

## COMMUNITY GOVERNANCE REVIEWS

### Introduction

1. This note concentrates on how community governance reviews may lead to the creation of new parish councils (and abolition of parish councils).
2. On 13 February 2008, Part 4 (sections 79 -102) of the Local Government and Public Involvement in Health Act 2007 Act ("the 2007 Act ") came into force and repealed Part 2 of the Local Government and Rating Act 1997 ("the 1997 Act") subject to transitional and savings provisions as specified in Statutory Instrument Local Government and Public Involvement in Health Act 2007 (Commencement No. 3, Transitional and Saving Provisions and Commencement No. 2 (Amendment)) Order 2008/337. See paragraph 75 below for more detail.
3. The 2007 Act devolves the power to take decisions about matters such as the creation of parishes, and parish councils, and their electoral arrangements from the Secretary of State and the Electoral Commission to district councils, unitary county councils and London borough councils ('principal councils'). Unlike the arrangements under the 1997 Act, the Secretary of State no longer has involvement in the taking of decisions about recommendations made in this process. Another change from the 1997 Act is that the Electoral Commission's involvement will be limited to giving effect to consequential recommendations for related alterations to the electoral areas of principal councils.
4. On 9 April 2008, the Secretary of State and the Electoral Commission issued guidance under s.100 of the 2007 Act ("statutory guidance") in respect of undertaking, and giving effect to recommendations made in community governance reviews and on making recommendations about electoral arrangements respectively. NALC was one of the stakeholders who contributed to the statutory guidance. The statutory guidance is available from the Communities and Local Government's website at:-  
<http://www.communities.gov.uk/publications/localgovernment/communitygovernancereviews>.



### **What is a community governance review?**

5. It is a review by the principal council (defined by the 2007 Act as a district council, unitary county council and a London borough council) of the whole or part of the principal council's area, for the purpose of making recommendations of the kinds set out in sections 87 to 92 of the 2007 Act (see below for details).
6. A community governance review must have terms on which the review is to be undertaken. These are known as its "terms of reference". The terms of reference must specify the area under review.
7. A principal council must:
  - a. decide the terms of reference of any community governance review which the council is to undertake; and
  - b. decide what modifications (if any) to make to the terms of reference.
8. As soon as practicable after deciding terms of reference, the principal council must publish them. If it is necessary to modify the terms of reference, the principal council must publish details of the modification as soon as practicable.

### **Recommendations of a community governance review**

9. The various types of recommendations which a review may conclude are set out below:-

#### **s.87 of the 2007 Act relates to the constitution of a new parish.**

10. Pursuant to s.87, a review must make recommendations as to what new parish or parishes (if any) should be constituted in the area under review. A new parish is constituted in any one of the following ways–
  - a) by establishing an unparished area (defined as an area which is not a parish or part of a parish) as a parish;
  - b) by aggregating one or more unparished areas with one or more parished areas;
  - c) by aggregating parts of parishes;
  - d) by amalgamating two or more parishes;
  - e) by separating part of a parish;
 but the aggregation of one or more unparished areas with a single parish is not the constitution of a new parish.

11. If a review recommends that a new parish should be constituted, it must also make recommendations as to the name of the new parish, whether or not the new parish should have a parish council and make recommendations as to whether or not the new parish should have one of the alternative styles. Section 4 of the statutory guidance explores the names and alternative styles of parishes and parish councils. Separate guidance regarding the names and alternative styles of parishes and parish councils is available from NALC.

**Section 88 of the 2007 Act relates to existing parishes under review.**

12. Pursuant to s.88, a community governance review must make the following recommendations in relation to each of the existing parishes under review (if any). The review must make one of the following recommendations—
  - a) recommendations that the parish should not be abolished and that its area should not be altered;
  - b) recommendations that the area of the parish should be altered;
  - c) recommendations that the parish should be abolished.
13. The review must make recommendations as to whether or not the name of the parish should be changed.
14. If the parish does not have a council, a review must make recommendations as to whether or not the parish should have a council. If the parish has a council, a review must make recommendations as to whether or not the parish should continue to have a council.
15. However the review may not make any recommendations for the parish—
  - a) to begin to have an alternative style (if it does not already have one), or
  - b) to cease to have an alternative style, or to have a different alternative style, (if it already has one).
16. Paragraphs 116 and 117 of the statutory guidance state: "While the Government expects to see a trend in the creation, rather than the abolition, of parishes, there are circumstances where the principal council may conclude that the provision of effective and convenient local government and/or the reflection of community identity and interests may be best met for example, by the abolition of a number of small parishes and the creation of a larger parish covering the same area. The area of abolished parishes does not have to be redistributed to other parishes, an area can become unparished. However, it is the Government's view that it would be undesirable to see existing parishes abolished with the area becoming unparished with no community governance arrangements in place."

17. Paragraph 120 of the statutory guidance states: "Where a community governance review is considering abolishing a parish council we would expect the review to consider what arrangements will be in place to engage with the communities in those areas once the parish is abolished. These arrangements might be an alternative forum run by or for the local community, or perhaps a residents' association. It is doubtful however, that abolition of a parish and its council could ever be justified as the most appropriate action in response to a particular contentious issue in the area or decision of the parish council."

**Section 89 of the 2007 Act relates to a new council: consequential recommendations.**

18. s.89 provides that if, under either s.87 or s.88, a community governance review makes recommendations that a parish should have a parish council, it must also make recommendations as to what electoral arrangements should apply to the council.

**Section 90 of the 2007 Act relates to a parish council retained: consequential recommendations.**

19. Pursuant to s.90, if under s.88, a community governance review makes recommendations that a parish should continue to have a parish council, it must also make recommendations as to what changes (if any) should be made to the electoral arrangements that apply to the council.

**Section 91 of the 2007 Act relates to grouping or de-grouping parishes**

20. Pursuant to s. 91, a community governance review may make recommendations as to whether or not grouping or de-grouping provision should be made. If the review recommends that grouping or de-grouping provision should be made, those recommendations must in particular include recommendations as to what changes (if any) should be made to the electoral arrangements that apply to any council affected by the provision. s.91(3) provides any grouping or de-grouping provision is a reference equivalent to the provision of an order under section 11 of the Local Government Act 1972 (c. 70).

**Section 92 of the 2007 Act relates to county, district or London borough Councils' consequential recommendations.**

21. Pursuant to s. 92, a community governance review may make recommendations to the Electoral Commission as to what related alteration (if any) should be made to the boundaries of the electoral areas of any affected principal council (defined as any principal council whose area the community governance review relates to including the council undertaking the review). The Electoral Commission must notify each relevant principal council of whether or not the Commission has given effect to the recommendations. The Electoral Commission may by order give effect to such recommendations. If the Electoral Commission has given effect to the recommendations, they must also send each relevant principal council two copies of the order under this section.

**Timing of community governance reviews**

22. Pursuant to s.82 of the 2007 Act, a principal council may undertake a community governance review **at any time**.
23. Paragraph 26 of the statutory guidance states "Principal councils will want to keep their community governance arrangements under review, and they should ensure that they consider on a regular basis whether a review is needed. A review may need to be carried out, for example, following a major change in the population of a community ....or to re-draw boundaries which have become anomalous, for example following new housing developments being built across existing boundaries. Principal councils should exercise their discretion, but it would be good practice for a principal council to consider conducting a review every 10-15 years – except in the case of areas with very low populations when less frequent reviews may be adequate."
24. Paragraph 27 of the statutory guidance states "the principal council should consider the benefits of undertaking a review of the whole of its area in one go, rather than carrying out small scale reviews in a piecemeal fashion of two or three areas. However, it is recognised that a full-scale review will not always be warranted, particularly where a review of the whole area or a significant part of the principal council's area has been carried out within the last few years. Occasionally, it may be appropriate to carry out a smaller review, for example, to adjust minor parish boundary anomalies."
25. Pursuant to s.83 of the 2007 Act, if a principal council is not already undertaking a community governance review, **it has a duty** to carry out a community governance review if it receives a valid community governance petition which relates to the whole or part of its area.

## **Community Governance Petitions – content and form**

26. s. 80(3) of the 2007 Act provides that for a petition to be valid, the petition must be signed as follows–
  - a) if the petition area has fewer than 500 local government electors, the petition must be signed by at least 50% of the electors;
  - b) if the petition area has between 500 and 2,500 local government electors, the petition must be signed by at least 250 of the electors;
  - c) if the petition area has more than 2,500 local government electors, the petition must be signed by at least 10% of the electors
27. Paragraph 41 of the statutory guidance states: "It is recommended that petitioners aim to collect the requisite number of signatures based on the most recently published electoral register. It should be against this register that the [above] petition thresholds will be assessed."
28. In addition to having the requisite number of signatures, s. 80(4) provides that the petition **must**–
  - a) define the area to which the review is to relate (whether on a map or otherwise),
  - b) and specify one or more recommendations (described at paragraph 9 to paragraph 21) which the petitioners wish a community governance review to consider making.
29. If the specified recommendations include the establishment of a parish council or parish meeting for an area which does not exist as a parish, the petition is to be treated as if the specified recommendations also include recommendations for such a parish to come into being (either by constitution of a new parish or alteration of the area of an existing parish).
30. Although under s.87 of the 2007 Act, it is the duty of the principal council to recommend in their review the name of any new parish and if it should have an alternative style, NALC recommends that any petition clearly states the name and any preferred alternative style of the new parish council which it wishes the principal authority to create.
31. If the specified recommendations include the alteration of the area of an existing parish, the petition must define the area of the parish as it would be after alteration (whether on a map or otherwise).

32. Under s. 88 of the 2007 Act, it is the duty of the principal council to recommend in their review if the name of a parish should be changed and if a parish without a council should also have a council. NALC recommends that any petition expresses any names preferred in respect of alterations of existing parishes.

Paragraphs 57 - 60 of the statutory guidance state:-

33. "It is clear that how people perceive where they live - their neighbourhoods - is significant in considering the identities and interests of local communities and depends on a range of circumstances, often best defined by local residents. **Some of the factors which help define neighbourhoods are: the geography of an area, the make-up of the local community, sense of identity, and whether people live in a rural, suburban, or urban areas.**
34. Parishes in many cases may be able to meet the concept of neighbourhoods in an area. Parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity. Like neighbourhoods, the feeling of local community and the wishes of local inhabitants are the primary considerations.
35. Today, there may well be a variety of different communities of interest within a parish; for example, representing age, gender, ethnicity, faith or life-style groups. There are other communities with say specific interests in schools, hospitals or in leisure pursuits. Any number of communities of interest may flourish in a parish but they do not necessarily centre on a specific area or help to define it.
36. Building a sense of local identity may make an important contribution to cohesion where a local area is facing challenges arising from rapid demographic change. In considering the criteria, community governance reviews need to home in on communities as offering a sense of place and of local identity for all residents. "
37. Pursuant to s.83 of the 2007 Act, the duty to conduct a community governance review does not apply if a principal council:
- a) has concluded a community governance review within the last two years which in its opinion covered the whole or a significant part of the area of the petition; or
  - b) is currently conducting a review of the whole, or a significant part of the area to which the petition relates.
38. Paragraph 25 of the statutory guidance states: "Where a review has been conducted within the last two years the principal council still has the power to undertake another review if it so wishes."



39. Pursuant to s.84 of the 2007 Act, if a principal council is in the course of undertaking a community governance review of part of the council's area ("the current review") and the council receives a community governance petition which relates to a part of the council's area which is wholly outside the area under review, it **must** follow **one** of the below 3 options:

**1st option:-**

The principal council may modify the terms of reference of the current review so that it allows for the petition to be considered.

**2nd option:-**

The principal council may undertake a community governance review that – is separate from the current review, and has terms of reference that allow for the petition to be considered.

**3rd option:-**

The principal council may –

- a) modify the terms of reference of the current review,
- b) undertake a community governance review that is separate from the current review ("the new review"), and
- c) secure that (when taken together)–
  - i) the terms of reference of the current review (as modified), and
  - ii) the terms of reference of the new review,
 allow for the petition to be considered.

40. Pursuant to s.83(2) of the 2007 Act, the principal council's community governance review must have terms of reference that allow for the petition to be considered.

**Duties of the principal authority undertaking the review**

41. Pursuant to s. 93(8) of the 2007 Act, a principal council **must** conclude the review within the period of 12 months starting with the day on which the council begins the review.
42. s.79(3) of the 2007 Act provides that a district council undertaking a community governance review **must** notify the county council for its area (if any) –
- a) that the review is to be undertaken, and
  - b) of the terms of reference of the review (including any modification of those terms).

43. Subject to the above and further specific duties set out in s.93 detailed below, which specify the duties of a principal council when undertaking a review, it is for the principal council to decide how to undertake any review.
44. Pursuant to s.93(3) and (6) of the 2007 Act, the principal council **must** consult the local government electors for the area under review and any other person or body (including a local authority) which appears to the principal council to have an interest in the review and take into account any representations received.
45. Pursuant to s.93(4) of the 2007 Act, the principal council **must** have regard to the need to secure that community governance within the area under review—
  - a) **reflects the identities and interests of the community in that area, and**
  - b) **is effective and convenient.**
46. In relation to whether proposed arrangements are effective and convenient, paragraph 62 of the statutory guidance states: "Local communities should have access to good quality local services, ideally in one place. A parish council may be well placed to do this. With local parish and town councils in mind, effective and convenient local government essentially means that such councils should be viable in terms of providing at least some local services, and if they are to be convenient they need to be easy to reach and accessible to local people."
47. Paragraph 52 of the statutory guidance states: "When considering the criteria identified in the 2007 Act, principal councils should take into account a number of influential factors, including:
  - the impact of community governance arrangements on community cohesion; and
  - the size, population and boundaries of a local community or parish."
48. Principal councils are required to consider the impact of community cohesion on community governance arrangements. This is documented at paragraphs 65-84 of the statutory guidance, Paragraph 72 states "Community cohesion is about local communities where people should feel they have a stake in the society, and in the local area where they live by having the opportunity to influence decisions affecting their lives. This may include what type of community governance arrangements they want in their local area."
49. In accordance with s. 93(5) of the 2007 Act, in deciding what recommendations to make, the principal council **must take into account any other arrangements (apart from those relating to parishes and their institutions)** that have already been made,

or that could be made, for the purposes of community representation or community engagement in respect of the area under review.

50. Paragraphs 135 to 145 of the statutory guidance documents other forms of community governance which present alternatives to the creation of a new parish council. These other forms of community governance include:

### **Area committees**

51. Paragraph 139 of the statutory guidance states: “Area committees are part of the structure of some principal councils (e.g. district, unitary and London borough), where they choose to have them. Area committees are a key initiative for enabling local government to fulfil community governance roles and also to deliver government policy on issues affecting social inclusion in local communities. Principal councils also provide resources for area committees, and their councillors are commonly integral to their constitution. Area committees can cover large areas and exist to advise or make decisions on specific responsibilities that can include parks, off-street parking, public toilets, street cleaning, abandoned vehicles and planning applications amongst others. Also, more widely, they contribute to shaping council services and improving local service provision.”

### **Neighbourhood management**

52. Paragraphs 140 and 141 of the statutory guidance state: “Neighbourhood management programmes are similarly set up by principal councils and may be led by one of a number of bodies” .. “Their purpose is to create the opportunity for residents to work with local agencies, usually facilitated by a neighbourhood manager, to improve services at the neighbourhood level.” ... “Neighbourhood management arrangements aim to improve ‘quality of life’ through implementation of (rather than advising or making decisions on) better management of local environment, increasing community safety, improving housing stock, working with young people, and encouraging employment opportunities, supported strategically by relevant stakeholders and Local Strategic Partnerships. They tend to cover smaller populations than area committees.”

### **Tenant Management Organisations**

53. Paragraph 139 of the statutory guidance states: “Tenant Management Organisations (TMOs) are established by the principal council; they usually function on urban housing estates and can take responsibility for housing services (such as collecting rents and service charges and organising repairs and maintenance) from the principal council under the Housing (Right to Manage) Regulations 1994. A TMO is an independent

legal body and usually elects a tenant-led management committee to the organisation; they can also enter into a legal management agreement with landlords.”

### **Area/ community forums**

54. Paragraph 143 of the statutory guidance states: “Area or community forums (including civic forums) can be set up by the principal council, or created by local residents to act as a mechanism to give communities a say on principal council matters or local issues. Sometimes forums are set up to comment on a specific project or initiative that will impact upon the local area, and so may be time-limited. They increase participation and consultation, aiming to influence decision making, rather than having powers to implement services. They vary in size, purpose and impact, but membership usually consists of people working or living in a specific area. Some forums also include ward councillors, and representatives from the council and relevant stakeholders can attend meetings.”

### **Residents and Tenants Associations**

55. Paragraph 144 of the statutory guidance states: “Residents’ and Tenants’ associations enable local people to participate in local issues affecting their neighbourhood or housing estate, including the upkeep of the local environment, crime, sometimes dealing with anti-social behaviour matters, or on some estates, housing management. They can be set up by any group of people living in the same area and can choose who members will be; how they will be represented and what they want to achieve. In the case of tenants’ and residents’ associations on estates, they may be established with direct support from the principal council, as a mechanism for communicating with the tenants and residents on its estates. To engage effectively with other organisations, residents’ and tenants’ associations must be able to show that they are accountable and represent the views of the whole community, rather than narrow self interests of just a few local people.”

### **Community Associations**

56. Paragraph 145 of the statutory guidance states: “Community associations offer a particular and widespread democratic model for local residents and local community-based organisations in a defined neighbourhood to work together for the benefit of that neighbourhood. They can use a model constitution registered with the Charity Commission. The principal council may also be represented on the association’s committee. They usually manage a community centre as a base for their activities. Membership is open to everyone resident in the area.”

57. Notably paragraph 136 of the statutory guidance provides: “..what sets parish councils apart from other kinds of governance is the fact they are a democratically elected tier of local government, independent of other council tiers and budgets, and possess specific powers. This is an important distinction to make. Parish councils are the foundation stones for other levels of local government in England. Their directly elected parish councillors represent local communities in a way that other bodies, however worthy cannot since such organisations do not have representatives directly elected to those bodies.”

### **Recommendations to create parish councils**

58. It for the principal council to decide whether or not the parish should have a council. However, s.94 of the 2007 Act provides that where a community governance review is required to make a recommendation under s.87(6) as to whether or not a new parish should have a parish council or under s.88(4)(a) as to whether or not an existing parish should have a parish council, the review must recommend that the parish should have a council if the parish has 1,000 or more local government electors. If the parish has 150 or fewer local government electors, the review must recommend that the parish should not have a council. This does not apply if any part of the parish is a parish which has a council or part of such a parish.
59. s.95(2) of the 2007 Act provides that the principal council must consider the questions in subsection (3) when deciding whether to recommend that a parish should, or should not, be or continue to be divided into wards for the purpose of electing councillors.
60. The questions in s.95(3) are:-
- a) whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient;
  - b) whether it is desirable that any area or areas of the parish should be separately represented on the council.
61. If the principal council decides to recommend that a parish should be divided into wards, the principal council must have regard to the factors in s.95(5) when considering the size and boundaries of the wards, and the number of councillors to be elected for each ward.
62. The factors listed in s. 95(5) are:-
- a) the number of local government electors for the parish;
  - b) any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the review starts;

- c) the desirability of fixing boundaries which are, and will remain, easily identifiable;
  - d) any local ties which will be broken by the fixing of any particular boundaries.
63. If the principal council decides to recommend that a parish should not be divided into wards, the principal council must have regard to the factors in s.95(7) when considering the number of councillors to be elected for the parish.
- The factors listed in s.95(7) are :-
- a) the number of local government electors for the parish;
  - b) any change in that number which is likely to occur in the period of five years beginning with the day when the review starts
64. Parish warding is documented at paragraphs 156 – 162 of the statutory guidance.
65. Paragraph 156 of the statutory guidance states: "Parish warding should be considered as part of a community governance review. Parish warding is the division of a parish into wards for the purpose of electing councillors. This includes the number and boundaries of any wards, the number of councillors to be elected for any ward and the names of wards."
66. Paragraph 158 and 159 of the statutory guidance state "... principal councils should consider not only the size of the electorate in the area but also the distribution of communities within it. The warding of parishes in largely rural areas that are based predominantly on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish. There is likely to be a stronger case for the warding of urban parishes, unless they have particularly low electorates or are based on a particular locality. In urban areas community identity tends to focus on a locality, whether this be a housing estate, a shopping centre or community facilities. Each locality is likely to have its own sense of identity. Again, principal councils should consider each case on its merits having regard to information and evidence generated during the review."

### **After a community governance review has been completed**

67. s.96 of the 2007 Act provides that as soon as practicable after a principal council has decided to what extent it will give effect to the recommendations made in a community governance review, the council must publish that decision, and the reasons for making that decision. Also the council must take such steps as the council considers sufficient to secure that persons who may be interested in the review are informed of that decision and those reasons.



68. If the council makes a **reorganisation order**, then as soon as practicable after making the order, the council must deposit at its principal office a copy of the reorganisation order, and a map which shows the effects of the order in greater detail than the map included in the order.
69. The council must make the copy of the order and the map available for public inspection at all reasonable times. The council must publicise that the order and map are available for public inspection.
70. As soon as practicable after making the order, the principal council must inform all of the following that the order has been made—
  - a) the Secretary of State;
  - b) the Electoral Commission;
  - c) the Office of National Statistics;
  - d) the Director General of the Ordnance Survey;
  - e) any other principal council whose area the order relates to.
71. Under s. 98 of the 2007 Act, if a principal council makes a reorganisation order, the council must send—
  - a) two copies of the order to the Secretary of State; and
  - b) two copies of the order to the Electoral Commission.
72. A reorganisation order may include such incidental, consequential, transitional or supplementary provisions as may appear to the principal council to be necessary or proper for the purposes of, or in consequence of, or for giving full effect to, the order. A reorganisation order, or regulations made under section 97, may include any of the following provision—
  - a) provision with respect to the transfer and management or custody of property (whether real or personal);
  - b) provision with respect to the transfer of functions, property, rights and liabilities which may include any of the following—
  - c) provision for legal proceedings commenced by or against any body to be continued by or against a body to whom functions, property, rights or liabilities are transferred;
  - d) provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters;
  - e) provision for treating any body to whom a transfer is made for some or all purposes as the same person in law as the body from whom the transfer is made



73. s. 97 of the 2007 Act provides that the Secretary of State may by regulations of general application make incidental, consequential, transitional or supplementary provision for the purposes of, or in consequence of, reorganisation orders. Regulations under this section are to have effect subject to any provision made by a reorganisation order.

Finally, s. 99 of the 2007 Act provides:

- (1) Any public bodies (which includes a parish council) affected by a reorganisation of community governance may from time to time make agreements with respect to—
  - a) any property, income, rights, liabilities and expenses (so far as affected by the order) of the parties to the agreement;
  - b) any financial relations between the parties to the agreement.
- (2) Such an agreement may in particular provide—
  - a) for the transfer or retention of any property, rights and liabilities, with or without conditions, and for the joint use of any property;
  - b) for the making of payments by any party to the agreement in respect of—
    - i) property, rights and liabilities so transferred or retained;
    - ii) such joint use; or
    - iii) the remuneration or compensation payable to any person;
  - c) for any such payment to be made by instalments or otherwise;
  - d) for interest to be charged on any such instalments.
- (3) In default of agreement about any disputed matter, the matter is to be referred to the arbitration of a single arbitrator—
  - a) agreed on by the parties; or
  - b) in default of agreement, appointed by the Secretary of State.
- (4) The arbitrator's award may make any provision that could be contained in an agreement under this section.

## **London**

74. The London Government Act 1963 abolished parishes existing at the time within London. When the boundaries for Greater London were established, they were adjusted to allow the surrounding shire counties to keep parishes that were in the fringe areas. Since then, London has been the only part of England not to have parishes or parish councils. The 2007 Act corrects this anomaly to allow London boroughs the possibility to exercise the same community governance powers as other principal councils including being able to set up parishes and parish councils. Similarly, local electors in London boroughs will, as elsewhere in England, be able to petition for a community governance review.

**Transitional and saving legislation in respect of the 1997 Act.**

75. Under S.I. 2008/337, provisions in relation to sections 14 (implementation by the Secretary of State for reviews by local authorities of parishes and petitions for new parishes ), 16 (establishment of new parish councils by local authorities), 17 (electoral arrangements), 18 (considerations in deciding about electoral arrangements), 22 and 23 (exercise of functions and orders and regulations under Part 2) of the 1997 Act shall continue to have effect for the purpose of enabling the Secretary of State to give effect to recommendations received before 13 February 2008 under section 9 of that Act (reviews of parishes by local authorities) and any petition under section 11 (petitions for new parishes) of that Act. The provisions of the 1997 Act which are for the purpose of enabling the Electoral Commission to give effect to any related proposals received by 13 February 2008 also remain in force.
76. NALC can provide advice in respect of reviews and petitions originating under the 1997 Act on a case by case basis.

**Other Legal Topic Notes (LTNs) relevant to this subject:**

LTN	Title	Relevance
8	<a href="#">Elections</a>	Sets out qualifications for standing for and holding office as a parish councillor
74	<a href="#">Alternative names and styles for parish councils</a>	Explains the considerations for different styles adopted by parish councils.

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