



Telford & Wrekin

C O U N C I L

**COMMUNITY GOVERNANCE REVIEW
PARISH OF LILLESHALL AND DONNINGTON**

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN
HEALTH ACT 2007**

DRAFT PROPOSALS

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1. Introduction

1.1 Telford and Wrekin Council has received a Community Governance Petition, signed by 333 local government electors of the Lilleshall Ward of the Parish of Lilleshall and Donnington, calling for a separate parish to be formed for their ward. In accordance with Section 83 of the Local Government and Public Involvement in Health Act 2007 and the Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Act by the government Department for Communities and Local Government and the Electoral Commission, the Council is required by law to conduct a Community Governance Review.

1.2 This Review commenced on 22 April 2009, when the Licensing Committee of the Council published a Terms of Reference document and invited initial submissions from individuals or organisations who had an interest in the Review. In the Terms of Reference, the Council published a timetable for the Review and it published a consultation strategy.¹ The period for initial submissions closed on 22 June. The Council now publishes these Draft Proposals in response to the Community Governance Petition.

1.3 It will be seen that the Draft Proposals are that there should be no change in the present community governance arrangements in the Parish of Lilleshall and Donnington. Reasons have been given to support the Draft Proposals. A summary of these reasons can be found in part 6 of this document.

1.4 In preparing these Draft Proposals, the Council has been mindful of the request of the petitioners and the initial submissions that have been received. The Council also has the role of balancing these requests and submissions against the wider requirements and duties that are placed upon it in the 2007 Act. In particular, the Council has a duty to ensure that community governance within its area:

¹ Terms of Reference, Tables 2.1-2.2

- reflects the identities and interests of the community in that area;
- is effective and convenient, and
- takes into account any other, non-parish, arrangements for the purposes of community representation or community engagement in the area.²

1.5 In Part 2 of the Terms of Reference document consideration was given to the important question of consultation with the electors and other interested persons or bodies in this Review. The proposed timetable for the Review has been considered to be both too long and too short in the initial submissions received before 22 June. In paragraphs 2.2 and 2.6 of the Terms of Reference it was stated that the timetable for this Review attempted to balanced the legal requirement that the review be completed within twelve months with another legal requirement that a wide consultation take place with electors and other interested persons or bodies during the decision making stages of the Review. Some of the initial submissions that were received also requested more information and a better opportunity to debate the issues at hand. A consultation strategy was devised to address these issues, and the publication of these Draft Proposals will now trigger the next, longer and more pro-active stage in that strategy. Finally, initial submissions have also drawn attention to further community groups that should be added to the list of consultees in Annex 2 of our Terms of Reference. These organisations have now been added to the consultees' database.³

1.6 The Terms of Reference document has attracted some criticism in the initial submissions received. Parish Councillor F.Graham Platt, for example, stated his disappointment in the document: “long on procedures, processes and timetable but alarmingly short on meaningful substance. The people of Lilleshall that have spoken to me want to know the pros and cons of an independent Lilleshall. They want to hear of any advantages or

² Section 93(4-5) of the 2007 Act

³ Breton Park Residents Association, Granville Country Park Steering Group, Lilleshall Cricket Club, Lilleshall Pantomime Group, Lilleshall Parochial Church Council, Lilleshall Youth Club and Muxton Primary School.

disadvantages, will they be better or worse off and what improvements will there be for the village and the residents?” It was made clear in Parts 1-2 of the Terms of Reference document that the document was not intended to give a definitive view at that time; it was intended to inform and open the local debate by providing extensive information on present parish governance in Lilleshall and Donnington, the legislative framework for a Review and other policies that the Council felt were of importance. This Draft Proposals document, however, will lay out views and proposals in this Review, and in coming to these proposals careful consideration has been given to the submissions received.

1.7 In Annex 1 of this document, details are included of the submissions that have been received since the publication of the Terms of Reference. A variety of submissions have been received, from individual electors, from elected representatives, from parish councils and from two local voluntary organisations. They present divided views about the request in the original Community Governance Petition. Twenty electors from Lilleshall have made individual or joint submissions by letter or by e-mail. Of these submissions, one signatory clearly supports the request in the original petition. Parish Councillors Phil Norton, F. Graham Platt and Andrew D. Baker have made individual submissions that make objections to the original petition, while Parish Councillor John W. Hockin has made a submission in support of the original petition. Edgmond and Hollinswood and Randlay Parish Councils informed the Council that they had no comments to make in the Review. Lilleshall and Donnington Parish Council has made objections to the original petition, but has also taken the view that “if Lilleshall can prove that it can financially sustain itself, then it should become an independent parish of its own, should the majority of electors wish this. If so, two new parishes should be formed possibly called ‘Lilleshall Community Council’ and ‘Donnington and Muxton Parish Council’”.

1.8 Two voluntary organisations in Lilleshall have made submissions. ‘The Lilleshall Independence Group’ comprises 13 members who organised the original petition and who have made a detailed submission in support of it.

The 'Lilleshall Residents Association' has a committee that "has fluctuated in response to need and currently has six active members, all volunteers". They have provided a number of submissions, but "do not feel that we have a mandate to persuade villagers one way or the other on the independence issue".

1.9 At the end of the submissions period, what may be described as a 'counter petition' was received. It was signed by 359 signatories from the Lilleshall ward of the parish, and headed "We, the undersigned, oppose the creation of a separate Lilleshall Parish with a separate Parish Council. We are well satisfied with the standard of service we receive from Lilleshall and Donnington Parish Council, and feel that moves to change existing arrangements are neither necessary nor desirable". This petition has not been subjected to the degree of scrutiny that was required in consideration of the Community Governance Petition, where there was a legal requirement to verify the signatories. However, a covering letter from Mr Cedric Ayres which accompanied the counter petition said "that a significant number of those who signed the document seeking the Community Governance Review have now signed our petition opposing the creation of a separate Lilleshall Parish".

1.10 It was important to hear the views of the residents of the Donnington and Muxton wards of this parish. In the Terms of Reference document it was noted that it would not be appropriate to create a new parish for the Lilleshall ward without also giving consideration to community governance in the 'residual parish' of Donnington and Muxton, and it was concluded that this Review had the potential to create maybe three new parishes based on the three existing wards of the parish of Lilleshall and Donnington.⁴ Outside the Lilleshall ward area, three submissions have been received. One from an elector who considers that there is no case for dividing the present parish, and the others from Borough Councillors Adrian Lawrence and Nigel Dugmore, which outline the separate community of identity of the Muxton parish ward and their belief that it would be viable as a separate parish.

⁴ Terms of Reference, paras.1.7-1.8

2. The Parish of Lilleshall and Donnington

2.1 In Parts 3-5 of the Terms of Reference and the accompanying annexes, considerable information was provided about the existing Parish of Lilleshall and Donnington. (The full Terms of Reference document is available either in hard copy or on our website at the contact details provided in Section 8 below.)

2.2 The present parish of Lilleshall and Donnington comprises three wards: the Donnington ward with 4,683 electors and six councillors, the Lilleshall ward with 1,022 electors and three councillors, and the Muxton ward with 4,736 electors and six councillors.⁵ The Donnington ward comprises the modern area centre of Donnington together with commercial and industrial premises at its southern tip and in that half of the ward that lies to the north of the A518. At its very north, at Station Road and Humber Lane, the ward has further residential development at The Humbers which closely adjoins the more rural Lilleshall ward. The Lilleshall ward is an extensive rural ward. Apart from some scattered farms and rural dwellings, the settlement is concentrated in the linear village of Lilleshall and at the estate type development at Body Road and Hill Road at The Humbers. The Muxton ward comprises three elements: the open agricultural and reclaimed land that comprises about two-thirds of the ward; the residential development at Donnington Wood to the west of Donnington Wood Way, and the residential development at Muxton, which is a mix of the older development of the original village of Muxton to the north and along the newer estate roads to its south.

2.3 In the Terms of Reference document, it was stated that the main considerations that the Council would need to be mindful of in coming to recommendations in this Review arise in Section 93 of the 2007 Act as outlined in paragraph 1.4 above. This identified three 'tests' which we would

⁵ In Section 3.1 of our Terms of Reference we indicated that we would use the register of electors in force on 2 March 2009 for our electoral data in this Review.

need to apply in the Review.⁶ The first is what is described as the ‘community of identity’ test: do the areas that constitute the present parish wards of Donnington, Lilleshall and Muxton represent distinctive communities of identity, deserving of separate parish status and individual parish representation? However, it was emphasised that this test cannot be considered in isolation from a second test: the effective and convenient local government test. To a large extent, this test may be thought of as a ‘viability’ test: do these parish wards have the viability to stand alone, not dependent one on the other, in the funding and provision of services that would compare with current service levels? However, viability is only a part – albeit a considerable part – of the effective and convenient local government test. The Council considers that it has a broad duty in law to promote effective and convenient local government across its Borough. Finally, the Council is required to take into account other organisations in the area that promote representation and engagement for its inhabitants and that thereby serve to reinforce the community of identity test.

2.4 In the Terms of Reference document, it was emphasised that the review could not consider the future of the Lilleshall ward in isolation from the future of what is termed the ‘residual parish’: the Donnington and Muxton wards.⁷ It is the Council’s duty to promote effective and convenient local government across the whole of our Borough. The area under Review was defined as broadly comprising the existing parish of Lilleshall and Donnington together with any closely adjoining areas that share a strong sense of community identity with any new parishes that might be formed. In effect, the 2007 Act places a duty to apply the community of identity and viability tests throughout our proposals to the whole area under Review.

3. The Community of Identity test

3.1 It was stated in the Terms of Reference document that parishes should reflect distinctive and recognisable communities of interest, with their own

⁶ Section 93(4-5) of the 2007 Act

⁷ Terms of Reference, para.1.7

sense of identity. In the submissions received, there is a lack of consensus on whether Lilleshall, or, for that matter, Donnington or Muxton are distinctive communities of identity. Lilleshall and Donnington Parish Council, for example, consider that “Lilleshall is situated in a rural environment and in this way differs greatly from Donnington and Muxton. It has its own separate community identity... Donnington and Muxton, however, are very similar in their community identities and therefore do not have separate identities of their own. They are both fairly large urban development with similar issues, problems and infrastructure.” However, Mr Geoff Lott considers that “Lilleshall is a distinct village (and quite determined to stay that way). The Lilleshall Independence Group argues robustly to show that “there is certainly no commonality between these communities today to justify them being wards of a common parish. Their history, social and demographic differences and a tour around them readily evidence this... Rather absurdly, the only substantive link between these three disparate communities is the Lilleshall and Donnington Parish Council itself.” Kathleen Turner, on the other hand considers, “In my opinion, Lilleshall does not have a separate and distinctive identity or sufficient infrastructure to justify the forming of an independent parish council.” Parish Councillor John W. Hockin considers that “Lilleshall has a very strong rural identity as demonstrated by the many social groupings and clubs that it supports” and the Lilleshall Residents Association considers, “it is clear that there is a lack of commonality between these communities. They are also served by separate schools, community halls, churches and voluntary groups.” On the other hand, Parish Councillor F. Graham Platt states, “Lilleshall certainly does have its own physical identity by the nature of its location by being surrounded by green fields, but I am not convinced it has its own community identity.” Paul Roberts considers that “Lilleshall is a rural village and has little in common with Donnington. Muxton is in between, largely modern housing where I suspect [there is] no great sense of identity... Residents [of Lilleshall] do not feel part of Muxton or Donnington.” And then Roger France suggests that “apart from geography – Lilleshall is on a hill – the people of Lilleshall, Muxton and Donnington are interchangeable”.

3.2 The lack of consensus on this important point presents the first significant difficulty in this Review. The government's Guidance addresses this point: "Parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity... the feeling of local community and the wishes of local inhabitants are the primary considerations."⁸ However, there is an absence of any unified feeling or any consensus of wishes with regard to whether Lilleshall, Donnington or Muxton on their own reflect distinctive and recognisable communities of interest with their own sense of identity. (With regard to Donnington and Muxton parish wards, three submissions were received from ward residents.)

3.3 It would be relatively easy to identify tangible and statistical differences between Lilleshall, Donnington and Muxton. Undoubtedly, those differences would emerge very quickly if housing quality, indices of deprivation, age structures and other data derived from the census were considered. Borough Councillor Adrian Lawrence draws attention to these social differentials in his submission, to show the differences in housing type between Muxton and Donnington, and the differences in deprivation, qualifications and managerial and professional levels between the two wards. These differentials do not adequately substantiate the community of identity test; they are not proof that a community of identity either exists or does not exist. Indeed, some of the more robust communities of identity within the Borough – Wellington, for instance – encompass a wide diversity of residents, housing, social backgrounds, qualifications, and so forth, and yet their diverse inhabitants identify closely with their single community.

3.4 In the Terms of Reference it was emphasised that the Council would not lightly make a recommendation to cut off one area from another area on which it has a traditional and long-standing dependence.⁹ The government has emphasised in its Guidance that the interests of community cohesion should be taken into account in a Review.¹⁰ Furthermore, one of the Council's

⁸ Guidance, Para.58

⁹ Terms of Reference, para.6.8

¹⁰ Guidance, paras.66-75

Seven Community Objectives is for a community that is strong, cohesive and socially inclusive. The division of a parish on the basis of indices of deprivation and similar considerations would appear to be contrary to both the government's Guidance and the Council's community objectives. Mr Geoff Lott comments that "I believe Lilleshall is well served by the present joint parish arrangement – and... I am happy that we as the 'richer' sector may be assisting the poorer parts. I consider the present parish council does a good job." As a matter of fact, the financial relationships and inter-dependencies between the different parts of this parish are somewhat more complex than Mr Lott's comments initially suggest.

3.5 Question 6 in the Terms of Reference document asked consultees to comment on whether they felt that an adequate infrastructure of meeting points, community halls, local schools, neighbourhood stores, community organisations, voluntary groups and so forth existed in Lilleshall and Muxton to support a distinct community of identity. The initial submissions have identified such an infrastructure as existing in both wards. A school, village hall, youth centre, cricket club, tennis club and many other voluntary groups and organisations are cited for Lilleshall and the church, school and shops are cited for Muxton. There is much debate in the submissions received about the usage and inter-dependence of these facilities. One side of this debate is well summed up by Mr Paul Whorton: "The facilities in Lilleshall depend heavily on outside support and residency, including the village school and pre-school and Lilleshall Memorial Hall, as assisted by grants from Lilleshall and Donnington Parish Council." Likewise, Parish Councillor Phil Norton considers that many members of the groups in Lilleshall "do not live in Lilleshall", and "Many groups are interlinked with members from Donnington and Muxton alike. This brings about close ties between Donnington and Muxton." On the other hand, the Lilleshall Independence Group considers, "The communities of Donnington, Lilleshall and Muxton are not inter-dependent. They are served by separate schools, playgroups, community halls, police teams and churches, by mostly separate voluntary groups, clubs and similar organisations, and by Borough Councillors of differing persuasions": a view that is shared by Lilleshall Residents Association.

3.6 Although the Lilleshall Independence Group, the Lilleshall Residents Association and Parish Councillor John W. Hockin put forward sound arguments for separation and for the distinctive voice which a separate parish council would provide, many of the initial submissions have shown little appetite for change in the present structure of community governance. A phrase which seems to have struck a chord in the debate to date and which is quoted in many of our initial submissions is 'if it isn't broken don't try to fix it'. There would seem to be a widespread satisfaction with the status quo in the Lilleshall Ward. Mike and Shirley Harris, for example, emphasise, "the village has been very well looked after by Lilleshall and Donnington Council. They have supported the Memorial Hall over the last few years and the pensioners in the village have each received £5 vouchers at Christmas." Mrs M.A. Burroughes considers that "the present parish councillors work well for us and seem to have achieved a great deal for residents of Lilleshall". Mr and Mrs Margerrison state that "it is our opinion that the existing system is well-organised to continue in our best interests. We have an excellent full-time clerk and experienced councillors. It would be a backward step to alter this situation. The proposals are neither necessary nor desirable." Mr and Mrs J.G. Millard state, "We are quite satisfied with the service we receive from Lilleshall and Donnington Parish Council." Cedric and Heather Ayres likewise consider that, "The existing Lilleshall and Donnington Parish Council do a good job for the village, with the three elected parish councillors more than adequately representing the interests of Lilleshall. I therefore fail to see any advantage in altering existing arrangements. There is no point in changing a set-up that is functioning well." Norman Rozzell states that, "as a professional accountant, I have every confidence in the present form of administration – Lilleshall and Donnington Parish Council, which has weathered the storms for more than a century", a view reiterated by Mrs Jean Rozzell in her assessment of the present parish council as "a successful organisation". Ann Whittingham has stated, "At no time have I felt that Lilleshall was disadvantaged by being part of Lilleshall and Donnington Parish Council. To the contrary, it seems to work well." Probably the strongest vindication of both the existing parish council and the strongest statement of satisfaction with the

status quo is, however, the counter petition, signed by 359 signatories from Lilleshall and headed, “We are well satisfied with the standard of service we receive from Lilleshall and Donnington Parish Council, and feel that moves to change existing arrangements are neither necessary nor desirable.”

3.7 In a number of submissions, concerns are expressed that it would be difficult for the electors of Lilleshall to recruit a separate parish council of about nine or ten councillors: the allocation that was suggested in Table 8.1 of our Terms of Reference document. Kathleen Turner, for example, states, “The village presently has difficulty raising enough enthusiasm in the local population to stand as a parish councillor where there are only three councillors required, so I question where the additional councillors will come from.”

3.8 Three submissions have been received from residents of the Muxton ward. Roger France “strongly disagree[s] with the proposal to manufacture separate parish councils”. The case for a separate Muxton parish council is made by Borough Councillors Adrian Lawrence and Nigel Dugmore. They each state that there would be strong local support for a separate parish of Muxton; Councillor Dugmore, for example, states, “There is considerable disquiet amongst the residents of Muxton that the money raised is not equitably spent in Muxton. I therefore support the setting up of a separate parish council for Muxton which will ensure that there is representation commensurate with taxation... a newly formed Muxton parish council will have more money to spend per head of population than currently.”

3.9 In summary, no clear guidance has been received from the residents of the Lilleshall parish ward that their ward forms a distinctive community of identity, deserving of separate parish status, and there is no clear guidance from the residents of the Donnington and Muxton parish wards. This absence of community consensus in the one ward and the absence of submissions from the other wards seem to argue strongly against any change to the current arrangements. Indeed, it is stated in several submissions and particularly in the counter petition that the present Lilleshall and Donnington

Parish Council command a high 'satisfaction rating'. On balance it is concluded that any differences that do exist between Donnington, Lilleshall and Muxton can be most effectively served by the present warding arrangement, which allows the different parts of the parish to be separately represented on the parish council.

4. The present warding arrangement

4.1 The warding arrangement that currently exists in this parish is a very important consideration in this Review because it provides an alternative to splitting the parish. The 2007 Act states that the warding of parishes is appropriate where it is felt that particular areas of a parish should be separately represented on a parish council or where the number or distribution of the local government electors for the parish would make a single election of councillors impracticable or inconvenient. The Terms of Reference document stated that the warding arrangement of the parish of Lilleshall and Donnington seemed to adequately meet these two legal tests.¹¹ A warding arrangement is considered to be most appropriate where there is one parish with an overall community of identity but that also comprises different parts. Whilst noting the views of the Lilleshall Independence Group that "grouping [each ward] in one parish gives each community a low ratio of parish councillors and limited council time that does not in our view permit consideration of their very different community issues in meaningful depth", it is important to be mindful of arguments that have noted that the present arrangement allows for economies of scale. Kathleen Turner, for example, considers that, "The present population of Lilleshall barely justifies even considering whether an independent parish council should be an option... I am also of the opinion that the present warding arrangements are more than adequate for a village of this size."

4.2 Consideration has been given as to whether there should be a redrawing of the boundary between the three parish wards of Lilleshall, Donnington and

¹¹ Section 95(3) of the 2007 Act; Terms of Reference, para.8.10

Muxton. It has been noted that the area of residential development known as The Humbers, insofar as it has any distinctive community of interest, is presently divided between the Donnington and the Lilleshall wards. The ward boundary follows Station Road and Humber Lane and deviates from this line to take 9-13 Humber Lane, Magnolia Cottage and 16-18 Donnington Drive into the Donnington ward. Lilleshall Independence Group, in recommending the appropriate boundaries for a separate parish of Lilleshall, has given consideration to The Humbers and suggested that an appropriate boundary would be an undefined line to the east of Station Road and the centre of Humber Lane. This proposal, which is also put forward by Parish Councillor John W. Hockin, would serve to remove the deviations in the existing boundary that affect the properties listed above, and he suggests that it would transfer the street lights along Station Road from the responsibility of any new Lilleshall Parish Council. Even though the Humbers Residents Association was provided with a copy of the Terms of Reference document, we have not received any local submissions from residents in The Humbers on this issue. The Independence Group and the Lilleshall Residents Association also suggest that the whole of the small settlement of Brockton “is unified within Lilleshall Parish”. Again, no local submissions on this point have been received.

4.3 In the Terms of Reference document, it was also suggested that proposals for change might arise in the Donnington Wood area. This was because there was an awareness that the residential development in that area was divided from the remainder of the Muxton ward by the Donnington Wood Way. Borough Councillor Nigel Dugmore, Parish Councillor Phil Norton and Lilleshall and Donnington Parish Council have both expressed a similar view. However, no local submissions have been received on this point.

4.4 Lilleshall and Donnington Parish Council has suggested a complete redrawing of the ward boundaries within its parish, effectively reducing the extent of both the Lilleshall and Muxton wards by apportioning open countryside and re-claimed land to the Donnington ward. The proposed south-western boundary of Lilleshall ward would be Kynnersley Drive,

transferring the whole of The Humbers and the land around Lubstree Park to the Donnington ward. Likewise, it is proposed that an area comprising Donnington Wood, Granville Country Park and Redhill through to the Crematorium would be transferred from the Muxton ward to the Donnington ward. Again, no local submissions to support a complete redrawing of the present ward boundaries have been received.

4.5 Consideration was given to boundary issues in the Terms of Reference document, where it was pointed out that proposals for boundary changes in our parish areas should arise within an affected area, from strongly held views, locally expressed by the residents of an affected area.¹² Furthermore, consideration must be given to the relationship between the parish ward boundaries and the boundaries of the Borough wards.¹³ The parish wards have been used as the building blocks for the Borough wards across much of the Borough, and the Borough wards therefore share the same boundaries with the parish wards. The maintenance of this co-terminosity is in the best interests of effective and convenient local government for the residents in The Humbers and at Donnington Wood: for those residents to be in one parish ward but in a different borough ward may result in confusion. Finally, Maps 4-8 in our Terms of Reference have been re-examined, the present ward boundary, while it may not be entirely ideal, is easily identifiable, fairly clearly understood and represents the most appropriate parting of local attachments within a parish that comprises different parts.

4.6 Next, consideration is given to whether the numbers of councillors elected to the parish council by each ward continues to be appropriate. Section 95 of the 2007 Act requires consideration of 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. Table 3.2 of the Terms of Reference document presented electorate projections for the period 2009/10 – 2013/14. A strong caveat to the projections was added by stating that in the

¹² Terms of Reference, para.6.16

¹³ The borough's electoral arrangements and the borough wards are the responsibility of the Boundary Committee for England and the Electoral Commission.

current financial and housing market conditions it was difficult to give a realistic assessment of the actual numbers of new dwellings that would be completed to occupation. Even so, if the projections were realised, there would be the following impact for levels of representation between the two wards.

Table 1 – Projected electorates and councillor entitlements for Lilleshall and Donnington Parish Council

	<i>Electorate 2 March 2009</i>	<i>Resulting Councillor Entitlement</i>	<i>Projected Electorate 2013/14</i>	<i>Resulting Councillor Entitlement</i>
Donnington Ward	4683	6.73	5155	6.84
Lilleshall Ward	1022	1.47	1026	1.36
Muxton Ward	4736	6.80	5116	6.79
		15		15

4.7 Although there will be a continuing shift of councillor entitlement away from the Lilleshall ward where development will remain static, this is not considered to be sufficient to recommend any change in the allocation of councillors between the three wards at this time. With three councillors at present, the Lilleshall ward has an apparent over-representation in the current electoral arrangements of the parish, and this is an important consideration in this Review. A number of submissions make reference to the fact that the Lilleshall ward has not had a contested election for many years, and, it could be argued tenuously that this is a reflection of its over-representation as a parish ward. Even so, this seeming over-representation acknowledges the traditional scales of representation in the parish, the need to support the warding arrangement by providing a balance of representation between the wards, and the more rural character and sparsity of population within the Lilleshall ward with the concomitant challenges with regard to representation. The Terms of Reference document identified all these factors as appropriate justifications for occasionally departing from the underlying desire to ensure that the allocation of councillors is broadly equitable across our Borough.¹⁴

¹⁴ Terms of Reference, para.8.6

5. Effective and Convenient Local Government

5.1 Central to the debate on whether effective and convenient local government can result from the formation of a separate parish of Lilleshall is the question of whether a separate Lilleshall parish council could prove to be a viable entity. The question has been opened further to consider whether the residual parish or parishes – Donnington and / or Muxton – would be viable as separate parishes. This is a question that needs to be addressed and balanced against the issues that have so far been considered.

5.2 The parish council provided a budget for 2009-10, which was presented in Annex 5 of the Terms of Reference document. That budget shows an overall total expenditure for the year under four different budget headings of £257,150. Allowing for income of £37,500 under these budget headings, the budget still shows a projected overall deficit of £32,650. This deficit allows for expenditure, such as elections, the parish plan or legal expenses, for which it would be difficult to forward plan. If the deficit is incurred, it is the intention of Lilleshall and Donnington Parish Council to draw it from reserves. The parish council's income can be broken down as follows:

Table 2 – Income of Parish of Lilleshall and Donnington Parish Council

Source	Amount
Precept	187,000.00
Bank Interest	3,800.00
Reclaimed VAT	8,000.00
Advertising (Parish Magazine)	50.00
Cordingley Hall	8,000.00
Turreff Hall	17,050.00
Talbot Centre (Tennis Club)	600.00

5.3 In turn, a careful exercise was undertaken in Tables 6.2 and 6.3 and the accompanying annexes of the Terms of Reference document to disaggregate

the council tax base and the parish precept between the three wards of the present parish of Lilleshall and Donnington. The parish council's precept for 2009-10 is £187,000. It was found that the council tax base for 2009-10 would raise £70,559 for the present Donnington ward, £24,345 for the present Lilleshall ward and £92,096 for the present Muxton ward to fund this precept.

5.4 In the diverse submissions that have been received, the viability debate has been an important touchstone. Lilleshall Independence Group is adamant that "Lilleshall can fund its own liabilities with a far lower precept in keeping with those of neighbouring village parish councils". The Group is highly critical of the current spending of the parish council, and claims, "Lilleshall is thus paying over twice what the neighbouring villages of Church Aston and Edgmond are paying for parish services". Likewise, Parish Councillor John W. Hockin states, "Having made extensive studies of the financial viability of an independent Lilleshall Parish Council, I have concluded that LPC would be financially viable on the present precept". He emphasises his view that savings could be made, for instance, in the street lighting and grounds maintenance budgets.

5.5 On the other hand, Lilleshall and Donnington Parish Council emphasises that "Lilleshall is 'asset heavy' and any new parish council would have to budget effectively for these [assets]". Parish Councillor F. Graham Platt, after questioning the viability of a separate parish, concludes, "The Lilleshall ward is very heavy on commitments and responsibilities but light on income." Likewise, it is the view of Parish Councillor Andrew D. Baker that, "I do not believe that like for like services can be provided". Similar fears have also been expressed by electors. Paul and Gillian Whorton state, "We cannot see how Lilleshall can possibly afford to go independent when various aspects of the village are financially supported by the present LDPC, with I add much appreciation... It is... hard to believe that an independent parish council could raise funds, short or long term, to cover such as the number of street-lights, bus shelters, the Memorial Hall, Talbot Centre, maintenance of the closed churchyard, public footpaths, cutting back of overhanging trees, walls and hedges." Geoff Lott states, "With a population of only about 1,022 and a

precept of about £25,000 I do not think we would be financially viable. It would probably require a lot of help from the voluntary sector.” Cedric and Heather Ayres believe that “separation will bring with it the loss of the benefits of economies of scale”. Finally, Kathleen Turner states, “I do not think that the present level of council tax will be viable to support existing services within Lilleshall.”

5.6 Many of these comments are by their nature subjective; in the submissions that have been received, there has been very little analysis of the budgetary information that we provided in the Terms of Reference document. However, Lilleshall Independence Group has provided a “broad assessment of financial viability”. It considers that a separate Lilleshall parish council would have a parish income of £25,600, and expenditure of £17,722. However, it appears that there are some omissions in both their income and expenditure projections. Additional sources of income such as bank interest and recovered VAT have been omitted. Furthermore, omissions to the expenditure budget would seem to include clerk’s salary on-costs, grants to community organisations, councillor allowances, a parish newsletter and underestimates in such areas as bus shelters, maintenance of the Talbot Centre, the maintenance of the closed churchyard and street lighting. On the other hand, Lilleshall and Donnington Parish Council claims that “over the last five years, Donnington and Muxton have effectively subsidised Lilleshall by an average of £7,500 per year... [It] would definitely not be able to maintain its present level of service provision at its current council tax levels.”¹⁵ Again we note that elements of the parish council’s projection could be questioned. For example, nearly the whole of the “subsidy” of £7,500 to which they refer is covered by “discretionary expenditure” of £6,985, mainly amounting to grants for Lilleshall Memorial Hall, other grants and pensioners’ vouchers.

5.7 The disaggregation of a parish council’s budget between its constituent wards is a very difficult exercise, but there also needs to be an attempt to provide a disaggregation for the Parish of Lilleshall and Donnington. The

¹⁵ This shortfall was first presented in an article entitled ‘An Independent Lilleshall Parish Council?’ in *Lilleshall and Donnington Parish Council Newsletter*, Issue 17, March 2008.

Parish Clerk has been asked to attempt to disaggregate the budget to show his expenditure as it relates to each of the three wards of the existing parish, and we have subjected this disaggregation to our own analysis. This is a very difficult exercise, but the Clerk's findings go some considerable way towards giving a balanced and realistic assessment of the situation that would confront three separate parish councils. This disaggregation is shown in Annex 2.

5.8 The existing parish council budget is compiled on the basis of four different headings. The first is the 'Parish Precept', which shows the parish's core income and its core expenditure: the clerks' salaries, employees' on-costs and the general administration costs. Some elements under this heading might not be considered as strictly 'general administration costs' and these include discretionary grants at £20,000, the parish newsletter at £6,000 and an allocation for the parish plan at £3,000. Even so, the total expenditure here amounts to £127,690, and the whole of this budget is apportionable across the whole parish. The second heading is the 'Environment Budget'. A significant part of the expenditure of Lilleshall and Donnington Parish Council, amounting to £98,310, is incurred in grounds and amenities management. In particular, this budget covers sixteen acres of open space at Muxton, closed churchyards in Lilleshall and Donnington, the Talbot Centre clubhouse and asphalt tennis courts at Lilleshall, Donnington toilets, the electricity, management, maintenance and renewal of 675 street lights and general maintenance. Elements of this budget, such as the salary and employee on-costs of the estate manager, the general grounds maintenance allocation, and elements within the street lighting allocations, are apportionable across the whole parish. However, other elements, such as bus shelters and street lights, can be apportioned on the basis of the number of units in each ward, while other elements, such as Donnington Toilets or the Talbot Centre at Lilleshall are directly apportionable to a specific ward. This budget includes an allocation of £3,000 for the current year for the provision of allotments at Lilleshall, with a further £4,000 having already been earmarked and placed in reserves in 2008-09 for this project. This project may not now proceed. There is also an allocation of £1,500 for the maintenance of a proposed play area at Muxton which again is directly apportionable. The third and fourth

headings in the budget are expenditure and income budgets for Cordingley Hall and Turreff Hall, both of which are in the Donnington Ward. Cordingley Hall provides the parish council with a net income of £4,500, while Turreff Hall shows a net cost, after the deduction of £17,050 received in income, of £10,600.

5.9 The spending from the parish council's environment budget in the Lilleshall ward is proportionately high, representing about 20 per cent of that overall budget; this expenditure is effectively underwritten by the parish's Muxton ward (taking approximately 45 per cent) and to a slightly greater extent by the Donnington ward (taking approximately 35 per cent of this budget). This reflects the views put forward in some submissions that Lilleshall is "asset heavy" and dependent on the other two wards. However, the central administration costs revolving around the parish office may appear to favour Donnington, because that is where the office is located. Even so, it should be borne in mind that the Donnington ward does generate most of the parish's other income: £29,521.24 out of £37,500. Furthermore, the present arrangement allows for a permanent parish office and permanent staffing, and this can only be for the greater good of the electorate and the diverse services that this parish provides. The present arrangement also allows for a generous grants allocation, with £22,000, or nearly 12 per cent of the costs of delivering services, being allocated to grants for community organisations. As is always the case in a warded parish, there is a complex budgetary symbiosis where the three wards support and underwrite one another in the interests of effective and convenient local government for the whole.

5.10 The review has considered the most appropriate mechanism for apportioning those elements within the parish council's budget that are apportionable across its three wards. New parish councils would define new priorities and they would adjust their budgets accordingly, and it is therefore very difficult to forecast how the budget of a new parish council would evolve during the first year or two of its existence. In effect, it is only possible to make an assessment based on the present budget of the existing parish council. There are only two mechanisms available for apportioning those

elements within the budget of the existing parish council that are apportionable across its three wards; either by using the ratios provided by the council tax base or the ratios provided by the electorate, and these ratios are shown in Table 3.¹⁶

Table 3 – Bases for apportioning the budget for Lilleshall and Donnington Parish Council

	<i>Apportionment based on Council Tax Base (%)</i>	<i>Apportionment based on Electorate (%)</i>
Donnington	37.732	44.852
Lilleshall	13.019	9.788
Muxton	49.249	45.360

The resulting apportionments of the budget are shown in Annex 2 to this document. It is acknowledged that each of the bases for apportioning the budget is far from ideal, and they show widely differing outcomes across the headings in the council's expenditure. The outcomes are summarised in Tables 4-5. The conclusions follow.

¹⁶ Terms of Reference, Tables 4.1 and 6.3

Table 4 – Disaggregation of the budget of Lilleshall and Donnington Parish Council – the basis for the disaggregation being the electorate

	<i>Lilleshall and Donnington Parish Council</i>	<i>Disaggregated to the Donnington Ward – by electorate</i>	<i>Disaggregated to the Lilleshall Ward – by electorate</i>	<i>Disaggregated to the Muxton Ward – by electorate</i>
Disaggregated costs of delivering services	257150	125882.96	30965.27	100300.04
Income	37500	29521.24	2142.75	5836.01
Use of General Reserves	32650	12319.50	4250.70	16079.80
Costs to deliver services less income and use of reserves	187000	84042.22	24571.82	78384.23
Disaggregated precept		70559.00	24345.00	92096.00
Difference (Shortfall / Surplus)		- 13483.22	- 226.82	+13711.77

Table 5 – Disaggregation of the budget of Lilleshall and Donnington Parish Council – the basis for the disaggregation being the council tax base

	<i>Lilleshall and Donnington Parish Council</i>	<i>Disaggregated to the Donnington Ward – by council tax base</i>	<i>Disaggregated to the Lilleshall Ward – by council tax base</i>	<i>Disaggregated to the Muxton Ward – by council tax base</i>
Disaggregated costs of delivering services	257150	113794.63	36450.84	106902.80
Income	37500	29521.24	2142.75	5836.01
Use of General Reserves	32650	12319.50	4250.70	16079.80
Costs to deliver services less income and use of reserves	187000	71953.89	30057.39	84986.99
Disaggregated precept		70559.00	24345.00	92096.00
Difference (Shortfall / Surplus)		- 1394.89	- 5712.39	+7109.01

5.11 It is considered that a separate Lilleshall parish council could prove viable. However, our evidence suggests that it would probably wish to find savings and in turn these might need to amount to as much as some £7,500. These savings could be found in its salaries and employee on-costs, in the allotments allocation and in grants to community organisations. Even so, there could be very real losses for the amenity of the community; for example, £4,500 has already been spent in the current year in Lilleshall ward on grants for community organisations, with Lilleshall Memorial Hall already having received £4,000. In the disaggregation there has only been £2,600 identified for grants. In summary, it is not considered that a separate parish council could afford the level of grant funding that the present ward receives. Further heavy burdens of responsibility would remain: street lighting and bus shelters, a closed churchyard and the Talbot Centre.

5.12 A significant part of the budget of a separate Lilleshall parish council would need to be set aside for street lighting, and it is suggested in the disaggregation that this could amount to £8,600. There has already been considerable local debate on this issue, and this is summarised by Parish Councillor John W. Hockin when he states, “The major costs to a Lilleshall Parish Council would be that of street lighting based on the present charges made by Telford and Wrekin Borough Council. This charge is far in excess of that paid by Edmond Parish Council for a similar number of streetlights and therefore needs to be investigated.” It would be for a new parish council to consider how best to manage the street lighting in its area, but if Telford and Wrekin Council were to be requested to undertake this management a parish council would be recommended to budget for the total estimated amount of the cost on which they would subsequently be recharged the actual costs. Our existing parish councils do not show their budgets in the same way with regard to street lighting; they generally specify the costs for energy and routine maintenance, but sometimes omit non-routine maintenance and vandalism which they cover under other budgetary headings such as insurance. Our estimate for the management of 131 units in the Lilleshall area for 2009-10 is £8,898.83 for an agreement inclusive of non-routine maintenance and vandalism, or £6,192.37 for an agreement which excludes

non-routine maintenance and vandalism. We note that, in due course, probably from September 2009, 22 units in Station Road and The Humbers will be re-designated as Highway Standard Lighting which will become the responsibility of the Highway Authority following recent improvement works. Accordingly, the revised total of potential lighting for a Lilleshall parish council would be reduced by 22 to 109. The corresponding budgetary figures would then be £7,404.37 and £5,152.43, with or without the non-routine maintenance and vandalism options respectively.

5.13 As has been pointed out in several submissions, the Lilleshall ward is 'asset heavy' when compared to neighbouring rural parishes, and it is not considered that there would be much scope for further savings under the existing environment budget. Indeed, as has been pointed out earlier, the three wards support and underwrite one another; Donnington and Muxton actually underwrite the environment budget in Lilleshall. An alternative for a parish council would, of course, be to increase its annual precept and its council tax, but it is not considered that such an increase would need to be more than £10 to £15 above the present Band D equivalent of £43.27.

5.14 A separate Muxton parish council would be well placed: it already has the highest disaggregated precept, and this will rise in the long term as further development takes place in its area. The assessment of its likely budgetary surplus is between £7,000 and £14,000. It is possible that further savings might be found in its salaries and employee on-costs and in grants to community organisations. In the short term, there might also be scope to identify other savings in the environment budget, specifically in the estate manager's salary. In the longer term, its environment burden will probably grow again, as new public space is allocated to new development, and it already has the highest street lighting component in the existing parish council's budget amounting to about £24,600. There would be an opportunity in the short term for a reduction in its annual precept and its council tax, but it is not considered that such a decrease would amount even to £10 below the present Band D equivalent of £43.27.

5.15 A separate Donnington parish council would encounter a budgetary shortfall of up to £15,000. In Turreff Hall and Cordingley Hall, it has two valuable sources of income amounting to £25,050 a year, but its council tax base is low in proportion to the total number of its dwellings, and its precept income at the current Band D equivalent of £43.27 only amounts to £70,559. Freed of the burdens of grounds maintenance in Lilleshall and Muxton, it would probably be able to make savings in the environment budget, and other savings might also be found in its salaries and employee on-costs and grants to community organisations or in increased income from the two buildings that it would continue to own. A separate parish council might also look to increase its council tax base, for example, by arguing that the interests of effective and convenient local government in its area would be best served by the transfer of the Donnington Wood area to its parish. Otherwise, a separate parish council would probably have to increase its annual precept and its council tax, but it is not considered that such an increase would need to be more than £12 above the present Band D equivalent of £43.27.

5.16 It should be noted that, in a number of areas of its budget, the present Lilleshall and Donnington Parish Council commands economies of scale in the services that it provides. These serve to mask any real gains or losses that separate parish councils would obtain in their budgets. Some of the areas that currently command economies of scale include councillor expenses, office administration and staff on-costs, the parish plan, subscriptions and insurance, training, room hire, grants to community organisations, grounds maintenance and newsletters. New parish councils at Lilleshall and Muxton might be particularly vulnerable to any additional burdens arising from these lost economies of scale. Furthermore, the assessment here does not provide for any further future expenditure that separate parish councils might wish to incur in due course to promote a community of identity within their area. For example, a Muxton parish council might, at some future date, wish to address the shortage of community meeting places and amenity that presently exists in its largely residential area. Likewise, a separate Lilleshall parish council might be reluctant to reduce the current high level of grants to community organisations within its area.

5.17 Lilleshall and Donnington Parish Council has provided details of their reserves as they stood at 30 June 2009, when they amounted to £86,228.51. Ongoing capital projects amount to £15,000 and this sum would be drawn from these reserves. Furthermore, the overall budgetary deficit of £32,650, which we noted in paragraph 5.2 above, has the potential to further deplete these reserves. Indeed, the reserves available at the end of this financial year could be as low as £38,578.51. It was shown in the Terms of Reference document that a parish's balances would be transferred to any new parishes in an appropriate proportion based on population.¹⁷ It is likely that the transferred balances could be as low as: Donnington - £20,000, Lilleshall - £3,200, and Muxton - £17,600.

5.18 Overall, it is concluded that there would be few sweeping financial gains or losses in this Review. On balance, there is no persuasive evidence that changing the present arrangements would lead to any significant and tangible benefits for effective and convenient local government in the area currently served by Lilleshall and Donnington Parish Council and its electors. When this conclusion is considered together with the earlier concerns about the absence of community consensus on this Review in the Lilleshall parish ward and the absence of submissions from the Muxton and Donnington parish wards, and when we consider that the existing warding arrangement in the parish continues to operate fairly in permitting the representation on the parish council of the different parts of this parish, all these considerations argue strongly against any change to the current arrangements.

6. The name of the parish

6.1 Telford and Wrekin Borough Council notes that a Review of this sort can upset balances within a community; it can lead to ill-feeling, and it can damage working relationships within a parish. Without wanting to interfere in the parish's affairs and being mindful of the good work that Lilleshall and

¹⁷ Terms of Reference, para.10.4; we provided population estimates for each ward of the parish in Table 3.3 in that document.

Donnington Parish Council already does, the parish council may wish to consider whether there are any other ways in which it can ensure that it reaches out to the different areas of its parish. It has grant-making powers under Section 137 of the Local Government Act 1972 that it already uses generously across the whole parish, and it promotes a high-quality parish newsletter. These are two examples of excellent practice. The council may also wish to consider holding some of its meetings each year in the different community meeting places of the parish. In his submission, Parish Councillor John W. Hockin notes that Donnington and Muxton fall under the Donnington Police Division, while Lilleshall falls under the Newport Division. He states that the existing parish council only has active liaison with the Donnington Division and no liaison with the Newport Division. Again, this is a matter that the present parish council may wish to consider addressing.

6.2 Borough Councillor Adrian Lawrence, in arguing that in his view the current arrangements do not work well for Muxton, notes that the parish name “doesn’t even mention Muxton which pays a significant percentage towards its precept”. This may also be an issue which the present parish council and others may wish to give consideration to, because this Review still offers the opportunity to change the parish name.

7. Summary of Draft Proposals

7.1 The Draft Proposals are that there should be no changes in the present community governance arrangements in the parish of Lilleshall and Donnington because it is considered that:

- there is an absence of community consensus that there is a distinct community of identity in the Lilleshall ward and there is an absence of submissions from the Donnington and Muxton wards; taken together this argues strongly against any change to the current arrangements;

- the warding arrangement that exists in the present parish of Lilleshall and Donnington is appropriate for this parish because it will allow the different parts of the parish to continue to be separately represented on the parish council;
- there are no pressing reasons for altering the present warding and electoral arrangements;
- any change would not provide any substantial benefits in terms of the effective and convenient local government for the electors of the area.

8. What happens next?

8.1 The timetable for this Review is as follows:

Table 6 – Timetable for the Review

Action	Timetable	Relevant Date
Terms of Reference are published		April 21
Introductory stage – submissions are invited	Two months	April 22 – June 22
Draft Proposals are prepared	Two months	June 22 – August 21
Draft Proposals are published		October 15
Consultations	Three months	October 15 – January 15 2010
Final Proposals are prepared	Six Weeks	March 1
Final Proposals are published		March 15
Licensing Committee publishes the Recommendations	Two weeks later	March 31 2010
Council publishes the Reorganisation Order	thereafter	

8.2 A period for comments on the Draft Proposals has now opened, and this lasts until 15 January 2010.

9. How to contact us

9.1 Comments should be submitted to the Electoral Services Section of the Council's Democratic Services Business Unit. They can be submitted either by letter or by e-mail.

9.2 You can contact us at:

Electoral Services
Telford and Wrekin Council
Malinslee House
Telford
TF3 4LD

01952 383202

reviews@telford.gov.uk

9.3 Details of our officer contacts are as follows:

Jonathan Eatough Head of Legal	Strategic management of the Review	
Phil Griffiths Democratic Services Manager	Project and resource management of the Review	phil.griffiths@telford.gov.uk 01952 383210
Melvin Humphreys Electoral Services Manager	Responding to consultation responses and preparing key consultation documents	melvin.humphreys@telford.gov.uk 01952 383202
Andrew Roberts Committee Clerk	Preparation of Committee Agendas and public access to Committee reports	andrew.roberts@telford.gov.uk 01952 383212

10. A List of Annexes

Annex 1 – Submissions received in this Review

Annex 2 – Lilleshall and Donnington Parish Council – a disaggregation of the budget for the parish council between the Donnington, Lilleshall and Muxton wards

Annex 1

Submissions received in this Review

Petition signed by 333 local government electors of the Lilleshall ward of the Parish of Lilleshall and Donnington, 8 December 2008

Edgmond Parish Council, by e-mail, 14 May 2009 (no comments)

Parish Councillor Phil Norton, by e-mail and attachment, 19 May 2009

Hollinswood and Randlay Parish Council, by e-mail, 29 May 2009 (no comments)

Kathleen A. Turner, by e-mail, 2 June 2009-07-13

Parish Councillor F. Graham Platt, by letter, 3 June 2009

Norman and Jean Rozzell, by letter, 6 June 2009

The Lilleshall Independence Group, by letter, 8 June 2009

Lilleshall and Donnington Parish Council, by letter, 10 June 2009

Geoff Lott, by letter, 12 June 2009

Shirley and Mike Harris, by letter received 15 June 2009

Parish Councillor Andrew D. Baker, by letter, 16 June 2009

Lilleshall Residents Association, by e-mail and attachment, 17 June 2009

Ann Whittingham, by letter, 17 June 2009

Parish Councillor J.W. Hockin, by e-mail and attachment, 18 June 2009

R.C. Burroughes, by letter, 18 June 2009

Mrs M.A. Burroughes, by letter, 18 June 2009

John M. and Valerie L. Margerrison, by letter, 19 June 2009

J.G. and E.P. Millard, by letter, 19 June 2009

Paul Roberts, by e-mail, 21 June 2009

Roger France, by e-mail, 21 June 2009

Paul and Gillian Whorton, by e-mail, 21 June 2009

Cedric R.G. and Heather Ayres, by letter, 22 June 2009

Borough Councillor Adrian Lawrence, by letter, 22 June 2009

Borough Councillor Nigel Dugmore, by letter, 22 June 2009

Petition signed by 359 signatories from the Lilleshall ward of the Parish of Lilleshall and Donnington, 22 June 2008

P. Burgess, by letter received 25 June 2009