

TELFORD & WREKIN COUNCIL

BOUNDARY REVIEW COMMITTEE – 3 FEBRUARY 2014

COMMUNITY GOVERNANCE REVIEW – LILLESHALL, DONNINGTON & MUXTON PARISH COUNCIL – DRAFT PROPOSALS

REPORT OF ASSISTANT DIRECTOR: LAW, DEMOCRACY & PEOPLE SERVICES

1. PURPOSE

- 1.1 To seek Members comments on a draft Proposals document for the conduct of this Review. The document incorporates the draft recommendations that the Council now makes in this review, following the first consultation period when initial submissions were invited.

2. RECOMMENDATIONS

- 2.1 That the Committee adopts and publishes the Draft Proposals
- 2.2 That the Committee notes that an all postal ballot (attached ballot paper design) will take place in February in order to gain the views of the wider Lilleshall electorate on formation of a separate Lilleshall Parish council .
- 2.3 That the Committee agree whether information for residents presenting both the case for change and case for no change should be included with the postal ballot paper

3.SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	No	
	Will the proposals impact on specific groups of people?	
	Yes	<i>Electors in Donnington, Muxton and Lilleshall</i>
TARGET COMPLETION/ DELIVERY DATE	September 2014	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	Under the Local Government and Public Involvement in Health Act 2007, Local Authorities have the responsibility to undertake Community Governance Reviews, which includes arrangements in Parishes. The process to be followed is prescribed and will involve officer time and other associated costs, such as postages and printing. These costs will be

		met from within existing resources.
LEGAL ISSUES	Yes	Authority is delegated to Boundary Review Committee to deal with all matters relating to Community Governance Reviews. There are no direct legal implications arising from this report at this stage. Further legal advice will be given as and when necessary during the consultation and order making process.
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	The opportunities and risks associated with any legislative change following on from this consultation have been identified and assessed. Arrangements would be put in place to manage the risks and maximise the opportunities that have been identified if community governance in the affected areas was to change.
IMPACT ON SPECIFIC WARDS	No	Donnington, Muxton and Church Aston & Lilleshall Borough wards.

4. SUMMARY

- 4.1 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. 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. 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 2012/09. A Community Governance Review was undertaken and, following a counter petition, Licensing Committee 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.
- 4.2 The Council published a Terms of Reference document on 2 October 2013 and invited initial submissions from electors and other interested bodies. These submissions have been considered alongside the relevant legislation and the policies that the Council laid down in the Terms of Reference. Together, they have informed the Draft Proposals, which the Committee is asked to adopt and publish and which lead to the next and more substantive stage of consultation in this Review.
- 4.3 At the last meeting of the Boundary Review Committee it was agreed that a direct consultation be undertaken in order to get the views of the broader Lilleshall community. The Chairman of the Committee, in

consultation with the Assistant Director, has agreed that a postal ballot take place between 21 February and 7 March to gauge local opinion on the formation of a separate Lilleshall Parish council. In addition, supporters of a separate Parish and those opposed to any change have agreed a document that they would like to be sent with the ballot paper to inform voters on the relevant issues. The Committee is asked to decide whether this is appropriate. A copy of the proposed ballot paper and the information document are attached to this report

5. PREVIOUS MINUTES

5.1 Boundary Review Committee 26 September 2013.

6. INFORMATION

6.1 Background

In the conduct of a Review, the Council has to be mindful of Part 4 of the Local Government and Public Involvement in Health Act 2007, the Guidance on Community Governance Reviews that has been issued by the Department for Communities and Local Government and The Electoral Commission and the Council's Terms of Reference. The Terms of Reference laid out how the Council proposed to consult the electors and other interested organisations and the consultation periods that would be allowed in the Review.

The publication of Draft Proposals is a significant stage in this Review; the Council has given due consideration to the petitions that were received and it has carefully considered the various submissions that have been received to date. It has weighed these against its legal duty in section 93 of the Local Government and Public Involvement in Health Act 2007 to ensure that community governance within the Borough reflects the identities and interests of the community; is effective and convenient and takes into account any other arrangements for community representation and engagement in the area.

The Draft Proposals are that there is evidence that Lilleshall is a distinctive community of identity and that from a budgetary perspective it should be viable. However, the views of the wider Lilleshall community are paramount; the council has no wish to impose a change in community governance arrangements that is not in line with the wishes or interests of the Lilleshall community. Therefore the draft proposals at this stage are that further evidence now needs to be provided that evidences wider support from Lilleshall residents for a separate Parish council.

6.2 What happens next?

Publication of this Draft Proposals document formally launches a three-month period lasting until 9 May 2014 in which comments and submissions are invited. We will then use the comments and submissions that are received together with the policies outlined in the Terms of Reference and the legislative framework to help us draw up Final Proposals for the future of community governance in the affected area.

A timetable for the Review

Action	Timetable	Relevant Date
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

7. WARD IMPLICATIONS

Donnington Borough Ward
Muxton Borough Ward
Church Aston & Lilleshall Borough Ward (Lilleshall part)

8. BACKGROUND PAPERS

Local Government and Public Involvement in Health Act 2007

Guidance on Community Governance Reviews (Department for Communities and Local Government and LGBCE, March 2010).

Community Governance Reviews And Related Matters – Local Government And Public Involvement In Health Act 2007 – A Guide To New Legislation And Practice

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