



COMMUNITY GOVERNANCE REVIEW –PARISH OF LILLESHALL, DONNINGTON & MUXTON

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

TERMS OF REFERENCE

PUBLISHED ON:

30 September 2013

SUBMISSIONS AND COMMENTS SHOULD BE MADE BY:

26 November 2013

1. INTRODUCTION

1.1 Telford and Wrekin Council has received a Community Governance Petition signed by 340 local government electors of the Lilleshall Ward of the Parish of Lilleshall, Donnington & Muxton, calling for a separate parish to be formed for their ward.¹ The petition has been checked and found to be a valid petition in accordance with Section 80 of the Local Government and Public Involvement in Health Act 2007 (the Act). In accordance with Section 83 of the Act, the Borough Council is required by law to conduct a Community Governance Review. A similar request for a separate Lilleshall parish was received in 2009. A Community Governance Review was undertaken and it

¹ In accordance with Section 80 of the Act, a request for a parish should be treated as a request also for consideration to be given to the creation of a parish council and vice versa.

was at that time concluded that existing parish arrangements should remain unchanged other than the name of the parish council being amended to include Muxton. Government guidance requires a 2 year moratorium before a further review of that parish area be requested, this period has elapsed and a further review can now be held.

1.2 In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, and the following regulations, which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).²

1.3 The Council is also required to have regard to 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 Local Government Boundary Commission for England . This Guidance was published in 2008 and updated in 2010.³

Delegation to make decisions in the Review

1.4 The Council has delegated powers in this matter to its Boundary Review Committee.⁴ The Committee will be asked to formally resolve to undertake a Community Governance Review of the existing parish of Lilleshall, Donnington and Muxton and to publish these Terms of Reference at its meeting of 26 September 2013.

² The 2007 Act has transferred powers to the principal councils that previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England

³ This Guidance is available on the website of the Local Government Boundary Commission for England at www.lgbce.org.uk/__documents/lgbce/guidance-policy-and-publications/guidance/community-governance-review-guidance.pdf

⁴ Council's Constitution, Section 10 Committee Procedure Rules – Terms of Reference for Boundary Review Committee

The areas under Review

1.5 The following areas shall be the subject of this Review:⁵

- the existing Lilleshall ward of the Parish of Lilleshall, Donnington and Muxton;
- if it becomes evident during the Review that a separate parish of Lilleshall should be formed, it will be necessary also to consider consultation responses relating to the appropriate community governance of the residual parish: the existing Donnington and Muxton wards;
- and the Review may find that, in response to the Council's findings and/ or in response to representations that it receives, it is appropriate to make recommendations affecting areas that adjoin the existing parish or parish ward boundaries.

1.6 This Review therefore has the potential to create one new parish for Lilleshall and a further 2 new parishes in areas that comprise the existing wards of Donnington & Muxton.

1.7 Maps which show the parish boundaries and the existing Borough ward boundaries are attached to this document. These can be found at Annex 1

What is a Community Governance Review?

1.8 A Community Governance Review considers the following topics for the areas under Review.

- parish areas: creating, merging, altering or abolishing parishes;
- the naming of parishes and the style of new parishes;

⁵ Section 81(2) requires the area under Review to be specified in this Terms of Reference

- the electoral arrangements for parishes (creating a council; the number of councillors to be elected to the council, and parish warding);
- consequential matters: the ‘knock-on’ effect on the Borough wards; dealing with fixed and monetary assets; resolving issues relating to employees of the existing parishes; setting a precept for a new council; setting a date for the first elections and the subsequent electoral cycle, and
- setting the commencement dates for any new arrangements: electoral registration, administration and the first elections.

Parish governance in our Borough

1.9 Telford and Wrekin Council believes that parish councils play an important role in terms of community empowerment at the local level. Furthermore, it wants to ensure that there is clarity and transparency to the areas that parish councils represent and that the electoral arrangements of parishes – the warding arrangements and the allocations of councillors – are appropriate, equitable and readily understood by their electorate. Ultimately, the recommendations made in a community governance review should bring about improved community engagement, more cohesive communities, better local democracy and should result in more effective and convenient delivery of local services.

2. CONSULTATION

How the Council proposes to conduct consultations during the Review

2.1 The Act requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the Review and to take the representations that are received into

account.⁶ In our timetable for the Review, included at Table 2.1, we allow two periods for comments and submissions. These comprise a two-month period after the Terms of Reference are published for initial submissions to be made and a three-month period after the Draft Recommendations are published for comments on our recommendations

2.2 The Council intends to publish all decisions in the Review. The Council is mindful of the government's guidance that "community governance reviews should be conducted transparently so that local people and other local stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind these decisions."⁷

2.3 The Council proposes to use general press releases, its website and the placing of key documents on deposit at council offices to achieve these objectives. The Council is under severe budget constraints and has to be mindful of the costs of a Review; it will endeavour to ensure that the consultation process is straightforward and cost effective.

How to submit your views

2.4 If you have a clear interest in this review or are impacted by its outcome as a resident, the Council would like to hear your views. We are particularly interested in your thoughts as to whether any changes to the current parish arrangements are needed. Submissions can be made in any format (e.g. form, letter or email). Consultation responses must be in writing, whether by submission form, letter or email and must contain the name and residential address of the person submitting their views.

Comments should be submitted to the Council's Electoral Services team.

You can contact us at:

Electoral Services
Telford and Wrekin Council

⁶ Section 93

⁷ Guidance, para.99

**Whitechapel House
Priorlee
Telford
TF2 9FN**

Telephone 01952 383210

E mail: Reviews@telford.gov.uk quoting "Community Governance Review - Lilleshall" in the subject Field.

*Please note that it will not be possible to acknowledge or make responses to submissions.

2.5 Publication of this Terms of Reference document formally begins the Review, and the Review must be completed within twelve months. The completion of the Review is defined in the legislation as the date at which Final Recommendations are published.⁸

Our timetable for this Review is as follows:

Table 2.1 – 2013/14 timetable for the Review

Action	Timetable	Relevant Date
Terms of Reference are published		September 30
Introductory stage – submissions are invited	Two months	October 1 – November 30
Draft Recommendations are prepared	Two months	December 2 – January 31
Draft Recommendations are published		February 7
Consultations	Three months	February 10 – May 9
Final Recommendations are prepared		June 2014
Final Recommendations are adopted by Boundary Review Committee and published		July 2014
Council publishes the Reorganisation Order		July/August 2014

2.6 A wide range of community organisations operate within the Parish of Lilleshall, Donnington and Muxton, and many of these will be interested in the Review. Furthermore, the political parties, the councils of the existing and adjoining parishes and the Borough ward members also have a clear interest

⁸ Sections 93(8) and 102 (3-4) of the 2007 Act

in the Review. We will consult directly with Borough councillors, Parish councillors and other interested organisations and individuals.

2.7 We propose to supply a link to our website for the Terms of Reference document, our Draft and our Final Recommendations to all organisations or individuals. We intend to write to those organisations and individuals informing them about the Review and providing them with information about how to inspect or obtain a copy of these documents. Printed copies of any of these documents will be available to anyone who requests a copy, and copies will be available on the Council's website and at Lilleshall Donnington and Muxton Parish Council offices.

Our consultation strategy for the Review

2.8 We propose to undertake the following activities to raise awareness of the Review in the affected areas.

Table 2.2 – A consultation strategy for the Review

Date	Activity	Follow up work
30 September 2013.	Terms of Reference document is published.	Press releases will be issued supply of link to the Terms of Reference document to local councillors, organisations and interested individuals. letter of notification to local organisations. Copies of the Terms of Reference document will be available for inspection on the Council's website, Council Offices and parish council office
30 November 2013.	Period of initial submissions closes	
7 February 2014.	Draft Recommendations are published and the main consultation period of three months commences	Supply link to copy of the Draft Proposals to organisations and individuals
		Press releases will be issued to newspapers
		Copies of the Draft Proposals will be available for inspection at Council Offices and parish council offices
		The Draft Proposals will be available on the Council's Website

9 May 2014.	Consultation period closes	
June/July 2014	Final Recommendations are published and circulated to committee as draft with agenda – final version is as adopted by committee	Supply of link to copy of the Final Proposals to organisations and individuals
		Supply a link to copy of the Final Proposals to all persons and organisations that have responded during the main consultation period
		Press releases will be issued to the newspapers listed in Annex 2; copies of the Final Proposals will be available for inspection on the Council's website, Council Offices and parish council offices
July/August 2014	Council publishes Reorganisation Order if required by final recommendations	

3. ELECTORATE AND DEMOGRAPHIC FORECASTS

The electorate and electorate forecasts for the Review areas

3.1 The Council has used the latest monthly update to the 2013 Register of Electors in providing the following parish / parish ward electorate figures

Table 3.1 Current electorate and property statistics for the Review area

Lilleshall, Donnington and Muxton

Ward	Properties	Electors	Electors per property
Donnington Ward	2966	4970	1.67
Lilleshall Ward	567	1079	1.90
Muxton Ward	2944	4963	1.69
	6477	11012	1.70

3.2 We will be required to give some initial consideration to the electoral arrangements that might accompany any changes that follow this Review. For this work, we are required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the Review starts.⁹ Electorate forecasts for the parish wards have been prepared using extant planning permissions and

⁹ Section 95(4-7) of the 2007 Act

allocations within the Council’s Local Development Framework, and using the multiplier of electors per property presented above.

3.3 The Council notes that the following numbers of new residential dwellings could be built in the existing parish wards during the period 2013– 2018.

Table 3.2 Projected new dwellings and electoral change statistics for the Review area 2013-2018

Lilleshall, Donnington and Muxton

<i>Ward</i>	<i>Projected new dwellings</i>	<i>Electors per property</i>	<i>Projected additional electors</i>	<i>Electorate forecast</i>
Donnington Ward	6	1.67	10	4975
Lilleshall Ward	2	1.89	4	1083
Muxton Ward	156	1.79	280	5243

4. THE PRESENT STRUCTURE OF PARISHES AND THEIR ELECTORAL ARRANGEMENTS IN THE REVIEW AREA

The parish areas

4.1 The current boundaries of the parish of Lilleshall, Donnington and Muxton are shown in the maps in Annex 1.

4.2 These boundaries were largely laid down in the District of The Wrekin (Electoral Arrangements) Order 1978. The District of The Wrekin (Parishes and Electoral Changes) Order 1997 made minor amendments to the boundaries of the parish of Lilleshall, Donnington and Muxton

The parish electoral arrangements

4.3 The existing parish of Lilleshall, Donnington and Muxton is divided into wards for the purposes of elections to the parish councils, and the existing ward boundaries are shown in maps in Annex 1.

Table 4.1 – Electoral arrangements and levels of representation for the Review area

Parish of Lilleshall, Donnington and Muxton

Parish Ward	Electors	Councillors	Ratio of Electors to Councillors
Donnington	4970	6	828
Lilleshall	1079	3	360
Muxton	4963	6	827
	11012	15	734

4.4 These electoral arrangements were laid down in The Borough of Telford and Wrekin (Electoral Changes) Order 2002.¹⁰

The relationship with the borough wards

4.5 The Borough of Telford and Wrekin (Electoral Changes) Order 2002 uses the parish wards as the building blocks for the Borough wards, and the boundaries of the parish wards and the Borough wards are therefore co-terminous by-and-large. Therefore, the Donnington and Muxton parish wards are coterminous with the borough wards of the same name.

4.6 The Lilleshall parish ward lies within the Church Aston and Lilleshall Borough ward. The parish ward has a boundary that is coterminous with the Borough ward boundaries to the south, where it adjoins the Donnington and Muxton Borough / parish wards, and to the north-west where it adjoins the boundary of the parish of Edgmond in the Edgmond Borough ward.

4.7 The relationship of these boundaries is shown in the maps in Annex 1.

4.8 Borough wards cannot be altered by the Council in a Community Governance Review; they are the responsibility of the Local Government Boundary Commission for England. The Borough is currently subject to a Further Electoral Review which is being conducted by the Commission. The review conclusions are due to be published later this year. The Council can make recommendations to the Commission as to what related alterations should be made to the boundaries of the Borough wards, and the Commission may give effect to those recommendations by order. In considering any such recommendations, the Commission will expect that they have been consulted upon and will expect them to be accompanied by electorate forecasts and maps.¹¹ The Council does not envisage any alterations to Borough boundaries as a result of this Community Governance Review but has written

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¹¹ Section 92 of the 2007 Act; Guidance, paras.177-189

to the Commission to inform them of its commencement. The Commission has produced draft recommendations following the recent Borough Boundary Review. The proposals will involve consequent warding for Lilleshall, Donnington & Muxton Parish. The draft recommendations propose that Lilleshall, Donnington & Muxton Parish Council should return 15 parish councillors, as at present, representing five wards: Donnington East (returning one member), Donnington West (returning five members), Lilleshall (returning two members), Muxton (returning five members) and The Humbers (returning two members). Final recommendations are due late this year. Guidance has been sought from LGBCE on what impact these changes to Parish electoral arrangements might have on the subsequent outcome of this review.

5. INFORMATION ON THE EXISTING PARISH OF LILLESBALL, DONNINGTON AND MUXTON

Contact details

	<p>Lilleshall, Donnington and Muxton Parish Council</p> <p>Turreff Hall Turreff Avenue Donnington Telford TF2 8HG</p> <p>tel: 01952 608001 e-mail: enquiries@ldpc.org website: www.ldpc.org</p>
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Current Parish Precepts 2013-14

<i>Parish</i>	<i>Amount Required 2013/14</i>	<i>Council Tax Band D Equivalent 2013/14</i>
Lilleshall, Donnington and Muxton	£205,675	£45.94

Parish budget

5.1 Details of the Parish budget for 2013-14 are included in Annex 2

Parish assets

5.2 Details of the Parish assets are included in Annex 3.

Parish staff

5.3 Lilleshall, Donnington and Muxton Parish Council currently has one full-time staff (the parish clerk) who works 37 hours per week) and two part-time staff (a caretaker at 25 hours per week and an assistant clerk at 26 hours per week).

6. PARISH AREAS

Introduction

6.1 In this section of our Terms of Reference document we attempt to provide some brief guidance on the key question that the petitioners raise: should a separate parish be formed for the existing parish ward of Lilleshall, and, as a possible consequence, for the existing parish wards of Donnington and Muxton? It remains a possibility that as a result of this review we might receive representations for separate Donnington and Muxton parishes.

6.2 The Council has a duty to ensure that community governance within the area under review:

- a) reflects the identities and interests of the community in that area;
- b) is effective and convenient, and
- c) takes into account any other, non-parish, arrangements for the purposes of community representation or community engagement in the area.¹²

6.3 (a), as the 'community of identity' test: does the present parish ward of Lilleshall represent a distinctive community of identity, deserving of separate parish status and individual parish representation? Dependent on this outcome and consultation response from those communities it may be necessary to consider the same question for Donnington and Lilleshall

¹² Section 93(4-5) of the 2007 Act

6.4 This test cannot be considered in isolation from a second test, (b), which may be thought of as the 'viability' test: does Lilleshall have the viability to stand alone, not dependent on the other parish wards and parish as a whole, in the funding and provision of services that would compare with current service levels?

6.5 The final test, (c), requires the Council 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.

'Communities of Identity'

6.6 The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity, and, therefore, the feeling of local community and the wishes of local inhabitants and other interested bodies are primary considerations in this Review.

6.7 The Council wishes to ensure that electors should be able to identify clearly with the parish in which they are resident because it considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, and generates a strong, inclusive community with a sense of civic values, responsibility and pride.¹³ The council also needs to take in to account the effect of arrangements on Community cohesion. Government guidance on reviews states that 'Community Governance arrangements should reflect and be sufficiently representative of people living across the whole community and not just a discrete cross-section or small part of it'.

Question 1

Does Lilleshall have a separate, distinctive and recognisable community

¹³ Guidance, paras.45-47

of identity of their own, separate from the remainder of their existing parishes? And, as an equal consideration, do Donnington and Muxton have a similarly separate, distinctive and recognisable community of identity? What evidence can you provide to support this view? Is this community of identity so distinctive as to justify separate parish governance for the area? What is the view of people across the whole community?

6.8 The Council considers that an adequate infrastructure should exist to support that community of identity which in turn justifies parish governance. This infrastructure can comprise of meeting points, community halls, local schools, neighbourhood stores, community organisations, voluntary groups, etc.

Question 2

Does Lilleshall possess an adequate infrastructure of meeting points, community halls, local schools, neighbourhood stores, community organisations, voluntary groups, etc., to support a distinct community of identity that would justify separate parish governance? Can you demonstrate that this adequate infrastructure exists by giving examples?

The relevance of the present warding arrangements in these parishes to the debate

6. As already discussed, the existing parishes of Lilleshall, Donnington & Muxton have a warding arrangement. The warding of parishes is often appropriate where it is felt that particular areas of a parish should be separately represented on a parish council. The Council considers that the existing warding arrangement has worked well to ensure the separate

representation of the different parts of the parishes on their parish council. The current warding arrangement provides consultees in this Review with an alternative to the creation of separate parishes.

6.11 A warding arrangement is appropriate where there is one parish with an overall community of identity but that also comprises different parts. It is not so appropriate where a parish comprises wholly separate communities of identity, each of which could be viable in itself as a separate parish.

Question 3

You may consider that the present warding arrangement works well to represent the different parts of your parish or you may consider that the opposite is the case. We would appreciate your assessment of this issue.

The boundaries between communities of identity – appropriate parish boundaries

6.12 The Review may alter boundaries between existing and/ or proposed parishes, and in this section some guidance is given on appropriate parish boundaries.

6.13 The Council considers that the boundaries between parishes will normally reflect the ‘no-man’s land’ between communities of identity. These may be areas of low population or pronounced physical barriers. Such barriers will be either natural or man-made: they might include rivers, open countryside or man-made features such as parks, railways or major roads.

6.14 There will inevitably be areas on the fringes of our existing parishes that identify well both with their existing parish and with an adjoining parish. This is an inevitable consequence of boundaries, particularly of boundaries that

seek to divide a built-up area like Telford into separate parishes. The Council is keen to hear of views and suggestions for appropriate boundary alterations.

6.16 It is the view of the Council that such proposals for alterations will affect only very small areas and comparatively low numbers of electors in this Review. Ideally, requests for such changes should arise within an affected area, from a strongly held view, locally expressed by the residents of an affected area, that their area should be transferred to another parish.

6.17 In part, this is because the Council is mindful of the relationship between the parish ward boundaries and the boundaries of the Borough wards. The parish wards have been used as the building blocks for the Borough wards. With the exception of the northern and western boundaries of the Lilleshall parish ward, the Borough wards are co-terminous with the parish wards. The government's Guidance is that the maintenance of this co-terminosity is a relevant consideration for the Council to take into account in this review.¹⁴

6.18 If boundary changes command strong local support, the Council will endeavour to select boundaries that are and are likely to remain easily identifiable.

Question 4

The Council wishes to hear of proposals for the alterations of boundaries between any proposed parishes. It should be shown that any proposals command strong local support in the affected area, and the justification for any proposed alterations should be given.

The 'viability' test

6.19 The Council wants to ensure that parishes should be viable and should possess a precept that enables them to actively and effectively promote the

¹⁴ Guidance, para.161

well-being of their residents and to contribute to the real provision of services in their areas in an economic and efficient manner.

6.21 In paragraph 5.1 above, we laid out the following precept requirements and the resultant Council Tax Band D Equivalents of the existing parishes:

Table 6.1 Precepts and Council Tax Band D Equivalents in the Review area

<i>Parish</i>	<i>Amount Required 2013/14</i>	<i>Council Tax Band D Equivalent 2013/14</i>
Lilleshall, Donnington & Muxton	£205,675	£45.94

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6.22 The Council has estimated the Tax Base between the existing parish wards and this is shown in Table 6.2. Further detail is currently being prepared.

Table 6.3 Estimated precepts for the parish wards in the Review area

<i>Parish Ward</i>	<i>Amount Required 2013/14</i>	<i>That amount estimated between the existing wards</i>	
		<i>Pro-rata apportionment of the Council Tax Base</i>	<i>Estimated amount</i>
Donnington	£205,675 (inclusive of grant)	38.00%	£78,156.50
Lilleshall		12.3%	£25,298.03
Muxton		49.7%	£102,220.47

6.24 We have also invited the present parish council to supply us with details of their budgets. These are included at Annex 2.

Question 5

The Council wishes to hear your views as to whether the viability test

would be met with regard to separate parishes. Do you consider that current parish council tax levels would be sufficient to maintain the present levels of service provision in separate parishes?

7. NAMES AND STYLES

The naming of new parishes

7.1 The Council envisages that if any new parishes are formed in the area under review they would be given the existing ward names of Donnington, Lilleshall, or Muxton.

Question 6

If you are proposing that a new parish should be formed, the Council would like to know whether you agree with its view that existing ward names should be used as the names for any new parishes.

Alternative styles

7.5 The 2007 Act has introduced 'alternative styles' for new parishes.¹⁵ Instead of calling itself a parish with parish councillors, a new parish could be styled by one of three prescribed styles: "community", "neighbourhood" or "village".

7.6 Where a new parish is being created, the Council will make recommendations as to whether or not it should have one of the alternative styles.¹⁶

Question 7

¹⁵ Sections 87(7) and 88(5) of the 2007 Act

¹⁶ Existing parishes can make a resolution to adopt an alternative style under the amended Sections 11A-B, 12A-B and 17A of the Local Government Act 1972

If you are proposing that a new parish should be formed, the Council would like to know whether you are also proposing that the new parish should have one of the alternative styles: community, neighbourhood or village.

8. ELECTORAL ARRANGEMENTS

What does 'Electoral Arrangements' mean?

8.1 'Electoral Arrangements' are an important part of the Review. The term covers the way in which a council is constituted for a parish – be that an existing or a new parish. It covers:

- the ordinary year in which elections are held;
- a council for a parish;
- 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 such wards;
- the number of councillors to be elected for any such ward;
- the name of any such ward.

The ordinary year in which elections are held

8.2 The government has indicated that it would want the parish electoral cycle to coincide with the cycle for the Borough Council, so that the costs of elections can be shared. As this review should be complete by September 2014 the council envisages that the first elections for any new parish council would be May 2015.

A council for a parish

8.3 The legislation lays down the different duties that the Council has with regard to the creation of a council for a parish, and, where the number of electors is 1,000 or more, a parish council must be created.¹⁷ As table 4.1 above has shown, all the existing parish wards in question in this Review have more than 1,000 electors, and the Council has therefore presumed that any new parishes based on these existing wards would require a parish council.

What considerations cover the number of parish councillors to be elected to a council?

8.4 In its Guidance, the government makes a point “that the conduct of parish council business does not usually require a large body of councillors”.¹⁸ The Local Government Act 1972 states that the number of parish councillors for each parish council shall not be less than five.¹⁹ However, there is little further guidance on appropriate numbers of parish councillors to be elected to a council. There is no maximum number. There are no rules relating to the allocations of councillors. The National Association of Local Councils has suggested that the minimum number of councillors should be seven and the maximum 25.²⁰ Comparative information about the councillor numbers in other parishes in our Borough is included in Annex 6.

8.5 The government has advised, that “each area should be considered on its own merits, having regard to its population, geography and the pattern of communities,”²¹

8.6 The council appreciates that the need to support warding arrangements and to achieve a good parity of representation between wards in other parishes. The Council also appreciates that different levels of representation between urban and rural parishes have long been considered to be appropriate, because there has long been a recognition that population

¹⁷ Section 94 of the 2007 Act

¹⁸ Guidance, para.155

¹⁹ Section 16 of the Local Government Act 1972

²⁰ National Association of Local Councils Circular 1126 / 1988

²¹ Guidance, para.154

sparsity in more rural parishes creates particular challenges with regard to representation.

8.8 The Council considers that if a new parish is formed for the Lilleshall parish ward, or additionally Donnington and Muxton wards, the following would be appropriate councillor allocations for their councils.

Table 8.1 – Proposed councillor entitlements if new parishes were formed

<i>Parish Ward</i>	<i>Electors</i>	<i>Suggested councillor allocation</i>
Donnington	4970	11-12
Lilleshall	1079	9-10
Muxton	4963	11-12

8.9 The Act requires the Council to have regard to any change in the number of local government electors which is likely to occur in the period of five years beginning with the day when the review starts.²² We have provided our estimates of change in the number of electors in the Review area in Table 3.2 above.

Question 8

**If you are proposing that a new parish should be formed, do you concur with the Council’s suggested councillor allocation as given above?
Where you are proposing a specific number of councillors, the Council is anxious to know the reasons for your proposal.**

The warding of parishes

²² Section 95(6-7) of the 2007 Act

8.10 The warding of parishes is often appropriate where it is felt that particular areas of a parish should be separately represented on a parish council. Furthermore, a warding arrangement is appropriate where the number or distribution of the local government electors for the parish would make a single election of councillors impracticable or inconvenient.²³ These two tests are laid down in the Act, and the existing parish of Lilleshall, Donnington & Muxton has a warding arrangement which meets the test.

8.11 The Council considers that these existing warding arrangements have worked well to ensure the separate representation of the different parts of these parishes on their councils. And these warding arrangements provide consultees in this Review with a viable alternative to the creation of separate parishes. A warding arrangement is appropriate where there is one parish with an overall community of identity but that also comprises different parts. As we have already discussed, central to the debate in this Review will be the question of whether it is separate communities of identity or different parts of an overall community of identity that exist in the present parish of Lilleshall Donnington & Muxton, and we have asked for your views on this matter under Question 7 above.

8.12 Warding arrangements should be clearly and readily understood by and should have relevance for the electorate in a parish; they should reflect clear physical and social differences within a parish: one parish but comprising different parts. Furthermore, the Council considers that separate ward elections for parish councils should have merit; not only should they meet the two tests laid down in the Act, but they should also be in the interests of effective and convenient local government. The higher costs of separate ward elections should not be wasteful of a parish's resources. It is with all these considerations in mind that the Council comes to an initial conclusion that if new parishes are formed for either Donnington, Lilleshall, or Muxton, warding arrangements will not be necessary for their councils.

²³ Section 95(3) of the 2007 Act

Question 9

If you are proposing that a new parish should be formed, do you agree with the Council's conclusion that warding arrangements will not be necessary for the council of a new parish? If not, how do your proposals for a warding arrangement meet the legal tests that are outlined in paragraph 8.10 above?

9. HOW DOES THE REVIEW PROCEED FROM HERE

9.1 The Council is keen that the outcome of this Review should encompass the broadly held views of the residents of the affected areas insofar as they are compatible with the two central tests: that community governance in the area should reflect the identities and interests of our communities and that it should be effective and convenient. We now invite your initial submissions in response to the questions that we have posed, and these should be received by a closing date of 30 November 2013. During this period the officers conducting the review would be available to attend any public meetings to advise on technical issues but more importantly to hear the views of residents of Lilleshall, Donnington and Muxton.

9.2 The Council will then prepare its Draft Proposals in this Review. In its Draft Proposals, the Council will balance the submissions that it has received against the legal tests and policies that have been outlined in this Terms of Reference document. The Draft Proposals will give our initial proposals for the future of community governance in Lilleshall Donnington & Muxton; our proposals may be for no change; they may be for modifications to the existing structure, or they may be for a completely new structure. We will then allow a period of three months, in accordance with our timetable for consultations on our proposals.

9.3 Our Final Proposals will be made in response to the outcome of those consultations. They may wholly change our Draft Proposals, because we will endeavour again to encompass the broadly held views of the residents of the affected areas insofar as they are compatible with the legal tests and policies. There will then be a two-month period before the Council publishes its Recommendations in this Review, and this period allows time for any final submissions and arguments to be made covering matters which may not have arisen earlier in the Review.

9.4 If changes to the existing structure of community governance in the affected areas are being recommended, the Review will be completed when the Council adopts a Reorganisation of Community Governance Order.

LIST OF ANNEXES

1. Maps showing the relationship of the parish boundary to existing Borough wards
2. Parish Budgets and Parish Assets
- 3 Submission received from Mr. Philip Hawkins
- 4 Street data with elector numbers