receive accounts of parochial charities

Functions	Powers And Duties
Planning	Right to be notified of and power to respond to planning applications
Postal and telecommunications facilities	Power to pay the Post Office, British Telecommunications or any other public telecommunications operator any loss sustained in providing post or telegraph office or telecommunications facilities
Public Conveniences	Power to provide public conveniences
Raising of Finances	Power to raise money through the parish precept
Recreation*	<ul style="list-style-type: none"> • Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds, and open spaces and to manage and control them. • Power to provide gymnasiums, playing fields, holiday camps
Swimming pools, bathing places, baths and washhouses	Power to provide
Tourism*	Power to contribute to the encouragement of tourism
Town Status	Power to adopt town status
Transport*	Power to (a) establish car sharing schemes (b) make grants for bus services, (c) provide taxi-fare concessions; (d) investigate public transport, road use and needs; (e) provide information about public transport services Community Transport Schemes
Village greens	Power to maintain, to make bylaws for and to prosecute for interference with village greens
Water Supply	Power to utilise well, spring or stream and to provide facilities for obtaining water therefrom.