CHESHIRE WEST AND CHESTER COUNCIL

COMMUNITY GOVERNANCE REVIEW OF WILLASTON conducted under the Local Government and Public Involvement in Health Act 2007

TERMS OF REFERENCE

Agreed at: 9 July 2025

1 INTRODUCTION

Cheshire West and Chester Borough Council is to undertake a Community Governance Review relating to the governance arrangements for the Parish of Willaston.

In undertaking Community Governance Reviews, the Council is at all times guided by:

1. Part 4 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act"),
2. the relevant parts of the Local Government Act 1972,
3. 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 Local Government Boundary Commission for England in March 2010,
4. 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) 5. other relevant legislation and published guidance.

The Council has had regard to the Guidance on Community Governance Reviews and other statutory provisions in undertaking this review and drawing up these terms of reference.

A group of Willaston residents have petitioned Cheshire West and Chester Council to consider the potential creation of a new parish council for the village of Willaston. Currently, the area of Willaston is un-parished. It was previously part of the Ellesmere Port and Neston Borough Council but since 2009, it has come under the local governance of Cheshire West and Chester Council.

Following the Community Governance Review, if the creation of a new parish council is agreed, it would come into effect from May 2027, inline with the next scheduled local elections.

2 WHAT IS COMMUNITY GOVERNANCE?

In the context of Community Governance Reviews, the provisions of the 2007 Act, are intended to improve the development and co-ordination of support for citizens and community groups so that they can make the best use of empowerment opportunities. The Government (through the 2007 Act and the Localism Act 2011) and the Council (through its Borough Plan) both recognise the importance of active communities taking pride in their neighbourhoods and the role parish councils play in relation to this.

- *Parish Councils* – Parish Councils are the most local tier of government in England and are responsible for areas known as civil parishes. They are elected bodies with discretionary powers and rights laid down by Parliament to represent their communities and provide services for them, including a right to raise money by precept. Under the Local Government Act 1972 ("the 1972 Act") and by passing a resolution, a parish council may be renamed a "town council". Furthermore, under the provisions of the 2007 Act, a parish council may be known alternatively as a "community", "village" or "neighbourhood" council. There are certain obligations which, by law, a parish council must fulfil, including a requirement to hold an annual meeting (known as the 'parish meeting') and at least three other meetings a year. Larger parish councils may be warded. A parish with a small electorate may share a council with one or more neighbouring parishes, such an arrangement being variously known as a *joint parish council*, *grouped parish council*, *common parish council* or *combined parish council*.

- *Parish Meetings* - Not every civil parish has a parish council. However, under the 1972 Act all parishes, whether or not they have a parish council, must have a parish meeting. The parish meeting of a parish consists of the local government electors for the parish. They have a number of functions, powers and rights of notification and consultation. The trustees of a parish meeting hold property and act on its behalf. The determination of whether a parish should have a parish council or not is dependent on the number of local government electors in the parish.

- *Other (non parish) forms of community governance* – In conducting a community governance review, principal councils must consider other forms of community governance as alternatives to or stages towards establishing parish councils. These include arrangements such as area committees, neighbourhood management, tenant management organisations, area/community forums, residents and tenants associations and community associations.

3 WHAT IS A COMMUNITY GOVERNANCE REVIEW?

A Community Governance Review provides the opportunity for councils to review the whole or part of an area to 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 (i.e. parish, community, neighbourhood or village);
- 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
- the grouping parishes under a common parish council or de-grouping of parishes.
- Redrawing of parish boundaries to fix any boundaries which are, and will remain, easily identifiable, as well as taking into account any local ties which will be broken by the fixing of any particular boundaries

4 WHY UNDERTAKE A COMMUNITY GOVERNANCE REVIEW?

A Community Governance Review 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;
- as a reaction to a specific issue;
- where there have been changes to ward boundaries; or
- a petition has been received

It is also good practice for a principal council to consider conducting a community governance review every 10-15 years.

The Government has emphasised that recommendations made in Community Governance Reviews should bring about improvements to community engagement, cohesive communities and local democracy, ensuring that the community governance for the area continues to be effective and convenient and reflects the identities and interests of the community.

5 WHO WILL UNDERTAKE THIS REVIEW?

Under the provisions of the 2007 Act, Cheshire West and Chester Borough Council is responsible for undertaking any Community Governance Review within its area, as

the principal authority. The Council has established a Community Governance Review Committee with delegated authority to make recommendations to the Council on the outcomes of each Community Governance Review. Council will be required to approve the final recommendations before a Community Governance Order is made.

In addition, the Committee will:

(i) Agree the terms of reference for each Community Governance Review;
(ii) Determine a detailed timetable and consultation programme for each Community Governance Review;
(iii) Progress each review in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 and the Guidance on Community Governance Reviews issued by the Department of Communities and Local Government and The Local Government Boundary Commission for England in March 2010;
(iv) Consider all options for future community governance of the area under review, taking into account current community representation and community engagement arrangements and electorate and demographic forecasts;
(v) Determine appropriate electoral arrangements for the area under review, where necessary; and
(vi) Consider any consequential matters arising from the review which are required to give effect to any subsequent Community Governance Order, e.g. the transfer and management or custody of property, the setting of precepts for new parishes, provision for the transfer of any functions, rights, liabilities, staff, etc.

6 SCOPE OF THIS COMMUNITY GOVERNANCE REVIEW

The review will only consider the village of Willaston. The area to be governed by any future potential parish council is still to be considered.

This Community Governance Review will:

- Undertake several public consultations with local households and ward councillors in the area under review in accordance with the Terms of Reference
- publish the Terms of Reference for the review on the Council's website.
- Undertake the public consultation in line with the Council's Consultation Compact.
- Take full account of the views of local people

- If the creation of a parish council is agreed, the Community Governance Review Committee will also agree the number of parish councillors and the name of the parish council.

The Community Governance Review will not consider:

- The boundaries of UK parliamentary constituencies; and
- The boundaries and names of Cheshire West and Chester Council wards.
- The boundaries of any other parish councils or the unparished area.

7 CONSULTATION

In considering and making recommendations within these Terms of Reference, the Council will take account of the views of local people in Willaston. The 2007 Act requires that the Council consults the local government electors for the area under review and any other person or body who appears to have an interest in the review. The Council must take representations into account by judging them against criteria laid out in the Act.

The timetable for the review provides for a number opportunities for local households and Councillors to express their views on any proposals.

The Council, through the Community Governance Review Committee, will conduct the review transparently with decisions being made in public and reasons given for those decisions. This is in line with Government's guidance on conducting Community Governance Reviews. Meetings of the Community Governance Review Committee will take place in public and information will be available on the Council's website. The Council is keen to conduct meaningful consultation that leads to effective proposals.

The Council proposes to use the following mechanisms to keep consultees informed:

- Council website
- Direct communication, via letters, to all households, and emails to local organisations, MP and councillors in the area under review
- Online consultation

The Community Governance Review Committee will be asked to agree the following timeframe for the review to be conducted. The Committee will endeavour to keep to the dates listed below. However, if changes to dates are required, these will be published on the Council's website. A Community Governance Review is a lengthy process but the regulations require that they are concluded within a 12 month period following publication of the terms of reference.

TIMELINE:

Stage	Action	Dates
Stage 1	Community Governance Review Committee to meet to consider the draft Terms of Reference	2 June 2025
	Community Governance Review Committee to meet to agree final Terms of Reference	9 July 2025
	Publish Terms of Reference	21 July 20205
	Preparation stage 1 consultation	August 2025
	Initial Public Consultation – 12 weeks	Early September – 21 November 2025
Stage 2	Review responses Prepare draft recommendations and stage 2 consultation	November - December 2025
	Consultation - Draft Recommendations – 6 weeks	January 2026 – February 2026
	Review responses	March 2026
Stage 3	Develop Final recommendations	March 2026
	Consultation on Final proposals - 6 weeks	March 2026 – April 2026
	Review responses	May 2026
Stage 4	Council resolves to agree the final recommendations	July 2026
	Order laid	July 2026
	Electoral Register amendments	February 2027
Stage 5	Implementation of changes	February 2027

AREAS TO BE CONSULTED:
Households in parts of Polling District:

- UJ1, 2, 3. (See appendix 2 for map)
- UJ1 – 972 households (consult with part of this Polling District) approximately 200
- households
- UJ2 – 588 households (consult with all this Polling District)
- UJ3 – 662 households (Consult with most of this Polling District) approximately 600
- Houses
- **** All properties on Benty Health Lane**.

Key Stakeholders: to include the below

- Ward Councillor: Willaston and Thorton, Neston Ward, Little Neston, Netherpool, Ledsham and Mannor and Saughall and Mollington
- MP: Chester North and Neston
- Communities and Engagement; Rural,
- Cheshire Association of Local Councils
- Willaston Primary School
- Willaston Groups including :
- ➢ Willaston District History Group,
- ➢ 1st Willaston Scouts, Willaston Girlguiding,
- ➢ Friends of Hadlow Road Station Community Group,
- ➢ Friend of Willaston Meadow,
- ➢ Rotary Club of Willaston and South Wirral,
- ➢ Willastonhey Women's Institute,
- ➢ Willaston Horticultural Society,
- ➢ Willaston Village Festival Society and Hadlow Green Singers.
- ➢ Willaston Matters Community Group
- Willaston Churches: Willaston Methodist Church, Christ Church Willaston

8 BACKGROUND INFORMATION

If the creation of a parish council is agreed, the arrangements will commence in May 2027 with councillors elected to the new parish council at the ordinary local elections scheduled for May 2027.

Cheshire Association of Local Councils has been consulted regarding the process for the creation of a new Parish Council such as: Membership, Appointment of Parish Clerk, setting of Precept etc.

9 PROGRESSING THE REVIEW

Households who have a clear interest in this review, or are impacted by its outcome as a resident, are encouraged to respond to the consultations.

There will be several opportunities throughout the review to contribute. The Consultation will involve an online form, along with a paper copy.

10 STAKEHOLDERS

The Council will ensure that everyone is given an opportunity to engage with the review and it will consult with stakeholders as well as households. Below is an example list of stakeholders who will be consulted:

Willaston	• Ward Councillors • Households • MP for Chester North and Neston • Local organisations

11 HOW TO CONTACT US

Should you wish to submit a written representation regarding this review, please address to:

Andrea Thwaite
Cheshire West and Chester Council,
The Portal, Wellington Road,
Ellesmere Port, Cheshire, CH65 0BA

Alternatively, your submission may be emailed to:

democraticservices@cheshirewestandchester.gov.uk

quoting 'Community Governance Review – Willaston in the subject field.

Should you require any further information or need clarification on the review process, please contact:

Andrea Thwaite
Email: andrea.thwaite@cheshirewestandchester.gov.uk
Tel: 01244 972283

These terms of reference will be published on the Cheshire West and Chester Council website: www.cheshirewestandchester.gov.uk/communitygovernance and will be available for inspection at the address above.

Date of Publication: July 2025

** The 2007 Act transferred powers to principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England. The Council is required to have regard to Guidance on Community Governance Reviews issued by the Department of Communities and Local Government and Local Government Boundary Commission for England in March 2010. This Guidance has been considered in drawing up the Terms of Reference.

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