



## **Borough of Telford & Wrekin**

### **Community Governance Review 2023**

#### **Terms of Reference**

#### **A Review of the Parishes of Borough of Telford and Wrekin**

##### **Background**

1. The Borough of Telford and Wrekin has resolved to undertake a Community Governance Review (CGR) of its parishes across the Borough.
2. In undertaking the review, the Council will be guided by Part 4 of Chapter 3 of the Local Government and Public Involvement in Health Act 2007 (referred to as ‘the 2007 Act’), the relevant parts of the Local Government Act 1972, the Guidance on CGR’s issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010. Also, 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).
3. The Council has a duty to keep parish arrangements under review, this is important taking account of: -
  - changes made by a full Borough Electoral Boundary Review in 2022 which resulted in disalignment between the Borough and Town and Parish Wards;
  - the growth in certain town and parishes and ensuring our communities are governed appropriately; and
  - ensuring that there is a clear rationale between the organisation and grouping of parishes.
4. Consequently, it is considered timely to conduct a CGR across the Borough to consider these issues and ensure effective local governance arrangements that promote community cohesion are maintained or improved.

5. Section 81 of the 2007 Act requires the Council to publish its Terms of Reference for the Review which clearly set out the focus of the review. This document, when published, will fulfil this requirement.

### **What is a Community Governance Review?**

6. A CGR is a legal process whereby principal authorities can consider the following:
  - creating, merging, altering or dissolution of parish councils;
  - the naming of parishes and the style of any new parish councils,
  - the electoral arrangements for parish councils, i.e., the ordinary year of election, council size (the number of parish Councillors) and parish warding; and,
  - grouping of parishes under a common parish council or de-grouping of parishes.
7. A principal authority is the Council which carries out the statutory duties of the local authority within the local government area. For the local government area of Telford & Wrekin, Telford & Wrekin Council is the principal authority.
8. A CGR must reflect the identities and interests of communities and should take account the impact of community governance arrangements on community cohesion and the size, population and boundaries of a local community or parish.
9. The review will consider the bigger-picture across the entire Borough to ensure that small changes in one area, do not impact others disproportionately. By taking a wider view of the bigger picture, it is hoped that any proposals ensure effective representation at Town and Parish levels across the entire Borough.

### **Who will undertake the review?**

10. As the principal authority, Telford and Wrekin Council is responsible for undertaking CGRs within its area. Full Council delegated authority for all matters relating to Community Governance Reviews to its Boundary Review Committee. The Officers below will be the primary contacts for the review and Boundary Review Committee will have oversight of the CGR.
11. The primary contacts for the review are:
  - David Sidaway, Chief Executive and Electoral Registration Officer;
  - Anthea Lowe, Director: Policy & Governance, Monitoring Officer and Deputy Electoral Registration Officer;
  - Richard Phillips, Service Delivery Manager: Legal & Democracy and Deputy Electoral Registration Officer; and
  - Phil Griffiths, Elections Team Leader and Deputy Electoral Registration Officer.

### **Consultation**

12. Before making any recommendations or publishing final proposals the Council will take full account of the views made by, and suggestions of, local people and

organisations and will comply with the statutory consultation requirements by:

- consulting local government electors and other persons or bodies who appear to the Council to have an interest in the review;
- taking into account any representations received in connection with the review;
- notifying consultees of the outcome of the review; and,
- publishing all decisions taken and the reasons for such decisions.

13. In particular, the Council will consult:

- Local government electors/residents in its Parishes;
- The Town and Parish Councils across the Borough;
- Borough Councillors;
- Town and Parish Councillors;
- The Members of Parliament for the Telford and Wrekin constituencies; and
- Shropshire Association of Local Councils

14. Information about each stage of the review will be published on the Council’s website and available for inspection at the Council’s Offices at Darby House, Lawn Central, Telford, TF3 4JA. Press releases and other publicity will be issued where appropriate.

### Timeline and Key Stages

Report to BRC proposing a CGR	20 July 2023
BRC meets to agree Terms of Reference and Consultation	1 <sup>st</sup> Week of September 2023
Publication of Terms of Reference and Review Commences	1 <sup>st</sup> week of September 2023
Initial Consultation - Invite initial submissions	From September meeting of BRC to 20 November 2023
BRC considers initial submissions and drafts recommendations	April 2024
Draft recommendations published	22 May 2024
Final round of public consultations	22 May 2024 to 24 July 2024
Final recommendations by BRC	August 2024
Publish final recommendations	August 2024
Consequential Order made	Autumn 2024
Elections to Town and Parish Councils	May 2027

### Electoral Forecasts

15. When considering the electoral arrangements of the parishes in the area the Council must consider any likely future change in the number or distribution of electors

within five years from the day the review commences.

16. The review will use the latest electorate figures available at a parish level together with the estimated delivery of new dwellings within the five-year period taken from the Council's most recent Land Supply Statement.

### **Scope of the Review**

17. The Review includes all aspects of community governance arrangements of existing parishes, including:
  - To consider the names of any existing parishes/parish councils;
  - To consider the boundaries of any existing parish and whether any existing parishes should be split or amalgamated to constitute any new parish or if any new parish councils should be created along with the number of parish Councillors to be elected for any parish council, whether new or existing.;
  - To consider whether any new or existing parish council should be divided into wards (or continue to be divided into wards,) including the number and boundaries of any such wards, the number of Councillors to be elected for any such ward, and the name of any such ward;
  - If considered desirable to effect any changes, whether or not any alterations should be made to the ordinary year of election for any new or existing parish/town council; and
  - To consider whether or not any recommendations should be made to the Local Government Boundary Commission for England for any subsequent alterations to the wards of the Borough Council.

### **Considerations**

18. Legislation requires that the Council must ensure that community governance within the area:
  - reflects the identities and interests of the communities in the area,
  - is effective and convenient and takes into account any other arrangements for the purpose of community representation or engagement in the area.
19. In considering proposals for change, the Council will take the following into account the current status of the Parish (whether it has a Council or meeting) and the existing and the forecast growth of the electorate.
20. The review aims to ensure that parishes reflect community identity and interest and that they are viable administrative and democratic units. None of these take precedence over the other but must be considered as part of the process.
21. Parishes with 150 or fewer local government electors cannot have a council and can

only be a parish meeting (unless the parish already has a council). For those with between 151 and 999 local government electors, the review can recommend that the parish should have a council (optional) and where the parish has 1000 or more local government electors the review must recommend that the parish has a council.

Parish boundaries

22. The Council will consider the effect of new and forecast development activity on existing parish boundaries. Parish boundaries should be easily identifiable and reflect the separation of settlements recognised locally as having their own identity. These boundaries should generally reflect the areas between communities with low populations or physical barriers such as water courses or man-made features such as railways or motorways.

Council size (number of Councillors)

23. The minimum number of parish Councillors that a council can have is five. A quorum for a parish council is three or a third, whichever is the greater number.

24. National research guidance suggests the following levels of representation for parish councils:

Electorate	Councillor Allocation
Less than 500	5 – 8
501 – 2,500	6 - 12
2,501 – 10,000	9 - 16
10,001 – 20,000	13 - 27
Greater than 20,000	13 - 31

25. Government guidance is that each area should be considered on its own merits having regard to population, geography and the pattern of communities. The Council will pay particular attention to existing levels of representation and existing council sizes which have stood the test of time.

26. In considering requests to change the number of Councillors on any individual parish council, the Council will review the electoral history for the parish including the number of contested elections that have been held, the number of vacant seats following normal parish elections (every 4 years) and the history of co-options (i.e., has the council been able to fill vacancies).

Parish Warding

27. The Council is required to consider the following points when deliberating whether a parish should be divided into wards for the purposes of elections:

- whether the number or distribution of the local government electors for the parish would make a single election of Councillors impracticable or inconvenient; and
- whether it is desirable that any area, or areas, of the parish should be separately represented on the relevant council.

28. The Government's guidance is that warding of parishes may not be justified for largely rural areas based predominantly on a single centrally located village. Conversely, warding may be appropriate where a parish encompasses a number of villages with separate identities or where there has been urban overspill at the edge of a town into a parish.
29. In considering parish wards the Council will ensure that electoral equality is retained (the principle that each person's vote should be of equal weight so far as is possible). This will be achieved by keeping the councillor/elector ration similar across any warded areas.

#### Parish names and alternative styles for parishes

30. The Council will endeavour to reflect existing or historic place names and will consider any ward names proposed any local interested parties. The Council will be mindful of Section 75 of the Local Government Act 1972 with regards to changing the name of a parish and subsequent notification and to Sections 87 and 88 of the 2007 Act and related guidance.
31. Alternative styles for parishes were introduced by the 2007 Act which could replace the 'parish' style – community, neighbourhood or village. Town status continues to be available to a parish (S247 of the Local Government Act 1972) but for as long as a parish has an alternative style it will not be able to have the status of a town and vice versa.
32. At the request of a parish, the principal authority can change the name of a parish to reflect the style adopted.
33. If an existing parish is under review, the Council will make recommendations as to whether the geographical name of the parish should change, but it will be for the parish council or meeting to resolve whether the parish should have one of the alternative styles or retain the 'parish' style.

#### Grouping of parishes

34. Under Section 91 of the 2007 Act a CGR can recommend the grouping or de-grouping of parishes. In some instances, it may be appropriate to group parishes to allow a common parish council to be formed. De-grouping may also offer the reverse possibility where local communities have expanded.
35. Any grouping or de-grouping needs to be compatible with the retention of community interests and it would be inappropriate to use it to build artificially large units under single parish councils. However, it could offer a possibility for parishes with less than 150 electors to be grouped with other parishes under an elected parish council despite being unable to form a parish council in their own right.

#### Ordinary year of election

36. As Telford & Wrekin Council is elected every four years on an 'all out' basis, it is currently proposed to keep the ordinary year of election for parish councils on the same date but the Council welcomes representations on this point.

## **Reorganisation of Community Governance Orders and Commencement**

37. The review will be completed when the Council resolves to accept the final recommendations and authorises completion of the Reorganisation of Community Governance Order.
38. Copies of the Order, supporting maps and documents setting out the reasons for the decisions taken will be placed on deposit at the Council's Offices at Darby House, Lawn Central, Telford, TF3 4JA, on the Council's website and otherwise publicised in accordance with the requirements of the 2017 Act. All parishes will be notified of the outcomes of the review.
39. Copies of the Order will be sent to:
- the Secretary of State for Levelling Up, Housing and Communities
  - the Local Government Boundary Commission for England
  - the Office of National Statistics
  - the Director General of the Ordnance Survey
  - Shropshire Association of Local Councils

## **Consequential matters**

40. In the interests of maintaining coterminous boundaries of principal authority electoral areas and the boundaries of parishes, recommendations may be made to the Local Government Boundary Commission for England to make related changes to district and/or county electoral area boundaries.
41. Setting up new parish councils or grouping/de-grouping councils may require additional consequential provisions including:
- the transfer and management or custody of property
  - the setting of precepts
  - provisions with respect to the transfer of any functions, property, rights and liabilities
  - provisions for the transfer of staff
42. In these matters the Council will be guided by the relevant legislation.

## **Date of Publication**

43. These terms of reference will be published on 1 August 2023.