



Telford & Wrekin
COUNCIL

Addenbrooke House Ironmasters Way Telford TF3 4NT

BOUNDARY REVIEW COMMITTEE

Date **Thursday, 9 February 2017** Time **6.00pm**
Venue **Meeting Room G3/G4, Addenbrooke House, Ironmasters Way, Telford, TF3 4NT**

Enquiries Regarding this Agenda:

Democratic Services	Stacey Worthington	01952 382067
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Lead Officer	Jonathan Eatough, Assistant Director: Governance, Procurement & Commissioning	01952 383200

Committee Membership: Councillors R J Sloan (**Chairman**), R A Overton (**Vice Chairman**),
K T Blundell, N A Dugmore, A J Eade, I T W Fletcher, K R Guy,
A D McClements and G C W Reynolds

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes** Appendix **A**
To confirm the minutes of the meeting of the Boundary Review Committee held on 29 September 2016.
4. **Community Governance Reviews** Appendix **B**
To receive the timetable and information pack to set out the process for Community Governance Reviews.
5. **Date of Next Meeting**

BOUNDARY REVIEW COMMITTEE

A

Minutes of a meeting of the Boundary Review Committee held on Thursday 29th September 2016 at 6.00pm in Meeting Rooms G3/4, Addenbrooke House, Telford

Present: Councillors R J Sloan (Chairman), R A Overton (Vice Chairman), K T Blundell, N A Dugmore, A J Eade, I T W Fletcher, A D McClements and G C W Reynolds

In Attendance: J Eatough (Assistant Director: Governance, Procurement & Commissioning), D Bowen (Elections Team Leader) and S Worthington (Democratic & Scrutiny Services Officer)

BRC-01 Apologies for Absence

None.

BRC-02 Declarations of Interest

None.

BRC-03 Minutes

Resolved – that the minutes of the meeting of the Boundary Review Committee held on 13 April 2016 be confirmed and signed by the Chairman

BRC-04 Review of Parliamentary Constituencies: Council Response

The Committee received the report of the Assistant Director: Governance, Procurement and Commissioning.

The Assistant Director: Governance, Procurement and Commissioning presented the Terms of Reference to the Committee. It was proposed that a booklet could be prepared for Parish and Town Councils in relation to Community Governance Reviews to outline the expectations and guiding principles.

The Committee noted the Boundary Commission for England's draft proposals for the region. It was noted that there were to be four public hearings in the region regarding the proposals, the nearest in Shrewsbury.

In regards to the proposed Bridgnorth, Wellington and The Wrekin Constituency, members proposed an alternative name of 'The Wrekin and Bridgnorth', noting that Wellington had never been in the name of a Constituency before. There was discussion regarding proposing 'Bridgnorth and The Wrekin', however, the majority of members agreed that the Wrekin should come first, as Bridgnorth had not previously been in the name of a constituency.

Some members advised that they did not agree with the proposals put forward by the Boundary Commission, however, had not formed an alternative proposal at the time. Councillors I Fletcher and A Eade requested that their objection to the

proposals be formally recorded. The majority of members advised that they supported the proposals put forward by the Boundary Commission.

Members felt that the proposals were not sustainable long term, due to population growth in the area, however, it was noted that the constituencies would be reviewed every five years, which offered some reassurance. The calculations for numbers of voters had not taken into account future growth and had been fixed from the numbers on the 1st December 2015.

Members were asked to note the information that a valid counter-proposal would carry more weight than a statement of objection.

It was **RESOLVED** -

- (a) **that the Terms of Reference document, as shown at Annex B of the report, be adopted and;**
- (b) **to Recommend To Council that an alternative name of 'The Wrekin and Bridgnorth' be proposed to the Boundary Commission for England and;**
- (c) **to Recommend To Council that the proposals submitted by the Boundary Commission for England are supported by the Council.**

The meeting ended at 6.24pm

Chairman:

Date:

TELFORD & WREKIN COUNCIL
BOUNDARY REVIEW COMMITTEE – 9 FEBRUARY 2017
APPROVAL OF PROCESS FOR MANAGING COMMUNITY GOVERNANCE REVIEWS
REPORT OF ASSISTANT DIRECTOR: GOVERNANCE, PROCUREMENT AND COMMISSIONING

1. SUMMARY

- 1.1 Telford & Wrekin Council has a responsibility to undertake Community Governance Reviews (CGR's).
- 1.2 The report outlines the proposed timetable to ensure that the Council effectively manages any existing or forthcoming requests for CGR's, particularly for implementation for the May 2019 local elections.
- 1.3 The Committee is asked to agree the timetable, and delegate responsibility to the Assistant Director to initiate a suitable process and supporting paperwork to carry out the review process.

2. RECOMMENDATIONS

- (i) **That the Boundary Review Committee review and agree the timetable and suggested process for undertaking Community Governance Reviews before the 2019 local government elections**
- (ii) **That the Boundary Review Committee approve the Information Pack, (Appendix B of this report) and delegate responsibility to the Assistant Director; Governance, Procurement and Commissioning, after consultation with the Chair, to make minor amendments to the Information Pack to ensure that the documentation is as useful as possible and reflects best practice in the efficient delivery of Community Governance Reviews.**
- (iii) **That Members specifically endorse the policy that, other than in exceptional circumstances, Community Governance Reviews will only be considered when a formal petition from local electors is received.**

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>Residents within the area of any defined CGR request</i>
DELIVERY DATE	By 1 st October 2018, commencing formally 1 st October 2017	
FINANCIAL/VALUE FOR MONEY IMPACT	No	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	<p>Under the Local Government and Public Involvement in Health Act 2007 the Council has a responsibility to undertake community governance reviews in defined circumstances.</p> <p>Authority is delegated to the Boundary Review Committee to deal with matters relating to Community Governance Reviews.</p> <p>Regulations under the 2007 Act make provision for the purposes of, or in consequence of, the making of reorganisation orders. These make provision in relation to matters such as the distribution of property, rights and liabilities for which the Council must appoint a 'Proper Officer', and the setting of precepts for new parishes.</p> <p>It is also the responsibility of the Council to produce the Terms of Reference and thereafter decide how to carry out the review with a view to concluding the same within a period of twelve months.</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Risks would include legal challenge – Judicial Review (local residents or statutory bodies, e.g. Boundary Commission etc) in respect of process and final decision.
IMPACT ON SPECIFIC WARDS	Yes	Depending on the area(s) who may request a CGR be undertaken

BACKGROUND

Community Governance Reviews

1.1 Community Governance Reviews enables Telford & Wrekin Council to review and put in place or make changes to community governance systems and structures. This can be by:

- creating, merging, altering or abolishing parishes;
- revising the naming of parishes and the style of any new parishes;
- reviewing the electoral arrangements for parishes, such as the council size; the number of councillors to be elected to the council and parish warding.

Community Governance Reviews can be instigated in either of three ways:

- by a resolution passed by Telford and Wrekin Council
 - by a petition signed by local electors which requests a CGR, or
 - by a Community Governance Application by a designated neighbourhood forum
- It is recommended that, other than in exceptional circumstances, the Council should only seek to initiate a Community Governance Review following either receipt of a petition signed by the requisite number of electors for the petition area to be reviewed, or following receipt of a Community Governance Application. The reason

being that this is a good indicator of local views and it would be difficult, but not impossible, for community intention to be demonstrated in a clearer way.

- 1.2 There are presently four reviews that we are aware individuals or councils are considering.

Other requests may be forthcoming when the Parish Councils are informed of the proposed timetable and process. However, the time and resources required to undertake such reviews are such that a maximum of four reviews could be completed within the suggested timetable leading to changes being effective for the May 2019 local Council elections.

- 1.3 A timetable for undertaking Community Governance Reviews during 2017/18 is attached, please see Appendix A.

Parish Councils, local electors, and neighbourhood forums requesting a CGR are required under the 2007 Act to provide a range of initial information, as indicated in the Practical Considerations leaflet. This would form the basis of the Terms of Reference. The Council would make available information relating to financial precept costs for parishes, boundary maps and the numbers of current and forecast electorate within prescribed areas.

A process and information pack has been developed, to enable Community Governance Reviews to be effectively managed and is included in Appendix B. The pack will include:

- A Practical Considerations leaflet, for Parishes considering requesting a CGR
- A document detailing Frequently Asked Questions (FAQ's)
- An Outline Process and draft Timetable
- Actions to be undertaken at each stage
- Duties and powers of Principal Councils conducting CGR's
- Stage One submission form template, to enable formal requests to be submitted

Background Papers

[DCLG/ Local Government Boundary Commission Guidance on Community Governance Reviews issued pursuant to s100 of the Local Government and Public Involvement in Health Act 2007](#)

APPENDIX A

2017/18 Indicative Timetable for undertaking Community Governance Reviews

<u>2017/18 Timetable</u>	<u>Stage</u>	<u>What happens?</u>	<u>Time-scale</u>
Monday 3 rd April 2017 to Friday 4 th August 2017	Pre formal process	Inform Parish Forum of intended timetable & process Also notify existing requests for CGR of timetable & process Receive initial CGR requests, including receipt of a qualifying petition or Community Governance Application accompanied by information required under the 2007 Act. Council has 12 months to conclude review	Start of formal process upon receipt of the community governance petition or community governance application
Monday 4 th September 2017	Commencement	Terms of Reference are published	
Monday 4 th September 2017 to Friday 29 th September 2017	Preliminary stage	Promotion of public consultation Local briefings and meetings	One Month
Monday 2 nd October 2017 to Friday 29 th December 2017	Stage One	Initial submissions are invited	Three months
Tuesday 2 nd January 2018 to Wednesday 28 th February 2018	Stage Two	Consideration of submissions received – Draft Recommendations are prepared	Two months
Thursday 1 st March 2018 to Thursday 31 st May 2018	Stage Three	Draft Recommendations are published – consultations on them	Three months
Friday 1 st June 2018 to Tuesday 31 st July 2018	Stage Four	Consideration of submissions received – Final Recommendations are prepared	Two months
Wednesday 1 st August 2018	Stage Five	Final Recommendations are published – concluding the review	End of 11 th Month
Monday 3 rd September 2018	Stage Six	Boundary Review Committee resolves to make a Reorganisation Order	One month later

APPENDIX A

October 2018 Full Council meeting	Stage Seven	Report outcome to Full Council	At next Full Council meeting
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Implementation of any agreed changes would take effect for the May 2019 local elections

Additional timescales will need to be added in and adhered to, to ensure the following processes can be suitably carried out:

- Creation of a shadow Parish
- Agreeing the split of assets and liabilities
- Drafting of the Order
- Changes to election software to encompass new / altered voting districts etc



Community Governance Reviews (CGR) Information Pack

What is included in this pack:

1. Practical Considerations when considering a CGR
2. CGR Frequently Asked Questions (FAQ's)
3. Outline Process and draft Timetable
4. Actions to be undertaken at each stage
5. Duties and powers of Principal Councils conducting CGR's
6. Stage One submission form template

Additional Information

Further information can be accessed electronically:

- [Department for Communities and Local Government and the Local Government Boundary Commission Guidance for Community Governance Reviews](#)
- [Local Government and Public Involvement in Health Act 2007](#)
- National Association of Local Councils
[Further details on parish, town or community councils, including creating a Council](#)

Community Governance Reviews and Community Governance Applications

Practical Considerations

A fact-sheet to assist Parish Councils and other organisations when deciding whether to request a Community Governance Review

Thinking of requesting a Community Governance Review?

If you or an organisation you are part of are considering requesting a Community Governance Review, there are a range of factors which need to be considered.

Thinking about these, and your responses, now will assist Telford & Wrekin Council in determining whether a review is appropriate, and will help form the Terms of Reference.

What is a Community Governance Review?

A Community Governance Review enables Telford & Wrekin Council to review and put in place, or make changes, to community governance systems and structures. This may be by creating, merging, abolishing or changing parish or town councils in the review area. A Community Governance Review is a review of the whole or part of the district to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of local governance;
- The electoral arrangements for parishes – i.e. the council size; the number of councillors to be elected to the council and parish warding.

What to do next

Please consider the range of questions and statements on the following pages, and your responses to each. This will help form the basis of your submission if you decide to proceed with a petition to request a Community Governance Review.

Additional Information

Additional information which will help you identify what is required is available.

The *Guidance on Community Governance Review* was published by the Department for Communities & Local Government and the Local Government Boundary Commission for England in 2010. It can be accessed at:

[Guidance on Community Governance Reviews](#)

Further details on creating parish, town or community councils can be found at www.createacouncil.nalc.gov.uk

Area Changes

What are the area(s) being considered for review?

Is a new Parish being proposed?

What do you consider the new Parish should be called?

Which existing Parishes are affected?

What do you consider the existing Parishes should be known as in future?

What is the level of projected new dwellings in each of the affected wards/areas?

What is the impact / relationship with the existing **Borough** council wards/areas?

Do the existing warding arrangements work well or do you feel changes are required?

What boundary changes do you feel may be required?

Have you identified on a local map the nature and extent of your proposed changes?

Electoral Arrangements

What are the existing numbers of electors in each of the affected wards/areas?

What is the existing number of Parish councillors in each of the affected wards/areas?

Telford & Wrekin Council will consider each request for a Community Governance Review, when it is supported by a valid petition. This requires the signatures of a percentage of the current electorate, as set out below:

1. for an area with less than 500 local electors, the petition must be signed by at least 37.5% of them
2. for an area with between 500 and 2,500 local electors, the petition must be signed by at least 187 of the electors
3. for an area with more than 2,500 local electors, the petition must be signed by at least 7.5% of them.

Do you have the required number of valid electorate signatures to validate your petition?

What do you consider should be the numbers of councillors in the areas being proposed?

Financial Arrangements

What is the existing annual Parish budget for each of the affected wards/areas?

What is the existing Band D equivalent for the affected wards/areas?

The criteria by which options for the future will be judged

Telford & Wrekin Council is required to take into account:

- the impact of existing community governance arrangements on community cohesion and
- the size, population and boundaries of any local community or proposed parish or town Council.

Government guidance set out the kind of considerations which should be taken into account when considering a petition for a Community Governance Review. This includes:

- the creation of a parish
- the name of a parish
- the establishment of a separate parish council for an existing parish
- the alteration of boundaries of existing parishes
- the abolition of a parish
- the dissolution of a parish council
- changes to the electoral arrangements of a parish council
- a strong, inclusive community and voluntary sector
- a sense of civic values, responsibility and pride; and
- a sense of place – a place with a ‘positive’ feeling for people and local distinctiveness
- reflective of the identities and interests of the community in that area
- the impact of community governance arrangements on community cohesion;
- the size, population and boundaries of a local community or parish
- people from different backgrounds having similar life opportunities
- people knowing their rights and responsibilities

Your petition must set out at least one recommendation that the petitioners want the review to consider making. Please consider the above factors and identify which are relevant to your request, and outline the reasons why.

It may help to consider the following questions in relation to any new / revised parish being proposed:

Does it have a separate, distinctive and recognisable community of identify of its own?

Does it have an adequate infrastructure of meeting points, community halls, local schools, neighbourhood stores, community organisations, and voluntary groups etc, to support a distinct community of identity that would justify separate parish governance?

What happens next

Telford & Wrekin Council will make a decision as to whether a Community Governance Review is appropriate, and whether the petition you have submitted is valid.

The legislation requires Telford & Wrekin Council to determine and publish the terms of reference under which a Community Governance Review is to be undertaken. It also requires that the terms of reference specify the area under review. If any modifications are made to the terms of reference, these must also be published.

A review is deemed to have started once the terms of reference have been adopted by Telford & Wrekin Council at a meeting of the Boundary Review Committee.

Legislation requires Community Governance Reviews to be completed within 12 months of the Terms of Reference being published.

Before making any recommendations or publishing final proposals, the Council will take full account of the views of local people. The Council will comply with the statutory consultative requirements by:

- consulting local government electors within the area under review
- consulting any other person or body (including a local authority) which appears to the Council to have an interest in the Community Governance Review. This may include other community groups and local organisations.
- taking into account any representations received in connection with the Community Governance Review.

Information to accompany your petition

Telford & Wrekin Council will be able to assist with the provision of some information to accompany your petition, upon request. Specifically, the Council can make available the following items:

- The numbers of electorate in a specific area or parish
- The current precept charges applicable to a specific area or parish
- Boundary maps of a specific area or parish

We would ask that you, when submitting a petition to request a Community Governance Review, provide the remaining details and information as set out in this document. Specifically this will include:

- The names and details of each person signing the petition
- Proposals of the change(s) being requested, and the reasons for the proposals
- Details of local community organisations, community facilities, schools, establishments and other key representatives within the area(s) of review.

- Details of the existing Parish Council(s), their electoral make-up, size and budget.

[Here is a link](#) to a set of Terms of Reference for an earlier Community Governance Review undertaken by Telford & Wrekin Council published 02 October 2013. This may help you to identify the kind of information that is required to support a request.

Community Governance Applications

A Community Governance Application is made by a designated neighbourhood forum, and there is no requirement for a petition.

A community governance application is an application for a community governance review to be undertaken.

An application is not a valid community governance application unless the following conditions are met:

- The application may be made only by an organisation or body designated as a neighbourhood forum under section 61F of the Town and Country Planning Act 1990**(b)**
- The application must relate to the whole or any part of an area specified in a neighbourhood development plan made under section 38A of the Planning and Compulsory Purchase Act 2004.
- The application must define the area to which the review is to relate (whether on a map or otherwise), and specify one or more recommendations which the applicant wishes a community governance review to consider making.
- If the specified recommendations include the constitution of a new parish, the application must define the area of the new parish
- If the specified recommendations include the alteration of the area of an existing parish, the application must define the area of the parish as it would be after alteration

Community Governance Reviews and Community Governance Applications

Frequently Asked Questions (FAQ's)

What is Community Governance?

In essence it is the way in which local communities are represented and governed at local authority level and through the involvement of other statutory and voluntary agencies and community groups and by the efforts of local people themselves. It is also about the way in which individuals and groups within the community are listened to and able to influence decisions that affect them.

What is a Community Governance Review?

A Community Governance Review enables a principal council such as Telford & Wrekin Council to review and put in place or make changes to community governance systems and structures e.g. by creating, merging, abolishing or changing parish or town councils in the review area.

A Community Governance Review is a review of the whole or part of the district to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of local governance;
- The electoral arrangements for parishes - the ordinary year of election; council size; the number of councillors to be elected to the council and parish warding

Who can undertake a Community Governance Review?

Telford & Wrekin Council has the responsibility for undertaking community governance reviews within its electoral area and deciding whether to implement the recommendations made in those reviews. In making that decision, the Council must take account of the views of local people. It must also have regard to the [guidance](#) on undertaking community governance reviews published jointly by the Department for Communities and Local Government and the Local Government Boundary Commission.

Telford & Wrekin Council is responsible for undertaking a Community Governance Review in its electoral area. The Boundary Review Committee is responsible for overseeing this process and for agreeing draft and final recommendations before a Community Governance Order is made.

Why undertake a Community Governance Review?

A Community Governance Review can be undertaken for a variety of reasons including, for example, in response to demographic changes such as a rise in population as a result of significant new housing development. A review may also be triggered by national considerations, e.g. the provision of new rights to communities through the Localism Act 2011. A review can also be triggered if a petition is presented to the council asking for a review to be undertaken, and the [Local Government and Public Involvement in Health Act 2007](#) places a duty on principal councils to respond to such a petition. The Act set out prescriptive criteria, which the petition must meet in order to be legally valid. The objective of undertaking a Community Governance Review is to ensure that local governance will continue to be effective and convenient, and will reflect the identities and interests of local communities.

How can a Community Governance Review Be Instigated?

Community Governance Reviews can be instigated in two ways:

- by a resolution passed by the principal council, such as Telford & Wrekin Council – other than in exceptional circumstances Telford & Wrekin Council would not ordinarily do this
- by a petition signed by local electors as follows:
 4. for an area with less than 500 local electors, the petition must be signed by at least 50% of them
 5. for an area with between 500 and 2,500 local electors, the petition must be signed by at least 250 of the electors
 6. for an area with more than 2,500 local electors, the petition must be signed by at least 10% of them.

How long does a Community Governance Review take?

Legislation requires Community Governance Reviews to be completed within 12 months of the Terms of Reference being published.

Who determines the Terms of Reference for Community Governance Reviews?

The 2007 Act requires Telford & Wrekin Council to determine and publish the terms of reference under which a Community Governance Review is to be undertaken. It also requires that the terms of reference specify the area under review. If any modifications are made to the terms of reference, these must also be published.

[Here is a link](#) to a set of Terms of Reference for an earlier Community Governance Review undertaken by Telford & Wrekin Council published 02 October 2013

When does a Review start?

A review is deemed to have started once the terms of reference have been adopted by Telford & Wrekin Council at a meeting of the Boundary Review Committee.

When would any changes come into force?

Any changes resulting from a Community Governance Review will usually come into force on the same day as the next scheduled normal parish and town council elections. For Telford & Wrekin that is currently May 2019.

Who decides the outcome?

Telford & Wrekin Council following consultation with local people and local groups.

How often are Community Governance Reviews carried out?

They can be held in response to particular issues e.g. new developments or if a valid petition is received. However they cannot be held if a review of the same area has been undertaken within the preceding two years.

How can residents have their say?

All interested groups and residents will be invited to give their views. There are two opportunities during the process for consultation responses to be made.

What must Telford & Wrekin Council take into account when undertaking a Community Governance Review?

Telford & Wrekin Council is required to take into account:

- the impact of existing community governance arrangements on community cohesion and
- the size, population and boundaries of any local community or proposed parish or town Council.

In carrying out a Community Governance Review, Telford & Wrekin Council must also consider the wider picture of community governance. This includes taking account of well-established forms of community governance such as local residents associations and community forums. These can be considered as either alternatives to or stages towards establishing parish or town councils. Guidance does, however, indicate that parish and town councils are set apart from these other kinds of governance by the fact that they are a democratically elected tier of local government and can set a budget and possess specific powers.

What will the Community Governance Review consider?

- Should an unparished area have a parish council created?
- Should the number of parish councillors on an existing parish council be changed?
- Should a parish council boundary be altered to better reflect the local community?

- Should a parish council be warded or existing parish wards be altered to reflect changes in the local community?
- Should the name of a parish council be changed?

What are the criteria by which options for the future will be judged?

Government guidance indicates that characteristics of good community governance to be considered in assessing the options when undertaking such a review include:

- a sense of civic pride and civic values
- a strong, inclusive community and voluntary sector
- a sense of place - with a positive feeling for people and local distinctiveness
- effective engagement with the local community at neighbourhood level
- strong leadership
- the ability of local authorities to deliver quality services economically and efficiently an area that is of a size that is viable as an administrative unit of local government.
- Local people might consider these characteristics when submitting their views.

Who will Telford & Wrekin Council consult with?

Before making any recommendations or publishing final proposals, the Council will take full account of the views of local people. The Council will comply with the statutory consultative requirements by:

- consulting local government electors within the area under review
- consulting any other person or body (including a local authority) which appears to the Council to have an interest in the Community Governance Review. This may include other community groups and local organisations.
- taking into account any representations received in connection with the Community Governance Review.

What is a Community Governance Application?

A Community Governance Application is a request – which must be made by a designated neighbourhood forum - for a Community Governance Review to be undertaken. There is no requirement for a petition.

Legislation was revised in March 2015 which sets out specific requirements under which a Community Governance **application** (as opposed to a petition) can be made.

To be classed as an application, it must be requested by an organisation or body

designated as a neighbourhood forum under section 61F of the Town and Country Planning Act 1990

What is a Town or Parish council?

A town or parish council is an elected body made up of local people representing the interests of their community.

Is the creation of new parish/town councils the only option in areas which don't currently have one?

No. A review can also explore whether alternative forms of local governance would be more suitable for an area including:

- area committees
- neighbourhood management programmes
- tenant management organisations
- area or community forums
- residents and tenants associations
- community associations.

Is there a difference between a town and parish council?

No, they both have the same statutory powers and can provide the same services. The only differences are that a town council has decided that it should be known as a town council instead of a parish council, and a town council usually has a Mayor. Parish Council have a Chairperson.

What does a town or parish council do?

A town or parish council has statutory powers which could include the following services, over and above those already provided by Telford & Wrekin Council:

Service or Facility	What can a town or parish council do?
Allotments	Acquire, maintain and provide burial grounds, cemeteries and crematoria. Maintain monuments and memorials and contribute towards the expenses of cemeteries
Burial grounds, cemeteries and crematoria	Acquire, maintain and provide burial grounds, cemeteries and crematoria. Maintain monuments and memorials and contribute towards the expenses of cemeteries
Bylaws	Make bylaws for pleasure grounds, cycle parks, baths and washhouses, open spaces, burial grounds, mortuaries and post-mortem rooms
Commons and	Enclose, regulate and manage commons and provide

common pastures	common pasture
Community Centres	Provide and equip buildings for use by athletic, social or educational clubs
Crime Prevention	Spend money on various crime prevention measures
Entertainment and the arts	Provide entertainment and support for the arts
Highways	Repair and maintain public footpaths and bridleways. Light roads and public places. Provide litter bins, parking places for vehicles, bicycles and motor-cycles, roadside seats and shelters, bus shelters, traffic signs and other notices. Plant trees and maintain roadside verges
Litter	Provide litter bins
Mortuaries and post mortem rooms	Provide mortuaries and post mortem rooms
Open Spaces	Acquire and maintain land used for open spaces
Public conveniences	Provide public conveniences
Recreation	Acquire land for and provide recreation grounds, public walks, pleasure grounds and manage and control them. Provide gymnasiums, playing fields, holiday camps and boating pools
Town and country planning	Be notified of planning applications and submit comments on them to the local planning authority
Tourism	Contribute to organisations encouraging tourism
Traffic calming	Spend money on community transport schemes
Transport	Spend money on community transport schemes
War memorials	Maintain, repair, protect and adapt war memorials

Any Council which has qualified for an award under the 'Local Council Award Scheme' may have additional or wider powers and responsibilities. Further information about this scheme can be found at <http://www.nalc.gov.uk/our-work/improvement-and-development/local-council-award-scheme>

Any town or parish council created as a result of the Community Governance Review would work with Telford & Wrekin Council to agree which of the above services it would like to be involved in delivering. Further details on parish, town or community councils can be found at www.createacouncil.nalc.gov.uk

How are town and parish councils funded?

Town and parish councils are funded through a sum of money called a 'precept' – this is a separate charge which is added to, and collected along with, your existing Council Tax. The town or parish council will decide what it will need for the coming

year and that depends on what services and facilities are needed by the local community.

Town and parish councils can also apply for grants and loans. As the precept will depend on the size of the town or parish council, the services it provides and the number of properties across which it is spread, it is not possible to say how much a precept would be for an area which does not currently have a town or parish council.

How many town or parish councillors would there be?

If it is agreed to establish a new town or parish council, one of the issues that will need to be decided is how many councillors will be elected. The law sets out a legal minimum of 5 councillors, but there is no maximum.

Town or parish councillors can be elected to represent the whole of the parish area or smaller neighbourhoods within the area, called wards. Any councillors elected to the town or parish council would be in addition to the existing local ward councillors who are members of Telford & Wrekin Council. It is possible for the same people to be elected to the borough council and a town or parish council.

Are town or parish councillors paid an allowance?

Parish and Town councillors are not usually paid an allowance, but may incur costs which can be reimbursed.

Should I express an opinion about the area to be included in a town or parish council in my area?

Yes, it is important that the size, population and boundaries of any local community or proposed parish or town council ensure a sense of place - with a positive feeling for people and local distinctiveness.

What are Residents' / Tenants' Associations?

Residents' or Tenants' Associations or Management Committees are usually organised to cover specific estates or buildings and will tend to concentrate mainly on issues affecting their members in that area or building. There are a number of active associations across Telford & Wrekin. They are independent from the council but may work in partnership with it or other agencies such as Amicus Horizon housing association. They do not have powers to raise money through a precept or the Council Tax.

What are Area, Community or Neighbourhood Forums?

These are sometimes set up and run by local authorities to give communities a say on local issues.

What are Community Associations?

Community Associations are set up locally by members of a community. They usually have a democratically - elected management committee and they may include local councillors. They can influence the way local authorities and other

organisations provide services in their area. They usually cover either a specific geographical area or a particular interest such as a sport or hobby. They do not have powers to raise money through a precept or the Council Tax, are often run by volunteers, and may be set up as a charity.

Additional Information

Guidance: ‘*Guidance on Community Governance Reviews*’ was published in updated form by the Department for Communities & Local Government and the Local Government Boundary Commission for England in 2010. Aimed largely at principal authorities, it offers advice about undertaking a review and implementing its recommendations. It can be accessed at:

<http://www.communities.gov.uk/publications/localgovernment/guidancecommunitygovernance2010>

Also available on the Department’s website is a model reorganisation order – the statutory instrument principal authorities must use to implement changes from a Community Governance Review. It can be accessed at:

<http://www.communities.gov.uk/publications/localgovernment/modelreorganisationorder>

Process:

the main steps that surround a Community Governance Review are listed in the boxes below. Please note this is included for quick reference and is not formal guidance.

Trigger for a review	<ul style="list-style-type: none">▪ A valid community petition; or▪ A principal authority's own decision.
Decision to hold a review	<ul style="list-style-type: none">▪ A principal authority takes a formal decision;▪ Which can be to review all or a part of its area;▪ Though it must have valid grounds for refusal if there has been a petition.
Terms of reference	<ul style="list-style-type: none">▪ A principal authority must draw up and publish terms;▪ Stating the matters and the geographic area to be covered;▪ Notifying other local authorities which have an interest.
Undertaking a review	<ul style="list-style-type: none">▪ A principal authority must consult electors in affected area(s);▪ It should consult other bodies with an interest, including any affected local councils;▪ It must then consider any representations received.
Making recommendations	<ul style="list-style-type: none">▪ Bearing in mind representations, the criteria and other factors;▪ Including alternative forms of governance in the area e.g. residents associations, neighbourhood forums;▪ The principal authority formally recommends an outcome from the review;▪ It must publish its recommendations and the reasons for them, informing those with an interest.
Implementing a review	<ul style="list-style-type: none">▪ A principal authority makes a Reorganisation Order to put into effect any changes;▪ Which must include a detailed map of the boundaries;▪ It publishes the Order and map for public inspection;▪ It must inform specified bodies e.g. Ordnance Survey;▪ It should include in the Order any agreed incidental issues e.g. the transfer of assets.
Next steps	<ul style="list-style-type: none">▪ An Order is often written to come into force the following April;▪ Typically a new local council is then elected in May.

Outline Timetable for undertaking a Community Governance Review

<u>Stage</u>	<u>What happens?</u>	<u>Timescale</u> *
Commencement	Terms of Reference are published	Start of formal process
Preliminary stage	Promotion of public consultation Local briefings and meetings	One Month
Stage One	Initial submissions are invited	Three months
Stage Two	Consideration of submissions received – Draft Recommendations are prepared	Two months
Stage Three	Draft Recommendations are published – consultations on them	Three months
Stage Four	Consideration of submissions received – Final Recommendations are prepared	Two months
Stage Five	Final Recommendations are published – concluding the review	End of 11 th Month
Stage Six	Boundary review Committee resolves to make a Reorganisation Order	One month later
Stage Seven	Report outcome to Full Council	At next Full Council meeting

* Timescales are approximate and for guidance only. Individual reviews may vary. The expectancy is to conduct a review within 12 months from the date that the Terms of Reference are published.

Actions to be undertaken before and during a Community Governance Review

Stage	Time-scale	What happens?	What Telford & Wrekin Council will do	What can be done by Community Groups, Parish Council(s) and other interested parties
Pre-Process	Prior to formal process starting	Community considers need for requesting a CGR	<ul style="list-style-type: none"> ▪ Make information pack available to any organisation considering requesting a CGR ▪ Validate any petition received requesting a CGR ▪ Engage in informal discussions to advise on next steps required ▪ Consider scope and breadth of a CGR. ▪ Inform Boundary Review Committee of potential CGR requests ▪ Identify and provide local map(s) to indicate current and proposed changes ▪ Identify current financial arrangements (e.g. precept charges) ▪ Identify current and potential electorate numbers for the relevant area(s) 	<ul style="list-style-type: none"> ▪ Consider requesting a CGR, taking account of all relevant guidance and advice available ▪ Ensure validity of request, in terms of timing, previous reviews and potential timetable. ▪ Obtain appropriate numbers of valid elector signatures to validate any petition being made. ▪ Provide a valid submission, to include the required signatures, map(s) of proposed changes and setting out specific recommendations being made ▪ Send formal petition to T&W Council for a CGR ▪ Identify all relevant organisations, establishments and individuals within the affected areas.
Commencement	Start of formal process	Terms of Reference are published	<ul style="list-style-type: none"> ▪ Publish Terms of Reference, setting out scope of review, timetable and consultation process. ▪ Inform Boundary Review Committee of the CGR, timetable, and process. As the CGR progresses, the Committee will meet to discuss progress and formulate recommendations ▪ Establish and formulate T&W Council position, and draft recommendations to initial proposals 	<ul style="list-style-type: none"> ▪ Indicate if specific group(s) have been established to manage the process locally, and which Parish Council(s) are involved. ▪ Inform T&W Council of relevant point(s) of contact ▪ Arrange consultation meetings and inform T&W Council of the outcome of those meetings

Stage	Time-scale	What happens?	What Telford & Wrekin Council will do	What can be done by Community Groups, Parish Council(s) and other interested parties
Preliminary	One Month	Local briefings and meetings	<ul style="list-style-type: none"> ▪ Issue a timetable setting out consultation period ▪ Publicise the TofR on council website and with relevant local organisations and parish councils ▪ Attend any local meetings to provide advice 	<ul style="list-style-type: none"> ▪ Undertake meetings to promote local consultation with affected groups and individuals ▪ Inform T&W Council of the range of views emerging from consultation events ▪ Promote method of response to community groups and individuals wishing to make a submission
One	Three months	Initial submissions are invited	<ul style="list-style-type: none"> ▪ Receive and acknowledge receipt of all initial submissions ▪ 	<ul style="list-style-type: none"> ▪ Complete a Submission One form, detailing the range of submissions being proposed and any alternative views having been made.
Two	Two months	Consideration of submissions received – Draft Recommendations are prepared	<ul style="list-style-type: none"> ▪ Review, consider and collate all submissions received ▪ Arrange Boundary Review Committee meeting to consider all recommendations and formulate draft council recommendations ▪ Draft recommendations, taking into account initial views, new submissions and any resulting changes 	<ul style="list-style-type: none"> ▪
Three	Three months	Draft Recommendations are published – consultations on them	<ul style="list-style-type: none"> ▪ Publish draft recommendations for further consultation ▪ Ensure information is publicised on T&W website and to all affected parties and organisations 	<ul style="list-style-type: none"> ▪ Review draft recommendations. Consider all proposals ▪ Undertake further consultation events and discussions with all affected groups and individuals ▪ Submit any further proposals or comments in response to draft recommendations.

Stage	Time-scale	What happens?	What Telford & Wrekin Council will do	What can be done by Community Groups, Parish Council(s) and other interested parties
Four	Two months	Consideration of submissions received – Final Recommendations are prepared	<ul style="list-style-type: none"> ▪ Review, consider and collate all additional submissions received ▪ Having full regard to all current guidance, statutory criteria, and the additional submissions received, prepare the final recommendations. ▪ Arrange Boundary Review Committee meeting to consider all further recommendations and formulate final council recommendations ▪ 	<ul style="list-style-type: none"> ▪
Five	End of 11 th Month	Final Recommendations are published – concluding the review	<ul style="list-style-type: none"> ▪ Publish final recommendations ▪ Ensure information is publicised on T&W website and to all affected parties and organisations 	<ul style="list-style-type: none"> ▪
Six	One month later	Boundary Review Committee resolves to make a Reorganisation Order	<ul style="list-style-type: none"> ▪ inform the following bodies that an Order has been made: <ul style="list-style-type: none"> - Secretary of State for Communities and Local Government - the LGBCE - the Office for National Statistics - the Director General of the Ordnance Survey - any other principal council whose area the order relates to 	<ul style="list-style-type: none"> ▪

Stage	Time-scale	What happens?	What Telford & Wrekin Council will do	What can be done by Community Groups, Parish Council(s) and other interested parties
Seven	Next Full Council Meeting	Report outcome to Full Council	<ul style="list-style-type: none"> ▪ Report of the outcome to Full Council ▪ Publicise how the CGR has been conducted ▪ Publish a copy of the reorganisation order, including a map ▪ Make documents available for public inspection 	<ul style="list-style-type: none"> ▪ Support publicity and inform local people and organisations through all available local mediums of the outcome of the CGR

Duties and Powers of Principal Councils in conducting Community Governance Reviews

General duties and powers leading up to a CGR	LG&PIHA 2007 – Sections	Guidance – supporting paragraphs
General powers of a principal council to undertake a CGR	82	26-29
Duty to respond to a valid petition and to undertake a CGR with Terms of Reference that allow for the petition to be considered <ul style="list-style-type: none"> • the requirements of a valid petition are in Section 80(3-8) • a two-year moratorium period is allowed in Section 83(3) • other qualifiers about moratoriums or where reviews are already in progress are in Sections 84-85 	83(1-2)	39-44, 95-97
Duty to conduct a CGR in accordance with the Act	79(2)(a)	
Duty to conduct a CGR in accordance with Terms of Reference	79(2)(b)	
Duty to have regard to guidance issued by Secretary of State and LGBCE	100	
Duty to consult electors and other persons or bodies which appear to have an interest in the review	93(3)	34, 38
Powers to decide how to undertake a CGR, subject to Section 93	93(2)	32
Powers to vary or revoke previous orders	86(5)	
Duty to conclude the review within 12 months of commencement – ‘begins’ is defined as when council publishes terms of reference; ‘concludes’ is defined as when council publishes the recommendations in the review	93(8) 102(3-4)	37
Limitations with regard to ‘protected’ parish electoral arrangements made by LGBCE (five-year moratoriums)	86(3, 6)	172-176
Limitations with regard to principal area electoral arrangements	86(2)	
Powers to make recommendations to LGBCE for related alterations to boundaries of principal council wards; LGBCE may make an order giving effect to the recommendations but have no powers of review in these cases	92	93, 177-189
Terms of reference		
General powers to decide and modify Terms of Reference	81(4)	19-23
Duty whereby Terms of Reference must specify the area under review	81(2)	
Duty to publish Terms of Reference as soon as practicable after deciding them	81(5-6)	

Duty to notify and supply terms of reference to a county council (in two-tier areas)	79(3)	
Community governance - principles		
Duty to have regard to the need to secure that community governance reflects identities and interests of the community in that area	93(4)(a)	55-61, 77-85
Duty to have regard to the need to secure that community governance is effective and convenient	93(4)(b)	62-65, 77-85
Duty to take into account other arrangements of community representation or engagement	93(5)	35-36, 136-146
Guidance to be mindful of community cohesion, engagement and participation		67-76
Guidance's strong presumptions against abolishing parishes and parish councils and in favour of parish creation <ul style="list-style-type: none"> • generally (paras.117-124) • in rural areas (paras.125-127) • in London and other urban areas (paras.128-133) • in Charter Trust areas (paras.134-135) 		117-135
Parish areas, names, styles and groups		
Duty to make recommendations as to what new parishes are to be constituted	87(1-2)	92
Duty to make recommendations as to whether to abolish or alter existing parishes	88(1-2)	92
Powers with regard to name, council and style of a new parish	87(4-7)	107-112
Powers with regard to name and council (but not styles) of existing parishes	88(3-5)	
Powers to group or de-group in a CGR in an order equivalent to an order under Section 11 LGA 1972	91	93, 113-116
Parish electoral arrangements		
What is the definition of parish electoral arrangements? <ul style="list-style-type: none"> • the year in which ordinary elections are held (Guidance paras.149-152) • the number of councillors to be elected to a council (Guidance paras.153-157) • the division or not of the parish into wards (Guidance paras.158-161) • the number and boundaries of wards (Guidance paras.162-164) • the number of councillors to be elected for any ward (Guidance para.165-168) • the name of the ward (Guidance para.169) 	102(2)	148-169
Duties, where a parish council is created or retained, to make recommendations with regard to electoral	89-90	

arrangements		
Duties with regard to parish council formation (new or existing parishes under review): <ul style="list-style-type: none"> • 1,000+ local government electors – must recommend; • 151-999 – may recommend; • 150 or less – must not recommend 	94	86-90, 153-157
Considerations with regard to electoral arrangements: creating parish wards <ul style="list-style-type: none"> • number or distribution of electors would make a single election impracticable or inconvenient • desirable for areas to be separately represented • size and boundaries of wards • number of councillors per ward <ul style="list-style-type: none"> ○ number of local government electors in parish ○ change in number or distribution over five years from review start ○ boundaries which are and will remain easily identifiable ○ local ties which may be broken 	95(1-5)	158-169, 170-171
Considerations with regard to electoral arrangements: parishes without wards <ul style="list-style-type: none"> • number of local government electors • change in number over five years from review start 	95(6-7)	170-171
Making recommendations and consultation		91-95
Duty to consult electors and other persons or bodies which appear to have an interest in the review	93(3)	
Duty to take into account any representations received	93(6)	
Duty to publish the recommendations and inform those that may be interested	93(7)	98
Duty of council to publish a decision on recommendations and reasons for the decision and to inform persons who may be interested	96(2)	98, 100
Power to make an order to give effect to the recommendations made in the CGR, subject to limitations with regard to principal area electoral arrangements and to protected parish electoral arrangements made by LGBCE (five-year moratoriums)	86(1-3, 6)	172-176
Powers to make recommendations to LGBCE for related alterations to boundaries of principal council wards; LGBCE may make an order giving effect to the recommendations but have not powers of review in these cases	92	93, 177-189

Making the Community Governance Order		
Power to make an order to give effect to the recommendations made in the CGR, subject to limitations with regard to principal area electoral arrangements and to protected parish electoral arrangements made by LGBCE (five-year moratoriums)	86(1-3, 6)	30-31, 172-176
Duty to include a map showing in general outline the area affected by an order Mapping conventions are outlined in the Guidance, paras.105-106	86(4)	105-106
Duty to deposit a copy of reorganisation order, with a map and a map in greater detail, to publicise the deposit and make the order and maps available for public inspection	96(4-6)	100-101
Duty to notify following that an order has been made: <ul style="list-style-type: none"> • Secretary of State • LGBCE • Office of National Statistics • Director General Ordnance Survey – and to supply any map referred to in the order • Any principal council that the order relates to – and to supply any map referred to in the order • Audit Commission (added in Guidance, para.102) 	96(7) Reg 6(SI2008/625)	101-102
Duty to supply copies of order to <ul style="list-style-type: none"> • Secretary of State – two copies, together with any map referred to in the order • LGBCE – two copies, together with any map referred to in the order 	98(1) Reg 6(SI2008/625)	
Duty to supply any map referred to in the order to <ul style="list-style-type: none"> • Registrar General • Land Registry • Valuation Office Agency • Boundary Commission for England 	Reg 6(SI2008/625)	
Powers whereby an order may include incidental, consequential, transitional or supplementary provision	98(3)	
Powers in an order to include provision with respect to transfer and management or custody of property or transfer of functions, property, rights and liabilities, including legal proceedings (Reg.7), transfer of staff (Reg.12), balances (balances are apportioned by population in Reg. 7(6)), charitable trusts (Reg.8), allotments (Reg.9)	98(4-5) Reg 7-9, 12 (SI2008/625)	
Powers in an order to modify or exclude Sections 16(3) and 90 LGA 1972 or the LEPCR 2006 to hold the first election to a parish council in an earlier year with councillors serving a lengthened or shortened first term to allow	98(6) Reg10(SI2008/6	31, 149-152

the parish council's electoral cycle to return to that of the principal council ward at the next elections – this is qualified in Reg.10	25)	
Powers for the billing authority to anticipate a precept for the first year of the new parish council/ parish meeting to an estimate which is included in the order. Thereafter, the parish council/ chairman of the meeting precept in that first year for the following year	Reg3(SI2008/626)	
Powers to make agreements with respect to property, income, rights, liabilities, expenses and financial relations	99	104
Duty to make rearrangements or adaptations to the register of electors in consequence of an order	Reg11(SI2008/625)	

**Community Governance Review for Proposed Changes to
xxxxx Parish Council and xxxxx Parish Council / Boundary**

Stage One Submission form

Your Details (please write clearly in capitals)

Full Name	
Organisation (where applicable)	
Address (including postcode)	
Email	
Daytime Phone (only used in case of query)	

The Options Available are:

Option 1	To adopt the proposed changes set out in the petition submitted by xxxx Parish Council and transfer the areas on the map identified as A & B from xxxx Parish Council to xxxxx Parish Council.	
Option 2	To adopt the administrative proposal and transfer the area on the map identified as area A from xxxxx Parish Council to xxxxxx Parish Council. This is an administrative option because it ensures area A remains coterminous with the District Ward Boundary.	
Option 3	No changes are undertaken at all which mean that A and B remain part of xxxxxxxxxxxx Parish Council.	
Option 4	Something different; NOTE if you choose this option you must include a viable alternative proposal in the free text box below	

Your Submission

Submission – The alternative I suggest is.....

Please continue on a separate sheet if necessary)

Signature:

Date:

Please be aware that any submission will be published as part of this review, however we will remove any personal information (such as your name and address) before we publish your views. Receipt of your representation will be acknowledged in writing.

Initial Comments by 5pm on (Insert a date) to

Community Governance Review for xxxxx Parish Council and xxxxx Parish Council

Electoral Services Team Leader, Telford & Wrekin Council, Darby House, Lawn Central, Telford, TF3 4JA,
or emailed to elections@telford.gov.uk.