

Opening Statement

Colney Heath Parish Council (CHPC) took a view in March 2022 that there should be an urban/rural split of the Colney Heath Parish Council.

Following publication of the Notice of Community Governance Review and Terms of Reference, electors will have two months from the date of publication of the consultation to return their views.

The period for consultation is not prescribed and guidance states that “reasonable periods for consultation with local electors and other stakeholders” should be built into the planning process. It is hoped that the final report will be presented to St Albans District Council on 7 December 2022.

The changes will take effect from May 2023 when Town and Parish Council elections are scheduled to take place throughout the District. However, for administrative and financial purposes (such as setting up the newly formed Parish Council and arranging its first precept), the Order will take effect in January 2023.

Rural Position

Parish councillors and elections

The minimum number of parish councillors is five . However, the National Association of Local Councils (NALC), the body which represents parish councils, has indicated that it believes that seven should be minimum size.

The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether or not to make changes to parish boundaries or size and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing parishes.

Section 93 of the 2007 Act allows principal councils to decide how to undertake such a review, provided they comply with the duties in the Act which apply to council’s undertaking reviews. If, following a review, the Council decides that changes should be made to the electoral arrangements they may make an Order giving effect to these changes.

Section 95 of the Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish and any change in that number likely to occur in the next five years.

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The total electorate in the proposed rural parish is ?,???. The electorate is forecast to increase by a maximum of ??, totalling ?,??? in the next five years owing to planned development.

The Council notes that the number of parish councillors for each parish council shall not be less than five. In practice there is a wide variation of council size between parish councils. Currently no statutory requirement regarding the ratio of electors to councillors for parishes of different electorate sizes exists.

The Department for Communities and Local Government reports that, nationally, local councils with the following electorates have, typically, the number of councillors outlined below

- Less than 500 – between 5 and 8 councillors;
- Between 501 and 2,500 – between 6 and 12; and
- Between 2,501 and 10,000 – between 9 and 16 councillors.

In dealing with a request the following guidelines, which are based on recommendations from the National Association of Local Councils, should also be considered but each area should be considered on its own merits.

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	45,000	25
9,000	16		

On the basis of the advice the recommended number of councillors for the proposed electorate would be 9 but given the increase in the electorate consideration should be given to having 11 councillors – with 5 representing Colney Heath Village, 2 Smallford, 2 Tyttenhanger and 2 Sleapshyde

Advantages	Disadvantages

Financial Impact

- Reduced services
- Increase in Precept

Urban Position

The additional cost to Council Tax payers

A parish council can raise money through a process called “precepting” where it instructs its “billing authority” (in this case St Albans District Council) to collect extra money on their behalf to cover their running costs. This is added to the Council Tax bill paid by each household in the parish council area.

In 2022-23 the “precept” from a Parish Council for Band D properties was £85.92 for the year – the precept will be set by the parish council and NOT by St Albans District Council. This is just an average cost for the year, so the cost to Council Tax payers in the area covered by the proposed parish council may be higher, or lower, but this really depends on the nature of the services the parish council want to deliver.

The figure given should NOT be taken as an indication of the likely level of precept that would be levied by a newly formed urban Parish Council.

The urban parish council should take account of its basic running costs such as:

- the cost of premises (hire charge for meetings);
- the salary of a parish clerk (who would be part-time);
- the cost of internal and external auditors;
- reimbursement of any expenses incurred by parish councillors;
- a share of the cost of elections (but the whole cost of any by-election)

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The total electorate in the proposed urban parish is ?,???. The electorate is forecast to increase by a maximum of ??, totalling ?,???? in the next five years owing to planned development.

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On the basis of the advice the recommended number of councillors for the proposed electorate would be 8 or 9 councillors.

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Advantages	Disadvantages

Financial Impact

- Increased services
- Reduction in Precept

The proposed reduction in size of Colney Heath Parish Council does meet several criteria set out in the Government's guidance on community governance review i.e., community coherence, reflective of the identities and interests of the community, and sense of place.

There are, however, other considerations set out in Government guidance to be born in mind. The first is the emphasis placed by the Government on the value of local councils and the important role they play in community life. The guidance is clear that "abolition of parishes should not be undertaken unless clearly justified" and a decision to "abolish a parish should not be taken lightly". It should also be noted that community governance was a significant part of the Levelling Up White Paper, with the Government wishing to "empower local people to shape the place they live, influence local services and take control of community spaces".

The impact for some 2,500 electors who would be excluded from a Colney Heath Parish Council would be the same. Indeed, it is worth noting that the number of electors in the proposed area of the Parish Council would number 2,124, meaning that the advantages of a parish council would be denied more than half of the current electors in Colney Heath Parish Council.

It should also be noted that exclusion of many residential properties from a new Parish area could have a detrimental impact on the ability of the new Parish Council to continue to fund the present range of services.

The St Albans District Council must consider whether the suggested benefits that may be brought about by a re-configured and smaller Colney Heath Parish Council can be practically achieved and whether these benefits are of sufficient magnitude to overcome the harm done by excluding some 2500 electors from representation by Colney Heath Parish Council.

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Summary

Colney Heath Parish Council
September 2022