



REVIEW OF PARISHES AND RELATED MATTERS – LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT ACT 2007

ALBRIGHTON/DONINGTON

TERMS OF REFERENCE

Introduction

The Council has resolved to undertake a Community Governance Review of the Parishes of Albrighton and Donington. The area to be included in the review is the whole of the parishes of Albrighton and Donington

In undertaking the review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007 (the 2007 Act), the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626). (The 2007 Act has transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

Style of Council

A Parish Council can choose to use a different style or name. For example, in both Albrighton and Donington, the Council has the style Parish, their Councils are known as Parish Councils and their councillors as Parish Councillors. The geographical area comprising the council's area is known as a parish and can be made up of parish wards.

What is a Community Governance Review?

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 new parishes;
- 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), and
- Grouping parishes under a common parish council or de-grouping parishes.

Why undertake a Community Governance Review?

A Community Governance review provides an opportunity for principal authorities to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population or in reaction to specific, or new local issues to ensure that the community governance for the area continues to be effective and convenient and it reflects the identities and interests of the community.

The government has emphasised that recommendations made in Community Governance Reviews ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more efficient delivery of local services.

This Community Governance Review will consider whether there should be any changes to the parish boundaries between Albrighton and Donington.

The Community Governance Review will not consider changes to the Shropshire Council divisions for these areas.

Why is the Council undertaking the Review in Albrighton/Donington?

The Local Government Boundary Commission for England has recently completed a review of the Electoral Divisions of Shropshire Council. Their final proposals, which will now go forward for approval by Parliament, move the Electoral Division Boundary between Albrighton and Donington so that it is no longer coterminous with the boundary of the Albrighton and Donington Parishes.

Shropshire Council is concerned that this arrangement is neither effective nor convenient, may cause confusion and will fail to reflect the identities and interests of the community in that area.

Who undertakes the review?

As the principal authority, Shropshire Council is responsible for undertaking any Community Governance Review within its area. Shropshire Council will be required to approve the final recommendations before a Community Governance Order is made.

CONSULTATION

How the Council proposes to conduct consultations during the review?

This document lays out the aims of the review, the legislation that guides it and some of the policies that the Council considers important in the review.

In coming to its recommendations in a review, the Council will need to take account of the views of local people. The Act requires the Council to

- consult the local government electors for the area under review.
- consult any other person or body (including the authority), who appears to have an interest in the review.
- Take into account any representations that are received in connection with the Review.

Information relating to the Community Governance Review will be available on the Council's website and key documents will be on deposit at the Council Offices. Details can be found towards the end of this document.

When taking account of written representations the Council is bound to have regard to the need to secure that community governance within the area under review:

- Reflects the identities and interests of the community in that area; and
- Is effective and convenient

Shropshire Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the Community Governance Review are informed of the recommendations and the reasons behind them.

The Council will notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

A timetable for the Community Governance Review

Stage	What happens?	Timescales
Commencement	Terms of Reference are published	14 December 2023
Stage one	Initial Submissions are invited	15 December 2023 to 26 January 2024
Stage two	Consideration of submissions received – Draft Recommendations are prepared	27 January 2024 to 20 March 2024
Stage three	Draft Recommendations are published – consultations on them	21 March 2024 to 03 May 2024
Stage four	Considerations of submissions received – final recommendations are prepared	04 May 2024 to 31 May 2024
	Final recommendations are published – concluding review	04 June 2024
	Council resolves to make a Reorganisation Order	Mid to end June 2024

ELECTORATE FORECASTS

The Council has used the Register of Electors for 1 October 2023 in providing the existing parish/parish ward electorate figures. These are presented below.

When the Council comes to consider the electoral arrangements of the parishes in its area, it is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts. Electorate forecasts have been prepared by the Intelligence and Research Team, Strategic Planning, Shropshire Council using extant planning permissions, the Local Plan, the Local Development Framework to project the five year electorate forecast.

It is the Government's guidance that these forecasts should be made available to all interested parties as early as possible in the review process.

Population estimates will be used to apportion assets where significant changes, including the creation of new parishes, are recommended.

THE PRESENT STRUCTURE OF ALBRIGHTON AND DONINGTON PARISH COUNCIL AND THEIR ELECTORAL ARRANGEMENTS

In October 2023, the Local Government Boundary Committee for England published its final recommendations in relation to the new Electoral Arrangements for Shropshire Council. The document set out the new Electoral Divisions that will come into force at the ordinary elections in 2025.

Any by-elections held between now and May 2025 will be held using the old ward boundary arrangements.

Albrighton Parish Council currently comprises of 15 Councillors. There are currently no wards and the arrangements are set out in table 1a below:

Table 1a

Parish	Polling District letters	Number Of Councillors	Number of Electors (October 2023)	Forecast Electors (April 2028)	Ratio Electors per Councillor
Albrighton	WAE/WAF	15	3,421	3,768	1: 251

Donington Parish forms part of a grouped Parish Council with the Parish of Boscobel. Donington is currently represented on the Grouped Council by 9 Councillors. There are currently no wards in the Parish and the arrangements are set out in Table 1b below:

Table 1b

Parish	Polling District letters	Number Of Councillors	Number of Electors (October 2023)	Forecast Electors (April 2028)	Ratio Electors per Councillor
Donington	WCQ	9	1,073	1,084	1: 120

PARISH AREAS

Introduction

The Review can involve altering the boundaries of parishes and abolishing existing parishes. Reviews can also include the creation of new parishes,

Shropshire Council is concerned that, following the Local Government Boundary Commission review, the new arrangements for the Parishes of Albrighton and Donington are neither effective nor convenient, may cause

confusion and will fail to reflect the identities and interests of the community in that area.

Parishes

The Council wishes to ensure that electors should be able to identify clearly with the parish in which they are resident. It considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

The Council recognises that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity; the feeling of local community and the wishes of local inhabitants are primary considerations in this Review.

The Council is anxious to balance carefully the considerations of changes that have happened over time, through population shifts or additional development for example, and that have led to a different community identity with historic traditions in its area.

The Council notes the government's Guidance that community cohesion should be taken into account in this Review.

ELECTORAL ARRANGEMENTS

What does 'Electoral Arrangements' mean?

An important part of our Review will comprise giving consideration to 'Electoral Arrangements'. The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward;
- The name of any such ward

Ordinary year of election

The ordinary election of parish councillors takes place every four years. The next ordinary election is scheduled to take place in May 2025.

A council for a parish

The legislation lays down the different duties that the Council has with regard to the creation of a council for a parish.

- Where the number of electors is 1,000 or more – a parish council must be created;
- Where the number of electors is between 151 and 999 – a parish council may be created,
- Where the number of electors is 150 or fewer – a parish council cannot be created.

What considerations cover the number of parish councillors?

The Council notes that the number of parish councillors for each parish council shall not be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. However, each parish grouped under a common parish council must have at least one parish councillor.

In its survey, the Aston Business School found that the levels of representation ranged between:

Table 2

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

The National Association of Local Councils has issued the following guidelines:

Table 3

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23

6,500	14	23,000	24
7,700	15	25,000	25
9,000	16		

The government's guidance is that each area should be considered on its own merits, having regard to its population geography and pattern of communities', and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter. The government makes the point 'that the conduct of parish council business does not usually require a large body of councillors'.

Table 4a and 4b below shows the number of seats and the number of candidates who stood in each of the Parishes at the last ordinary elections held in May 2021:

Table 4a - Albrighton

Parish	Number of seats	Number of Candidates
Albrighton	15	7

Table 4b - Donington

Parish	Number of seats	Number of Candidates
Donington	9	11

Where there has been a history of uncontested elections and/or the need to co-opt members in order to fill vacancies, the Council will give careful consideration to whether the present levels of representation are appropriate or whether there is a 'democratic surplus' in a parish.

By law, the Council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- The number of local government electors for the parish;
- Any change in that number which is likely to occur in the five years beginning with the day when the review starts.

Parish warding

The Act requires that in considering whether a parish should be divided into wards for the purposes of elections of the parish council the Council should consider the following:

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

The government's advice is that 'warding of parishes in largely rural areas that are based predominantly on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where on the edges of towns, there has been some urban overspill into the parish.

The Council will be mindful of all this guidance, noting further that each case should be considered on its own merits and on the basis of the information and evidence provided during the course of the review.

Ward arrangements should be clearly and readily understood by and should have relevance for the electorate in a parish. They should reflect clear physical and social differences within a parish. Ward elections should have merit, not only should they meet the two tests laid down in the Act, but they should also be in the interests of effective and convenient local government. They should not be wasteful of a parish's resources.

The number and boundaries of parish wards

In reaching conclusions on the boundaries between parish wards, the Council will take into account community identity and interests in an area. It will consider whether any particular ties or linkages might be broken by the drawing of particular ward boundaries. Equally, the Council during its consultations in this Review is mindful that proposals which are intended to reflect community identity and local linkages should be justified in terms of sound and demonstrable evidence of those identities and linkages.

The guidance has suggested that a relevant consideration for the Council when undertaking a Review is that district/borough/electoral divisions should not split an unwarded parish and that no parish ward should be split by such a boundary. The relevant legal provisions do not apply to reviews of parish electoral arrangements, but the Local Government Boundary Commission for England has requested the Council to bear this in mind, which the Council will do.

The number of councillors to be elected for parish wards

It is an important democratic principle that each person's vote should be of equal weight so far as possible, having regard to other legitimate competing factors, when it comes to the elections of councillors. There is no provision in legislation that each parish councillor should represent, as nearly as may be, the same number of electors. However, the Council considers that it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation between different parish wards.

The Council is likewise anxious to avoid a ward being over-represented by councillors as the residents of those wards (and councillors) could be perceived as having more influence than others on the Council. During the process, the Council is committed to consistently showing the ratios of electors to councillors that would result from its proposals. The ratios that apply to Albrighton and Donington are set out in Tables 1a and 1b above.

Naming of parish wards

In the naming of parish wards, the Council will be mindful of existing local or historic place names, and there will be a presumption in favour of ward names proposed by local interested parties.

REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the of the order in detail, and the document(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the locations listed on page 14 of this document.

In accordance with the Guidance issued by the government, the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000. These maps will be deposited with the Secretary of State at the Department of Communities and Local Government and at the Council Offices listed on page 14. Prints will also be supplied, in accordance with regulations to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Agency, the Boundary Commission for England and the Local Government Boundary Commission for England.

The provisions of the Order will take effect for financial and administrative purposes on 1 April 2025.

The new arrangements will come into force at the next ordinary elections to the Parish councils which are scheduled to be held in May 2025.

CONSEQUENTIAL MATTERS

General Principles

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order.

These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.

Electoral division boundaries

The Council is mindful that it may be necessary for it to recommend the Local Government Boundary Commission to make alterations to the boundaries of electoral divisions to reflect the changes made at parish level. The Council notes that it will be for the Local Government Boundary Commission to decide if related alterations should be made and when they should be implemented, and that the Commission may find it appropriate to conduct an electoral review of affected areas.

The Council notes that the Local Government Boundary Commission will require evidence that the Council has consulted on any such recommendations for alterations to the boundaries of electoral divisions as part of the Review. Of course, such recommendations for alterations may only become apparent during the course of the Review. Even so, the Council will endeavour to include any such draft recommendations for alterations at the earliest possible opportunity for consultation that will arise after they become apparent.

How to contact us

Should you wish to submit a written representation regarding this review, please address to:

Democratic Services,
Shropshire Council,
Shirehall,
Shrewsbury
SY2 6ND

Alternatively your submission may be e-mailed to:

Democracy@shropshire.gov.uk

Should you require any further information or need clarification on the review process, please contact:

Graham White

Solicitor

e-mail: graham.white@shropshire.gov.uk

Tim Ward

Committee Officer

e-mail: tim.ward@shropshire.gov.uk

Publication of Terms of Reference

These terms of reference will be published on the Shropshire Council website www.shropshire.gov.uk and will be available for inspection at the offices at:

Shirehall,
Abbey Foregate
Shrewsbury
SY2 6ND

Date of Publication

14 December 2023