

Report to Council

Subject: Community Governance Review of St Albans Parish Council

Date: 4 June 2025

Author: Democratic Services Manager

Purpose

For Council to conclude the Community Governance Review of St Albans Parish Council carried out under Part 4 of the Local Government and Public Involvement in Health Act 2007.

To obtain approval to make a Reorganisation Order to give effect to the final recommendations made in the review.

Recommendations:

That Council agrees:

- 1) That a new Parish with a Parish Council is established to cover the Deer Park, Bestwood Lodge area of the St Albans Parish named "The Parish Council of Deer Park". The Parish Council should have five members.
- 2) That a new Parish with a Parish Council is established to cover the area comprised of the Top Valley, Emmanuel Church area of the St Albans Parish, named "The Parish Council of St Albans". The Parish Council should have seven members.
- 3) That the new parishes shall not be warded
- 4) The boundaries of the new parishes should be shown on the map contained at Appendix 4
- 5) That Elections shall be held in May 2026 for the new Parish councils, with further elections held the year after to return the parish councils to the appropriate cycle of elections for all other Gedling Parishes.
- 6) The current Parish Council of St Albans should be dissolved, and the current Parish of St Albans be abolished
- 7) To delegate authority to the Chief Executive in consultation with the Member working group to make the Reorganisation Order to give effect to the recommendations made in the review in order that its commencement is consistent with the statutory electoral timetable and the process for setting any parish budget requirements.

1 Background

- 1.1 In June 2024 Gedling Borough Council received a valid community petition asking for the formation of a separate parish council for the Bestwood Lodge and Deer Park area of the parish of St Albans. At a meeting of Council in October 2024, a decision was taken to undertake a Community Governance Review (CGR) for the parish of St Albans.
- 1.2 At the October meeting of Council, it was resolved to formally launch the review by agreeing terms of reference for the review. The terms of reference are shown at Appendix 1. The review has been conducted in line with provisions within part 4 of the Local Government and Public Involvement in Health Act 2007, guidance, published in March 2010 by the Department for Communities and Local Government and in accordance with the agreed terms of reference.
- 1.3 An initial consultation ran from 28 October 2024 to 6 January 2025 the consultation process throughout the review was as follows:

The Council identified people/bodies who they felt may have an interest in the review and contacted them inviting them to submit their views at both stages of consultation. These included:

- Residents of the parish
- Ward members
- Tenants and residents' associations
- Local groups and societies
- Schools and colleges
- Members of Parliament
- Nottinghamshire Association of Local Councils
- Local political parties
- The police
- Current parish council members
- Adjoining parish councils
- Nottinghamshire County Council

We consulted with the above participants in the following ways:

- Online surveys – MS Teams form
- Personal letter to every household in the parish
- Publishing details on our website
- Sharing information to parish councils/councillors to share
- Press releases and social media post
- Ward member group meetings
- Email to relevant contacts

- 1.4 The Council received 266 responses to the first consultation. 262 of those were via a teams online form, 4 were received via email. Of those responses 96% were from residents with the rest from councillors, local political parties, the County Council, and a local fundraiser. A summary of responses is provided with Appendix 2 to this report.

- 1.5 Members will recall that at the October 2024 meeting, Council approved the establishment of a cross-party working group to examine feedback from the consultation and to form a view as to draft recommendations arising from the consultation to be published for further consultation. The working group consisted of Councillors David Ellis and Paling (Labour Group), Councillors Bestwick and Maltby (Conservative) and Councillor Hughes and Dunkin (Liberal Democrats). On the basis of the first consultation the working group recommended that:
- 1) That a new Parish with a Parish Council is established to cover the Deer Park, Bestwood Lodge area of the St Albans Parish (as shown on the attached map) named “The Parish Council of Deer Park”. The Parish Council should have five members.
 - 2) That a new Parish with a Parish Council is established to cover the area comprised of the Top Valley, Emmanuel Church area of the St Albans Parish (as shown on the attached map), named “The Parish Council of St Albans”. The Parish Council should have seven members.
 - 3) That Elections shall be held in May 2026 for the new Parish councils, with further elections held the year after to return the parish councils to the appropriate cycle of elections for all other Gedling Parishes.
 - 4) The current Parish Council of St Albans should be dissolved, and the current Parish of St Albans be abolished.
 - 5) The new proposed parishes would not be warded.

A detailed explanation for these recommendations can be found in Appendix 2 to this report.

- 1.6 The draft recommendations were published and a second round of consultation on the recommendations was undertaken between 21 February 2025 and 2 May 2025. Within the consultation period a total of 49 responses were received; 38 were via the online form and 11 via email. Of those responses 47 were from residents and Councillors (some of whom are also residents) one response was from a local fundraiser and one from the County Council. A summary of the responses can be found at Appendix 3.
- 1.7 Following consultation closure, a further 57 responses were received on a paper form. These forms were received outside the consultation period and did not directly address the recommendations in the consultation. There was a general question asked on the form as to whether respondents agreed to a “split” disagreed or were indifferent. Of those responses 6 supported a split, 44 were against and 7 were indifferent. Whilst the working group did give some weight to these responses, it was recognised that they were received outside the consultation period and did not address the same questions that the consultation posed.
- 1.8 Overall, the second round of consultation gleaned a much lower response rate. In relation to responses received in time, broadly there was support for the creation of the two parishes with narrative provided specifically around the names of the parishes

and the boundaries.

- 1.9 The working group met on 20 May 2025 to review together the consultation responses to the stage 2 consultation.
- 1.10 Having considered the results, whilst the working group noted that there was some objection to the separating of the parish, they did not find any evidence in the information provided that would lead them to a different overall conclusion from those formed following the first consultation.
- 1.11 The response rate to the second consultation was much lower and whilst there was some opposition presented to a separation of the parish which were considered, the majority of this came after the consultation window closed and provided no supporting evidence or information as to why the recommendations should not be implemented.
- 1.12 The working group carefully considered comments received through the stage 2 consultation. In particular they considered whether alternative names could be given to the parishes, reflecting on some of the historical views put forward by individual consultees. Members considered Bestwood Lodge as a potential name but were concerned about confusion with the Hotel at Bestwood Lodge and the existing Bestwood Village Parish Council. In addition, whilst it was noted that the Deer Park Drive was a newer development, the naming of the development had historic links to the land, in that formally the area was a deer park. Taking this into account it was felt the name of the smaller parish should be the Parish of Deer Park and that this represented the area and community accurately. It was also reflected that there are a number of historical links to the Duke of St Albans throughout both potential parishes, as was identified in the consultation, the Duke visited the Emmanuel Church. The group felt that the names proposed in the recommendation were appropriate. The Local Government Act 1972 does provide that Parish Councils can request a change of name at any point. This does not require a formal review and can be made at any point once the parishes are established.
- 1.13 The working group carefully considered comments about the boundary of the new parishes. In line with legislation and guidance, the group wanted to ensure community cohesion in any boundary decisions. They considered that including the Emmanuel Church within the larger parish of St Albans appropriately reflected the community of church goers. The boundary lines proposed within the draft recommendations did not include properties specifically raised in the consultation and as such a minor change to the boundary of the two new parishes was proposed and agreed by members.
- 1.14 The working group again considered the number of parish Councillors recommended and whilst there was a call for 4 Councillors for the Deer Park parish, the legal minimum is 5 and as such that number was considered correct by the working group. Similarly, given the slightly reduced size of the new St Albans parish, a reduction from 9 to 7 was considered appropriate as reflected in the original discussions shown at Appendix 2.
- 1.15 The members of the working group reflected on their previous recommendations and reasonings and concluded that for the reasons set out in Appendix 2 and within this

report and having considered the relevant legislation and guidance that their original recommendations should be re-affirmed, except for a minor boundary change to ensure that a few properties were not left isolated.

- 1.16 Members discussed the future viability of the Councils and the process for separation of assets and precept setting. It was recognised that it was for Gedling Borough Council (as detailed below) to support in the division of assets and budget setting for the new Councils and in that regard, at this time, the level of precept was unknown. Division of the existing precept in a 60:40 split as requested within the original petition was not necessarily accurate or proportionate.
- 1.17 The original recommendations agreed by the working group, except for the minor boundary changes, were re-affirmed as follows:
- 1) That a new Parish with a Parish Council is established to cover the Deer Park, Bestwood Lodge area of the St Albans Parish (as shown on the attached map) named "The Parish Council of Deer Park". The Parish Council should have five members.
 - 2) That a new Parish with a Parish Council is established to cover the area comprised of the Top Valley, Emmanuel Church area of the St Albans Parish (as shown on the attached map), named "The Parish Council of St Albans". The Parish Council should have seven members.
 - 3) That Elections shall be held in May 2026 for the new Parish councils, with further elections held the year after to return the parish councils to the appropriate cycle of elections for all other Gedling Parishes.
 - 4) The current Parish Council of St Albans should be dissolved, and the current Parish of St Albans be abolished.

The new proposed parishes would not be warded.

2 Proposal

- 2.1 The Community Governance Review has been conducted in accordance with the Terms of Reference approved by Council in October 2024. This means that the Council is now required to make a decision on how to conclude the review.
- 2.2 Considering the relevant legislation, statutory guidance, consultation response and considerations of the working group it is proposed that Council approve the recommendations of the working group. It is considered that the creation of two parishes and the abolition and dissolution of the existing St Albans parish will be:
- Reflective of the identities and interests of the community in those areas; and
 - Effective and convenient.
- for the reasons set out in the report and in Appendix 2.
- 2.3 Consideration was given as to whether alternative arrangements could be made instead of the creation of two parishes, however this is not recommended. The 2007 Act requires a Parish council to be created for a new Parish where the parish has over 1000 electors, for this reason the new St Albans Parish would have to be a Parish

council. Whilst the Deer Park Parish has fewer than 1000 electors, it was considered that an alternative form of arrangements was not suitable and a Parish with this many electors was appropriate and aligned with other parish sizes across the borough operating effectively.

- 2.4 The Council is required to consider whether the parishes should be warded. It is proposed that the parishes are not warded as a single election would be practicable and convenient for the two new parishes and there is no desire for any area within the new parishes to be separately represented. Both new parishes would be coterminous with the boundaries of the district, county, and parliamentary boundaries. There is no concern that population growth within the two new parishes would suggest warding is required the estimated growth by 2030 is 62 electors in the existing St Albans parish area. The impacts of Local Government Reorganisation on boundaries is as yet unclear. There was no feedback from the consultation that suggested warding was recommended.
- 2.5 In terms of arrangements for the new parishes to come into operation, the proposals are that this happens in April 2026 with elections held in May 2026. A shortened first term of office is proposed to realign with the established cycle of local elections in May 2027.
- 2.6 Parish boundaries, and the number of Councillors has been carefully considered as highlighted within the report and have been drawn to ensure community cohesion.

2.7 **Reorganisation Order**

Once the Council has agreed the final recommendations, a Reorganisation Order will be made which sets out the mechanics of the establishment of the parishes and the parish councils. The Order will include the budget requirement for the parish councils for the financial year 2026/27 (further detail within financial implications section of this report) and any other provisions needed to bring the parish council into being including elections and transitional arrangements.

In view of the fact that this is a procedural matter it is proposed that the Chief Executive in consultation with the working group be given authority to approve the Order.

Once the Order is approved a copy must be deposited at the Borough Council offices along with a map showing the areas covered by the order. The Council must publicise the availability of those documents for inspection. The Council must also notify the relevant agencies including the Secretary of State for Ministry of Housing, Communities and Local Government, the Local Government Boundary Commission for England, the Office of National Statistics, the Director general of Ordnance Survey and the County Council.

2.8 **Timetable**

In accordance with the timetable below, it is proposed the new parishes will be established in May 2026

| Task | Timescale |
|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| Final recommendations approved by Full Council | June 2025 |
| Officers liaise with the current parish council to establish current property, rights, and liabilities | July – November 2025 |
| Officers to liaise with existing parish council to identify funding requirements for new parish in order to set initial precept in March 2025 | July – November 2025 |
| Council makes reorganisation order | February 2026 |
| Order comes into effect | 1 April 2026 |
| Election of Parish councillors (for one year term) | May 2026 |
| Election of Parish councillors for four year term | May 2027 |

3 Alternative Options

- 3.1 As part of the Community Governance Review process, the Council has a number of options in relation to action that can be taken including dissolution of both parishes, alternative forms of governance (for the smaller parish) or leaving the arrangements as they are. Having considered the evidence, legislation and guidance, the recommendations to Council have been formed and are recommended for the reasons set out within this report and in Appendix 2.
- 3.2 Whilst an alternative decision could be taken, any decision needs to have regard to all relevant legislation and guidance and the evidence presented through the petition and consultation responses.

4 Financial Implications

- 4.1 At this point it is difficult to determine the potential impact of separate parish councils on any parish precept. This would depend on the budget requirement for each new parish council. The Borough Council would aim to work with existing St Albans Parish Councillors to get an understanding of the level of financing the new parishes may require. Once a budget requirement for the new parish councils is known, a precept and the council tax level can be calculated. It is for this reason that the level of precept cannot be given at this time nor any definitive answer as to how the precept will be “split” as requested in the original petition.
- 4.2 It is recognised that there is a process that would need be followed by the Borough

Council to “wind up” the assets and liabilities of the existing Parish Council in order to establish new councils. The Local Government (Parishes and Parish Councils) (England) Regulations 2008 sets out how this is achieved.

4.3 The Regulations make clear that:

- Any “fixed” assets would become the property of whichever council that they become part of. For example, a parish council owned village hall would remain where it is and become an asset of the new council for that area.
- Any assets that are not “fixed,” such as balances of bank accounts, would be split according to the electorate of each new area. So, for example if £100 was left in the bank account and new parish “A” had 60 electors and new parish “B” had 40 electors, Parish “A” would receive £60, and Parish “B” would receive £40. The same would apply to non-fixed assets such as equipment, although an approach to the division of assets such as office equipment would need to be agreed.

4.4 If separate parish councils were to be established the Borough Council is responsible for ensuring that budgets for the first year of operation are prepared and agreed for the parish councils to administer once they are elected. As such the Budget Council meeting in March 2026 would have to set and approve the initial parish precepts on behalf of the new parishes. This process would be done in consultation with the existing parish council.

4.5 The Borough Council is required to have regard to the running costs of any assets when setting a budget. The Borough Council would be obliged to ensure that a new council is in a strong enough financial position to “look after” the assets that they would be left with. There would be no direct financial implications for the Borough Council arising from this process other the administrative costs of the review and the behind the scenes processes involved in collecting council tax from any parished areas. Resources have already been identified to support this process.

5 Legal implications

5.1 Under section 93 of the Local Government and Public Involvement in Health Act 2007, the Council must comply with various duties when undertaking a community governance review. It must 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

5.2 In deciding what recommendations to make, the Council must consider any other arrangements, apart from those relating to parishes and their institutions that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review. The Council must take in to account any representations received during the course of the 2 consultation exercises when making a decision in connection with the review.

- 5.3 Under Section 100 of the 2007 Act, the Council must have regard to guidance issued by the Secretary of State [Community governance reviews: guidance - GOV.UK](https://www.gov.uk/government/publications/community-governance-reviews-guidance).
- 5.4 Section 94 of Act provides that if the parish has 1,000 or more local government electors, the review must recommend that the parish should have a council. If the parish has 150 or fewer local government electors, the review must recommend that the parish should not have a council.
- 5.5 By virtue of section 89, if the Council decides that the parish should have a parish council, the review must also make recommendations about the electoral arrangements that will apply (such as year of ordinary elections, number of councillors, warding the parish). In agreeing the electoral arrangements set out in the report the Council will in effect be modifying or excluding the application of Sections 16(3) and 90 of the Local Government Act 1972 to provide for the first election to be held in May 2026 and for the Councillors to serve a shortened first term (1 Year) to allow the parish council's electoral cycle to return to the ordinary cycle of local elections in 2027. The Borough Council has the power to arrange and adopt the initial parish precept under regulation 3 of the Local Government Finance (New Parishes) Regulations 2008. The Local Government (Parishes and Parish Councils)(England) Regulations 2008 deal with the distribution of property, rights and liabilities of a parish council affected by a Reorganisation Order and set out other consequential and transitional arrangements.

6 Equalities Implications

- 6.1 An equality impact assessment is shown at Appendix 5

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no specific carbon reduction/environmental sustainability implications arising from this report.

8 Appendices

- 8.1 Appendix 1 –Terms of reference
- Appendix 2 – Report of Democratic Service Manager
- Appendix 3 – Summary of consultation stage 2
- Appendix 4 – Map of the proposed new parishes
- Appendix 5 – Equality Impact Assessment

9 Background papers

None

10 Reasons for recommendations

To conclude the Community Governance Review within statutory timescales and to determine the review in a way which has regard to all relevant legislation, guidance and consultation feedback as set out within the report.