

# **Terms of Reference**

## **Community Governance Review of the unparished area of Welwyn Garden City**

**May 2026**



**WELWYN  
HATFIELD**

## Introduction

Welwyn Hatfield Borough Council (the Council) has decided to undertake a Community Governance Review (CGR) under the provisions of the Local Government and Public Involvement in Health Act 2007 (2007 Act), to consider community empowerment and governance options for the area of Welwyn Garden City. The Council has power to undertake a CGR pursuant to section 82 of the 2007 Act.

In March 2025, the Council passed a motion to instruct officers to explore and investigate a CGR for the administrative area of Welwyn Garden City with a particular focus on establishing a new Parish Council for Welwyn Garden City. Welwyn Garden City remains the only unparished area within the boundary of Welwyn and Hatfield and Councillors were keen to understand whether the residents of Welwyn Garden City would benefit from more local representation, through a new Parish Council, in light of Local Government Reorganisation (LGR)

LGR is the Government's vision to establish new unitary authorities for Hertfordshire, and the abolition of Hertfordshire's existing ten district and borough councils along with Hertfordshire County Council. These new unitary authorities will combine the functions and services of the district, borough and county councils. The Government envisages that by April 2028 new unitary authorities will be established and operational in the Borough of Welwyn Hatfield at which stage the existing district, borough and county councils would be wound up. More details and information about LGR in Hertfordshire can be found at the following link.

[www.hertfordshire-lgr.co.uk/](http://www.hertfordshire-lgr.co.uk/)

In October 2025, the Council undertook a consultation with residents of Welwyn Garden City to better inform on the level of local support for a new Parish Council. Overall, the responses from residents indicated that there appears to be a good level of support for a new Parish Council. An explanation of the responses was provided to the Council's Cabinet Committee in March 2026 and the relevant report can be found at the following link.

[Agenda for Cabinet on Tuesday 3rd March 2026, 6.30 pm – Welwyn Hatfield Borough Council](#)

In May 2026 the Council agreed to commence a CGR to explore whether there is sufficient support for a new Parish Council for Welwyn Garden City and whether establishing a new Parish Council would be in the best interests of the community in terms of community empowerment, need and political representation.

## What is a Community Governance Review?

A CGR is a review of the whole or part of the Council's area to consider making recommendations in respect of one or more of the following, which are further detailed in section 87 to 92 of the 2007 Act:

1. Creating new parished areas and parish Councils
2. Merging, altering or abolishing existing parishes
3. The naming of parishes and the style of new parishes
4. The electoral arrangements for parishes (the ordinary year of election, council size, the number of Councillors to be elected to any new council and parish warding), and
5. Grouping parishes under a common parish council or de-grouping

There is a wide scope and flexibility for restructuring parishes within Welwyn Hatfield and this CGR will focus on a new parished area and Parish Council for Welwyn Garden City. Accordingly, the scope of this CGR is limited to constituting a new parish and Parish Council for Welwyn Garden City and the alternatives should the Council decide not to take forward any recommendations as listed above.

## **Why undertake a Community Governance review?**

A CGR provides an opportunity for this Council to review and make changes to the governance and structure of town and parish Councils within the Council's administrative 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 meet the needs of the local community and maintains or improves local political representation and community empowerment.

Government guidance emphasizes that 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.

LGR will be a significant change to the structure of local government throughout Hertfordshire and, in particular, the abolition of Welwyn Hatfield Borough Council has the potential to weaken local representation, especially for the unparished area of Welwyn Garden City which does not currently benefit from public services at the most local level through a Parish or Town Council. In these circumstances, the scope of this CGR will inform the Council on whether a new Parish Council will meet an identified need to strengthen local political representation and community empowerment.

Local government in Hertfordshire was last reorganised in 1974 when the Welwyn Rural District, Hatfield Rural District and Welwyn Garden City Urban District were merged to form Welwyn Hatfield District Council. The District Council became a Borough Council in 2006.

## **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.

Statutory Guidance published jointly by the Secretary of State and Local Government Boundary Commission for England in 2010 confirms that Councils should consider the wider picture of community governance in carrying out CGRs. The Council has already consulted with residents of Welwyn Garden City in October 2025 to understand the level of support for a new Parish Council for Welwyn Garden City.

The Council is also mindful of the potential weakening of community governance as a result of LGR and this concern was reflected in the responses to the October 2025 consultation. Welwyn Garden City was founded by Sir Ebenezer Howard in 1920 following the successful creation of Letchworth Garden City. The area has a unique history and characteristics. The design concept was for a town that promotes healthy living and properly integrated and designed open spaces complimented by congruent landscaping and a rural belt. The area also features unique historical sites such as Welwyn Roman Baths which the local community understands and values and which form part of the shared culture and identity.

The preservation of the area's unique history and characteristics is fundamental to community cohesion, interests and identity. The scope of this CGR has been developed to explore how these can be best preserved in the context of LGR.

The Council is mindful that the creation of a new Parish Council will achieve parity with all other residents of the Borough that live in parished areas.

In addition, the Council intends to consult widely on this CGR using multiple communication channels and strategies and the local knowledge of elected Councillors to reach as many stakeholders and residents as possible.

## **Scope of this Review**

Welwyn Hatfield Borough Council has resolved to undertake a CGR to explore and investigate whether there is a desire and need for the creation of a new parish and

Parish Council for the unparished area of Welwyn Garden City. Having made this decision, the Council has a legal obligation to consult with anyone who has an interest in the CGR.

The Council has determined that all residents of the Borough have an interest in this CGR because each option has either a direct or indirect impact on residents. In particular, any new form of community empowerment and engagement with the residents of Welwyn Garden City will impact the resources of the Council.

The Council is only seeking to consider a single new Parish Council for the unparished area of Welwyn Garden City because, as stated above, the residents and stakeholders within the existing boundary share a unique culture, history and identity. The area has a population of around 51,500 residents and one Parish Council should also achieve value for money for the local taxpayer by maximising economies of scale. This approach reflects Statutory Guidance which states as follows.

*“The general rule should be that the parish is based on an area which reflects community identity and interest and which is of a size which is viable as an administrative unit of local government. This is generally because of the representative nature of parish council and the need for them to reflect closely the identity of their communities.”*

The scope also includes the following options to allow for a wide range of responses and views.

1. Taking no action and await the creation of a unitary authority;
2. Establishing a neighbourhood area committee.

The Council is required under Statutory Guidance to consider non-parish forms of community representation or community engagement. The guidance states:

*“There may be other arrangements for community representation or community engagement in an area, including neighbourhood 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.”*

Accordingly in addition to a neighbourhood area committee, the Council acknowledges that the community may be supportive of other forms of non-parish forms of community engagement and representation. Therefore, this review could also consider any alternative proposals that are submitted. Such alternative proposals must explain clearly the community empowerment or community governance model that is proposed, and it must define the area(s) to which they relate by reference to a map. It must also provide the rationale for and benefits of the proposal(s).

## Who will undertake the community governance review

The 2007 Act provides that a principal authority may conduct a CGR, and following statutory consultations can evaluate and report the outcome. The Council, therefore, is responsible for undertaking 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. The review will follow the approach set out in these Terms of Reference, including the indicative timetable.

Considering the ambitious timetable for LGR in Hertfordshire, this CGR seeks the views of the Council residents, businesses and other stakeholders about the following options for the unparished area of Welwyn Garden City.

### Option 1 - Create a new parish and Parish Council for Welwyn Garden City

The Council notes that what sets parish councils apart from other kinds of community representation and community empowerment 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.

One proposal is to create a new parish for the entire unparished area of Welwyn Garden City. If this proposal is supported by local people and approved by the Council, the review would then consider (*if applicable*) any recent Electoral Reviews carried out by the Local Government Boundary Commission for England (LGBCE). In the event that the Council progresses a recommendation for a new Parish Council, the new council's warding and Councillor numbers will be set out in the second consultation which is scheduled to run from 17 September 2026 to 18 November 2026. See review timetable below.

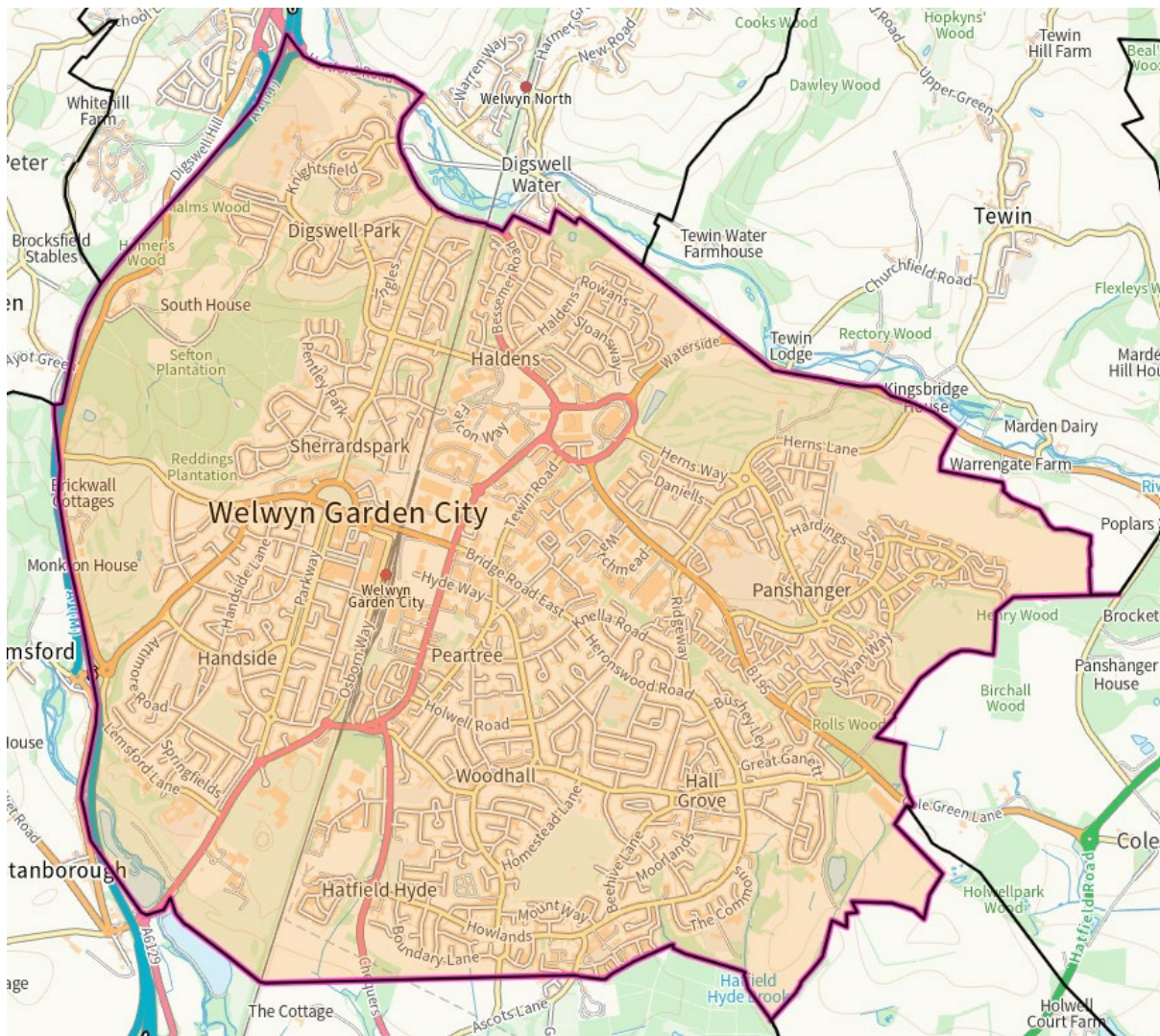
The unparished areas of Welwyn Garden City are the following current Borough wards:

Ward	Households (2 Jan 2026)	Electorate (2 Jan 2026)	No of Councillors (2 Jan 2026)
Haldens	3196	4889	3
Handside	3315	5304	3
Hollybush	2963	4875	3
Howlands	3088	5252	3
Panshanger	2612	4312	3
Peartree	3996	5552	3
Sherrards	2466	4355	3

Welwyn East (Part)			
Polling District ABD	791	1217	3 cover the whole of Welwyn East

The Council may consider that any new Parish Council should be based on the existing Borough wards as far as possible.

The map below highlights the unparished area of Welwyn Garden City. This map is from OS Election Maps.



## Advantages

Local parish councils play an important role in terms of community empowerment at a local level, and they do have certain duties and provide some services.

Parish councils have a key role to play in representing the views and promoting the needs of the borough's local communities and neighbourhoods.

Parish and Town Councils are independent Statutory bodies and, as such, have greater authority and control to make their own decisions particularly regarding budgets.

## Disadvantages

All the funding for their operating costs and most services must be raised in the form of a new charge, known as a precept, payable as a proportion of Council Tax.

There is no limit on the amount that a parish may raise in respect of its precept each year. Council tax will increase to fund the new Parish Council.

## **Option 2 – Neighbourhood Area Committee (NAC)**

A Neighbourhood Area Committee (NAC) is a formal decision-making committee set up by a principal council. Welwyn Hatfield Borough Council is the principal Council at present but the new unitary authority will be the new principal Council when established in May 2028. The NAC would engage with, and on behalf of, the unparished area of Welwyn Garden City.

Responsibilities could include commenting on local planning decisions, street scene matters, public spaces and community development oversight. NACs are comprised of elected Councillors and can involve partners too. Usually, the ward Councillors are appointed to the Committee because they have the local knowledge to support the Committee's functions. NACs can also be allocated a budget to support their decision-making and usually have wide discretion to fund local initiatives and needs.

### **Advantages**

NACs can be quickly established at a comparatively low indirect cost to taxpayers because they do not have the overheads that parish councils have in terms of the costs to run a separate and standalone organisation. The set-up and operating costs are met by the principal authority, and that authority can choose to delegate certain functions and budgets to the NAC. Residents would not be charged additional council tax for a NAC.

### **Disadvantages**

If this option was preferred, the principal authority would have responsibility for the NAC's existence, remit, membership, and funding. A successor principal authority (e.g. a new unitary authority) would inherit this responsibility, and could choose to retain, change, or dissolve it.

## **Option 3 – Other form of non-parish community engagement**

The Council could decide on any other form of community engagement that does not include establishing a new Parish Council or Neighbourhood Area Committee. This might take the form of a resident's panel to engage with the Council or other form of informal engagement. For this option, there would not be a formal structure equivalent to existing Council Committees.

Any formal structure (which could be option 1 or 2) could be established by a future unitary authority.

The Government intends that Shadow Unitary Authority elections are held in May 2027. The successor unitary authority, being the future local council for the area of Welwyn

Garden City and surrounds, might be considered well placed to conduct a community governance review of its own to set up community governance arrangements that fit with this successor authority. The Council is aware of the view that it may be legitimate not to provide new and structured forms of community empowerment or community governance at this time given that LGR is proposed to occur quite soon in Hertfordshire.

### **Advantages**

An informal form of non-parish community engagement is likely to be the least cost option.

Allows the future unitary authority to consider more formal structures for community engagement. The new authority will have a larger area due to the merger of several Councils and therefore may be better positioned to achieve services for residents and stakeholders at better value through greater economies of scale.

### **Disadvantages**

It is unknown how soon a successor unitary authority would engage with the community on community governance options, and it would be under no obligation to conduct a CGR of its own accord.

## **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.

## **Review Timetable**

<b>Date</b>	<b>Action</b>
3 March 2026	In accordance with the motion passed by Council at the March 2025 Full Council meeting, officers reported to Cabinet on the feedback from the initial consultation. Cabinet made recommendations to Full Council including the scope of the CGR and indicative timetable
11 March 2026	Full Council approved the Terms of Reference; commencement of process and first consultation in May 2026; timetable (which may be subject to change); and established the Community Governance Working Group (CGR Working Group)
19 May 2026 to 30 June 2026	Terms of Reference are published and the process commences with first public consultation for 6 weeks. CGR Working Group to meet as appropriate to discuss any new or ongoing matters.
1 July 2026 to 1 September 2026	CGR Working Group to review responses from the first public consultation and develop draft recommendations for

	the second public consultation. CGR Working Group to meet as required.
<b>16 September 2026</b>	Draft recommendations to be considered by Council and approved for second round of consultation. This is a key milestone because at this stage, the consultation will be focused on the option for which the Council considers has the most support to meet the needs of the community.

17 September 2026 to 19 November 2026	Second public consultation for 9 weeks on draft recommendations.
20 November 2026 to 20 January 2027	CGR Working Group to review responses to second public consultation and develop final recommendations for Full Council. CGR Working Group meetings will be held as appropriate to discuss matters.
<b>1 February 2027</b>	Full Council discuss, debate and agree final recommendations. This is a further key milestone because this Council decision will determine what form of community engagement will be taken forwards.
Feb/March 2027	Reorganisation Order made if Full Council has approved any changes that must be implemented by Reorganisation Order.
<b>May 2027</b>	Parish council elections to be held under any new arrangements that may be decided (if applicable). New Parish Cllrs will be elected to represent Welwyn Garden City if the outcome of the CGR is to create a new Parish Council for Welwyn Garden City.

## Consultation

Before making or publishing final recommendations, in line with legislative requirements, the Council will take full account of the views of local people and stakeholders. The Council 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; and
- c) considering any representations received in connection with the review.

The Council has determined that all residents of the Borough have an interest in this CGR and will be consulted. For option 1, all residents would share an interest in a new unitary authority and may consider that this new authority would be better placed to undertake a CGR and decide on other forms of non-parish community engagement. For options 2 and 3, both would impact the resources of the Council for which residents across the Borough pay council tax.

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, and media posts (digital and printed), and each will explain how residents and stakeholders can submit their views.

The Council will seek to approve any recommendations which it considers are in the best interests of the community and satisfy all legal and statutory guidance criteria.

During the process, events may unfold that effect the Council's judgement on the balance of factors and this may, in turn, impact the timetable if any new material factors require consultation.

## **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 would 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**

If parish council creation is supported, an important part of the Review then is to consider the 'Electoral Arrangements'. The Council would determine how any new 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 would 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 by the National Association of Local Councils and the Council will be mindful of this 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 Welwyn Hatfield Borough Council Website: [www.welhat.gov.uk/cgr](http://www.welhat.gov.uk/cgr). The survey will also be available in other formats, please contact us via email: [governancereview@welhat.gov.uk](mailto:governancereview@welhat.gov.uk) or telephone: 01707 357575 (Assistant Director Legal and Governance).

## 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, and from charges for some services, such as parking, as well as being able to access grant funding for some specific projects from a range of organisations.

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.

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

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

<b>Raising of Finances</b>	Power to raise money through the parish precept
<b>Recreation*</b>	<ul style="list-style-type: none"> <li>• Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds, and open spaces and to manage and control them.</li> <li>• Power to provide gymnasiums, playing fields, holiday camps</li> </ul>
<b>Swimming pools, bathing places, baths and washhouses</b>	Power to provide
<b>Tourism*</b>	Power to contribute to the encouragement of tourism
<b>Town Status</b>	Power to adopt town status
<b>Transport*</b>	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
<b>Village greens</b>	Power to maintain, to make bylaws for and to prosecute for interference with village greens
<b>Water Supply</b>	Power to utilise well, spring or stream and to provide facilities for obtaining water therefrom.



