

Terms of Reference and Provisional Timeline

Eastbourne Borough Council

Review of Community Governance Arrangements within the Eastbourne Borough area

Terms of Reference

Introduction

Eastbourne Borough Council is conducting a Community Governance Review of the whole of the Eastbourne Borough area, in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007. The Council is required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State. This guidance was considered when drawing up the Terms of Reference (TOR).

What is a Community Governance Review

A Community Governance Review is a legal process whereby the Council will consult with those residing in the area, and other interested parties, on the most suitable ways of representing the people in the area identified in the review. This means making sure that those living in the area, and other interested groups, have a say in how their local communities are represented.

Section 93 of the 2007 Act allows principal councils to decide how to undertake a review, provided that it complies with certain duties in that Act including details set out relating to consultation. The Council has to publish its recommendations but the manner in which the Council consults with its residents is not prescribed.

A Review can consider one or more of the following options:

- creating, merging, altering or abolishing parishes;
- the naming of parishes, the style of new parishes and the creation of local councils;
- the electoral arrangements for parishes (for instance, the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding);
- grouping parishes under a common parish council or de-grouping parishes (if they exist);
- other types of local arrangements, including parish meetings.

The Council is required to ensure that community governance within the area under review will be reflective of the identities and interests of the community in that area and is effective and convenient.

In doing so, the community governance review is required to take into account:

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

The aim of the review is to consider and bring about improved community engagement, better local democracy and efficient, more effective and convenient delivery of local services and ensure electors across the whole Borough will be treated equitably and fairly.

Why undertake a Community Governance Review

This review is taking place, following the publication of the government's English Devolution White Paper in December 2024, and proposed Local Government Reorganisation (LGR) in East Sussex. East Sussex County Council applied to be part of the government's Devolution Priority Programme, and the Secretary of State for Local Government announced on 5 February 2025 that it would include Sussex in its priority programme for devolution in England.

The area is now moving at pace towards devolution and LGR, to deadlines set by central government. A full proposal for East Sussex unitary arrangements is required to be submitted to government by 26 September 2025, and this is being developed in conjunction with the other East Sussex district and borough councils, and East Sussex County Council.

The potential unification of East Sussex County Council with its constituent borough and district councils, would result in the abolition of Eastbourne Borough Council, which could be interpreted as a gap in representation between any new unitary authority and local communities.

Eastbourne Borough Council's Cabinet, at its meeting on 12 February 2025, considered a report on Devolution and Local Government Reorganisation. In considering the report, Cabinet instructed officers to explore undertaking a community governance review, with relation to future governance in Eastbourne and viability of a parish council, to be considered at a future meeting of the Council.

Eastbourne Borough Council's Full Council, at its meeting on 17 September, formally approved that a Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007.

At present, the Borough of Eastbourne is unparished and there are no existing parish or town councils.

What do Town and Parish Councils do?

There are around 10,000 parish and town councils in England, representing around 35 million people. In order to function, they have powers to raise money locally through a precept, which is collected through the local council tax, and are often supplemented by grants.

Town and parish council can run various services, depending on their size, including allotments (by default), car parks, festivals and events, community buses, cycle paths, community and leisure centres, litter bins, parks and open spaces, public toilets and

streetlights. They also represent community voices on planning matters and in other areas.

A parish/town Council is made up of councillors elected by the local government electors in the parish/town with elections taking place every four years. Vacancies within the four-year term are filled by co-option or by election if local government electors request it.

A parish/town council is not a replacement for a borough council but instead is a separate tier of local government that operates at a level below district and boroughs across the country. If a parish council was established, it would not have the same powers as the borough council or any subsequent unitary authority.

Who will undertake the Review?

Eastbourne Borough Council is responsible for conducting the review.

The conduct of the review will be overseen by the:

- a. Community Governance Review Officer Project Board, which will be responsible for the conduct of the review and drafting recommendations.
- b. Community Governance Review Member Task and Finish Group, who will consider and review the analysis of consultation responses and draft recommendations from the CGR Officer Project Board.
- c. Audit and Governance Committee, who will receive recommendations from the Member Task and Finish Group and formally recommend draft and final recommendations to Full Council.
- d. Full Council, which will agree this Terms of Reference, draft and final recommendations, and any Reorganisation Order.

Formal decisions on the recommendations arising from the review will be made by the Full Council, in accordance with the Council's constitution.

In coming to its recommendations, the Council will need to take account of the views of local people. A full consultation process will form part of the Review to ensure that the view of local people is captured.

The Council will publicise the review by displaying a notice outside the Town Hall, placing information on the Council's website, sharing via social media channels and other appropriate routes. The Council will also write to the East Sussex Association of Local Councils, Councillors, MPs, East Sussex County Council and neighbouring councils.

The Full Council will be required to approve the final recommendations prior to any Reorganisation Order being made.

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:

- reflect the identities and interests of the community in that area
- provide effective and convenient local government
- take into account other arrangements for community representation and engagement

In doing so, the Council will consider:

- community identities/interests
- existing governance effectiveness
- community cohesion
- impact on communities (including precepts)

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. However, 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.

Scope of this review

This review will consider whether there is a desire and need to create a parish council or councils for the currently unparished area within the whole Borough of Eastbourne. This may include:

- creating, merging, altering or abolishing parishes;
- the naming of parishes, the style of new parishes and the creation of local councils;
- the electoral arrangements for parishes (for instance, the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding);
- grouping parishes under a common parish council or de-grouping parishes (if they exist);
- other types of local arrangements, including parish meetings.

This review will be mindful of other forms of community governance in its consideration of whether parish governance is most appropriate, including the government's preferred model of area committees. The option for 'no change' will also be an option considered.

Other related matters which may arise during the review in response to representations received will be considered as appropriate.

A map of the Borough and warding is included at Annex A. The review will not automatically mean there will be changes. The Council wishes to test views and assess what solutions (if any) are the right ones to pursue for the Borough.

The current unparished area of Eastbourne, include the following county divisions and borough wards, with electorate and property figures as of 1 May 2025:

Borough Ward/County Division	Number of Borough Cllrs	Number of County Cllrs	Electorate	Properties
Devonshire	3	1	9839	7641
Hampden Park	3	1	7687	4643
Langney	3	1	7728	4640
Meads	3	1	8570	7308
Old Town	3	1	8368	4682
Ratton	3	1	7423	4390
Sovereign	3	1	9262	6296
St Anthony's	3	1	8443	5017
Upperton	3	1	8637	6306
Total	27	9	75,957	50,923

As part of Local Government Reorganisation, the only tier of local government that the electors will be represented by will be a prospective unitary authority taking effect on 1 April 2028.

Timetable for the review

The review is aimed to be completed in approximately 12 months and a timetable for the review and is detailed below.

The programme and timeline may be adjusted after representations have been received by local people and interested bodies in response to the initial public consultation. This will allow the Council a degree of flexibility in the interests of ensuring that it manages the review process efficiently. Any adjustments to the programme and timetable will be approved by the Council and published on its website.

Stage	Date	Timescale	What happens
Start	Full Council – 17 September 2025	N/A	Approval of Terms of Reference and Timetable
	18 September 2025	1 working day after Council decision	Publication of Notice of Terms of Reference.
Stage 1	29 September 2025 – 8 December 2025	10 weeks	Stakeholder Notification of commencement of the review. Initial submissions are invited
	9 December 2025 – 27 January 2026	7 weeks	Consideration of submissions received – draft recommendations are prepared
	Audit and Governance Committee – February/March 2026	N/A	Draft recommendations are considered and approved
	Full Council – February/March 2026		
Stage 2	*11 May 2026 – 20 July 2026	10 weeks	Draft recommendations are published – consultation on proposals <i>*delayed due to anticipated pre-election period for Sussex Mayoral elections in May 2026</i>
	21 July 2026 – 1 September 2026	6 weeks	Consideration of responses received on draft recommendations – final recommendations are prepared
	Audit and Governance Committee – September 2026	N/A	Final recommendations are published – concluding the review

	Full Council – September 2026		
Implementation			Resolution to make a Reorganisation Order.

Electorate forecasts for the Borough

The review will be conducted using electoral data taken from the May 2025 electoral register.

When the Council comes to consider the electoral arrangements for any suggested parish in its area, it is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts.

Electorate forecasts will be prepared by the Council using extant planning permissions and the Development Plan to project the five-year electorate forecast.

These forecasts will be made available to all interested parties as early as possible in the review process in accordance with the government's guidance so that they are available to all who may wish to make representation.

Consultation: have you say

Eastbourne Borough Council welcomes representations from any person or body who may wish to comment or make proposals on any aspects of the matters under review.

Representations should be submitted via completing the online survey on the Council's website, or by filling out a paper questionnaire and returning to the Council.

All initial representations must be made by 8 December 2025.

The Council will consult with 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 take the representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007. This may include:

- Ward Members
- East Sussex County Council
- Groups and societies
- Schools and colleges
- Members of Parliament
- Local political parties
- Sussex Police
- Local charities and voluntary organisations

- Local residents' associations.

All representations received will be published. Names, addresses and other personal information will not be published.

In accordance with the Act, representations received in connection with the Review will be taken into account, and steps will be taken to notify consultees of the outcome of the Review.

How will the results be shared?

The Council will publish full details on the Council's website; press releases will be issued at key points and key documents will be available for inspection.

This review is deemed to have commenced on the date of the Notice.

Consequential matters following a review:

A Reorganisation Order may be drafted which would cover any consequential matters that appear to Eastbourne Borough Council to be necessary as a result of the final agreed recommendations from the review that give effect to the Order.

These may include:

- The setting of precepts for new parishes; and
- Provision with respect to the transfer of any functions, property, rights and liabilities.

In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.

If the Council decided to take no action, then it will not be necessary to make an Order.

Furthermore, the Council notes that the regulations regarding the establishment of a precept for a new parish require Eastbourne Borough Council to calculate the first anticipated precept for a newly constituted parish council and for the amount of that precept to be included in the Reorganisation Order.

Completion of the review

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order.

Where applicable, copies of this Order, the map(s) that show the effects of the order, and the document(s) which set out the reasons for the decisions the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council's offices and website.

In accordance with the guidance issued by the government, the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000. These maps will be deposited with the Secretary of State at the Ministry of Housing, Communities & Local Government and at the Council's offices. Prints will also be supplied, in accordance with regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Local Government Boundary Commission for England.

The financial and administrative provisions of the reorganisation order will come into force on 1 April 2027.

The electoral arrangements for a new parish council will come into force in May 2027.

Relevant legislation

In undertaking this Community Governance Review, the Council will apply the guiding principles as appropriate from the following legislation and guidance.

- [Local Government and Public Involvement in Health Act 2007 \(opens in a new window\)](#)
- [Local Government Act 1972 \(opens in a new window\)](#)
- [MHCLG Guidance on Community Governance Reviews \(opens in a new window\)](#)
- [Local Government \(Parishes and Parish Councils\) \(England\) Regulations 2008 \(SI2008/625\) \(opens in a new window\)](#)
- [Local Government Finance \(New Parishes\) Regulations 2008 \(SI2008/626\) \(opens in a new window\)](#)

Dated: 18 September 2025