



**Telford & Wrekin**

**C O U N C I L**

**COMMUNITY GOVERNANCE REVIEW  
PARISH OF LILLESBALL DONNINGTON & MUXTON  
LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN  
HEALTH ACT 2007  
FINAL PROPOSALS**

**THESE FINAL PROPOSALS HAVE BEEN PUBLISHED BY THE COUNCIL  
ON:**

23 JUNE 2014.

## 1. Introduction

1.1 Telford and Wrekin Council 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. In accordance with Section 83 of the Act, the Council was 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 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 can be requested. A public meeting was held in October 2013, prior to publication of draft proposals, as part of the consultation process. It highlighted a range of views, both those supporting a separate parish and those opposing any change to arrangements. The review has considered the tests required by legislation in producing recommendations and at the same time has been mindful of the views of the residents of the area under review.

1.2 This Review commenced on 2 October 2013, when the Boundary Review 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. A public meeting was held on 14 October 2013 at Lilleshall Memorial Hall to discuss issues and questions regarding the review. The period for initial submissions closed on 30 November 2013. The Council published Draft Proposals in February 2014 and allowed 3 months for further responses to be made.

**1.3 The Draft Proposals were that, in order to assist the council in making a final recommendation, there should be a ballot of Lilleshall electors to determine their views on the formation of a separate Lilleshall Parish.** The Draft Proposals noted that although Lilleshall appeared

to fulfil the technical/legal requirements to form a separate Parish, there was, from submissions made to the review at that stage, an absence of a clear community consensus. Therefore further direct consultation would take place, in the form of a postal ballot of Lilleshall electors. The result of such a ballot would help further inform the review and provide a better understanding of what the residents of Lilleshall felt about the formation of a separate Parish council for their area

1.4 In preparing the Final Proposals, the Council has concerned itself with identifying information and submissions which deal with the question of community consensus. The broader views of the residents of the Parish can help to provide an answer to the question of Community Consensus.

1.5 The previous review was completed in April 2010, resulting in recommendations for no change to existing Parish arrangements. That review was characterised by strongly held views from individual residents both in favour of a separate Parish and subsequent counter petitions from residents supporting maintaining current arrangements.

Submissions received in this review indicate that a similar situation remains. At Draft Proposals stage the Council considered that the tests of community identity and viability had been met and that a postal ballot of Lilleshall Parish electors should take place to further inform the review on the issue of Community Consensus. The ballot paper asked residents to vote yes or no to whether they were in favour of a separate Lilleshall Parish council.

1.6 Lilleshall Donnington & Muxton Parish Council had made a submission at the initial consultation stage stating that although it did not believe that there had any been any significant change since 2009/10 to warrant alterations to Parish arrangements,. The Council believed a 'postal referendum' should take place in order to allow the electorate of Lilleshall to decide this matter. A weblink was provided to the review documents and these were also made available in paper format at council offices, libraries and via the mobile library service.

The vote was carried out under normal election rules with the opening and counting of votes taking place on 20 March 2014 at Lilleshall Memorial Hall with residents and Borough and Parish representatives in attendance.

There were 1,091 eligible voters and the result was as follows:

For a separate Lilleshall Parish	320
Against a separate Lilleshall Parish	259

Turnout 53%

The result showed a majority of 61 votes in favour of separation, with over half of the Lilleshall parish electors voting. Turnout mirrored that of the 2011 Parish election for the Lilleshall ward, giving an indication that the ballot was a fair representation of a majority of Lilleshall residents' views. This was the strongest piece of evidence available to the review as it replicated electoral arrangements.

1.7 Subsequently, on 7 May, a counter petition signed by 553 electors, was received, calling for no change to the existing Community Governance arrangements for Lilleshall Donnington & Muxton Parish council.

This number of signatures equated to nearly 51% of the electorate and replicated the 2009/10 review when a substantial counter petition had also been received following publication of draft review proposals. Though substantial in terms of numbers, this was the fifth petition received since the process began in 2009. The nature of petitions is less precise and informative than the poll as the latter was a clear, direct question and ballot papers were distributed, returned, opened and counted under standard election rules. It is considered that the result of the poll of Lilleshall residents provides a better perspective on the broader views of the local community.

In Annex 1 of this document, details are included of the submissions that have been received since the publication of the Draft Proposals. The majority of individual submissions received at this stage of the review are opposed to the creation of a separate Lilleshall parish. In general these submissions argue for maintaining current arrangements as they are satisfied that they work well and that a separate Parish would provide no discernible benefit to the community.

Following Draft Proposals 51 submissions have been made individually or jointly by letter or by e-mail. Of these submissions, 3 support a separate Parish council and 48 oppose it. Mr Hawkins outlined his case for a separate parish with an indicative budget for a separate parish council during initial submissions. Mr J Hockin also believes there is a strong case for a separate parish.

Mr F Graham Platt, together with a number of other respondents does not believe there is a mandate for change. A number of submissions opposing a separate parish cite their disappointment that a further review has been triggered following the 2009 review. In addition, a number of submissions opposing change see little significant financial or community benefits from the creation of a separate parish. During the last review in 2009 Lilleshall and Donnington Parish Council made objections to the original petition, but also took 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’”.

The ballot of Lilleshall electors gives the most definitive answer yet to the community consensus question. The ballot was agreed by all sides and conducted under election rules, allowing all parties to raise their case with local people before ballot papers arrived. The counter petition was the fifth petition received since the first review was triggered and although substantial, should not carry the same weight as the poll in this review.

## **2. The Community of Identity test & Effective and Convenient Local Government**

2.1 In Parts 3-5 of the Terms of Reference and the accompanying annexes, information was provided about the existing Parish of Lilleshall Donnington & Muxton. (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 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 need to apply in the Review. 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. The draft proposals document for this review noted that a separate Lilleshall Parish could be viable and that Lilleshall is a distinctive community from Donnington and Muxton.

2.3 The Draft Proposals stated that there was evidence that parish ward formed a distinctive community of identity deserving of Parish status. Those proposals also stated that a separate Lilleshall Parish could be viable. Significant expenditure might put some pressure on a small Parish budget but it is assumed that the Parish would make budget adjustments or alternatively raise precept if this was ultimately required. It would be for a new parish council to consider how best to manage the budget in its area. The Draft Proposals sought further information from the poll of Parish electors as the question of Community Consensus needed to be answered. Those

proposals stated that the Council required further evidence that the proposal for a separate Parish commanded wider support within the community. Those residents strongly in favour of or against a separate Parish would have the opportunity to provide material to residents before the postal votes were received. The result of such a ballot would help further inform this review and provide a better understanding of what the residents of Lilleshall felt about a separate Parish council. .

Those proposals also identified the current boundary of Lilleshall Parish ward as identifiable, easily understood and suitable for Parish arrangements.

2.4 It should be noted that the Local Government Boundary Commission for England (LGBCE) have recently completed an electoral review of the Borough. They are required to have regard to the statutory criteria set out in Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). The Schedule provides that if a parish is to be divided between different wards it must also be divided into parish wards, so that each parish ward lies wholly within a single ward. They cannot recommend changes to the external boundaries of parishes as part of an electoral review. They only have the power to make changes to parish electoral arrangements where these are as a direct consequence of recommendations for principal authority warding arrangements. Should this review make final proposals for a separate Lilleshall parish then consequential orders will need to be laid. Their recommendations will take effect from May 2015 local elections and are:

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).

### 3. Summary of Final Proposals

3.1 The Final Proposals are that Lilleshall fulfils the technical/legal requirements to form a separate Parish and that the result of the postal ballot demonstrates sufficient Community Consensus for the creation of a Lilleshall Parish Council. . The result of the ballot showed a majority of electors voting in the poll in favour of a separate Lilleshall Parish. This evidence is considered to carry more weight than the individual submissions and of the counter petition.

Based on LGBCE guidance on typical representation for a council of this size, we recommend that Lilleshall should be represented by a maximum of 7 councillors and that these arrangements are in force for 7 May 2015 Parish elections. The council should be known as Lilleshall Parish Council.

The residual Parish should be known as Donnington & Muxton Parish Council and should return 12 parish councillors, representing four wards: Donnington East (returning one member), Donnington West (returning five members), Muxton (returning five members) and The Humbers (returning two members) as per current LGBCE recommendations following the Borough Boundary Review.

The Borough council will subsequently publish a Reorganisation Order and request the LGBCE to make a related alteration to reflect the changes made at Parish level.

### 4. What happens next?

4.1 The timetable for this Review is as follows:

#### **Timetable for the Review**

Action	Timetable	Relevant Date
Terms of Reference are published		2 October 2013
Introductory stage –	Two months	2 October – 30 November

submissions are invited		2013
Draft Proposals are prepared	Two months	December 2013 – January 2014
Draft Proposals are published		February 2014
Consultations	Three months	7 February – 9 May
Final Proposals are prepared	Six Weeks	May/June
Final Proposals are published by Boundary Review Committee		July
Licensing Committee publishes the Recommendations	Two weeks later	July
Council publishes the Reorganisation Order	thereafter	

4.2 There will be a short 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.

## **5. How to contact us**

5.1 Comments should be submitted to the Democratic Services team. They can be submitted either by letter or by e-mail.

5.2 You can contact us at:

Electoral Services  
2<sup>nd</sup> Floor  
Addenbrooke House  
Ironmasters Way  
Telford  
TF3 4NT

01952 383210

[reviews@telford.gov.uk](mailto:reviews@telford.gov.uk)

[http://www.telford.gov.uk/info/200169/elections/355/boundary\\_matters/2](http://www.telford.gov.uk/info/200169/elections/355/boundary_matters/2)

5.3 Details of our officer contacts are as follows:

Jonathan Eatough Assistant Director	Strategic management of the Review	<a href="mailto:Jonathan.eatough@telford.gov.uk">Jonathan.eatough@telford.gov.uk</a> 01952 383200
Phil Griffiths Democratic Services Manager	Project and resource management of the Review	<a href="mailto:phil.griffiths@telford.gov.uk">phil.griffiths@telford.gov.uk</a> 01952 383210
Phil Griffiths Democratic Services Manager	Responding to consultation responses and preparing key consultation documents	<a href="mailto:phil.griffiths@telford.gov.uk">phil.griffiths@telford.gov.uk</a> 01952 383210

## 6. A List of Annexes

Annex 1 – Submissions received following publication of final proposals

Annex 2 – Map of Lilleshall Parish ward and proposed Lilleshall Parish council

### Annex 1

#### Submissions received following Draft Proposals

Counter Petition signed by 553 local government electors of the Lilleshall ward of the parish of Lilleshall, Donnington and Muxton, 7 May 2014

- 1 Mr A Parker , by letter, 13 February 2014 Against (1)
- 2 Mr G & Mrs J Diss, by email, 13 February 2014, Against (2)
- 3 Mrs J Rozzel, by letter, 16 February 2014, Against (1)
- 4 R & M Burroughes, by email, 20 February 2014, Against (2)
- 5 Jean Millward, by email, 20 February 2014, Against (1)
- 6 John Margerrison, by email, 20 February 2014, Against (1)
- 8 Mrs EP Millward, by letter, 24 February 2014, Against (1)
- 9 Mr JG Millward, by letter, 24 February 2014, Against (1)
- 10 AD Cooke, by letter, 27 February 2014, Against (1)
- 11 HC Cooke, by letter, 27 February 2014, Against (1)
- 12 Avril & Peter Thorneycroft by letter, 27 February 2014, Against (2)
- 13 Linda Parker, by letter 13 February 2014, Against (1)
- 14 D & J Johnson , by letter, 3 March 2014, Against (2)

- 15 Mrs M Burroughes, by letter, 21 March 2014, Against (1)
- 16 Michael & Shirley Harris, , by email, 31 March 2014, Against (2)
- 17 Linda Parker , by letter, 03 April 2014, Against (1)
- 18 Kathleen Turner, by email, 08 April 2014, Against (1)
- 19 Graham Platt, by letter, 09 April 2014 , Against (1)
- 20 & 40 Philip Hawkins, by letter, 11 April 2014,and by e mail 06 May 2014 For (2)
- 21 RA Hill, by letter, 23 April 2014, Against (1)
- 22 MJ & DS Fry, by letter, 23 April 2014 Against (2)
- 23 Robert Watson Jones, by letter, 24 April 2014, Against (1)
- 24 P Ward , by letter, undated, Against (1)
- 25 Rachel Johnson by letter, 24 April 2014, Against (1)
- 26 Barry & Jennifer Jones, by e mail 25 April 2014, Against (2)
- 27 Tony Holdford, by email, 25 April 2014, Against (1)
- 28 Ida Taylor, by letter, 26 April 2014, Against (1)
- 29 Ernest Taylor, by letter, 26 April 2014, Against (1)
- 30 DA Johnson, by letter, 29 April2014, Against (1)
- 31 JR Johnson, by letter, 29 April 2014 Against (1)
- 32 Freda & Robert Beech , by letter, 1 May 2014 Against (2)
- 33 & 34 Michael & Shirley Harris, by e mail, 2 May 2014 Against (2)
- 35 John Hockin, by letter, 5 May 2014,For (1)
- 36 Chris Poole by letter, 05 May 2014, Against (1)
- 37 Jane Poole, by letter 05 May 2014, Against (1)
- 38 Ann Whittingham, by letter, 05 May 2014, Against (1)
- 39 Neil & Rosemary Sampson, by e mail, 06 May 2014, Against (2)
- 41 Andrew & Carol Baker, by e mail 06 May 2014, Against (2)
- 42 E Anne Platt , by letter, 09 May 2014, Against (1)